



muswellbrook  
shire council

Muswellbrook Shire Council

# EXTRAORDINARY COUNCIL MEETING

BUSINESS PAPER

TUESDAY 30 AUGUST 2022



**MUSWELLBROOK SHIRE COUNCIL**

P.O Box 122  
MUSWELLBROOK  
26 August, 2022

Councillors,

You are hereby requested to attend the Ordinary Council Meeting to be held in the LOXTON ROOM, Administration Centre, Campbell's Corner, 60-82 Bridge Street, Muswellbrook on **Tuesday 30 August 2022** commencing at 5:30 pm.

Derek Finnigan

**ACTING GENERAL MANAGER**



# Council Meetings

## Meeting Principles

Council and committee meetings should be:

- Transparent:* Decisions are made in a way that is open and accountable.
- Informed:* Decisions are made based on relevant, quality information.
- Inclusive:* Decisions respect the diverse needs and interests of the local community.
- Principled:* Decisions are informed by the principles prescribed under Chapter 3 of the Act.
- Trusted:* The community has confidence that councillors and staff act ethically and make decisions in the interests of the whole community.
- Respectful:* Councillors, staff and meeting attendees treat each other with respect.
- Effective:* Meetings are well organised, effectively run and skilfully chaired.
- Orderly:* Councillors, staff and meeting attendees behave in a way that contributes to the orderly conduct of the meeting.

## Public Forums

The council may hold a public forum prior to each ordinary meeting of the council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting. Public forums may also be held prior to extraordinary council meetings and meetings of committees of the council.

To speak at a public forum, a person must first make an application to the council in the approved form. Applications to speak at the public forum must be received by no later than 9.00 am two (2) days prior to the day of the meeting before the date on which the public forum is to be held, and must identify the item of business on the agenda of the council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item.

Approved speakers at the public forum are to register with the council any written, visual or audio material to be presented in support of their address to the council at the public forum, and to identify any equipment needs no more than 3 days before the public forum. The general manager or their delegate may refuse to allow such material to be presented.

Each speaker will be allowed 2 minutes to address the council. This time is to be strictly enforced by the chairperson.



## Declarations of Interest

### **Statement of Ethical Obligations**

Councillors are reminded of their oath or affirmation of office, made under section 233A of the NSW Local Government Act 1993, to undertake the duties of the office of Councillor in the best interests of the people of Muswellbrook Shire and Muswellbrook Shire Council and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in them, under the Local Government Act 1993 or any other Act, to the best of their ability and judgment. Pursuant to the provisions of the Muswellbrook Shire Council Code of Meeting Practice and the Muswellbrook Shire Council Code of Conduct, Councillors are reminded of their obligations to disclose and appropriately manage conflicts of interest.

Section 451 of the Local Government Act requires that if a Councillor or Member of a Council or committee has a pecuniary interest in any matter before the Council or Committee, he/she must disclose the nature of the interest to the meeting as soon as practicable and must not be present at, or in sight of, the meeting, when the matter is being discussed, considered or voted on.

A pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of financial gain or loss (see sections 442 and 443 of the Local Government Act).

A non-pecuniary interest can arise as a result of a private or personal interest which does not involve a financial gain or loss to the councillor or staff member (eg friendship, membership of an association, or involvement or interest in an activity). A Councillor must disclose the nature of the interest to the meeting as soon as practicable.

Council's Model Code of Conduct now recognises two forms of non-pecuniary conflict of interests:

- Significant
- Less than significant

A Councillor must make an assessment of the circumstances and determine if the conflict is significant.

If a Councillor determines that a non-pecuniary conflict of interests is less than significant and does not require further action, they must provide an explanation of why it is considered that the conflict does not require further action in the circumstances.

If the Councillor has disclosed the existence of a significant non-pecuniary conflict of interests at a meeting they must not be present at, or in sight of, the meeting, when the matter is being discussed, considered or voted on.



# Order of Business

<b>1. Acknowledgement of Country .....</b>	<b>6</b>
<b>2. Civic Prayer .....</b>	<b>6</b>
<b>3. Apologies and Applications for a Leave of Absence or Attendance by Audio Visual Link by Councillors.....</b>	<b>6</b>
<b>4. Disclosure of any Pecuniary or Non-Pecuniary Interests .....</b>	<b>6</b>
<b>5. Public Participation .....</b>	<b>6</b>
<b>6. Business.....</b>	<b>6</b>
6.1. Community and Economy .....	6
6.1.1. Resources for Regions .....	7
<b>7. Closure** .....</b>	<b>10</b>



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- 5. Public Participation**
- 6. Business**
  - 6.1. Community and Economy**



### 6.1.1. Resources for Regions

<b>Attachments:</b>	Nil
<b>Responsible Officer:</b>	David Walsh – Director Corporate Services and Chief Financial Officer
<b>Author:</b>	Derek Finnigan – Acting General Manager
<b>Community Plan Issue:</b>	5 - Community Infrastructure
<b>Community Plan Goal:</b>	Effective and efficient infrastructure that is appropriate to the needs of our community.
<b>Community Plan Strategy:</b>	5.1.3 - Facilitate investment in high quality community infrastructure necessary to a Regional Centre.

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#### PURPOSE

The report is submitted for Council's consideration of a number of projects to be nominated as suitable recipients of funding under Round Nine of the Resources for Regions programme.

#### OFFICER'S RECOMMENDATION

Council endorses the following projects for nomination under Round Nine of the Resources for Regions programme:

1. New works depot;
2. Denman Tourist Park;
3. Merton Street drainage;
4. Council chambers;
5. Construction of pocket park in Muswellbrook civic precinct; and
6. Relocation of Sustainability Hub.

**Moved:** \_\_\_\_\_ **Seconded:** \_\_\_\_\_

#### BACKGROUND

Round Nine of the Resources for Regions Programme is open for applications for 7 weeks from 12 August 2022. Applications will close at 5:00 p.m. on 30 September 2022.

#### CONSULTATION

Mayor Steve Reynolds

Councillors – Councillor workshop conducted 25 August 2022

Director Community and Economy

Director Corporate Services and Chief Financial Officer

Manager Roads, Drainage and Technical Services

Grants and Community Engagement Advisor

Technical Officer Recreation and Property



## REPORT

The Resources for Regions Programme was introduced by the NSW Government in 2012 to assist mining communities. To date, the Resources for Regions Programme has invested \$420 million in 242 projects in mining communities. This investment recognises the enormous contribution mining makes to the NSW economy.

Round Nine of the programme will provide a total of \$140 million for community programmes and infrastructure projects.

A dedicated envelope of \$10,250,953 is available to the Muswellbrook Local Government Area. Only Council will be allocated funding under the programme, acknowledging Council's understanding of the needs of the communities of Muswellbrook Shire.

Council has identified a range of prioritised projects as suitable candidates for Round Nine of the Resources for Regions funding programme. These include:

\$4,800,000	New works depot.
\$2,200,000	Denman Tourist Park (includes upgrade and sealing of Bell Street, heating of Denman pool, provision of toilet facilities, and mountain bike track).
\$1,500,000	Upgrade of Merton Street, Denman, drainage.
\$1,000,000	Construction of Council Chambers at the Muswellbrook Shire Council administration centre.
\$375,953	Demolition of buildings and construction of a pocket park in the Muswellbrook civic precinct.
\$375,000	Relocation of the sustainability hub to the new Animal Shelter site.
<b>\$10,250,953</b>	<b>Total</b>

## OPTIONS

Council may approve or not approve the recommended projects, or may add or delete projects from the prioritised list.

## CONCLUSION

As the prioritised list of projects has been developed in consultation with Councillors and staff, it is recommended that the prioritised list of projects identified in the report is submitted under Round Nine of the Resources for Regions programme.

## SOCIAL IMPLICATIONS

The prioritised list of projects identified with the report is aimed at enhance the prosperity, sustainability, liveability and accessibility of Muswellbrook Shire to its residents, businesses and visitors.

## FINANCIAL IMPLICATIONS

The \$10,250,953 in funding available to Council under Round Nine of the Resources for Regions Programme will fund a number of important projects that do not currently have a funding allocation.

## POLICY IMPLICATIONS

Procurement Policy.

## STATUTORY IMPLICATIONS





Nil known.

#### **LEGAL IMPLICATIONS**

Nil known.

#### **OPERATIONAL PLAN IMPLICATIONS**

The identified projects align with the Muswellbrook Shire 2022 – 2032 Community Strategic Plan.

#### **RISK MANAGEMENT IMPLICATIONS**

Nil known.

#### **WASTE MANAGEMENT IMPLICATIONS**

Nil known.

#### **COMMUNITY CONSULTATION/MEDIA IMPLICATIONS**

For each project, community information will be provided. Regular media updates will also be provided for each project.



## **7. Closure\*\***