

MINUTES OF THE ORDINARY COUNCIL MEETING OF THE MUSWELLBROOK SHIRE COUNCIL HELD IN THE MEETING ROOMS, MUSWELLBROOK LIBRARY, 126 BRIDGE STREET, MUSWELLBROOK ON TUESDAY 24 JUNE 2025 COMMENCING AT 6.00PM.

PRESENT: Cr D. Douglas (Deputy Mayor), Cr C. Bailey, Cr A. Barry, Cr L. Dunn, Cr D. Hartley, Cr G.T. McNeill (VC), Cr R. Mahajan, Cr D.E. Marshall, Cr M. Morris and Cr S. Ward.

IN ATTENDANCE: Mr D. Finnigan (General Manager), Ms S. Pope (Director – Planning & Environment), Ms S. Richards (Director - Community & Economy), Mr M. Lysaught (Director – Infrastructure & Property), Ms K. Hamm (Manager – Governance & Risk), Mr J. Hogan (Chief Financial Officer), Mr N. Mowbray (Policy Officer), Mr S. Iagunkov (Manager – Water & Wastewater), Mrs M. Sandell-Hay (Governance Officer), Ms L. Ward (EA to the Mayor & GM) and 5 people in the public gallery.

1. Applications for Attendance via Audio Visual Link

319 RESOLVED on the motion of Cr A. Barry and Cr L. Dunn that:

Authority be given for Cr G. McNeill to attend the Council Meeting via video link.

In Favour: Cr C. Bailey, Cr A. Barry, Cr D. Douglas, Cr L. Dunn, Cr D. Hartley, Cr G. McNeill, Cr R. Mahajan, Cr D. Marshall, Cr M. Morris and Cr S. Ward

Against: Nil

2. Acknowledgement of Country

The Acknowledgement of Country was read by Cr D. Hartley.

3. Civic Prayer

The Civic Prayer was read by Cr L. Dunn.

4. Apologies and Applications for a Leave of Absence

320 RESOLVED on the motion of Cr M. Morris and Cr A. Barry that:

The apologies for inability to attend the meeting submitted by Cr J. Drayton and Cr R. Scholes be ACCEPTED and the necessary Leave of Absence GRANTED.

In Favour: Cr C. Bailey, Cr A. Barry, Cr D. Douglas, Cr L. Dunn, Cr D. Hartley, Cr G. McNeill, Cr R. Mahajan, Cr D. Marshall, Cr M. Morris and Cr S. Ward.

Against: Nil.

5. Confirmation of Minutes



Ordinary Council Meeting held on 27 May, 2025

321 RESOLVED on the motion of Cr M. Morris and Cr D. Hartley that:

The Minutes of the Ordinary Council Meeting held on **27 May, 2025**, a copy of which has been distributed to all members, be taken as read and confirmed as a true record.

In Favour Cr C. Bailey, Cr A. Barry, Cr D. Douglas, Cr L. Dunn, Cr D. Hartley, Cr G. McNeill, Cr R. Mahajan, Cr D. Marshall, Cr M. Morris and Cr S. Ward

Against: Nil

6. Disclosure of any Pecuniary or Non-Pecuniary Interests

Cr D. Marshall - Declared a non-pecuniary interest in Item 10.1.4. Cr Marshall advised Council that he has a Development Application that is listed in the report.

Cr D. Marshall - Declared a non-pecuniary interest in Item 17.3. Cr Marshall advised Council that his daughter is employed by one of the contractors listed in the report.

Cr R. Mahajan - Declared a non-pecuniary interest in Item 10.1.4. Cr Mahajan advised Council that he and his wife own a property mentioned in the report.

7. Mayoral Minute

Nil

8. Public Participation

Alex Walker – In support of Item 17.5 in Closed Council - Bushfire Protection Zones – Sunline Street, Muswellbrook

Maverick Brady - In support of Item 17.5 in Closed Council - Bushfire Protection Zones – Sunline Street, Muswellbrook

9. Business Arising (From Previous Meetings)

Nil



10. Business (Specific Reports)

10.1. Planning and Environment

10.1.1. Development Application 2024-92 - Change of use to Place of Public Worship - 75 Bridge Street, Muswellbrook

- 322 RESOLVED on the motion of Cr L. Dunn and Cr G. McNeill that:
- Council approves Development Application 2024-92, for a Change of use to Place of Public worship and building works at Lot 1 DP 558793, 75 Bridge Street, Muswellbrook, subject to the conditions in Appendix B of the report.
- In Favour Cr C. Bailey, Cr A. Barry, Cr D. Douglas, Cr L. Dunn, Cr D. Hartley, Cr G. McNeill, Cr R. Mahajan, Cr D. Marshall, Cr M. Morris and Cr S. Ward
- Against: Nil

10.1.2. Draft Temporary Workforce Accommodation Policy for Public Exhibition

- 323 RESOLVED on the motion of Cr D. Marshall and Cr C. Bailey that:
1. Council endorses the *Draft Temporary Workforce Accommodation Policy* for placement on public exhibition via Council's website for a period of 28 days.
 2. If no submissions are received in relation to the *Draft Temporary Workforce Accommodation Policy* during the public exhibition period, then Council resolves to adopt the *Draft Temporary Workforce Accommodation Policy* on the day following the conclusion of the exhibition period.
 3. If submissions are received in relation to the *Draft Temporary Workforce Accommodation Policy* during the public exhibition period, then a further report will be submitted to Council for consideration of submissions received during the exhibition period.
- In Favour Cr C. Bailey, Cr A. Barry, Cr D. Douglas, Cr L. Dunn, Cr D. Hartley, Cr G. McNeill, Cr R. Mahajan, Cr D. Marshall, Cr M. Morris and Cr S. Ward
- Against: Nil



10.1.3. Major Landcare Projects Outcomes

324 RESOLVED on the motion of Cr A. Barry and Cr M. Morris that:

The information contained in the report be NOTED.

In Favour Cr C. Bailey, Cr A. Barry, Cr D. Douglas, Cr L. Dunn, Cr D. Hartley, Cr G. McNeill, Cr R. Mahajan, Cr D. Marshall, Cr M. Morris and Cr S. Ward

Against: Nil

10.1.4. Monthly Report to Council - Planning, Environment and Regulatory Services

Disclosure of Interest

Cr D. Marshall declared a non-pecuniary interest in this item. Cr Marshall advised the Committee that he has a Development Application mentioned in the report.

Cr R. Mahajan declared a non-pecuniary interest in this item. Cr Mahajan advised Council that he and his wife own a property mentioned in the report.

At 6:19pm Cr Marshall left the Council Chambers and therefore took no part in discussion or voting on this item.

325 RESOLVED on the motion of Cr M. Morris and Cr D. Hartley that:

The information contained in this report be noted.

In Favour Cr C. Bailey, Cr A. Barry, Cr D. Douglas, Cr L. Dunn, Cr D. Hartley, Cr G. McNeill, Cr R. Mahajan, Cr M. Morris and Cr S. Ward

Against: Nil

At 6:21pm Cr Marshall returned to Council Chambers and resumed his chair at the meeting table.

10.2. Corporate Services

10.2.1. Draft Procurement Policy for Adoption

326 RESOLVED on the motion of Cr M. Morris and Cr A. Barry that:

Council ADOPTS the *Procurement Policy*.

In Favour Cr C. Bailey, Cr A. Barry, Cr D. Douglas, Cr L. Dunn, Cr D. Hartley, Cr G. McNeill, Cr R. Mahajan, Cr D. Marshall, Cr M. Morris and Cr S. Ward

Against: Nil



10.2.2. Delivery Program 2025 - 2029

327 RESOLVED on the motion of Cr M. Morris and Cr D. Marshall that:

Council ADOPTS the Delivery Program 2025 –2029.

In Favour Cr C. Bailey, Cr A. Barry, Cr D. Douglas, Cr L. Dunn, Cr D. Hartley, Cr G. McNeill,
Cr R. Mahajan, Cr D. Marshall, Cr M. Morris and Cr S. Ward

Against: Nil

10.2.3. Resourcing Strategy 2025 - 2029

328 RESOLVED on the motion of Cr S. Ward and Cr M. Morris that:

Council ADOPTS the Resourcing Strategy 2025 – 2029.

In Favour Cr C. Bailey, Cr A. Barry, Cr D. Douglas, Cr L. Dunn, Cr D. Hartley, Cr G. McNeill,
Cr R. Mahajan, Cr D. Marshall, Cr M. Morris and Cr S. Ward

Against: Nil

10.2.4. Operational Plan, Budget Estimates, Revenue Policy, Fees and Charges 2025-2026

329 RESOLVED on the motion of Cr R. Mahajan and Cr D. Hartley that:

Council ADOPTS the Operational Plan 2025-2026, including Budget, Revenue Policy, and Fees and Charges that has been placed on public exhibition, via Council's website, for a period of 28 days.

In Favour Cr C. Bailey, Cr A. Barry, Cr D. Douglas, Cr L. Dunn, Cr D. Hartley, Cr G. McNeill,
Cr R. Mahajan, Cr D. Marshall, Cr M. Morris and Cr S. Ward

Against: Nil



10.2.5. Rating Categories and Sub-Categories

330

RESOLVED on the motion of Cr D. Marshall and Cr D. Hartley that:

Council:

1. Determines the sub-category for the category “Residential” called **“Residential – General”** for each parcel of rateable land valued as one assessment and:
 - i. its dominant use is for residential accommodation (otherwise than as a hotel, motel, guesthouse, backpacker hostel, nursing home, or any other form of residential accommodation (not being a boarding house or a lodging house) prescribed by the *Local Government (General) Regulations 2021* (NSW) (“Local Government Regulations”)); or
 - ii. in the case of vacant land, it is zoned or otherwise designated for use under an environmental planning instrument (with or without development consent) for residential purposes; or
 - iii. it is rural residential land, and it is not subject to a Sewer Service Availability Charge.
2. Determines a sub-category for the category “Residential” called **“Residential – Muswellbrook and Denman”** for each parcel of rateable land valued as one assessment and:
 - i. its dominant use is for residential accommodation (otherwise than as a hotel, motel, guesthouse, backpacker hostel, nursing home or any other form of residential accommodation (not being a boarding house or a lodging house) prescribed by the Local Government Regulations,); or
 - ii. in the case of vacant land, it is zoned or otherwise designated for use under an environmental planning instrument (with or without development consent) for residential purposes;
 - iii. and it is located within the urban area of Muswellbrook and Denman townships and is subject to a Sewer Service Availability Charge.
3. Determines a sub-category for the category “Farmland” called **“Farmland – General”** for each parcel of rateable land valued as one assessment and its dominant use is for farming which:
 - a) has a significant and substantial commercial purpose or character; and
 - b) is engaged in for the purpose of profit on a continuous or repetitive basis (whether or not a profit is actually made),and the land cannot be sub-categorised as:
 - Farmland – IrrigableLand is not to be categorised as Farmland – General if it is rural residential land.
4. Determines a sub-category for the category “Farmland” called **“Farmland –**



Irrigable” for each parcel of rateable land valued as one assessment if its dominant use is for farming which:

- a) has a significant and substantial commercial purpose or character; and
- b) is engaged in for the purpose of profit on a continuous or repetitive basis (whether or not a profit is actually made); and
- c) is subject of a water right within the meaning of the Valuation of Land Act 1916 (NSW); and
- d) where the assessment or any part of the assessment:
 - (i) is irrigated for any farming purpose; or
 - (ii) has established irrigation reticulation capable of being used for any farming purpose; or
 - (iii) is wholly or partly within 100m of the Hunter River.

Note: a water right means a right or authority (however described) under the *Water Management Act 2000* (NSW), the *Water Act 1912* (NSW), or any other Act, being a right or authority to construct, install or use works of irrigation, or to use water supplied by works of irrigation.

5. Declares the category “**Mining**” for each parcel of rateable land valued as one assessment if its dominant use is for a coal mine or metalliferous mine
6. Determines the sub-category for the category of “Business” called “**Business - General**” for each parcel of rateable land valued as one assessment if it cannot be categorised as farmland, residential or mining and cannot be sub-categorised as:
 - Business – Power Generation - Non-Renewable;
 - Business – Thomas Mitchell Drive Industrial Centre;
 - Business – Showground Release Area;
 - Business – Mine Rehabilitation; or
 - Business – Power Generation – Non-Renewable – Rehabilitation.
7. Determines a sub-category for the category “Business” called “**Business – Power Generation – Non-Renewable**” for each parcel of rateable land valued as one assessment if it cannot be categorised as farmland, residential or mining and if its dominant use is as a centre of any of the following activities:
 - a) the generation of, or capacity to generate, more than 5 megawatts of electricity generated from non-renewable resources; or
 - b) the storage of, or capacity to store, more than 10 megawatt hours of electricity generated from non-renewable resources;and the land cannot be sub-categorised as ‘Business – Mine Rehabilitation’.

For the purpose of this sub-category “electricity generated from non-renewable resources” means electricity generated from coal, natural gas, oil



or nuclear energy resources.

8. Determines a sub-category for the category “Business” called “**Business – Thomas Mitchell Drive Industrial Centre**” for each parcel of rateable land valued as one assessment located wholly or partly within the Thomas Mitchell Drive Industrial Centre.
9. Determines a sub-category for the category “Business” called “**Business – Showground Release Area**” for each parcel of rateable land valued as one assessment if it cannot be categorised as farmland, residential or mining and is located wholly or partly within the Showground Release Area.
10. Determines a sub-category for the category “Business called “**Business – Mine Rehabilitation**” for each parcel of rateable land valued as one assessment if it cannot be categorised as farmland, residential or mining and if its dominant use is as a centre of any of the following activities:
 - a) the rehabilitation of land that is or has been disturbed by mining operations.

For the purposes of this sub-category, “rehabilitation” includes:

- a) the removal of buildings and infrastructure;
- b) the treatment or management of disturbed land or water for the purpose of establishing and maintaining a safe and stable environment; and
- c) the design and construction of landforms as well as the establishment of sustainable ecosystems or alternative vegetation.

For the purposes of this sub-category “mining operations” means operations carried out in the course of mining.

11. Determines a sub-category for the category “Business called “**Business – Power Generation - Non-Renewable - Rehabilitation**” for each parcel of rateable land valued as one assessment if it cannot be categorised as farmland, residential or mining and if its dominant use is as a centre of any of the following activities:
 - a) power generation (non-renewable) operations,and the land cannot be sub-categorised as ‘Business – Power Generation (Non-Renewable)’.

For the purposes of this sub-category, “rehabilitation” includes:

- a) removal of buildings and infrastructure;
- b) the treatment or management of disturbed land or water for the purpose of establishing and maintaining a safe and stable environment; and
- c) the design and construction of landforms as well as the establishment of sustainable ecosystems or alternative vegetation.

For the purposes of this sub-category, “power generation (non-renewable)” means the generation of electricity from coal, natural gas, oil or nuclear energy resources.

In Favour

Cr C. Bailey, Cr A. Barry, Cr D. Douglas, Cr L. Dunn, Cr D. Hartley, Cr G. McNeill, Cr R. Mahajan, Cr D. Marshall, Cr M. Morris and Cr S. Ward

Against:

Nil

**10.2.6. 2025-2026 Making of the Rates and Annual Charges**

331

RESOLVED on the motion of Cr M. Morris and Cr R. Mahajan that:

Council MAKES the following Rates and Charges for the 2025/26 Financial Year:

GENERAL FUND

Rate Type	Category	Sub-Category	Ad Valorem Cents in \$	Base Amount/Min \$	Base Amount % of Total Rate Levied	Estimated Yield
Ordinary	Residential	Residential – General	0.297626	\$240	18.10%	\$1,287,413
Ordinary	Residential	Residential – Muswellbrook & Denman	0.425976	\$290	31.11%	\$5,579,677
Ordinary	Farmland	Farmland – General	0.185010	\$400	12.63%	\$1,131,058
Ordinary	Farmland	Farmland – Irrigable	0.210000	\$440	9.66%	\$491,804
Ordinary	Mining		0.630100	\$15,000	1.22%	\$13,479,820
Ordinary	Business	Business – General	0.851417	\$250	7.61%	\$1,534,847
Ordinary	Business	Business – Power Generation - Non-Renewable	5.499070	\$25,000	15.65%	\$319,454
Ordinary	Business	Business – Thomas Mitchell Drive Industrial Centre	0.799326	\$275	9.95%	\$414,543
Ordinary	Business	Business – Showground Release Area	0.178168	\$250	1.9%	\$13,185
Ordinary	Business	Business – Mine Rehabilitation	0.630100	\$15,000	0%	\$0
Ordinary	Business	Business – Power Generation - Non-Renewable-Rehabilitation	5.499070	\$25,000	0%	\$0

**WATER CHARGES**

Council MAKES the following water charges for the 2025/26 Financial Year:

1. A Water Service Availability Charge is charged on each parcel of rateable land that is supplied with water from a water pipe of the Council and land that is situated within 225 metres of a water pipe of the Council (whether actually supplied with water from any water pipe of the Council). The Water Service Availability Charge is based on the service size of the connection to the water supply line. The Water Service Availability Charges to be levied for the year commencing 1 July 2025 are:

Water Service Charge Category	Amount
Availability Charge (Not Connected)	\$280.50
Availability Charge (Connected – per service size)	
20mm service	\$280.50
25mm service	\$438.00
32mm service	\$718.00
40mm service	\$1,122.00
50mm service	\$1,753.00
65mm service	\$2,963.00
80mm service	\$4,488.00
100mm service	\$7,013.00
150mm service	\$15,778.00

Pursuant to section 552 of the Local Government Act 1993 (NSW), a charge relating to water supply will not be levied on land unless water could be supplied to some part of the land from a standpipe at least 1 metre in height from the ground level, if such a pipe were laid and connected to the council's mains.

2. A Consumption Tariff is to be charged per kilolitre of water supplied to each parcel of rateable land from a water pipe of the Council. The water consumption tariffs for the year commencing 1 July 2025 are:

<u>Consumption Tariff</u>		<u>(\$/Kl)</u>
Residential	Tier 1 (1-350Kl per annum)	\$3.00 per kilolitre
	Tier 2 (>350Kl per annum)	\$4.50 per kilolitre
Non-Residential		\$4.10 per kilolitre

**SEWERAGE CHARGES**

Council MAKES the following sewer charges for the 2025/26 Financial Year:

An annual charge for sewer is applicable to each parcel of rateable land except:

- a) Land which is more than 75 metres from a sewer of the Council and is not connected to the sewer; and
- b) Land from which sewage could not be discharged into any sewer of the Council.

1. Residential Sewer Charges

A Sewer Service Availability Charge is charged on each parcel of rateable land categorised within the Residential category for which the service is provided or is proposed to be provided. The Sewer Service Availability Charges to be levied for the year commencing 1 July 2025 are:

Sewer Service Availability Charge

Residential Sewer Availability Charge (Vacant)	\$436.00
Residential Sewer Charge (Occupied)	\$1,119.00

2. Non-Residential Sewer Service Availability Charge

A Non-Residential Sewer Service Availability Charge is charged on each parcel of rateable land not categorised within the Residential category for which the service is provided or proposed to be provided. The Non-Residential Sewer Service Availability Charge to be levied with respect to each relevant parcel for the year commencing 1 July 2025 will be based on the following formula:

SC = SDF x (AC + (C x UC)) where:

SC = Sewerage Charge

SDF = Sewerage Discharge Factor

AC = Availability Charge

C = Total Water Consumption for Meter

UC = Sewer Usage Charge

The Availability Charges for the year commencing 1 July 2025 are:

Availability Charge Category	Amount
Availability Charge (Not Connected)	\$436.00
Availability Charge (Connected – per service charge)	
20mm service	\$436.00
25mm service	\$681.25
32mm service	\$1,116.16
40mm service	\$1,744.00
50mm service	\$2,725.00



65mm service	\$4,605.25
80mm service	\$6,976.00
100mm service	\$10,900.00
150mm service	\$24,525.00

The Sewer Usage Charge for the year commencing 1 July 2025 is:

Sewer Usage Charge

(\$/Kl)

Non-Residential Sewer Usage Charge

\$4.10 per kilolitre

Discharge Factors required for non-residential properties will be determined on an individual rateable land basis.

DOMESTIC WASTE MANAGEMENT CHARGES

Council MAKES for each parcel of rateable land categorised for rating purposes as

Residential and situated within the urban area in which a Domestic Waste Management Service is able to be provided, the following waste charges for the 2025/26 Financial Year:

Domestic Waste Management Service Charge	Amount
Urban Domestic Waste Management Availability Charge ⁽¹⁾	\$135.00
Urban Domestic Waste Management Service Charge ⁽²⁾	\$599.00
Weekly Collection Domestic Waste Service Charge– Red Lid Bin Only	\$160.00
Upsize to 240L Domestic Waste Service Charge – Red Lid Bin Only	\$180.00
Additional Urban Domestic Waste Management Service Charge	\$145.00
Additional Urban Domestic Waste Management Recycling Service Charge	\$115.00
Additional Urban Domestic Waste Management FOGO Waste Service Charge	\$100.00

- (1) This charge applies to vacant rateable land categorised for rating purposes as Residential and situated within the urban area in which a Domestic Waste Management Service is able to be provided.
- (2) Each habitable premises is entitled to one approved mobile waste bin service per fortnight and one fortnightly collection of recyclable material and one weekly collection of FOGO waste for each Urban Domestic Waste Management Service Charge.

Council MAKES for each parcel of rateable land categorised for rating purposes as

Residential or Farmland and situated within the rural area in which a Domestic Waste Management Service is able to be provided, the following waste charges for the 2025/26 Financial Year:



Rural Domestic Waste Management Service Charge	Amount
Rural Domestic Waste Management Availability Charge ⁽¹⁾	\$135.00
Rural Domestic Waste Management Service Charge ⁽²⁾	\$456.00
Weekly Collection Domestic Waste Service Charge– Red Lid Bin Only	\$160.00
Upsize to 240L Domestic Waste Service Charge – Red Lid Bin Only	\$180.00
Additional Rural Domestic Waste Management Service Charge	\$145.00
Additional Rural Domestic Waste Management Recycling Service Charge	\$115.00
Additional Rural Domestic Waste Management FOGO Waste Service Charge	\$100.00

- (1) This charge applies to vacant rateable land categorised for rating purposes as Residential or Farmland and situated within the rural area in which a Rural Domestic Waste Management Service can be provided.
- (2) Each habitable premises is entitled to one approved mobile waste bin service per fortnight and one fortnightly collection of recyclable material for each Rural Domestic Waste Management Service Charge.

Council MAKES for each parcel of rateable land not categorised for rating purposes as Residential and situated within the urban area in which a Waste Management Service is able to be provided, the following waste charges for the 2025/26 Financial Year:

Waste Management Service Charge	Amount
Urban Waste Management Availability Charge – Non-Domestic (1)	\$135.00
Waste Management Service Charge (2)	\$456.00
Additional Waste Management Service Charge	\$145.00
Weekly Collection Waste Management Service - Red Lid bin only	\$160.00
Upsize to 240L Waste Management Service Charge – Red Lid Bin only	\$180.00
Additional Waste Management Recycling Service Charge	\$115.00
Waste Management FOGO Waste Service Charge	\$100.00

- (1) This charge applies to vacant rateable land not categorised for rating purposes as Residential and situated within the urban area in which a Waste Management Service is able to be provided.
- (2) Each habitable premises is entitled to one approved mobile waste bin service per fortnight and one fortnightly collection of recyclable material for each Waste Management Service Charge.

Council MAKES for each parcel of rateable land not categorised for rating purposes as Residential or Farmland and situated within the rural area in which a Waste Management Service is able to be provided, the following waste charges for the 2025/26 Financial Year:



Rural Waste Management Service Charge	Amount
Rural Waste Management Availability Charge – Non-Domestic (1)	\$135.00
Rural Waste Management Service Charge (2)	\$456.00
Additional Rural Waste Management Service Charge	\$145.00
Weekly Collection Waste Management Service - Red Lid bin only	\$160.00
Upsize to 240L Waste Management Service Charge – Red Lid Bin only	\$180.00
Additional Rural Waste Management Recycling Service Charge	\$115.00
Rural Waste Management FOGO Waste Service Charge	\$100.00

- (1) This charge applies to vacant rateable land not categorised for rating purposes as Residential or Farmland and situated within the rural area in which a Rural Waste Management Service is able to be provided.
- (2) Each habitable premises is entitled to one approved mobile waste bin service per fortnight and one fortnightly collection of recyclable material for each Rural Waste Management Service Charge.

STORMWATER MANAGEMENT CHARGE

Council MAKES a Stormwater Management Charge for each parcel of rateable land within the Muswellbrook and Denman urban areas and included in the Town Planning Zones of

R1 General Residential, B2 Local Centre, SP2 Infrastructure, IN2 Light Industrial, IN1 General Industrial and RU5 Village, except where exemption or variation to the charge is provided in accordance with the document “Stormwater Management Service Charge Guidelines” issued by the Division of Local Government in July 2006, for the 2024/2026 Financial Year at a rate of \$25.00 per parcel of rateable land and \$12.50 per residential strata unit.

Where a non-residential parcel of rateable land exists with an area falling within the ranges outlined below the charge will be levied as follows:

Area Sqm	Charge
0 – 1,199	\$25.00
1,200 – 4,999	\$100.00
5,000 – 9,999	\$375.00
>10,000	\$725.00

INTEREST ON OVERDUE ACCOUNTS

The Council hereby determines and orders that overdue rates and charges for the year commencing 1 July 2025 will, in pursuance of section 566 of the *Local Government Act 1993* (NSW), accrue interest on a daily basis. The rate of interest will be the maximum rate allowable, as determined by the Minister for Local Government, being ten point five per cent (10.5%) per annum for the 2025-2026 rating year.

**HUNTER CATCHMENT CONTRIBUTION**

Council:

1. Notes that the NSW Government's Hunter Local Land Services has determined the Hunter Catchment Contribution rate for the 2025/26 rating year at 0.00657 cents in the dollar on all relevant properties within the Muswellbrook Shire Local Government Area, with a land value in excess of \$300;
2. Adopts the making, levying and collection of the Hunter Catchment Contribution on behalf of Hunter Local Land Services at the rate detailed in Paragraph 1; and
3. Adopts the rate of commission payable to Council for the collection of the 2025/26 Catchment Contribution at 5% of the Hunter Catchment Contributions collected, as determined by Hunter Local Land Services.

In Favour Cr C. Bailey, Cr A. Barry, Cr D. Douglas, Cr L. Dunn, Cr D. Hartley, Cr G. McNeill, Cr R. Mahajan, Cr D. Marshall, Cr M. Morris and Cr S. Ward

Against: Nil

10.3. Infrastructure and Property**10.3.1. Maitland Street Public Footpath - Sign Documents under the Seal of Council**

332

RESOLVED on the motion of Cr S. Ward and Cr C. Bailey that:

Council authorises the following documents to be signed under the seal of Council in accordance with the regulations:

1. The Plan of Subdivision Administration Sheet dedicating the small portion of the land (being Lot 2 DP1284529) and Council land (being Lot 1 DP1284529) as public road under Section 9 *Roads Act 1993*;
2. the "Release of Restriction Form" to:
 - (i) partly release the Positive Covenant (AQ909849) for the land (being Lot 2 DP1284529) over the small portion of land required for road purposes; and
 - (ii) extinguish the Positive Covenant over the land (being Lot 1 DP1284529 and Lot 4 DP1284529).

In Favour Cr C. Bailey, Cr A. Barry, Cr D. Douglas, Cr L. Dunn, Cr D. Hartley, Cr G. McNeill, Cr R. Mahajan, Cr D. Marshall, Cr M. Morris and Cr S. Ward

Against: Nil



10.3.2. Proposed Crown Roads Closure

- 333** RESOLVED on the motion of Cr D. Marshall and Cr L. Dunn that:
- Council advises Crown Lands that Council has no interests which may be affected by the closure and disposal of proposed Crown Road at McCullys Gap, adjoining and within the property at 202 Dolahentys Road.
- In Favour Cr C. Bailey, Cr A. Barry, Cr D. Douglas, Cr L. Dunn, Cr D. Hartley, Cr G. McNeill, Cr R. Mahajan, Cr D. Marshall, Cr M. Morris and Cr S. Ward
- Against: Nil

10.3.3. Muswellbrook Golf Course Lease

- 334** RESOLVED on the motion of Cr L. Dunn and Cr C. Bailey that:
- The information contained in the report be noted.
- In Favour Cr C. Bailey, Cr A. Barry, Cr D. Douglas, Cr L. Dunn, Cr D. Hartley, Cr G. McNeill, Cr R. Mahajan, Cr D. Marshall, Cr M. Morris and Cr S. Ward
- Against: Nil

10.3.4. Victoria Park - Telstra Lease

- 335** RESOLVED on the motion of Cr D. Hartley and Cr M. Morris that:
- The information contained in the report be noted.
- In Favour Cr C. Bailey, Cr A. Barry, Cr D. Douglas, Cr L. Dunn, Cr D. Hartley, Cr G. McNeill, Cr R. Mahajan, Cr D. Marshall, Cr M. Morris and Cr S. Ward
- Against: Nil



10.3.5. Future Fund Policy Review and Committee Terms of Reference

336 RESOLVED on the motion of Cr R. Mahajan and Cr M. Morris that:

Council:

1. ENDORSES the *Draft Future Fund Policy* and the current *Schedule* for placement on public exhibition as a notice of intention to adopt.
2. ADOPTS the amended Future Fund Committee – Terms of Reference.

In Favour Cr C. Bailey, Cr A. Barry, Cr D. Douglas, Cr L. Dunn, Cr D. Hartley, Cr G. McNeill, Cr R. Mahajan, Cr D. Marshall, Cr M. Morris and Cr S. Ward

Against: Nil

10.3.6. Capital Expenditure Review – Olympic Park Precinct Upgrade – Revision 2025

337 RESOLVED on the motion of Cr D. Douglas and Cr D. Marshall that:

This matter be deferred to the next Meeting to allow Councillors adequate time to assess the attachment.

In Favour Cr C. Bailey, Cr A. Barry, Cr D. Douglas, Cr L. Dunn, Cr D. Hartley, Cr G. McNeill, Cr R. Mahajan, Cr D. Marshall, Cr M. Morris and Cr S. Ward

Against: Nil

10.4. Community and Economy

10.4.1. Innovation Seminar and Challenge

338 RESOLVED on the motion of Cr M. Morris and Cr G. McNeill that:

Council supports the implementation of a series of Innovation Seminars and an Innovation Challenge available for all Council staff to support organisational culture, learning and development, and innovation, leveraging Council's investment in the Melt Modern Manufacturing Centre.

In Favour Cr C. Bailey, Cr A. Barry, Cr D. Douglas, Cr L. Dunn, Cr D. Hartley, Cr G. McNeill, Cr R. Mahajan, Cr D. Marshall, Cr M. Morris and Cr S. Ward

Against: Nil



10.4.2. Community Benefit Fund Procedure

- 339 RESOLVED on the motion of Cr G. McNeill and Cr M. Morris that:
Council ENDORSES:
1. The Community Benefit Fund Procedure to be placed on public exhibition for a period of 28 days; and
 2. A further report be submitted to Council at the conclusion of the exhibition period.
- In Favour Cr C. Bailey, Cr A. Barry, Cr D. Douglas, Cr L. Dunn, Cr D. Hartley, Cr G. McNeill, Cr R. Mahajan, Cr D. Marshall, Cr M. Morris and Cr S. Ward
- Against: Nil

10.4.3. Council Grant and Community Engagement Update

- 340 RESOLVED on the motion of Cr M. Morris and Cr D. Marshall that:
Council notes the information contained in the report and endorses Council staff to review and apply for funding opportunities identified in the report.
- In Favour Cr C. Bailey, Cr A. Barry, Cr D. Douglas, Cr L. Dunn, Cr D. Hartley, Cr G. McNeill, Cr R. Mahajan, Cr D. Marshall, Cr M. Morris and Cr S. Ward
- Against: Nil

11. Minutes of Committee Meetings

11.1. Muswellbrook Sport and Recreation Committee Meeting Minutes - 3 June 2025

- 341 RESOLVED on the motion of Cr D. Hartley and Cr D. Marshall that:
Council NOTES the minutes of the meeting of the Muswellbrook Sport and Recreation Committee Meeting held on 3 June 2025 and ADOPTS the recommendations contained therein.
- In Favour Cr C. Bailey, Cr A. Barry, Cr D. Douglas, Cr L. Dunn, Cr D. Hartley, Cr G. McNeill, Cr R. Mahajan, Cr D. Marshall, Cr M. Morris and Cr S. Ward
- Against: Nil



11.2. State Significant Development Committee - 10 June 2025

- 342** RESOLVED on the motion of Cr C. Bailey and Cr L. Dunn that:
Council NOTES the minutes of the meeting of the State Significant Development Committee held on 10 June 2025 and ADOPTS the recommendations contained therein.
- In Favour Cr C. Bailey, Cr A. Barry, Cr D. Douglas, Cr L. Dunn, Cr D. Hartley, Cr G. McNeill, Cr R. Mahajan, Cr D. Marshall, Cr M. Morris and Cr S. Ward
- Against: Nil

11.3. Infrastructure and Property Committee Meeting - 10 June 2025

- 343** RESOLVED on the motion of Cr M. Morris and Cr C. Bailey that:
Council NOTES the minutes of the meeting of the Infrastructure and Property Committee held on 10 June 2025 and ADOPTS the recommendations contained therein.
- In Favour Cr C. Bailey, Cr A. Barry, Cr D. Douglas, Cr L. Dunn, Cr D. Hartley, Cr G. McNeill, Cr R. Mahajan, Cr D. Marshall, Cr M. Morris and Cr S. Ward
- Against: Nil

11.4. Finance and Governance Committee - 12 June, 2025

- 344** RESOLVED on the motion of Cr R. Mahajan and Cr A. Barry that:
Council NOTES the minutes of the meeting of the Finance and Governance Committee held on 12 June 2025 and ADOPTS the recommendations contained therein.
- In Favour Cr C. Bailey, Cr A. Barry, Cr D. Douglas, Cr L. Dunn, Cr D. Hartley, Cr G. McNeill, Cr R. Mahajan, Cr D. Marshall, Cr M. Morris and Cr S. Ward
- Against: Nil



11.5. Denman Sport and Recreation Committee Meeting - 12 June 2025

- 345** RESOLVED on the motion of Cr S. Ward and Cr D. Marshall that:
- Council NOTES the minutes of the meeting of the Denman Sport and Recreation Committee Meeting held on 12 June 2025 and ADOPTS the recommendations contained therein.
- In Favour Cr C. Bailey, Cr A. Barry, Cr D. Douglas, Cr L. Dunn, Cr D. Hartley, Cr G. McNeill, Cr R. Mahajan, Cr D. Marshall, Cr M. Morris and Cr S. Ward
- Against: Nil

12. Notices of Motion

Nil

13. Councillors Reports

13.1 Denman Netball Court Opening

Cr Barry advised Council that she attended the opening of the Denman Netball Courts together with Minister Catley, Cr Ward and congratulated staff on a fabulous achievement.

13.2 Bayswater Power Station 40th Anniversary

Cr Barry advised Council that she attended the 40th Anniversary celebrations of the opening of Bayswater Power Station together with Cr McNeill. Cr Barry advised that it was an outstanding feat listening to stories from the building of the power station to its official opening.

Cr McNeill advised Council that he also attended the 40th Anniversary of the opening of Bayswater Power Station which has provided energy to over 2.5 million homes over 40 years.

13.3 Muswellbrook Chamber of Commerce Business Awards

Cr Marshall advised Council that he attended the Muswellbrook Chamber of Commerce Business Awards held last week along with Cr Douglas, Cr McNeill and Cr Bailey.

Cr McNeill advised Council that he also attended the Muswellbrook Chamber of Commerce Business Awards which shows there is a lot of heart in the community regarding innovation and prospects for the business community.

14. Written Questions

Nil



15. Questions for Next Meeting

15.1 Art Gallery Signage

Cr McNeill inquired if Council could investigate signage for the art gallery visible from the Highway, on the status of the Art Gallery which would include opening times, parking etc?

16. Adjournment into Closed Council

346 RESOLVED on the motion of Cr D. Marshall and Cr D. Hartley that:

Council adjourn into Closed Session and members of the press and public be excluded from the meeting of the Closed Session, and access to the correspondence and reports relating to the items considered during the course of the Closed Session be withheld unless declassified by separate resolution. This action is taken in accordance with Section 10A(2) of the Local Government Act, 1993 as the items listed come within the provisions outlined in Section 17 below.

In Favour: Cr C. Bailey, Cr A. Barry, Cr D. Douglas, Cr L. Dunn, Cr D. Hartley, Cr G. McNeill, Cr R. Mahajan, Cr D. Marshall, Cr M. Morris and Cr S. Ward.

Against: Nil.

Members of the public left the meeting at this stage.

17. Closed Council

17.1. Regional Entertainment Conference Centre

347 RESOLVED on the motion of Cr D. Marshall and Cr M. Morris that:

Council:

1. Notes the approval of the variation of \$140,731 (ex GST) to complete Phases 2–7 of the Regional Entertainment Centre design process endorsed at the June 2025 Infrastructure Committee meeting; and
2. Approves proceeding as described in the report.



17.2. REGPRO042526 - Regional Procurement Tender for Supply of Traffic and Safety Signage

348 RESOLVED on the motion of Cr G. McNeill and Cr A. Barry that:

Council:

1. Accepts the Companies listed below to be appointed as panel source suppliers for Supply and Delivery of Traffic and Safety Signage (REGPRO042526) facilitated by Regional Procurement for the period 01 July 2025 to 30 June 2028:
 - i. Artcraft Pty Ltd;
 - ii. Barrier Signs Pty Ltd;
 - iii. Central Signs Road & Safety (Aust) Pty Ltd;
 - iv. Hunter Valley Signs Pty Ltd t/a HiVis Group; and
2. Approve the option for the provision of a 12-month extension based on satisfactory supplier performance, which may take this contract through to 30 June 2029.

17.3. 2023-2024-0591A - Tender Assessment - Construction of Footpath and Laneway - Bridge Street, Muswellbrook

Disclosure of Interest

Cr D. Marshall declared a non-pecuniary interest in this item. Cr Marshall advised Council that his daughter is employed by one of the Contractors mentioned in the report.

At 6:49pm Cr Marshall left the Council Chambers and therefore took no part in discussion or voting on this item.

349 RESOLVED on the motion of Cr S. Ward and Cr D. Hartley that:

Council resolves to:

1. Accept the Tender submitted by KCE Pty Ltd for Contract 2023-2024-0591A – Upgrade of Footpath and Laneway, Bridge Street for the lump sum of \$678,598.86 plus a Provisional Sum of \$83,530 exclusive of GST;
2. Delegates to the General Manager authority to enter into a Contract with the successful Tenderer for the Upgrade of Footpath and Laneway, Bridge Street under Contract 2023-2024-0591A; and
3. Council approves the transfer of \$174,115 from the Civic Precinct GL 3690.5498 to ledger number GL 3500.4591- CBD Stage 7 to enable fulfilment of the Contract.

At 6:51pm Cr Marshall returned to Council Chambers and resumed his chair at the meeting table.



A representative from Allflow Systems and Solutions Pty Ltd was invited into the Chambers to address Council.

The representative left the meeting prior to voting on the item.

17.4. 2024-2025-0657 - Tender Assessment - Muswellbrook Water Treatment Plant - Filter Refurbishment Works

350 RESOLVED on the motion of Cr D. Marshall and Cr M. Morris that:

Council:

1. Accept the Tender submitted by Allflow Systems & Solutions Pty Ltd for Contract 2024- 2025-0657 Muswellbrook Water Treatment Plant - Filter Refurbishment Works for the lump sum of \$211,509.00 exclusive of GST; and
2. Delegates to the General Manager authority to enter into a Contract for the Muswellbrook Water Treatment Plant - Filter Refurbishment Works.

17.5. Bushfire Protection Zones – Sunline Street, Muswellbrook

351 RESOLVED on the motion of Cr D. Marshall and Cr D. Hartley that:

Council:

1. Prepare an ecological assessment and related studies of the bushland Lot 589 DP 835738 to the south and adjoining Sunline Street, Muswellbrook; and
2. Once the assessment has been completed a further report be submitted to Council.

17.6. Future Fund Projects

352 RESOLVED on the motion of Cr L. Dunn and Cr R. Mahajan that:

Council:

1. Undertakes a detailed review of the Future Fund's Long Term Financial Plan;
2. Proceeds with the projects as listed in the report; and
3. Requests that the allocation of respective capital budgets will be made as per business case.



18. Resumption of Open Council

- 353 RESOLVED on the motion of Cr D. Hartley and Cr D. Marshall that:
The meeting return to Open Council.

Members of the public returned to the meeting.

The Deputy Mayor read out the resolutions from Closed Council.

19. Closure

The meeting was declared closed at 7:25pm.

THE MINUTES OF THE MEETING (PAGES 1 to 24) WERE CONFIRMED AT THE ORDINARY COUNCIL MEETING OF THE MUSWELLBROOK SHIRE COUNCIL HELD ON 22 JULY, 2025 AND ARE A FULL AND ACCURATE RECORD OF PROCEEDINGS OF THE MEETING HELD ON TUESDAY 24 JUNE 2025.

.....
Mr D. Finnigan
General Manager

.....
Cr D. Douglas
Chairperson