

MINUTES OF THE ORDINARY MEETING OF THE MUSWELLBROOK SHIRE COUNCIL HELD IN THE COUNCIL CHAMBERS, ADMINISTRATION CENTRE, MUSWELLBROOK ON MONDAY 9 NOVEMBER, 2009 COMMENCING AT 6.00 P.M.

DISCLOSURES OF INTEREST (175.004):

Cr Portolan

Cr Portolan declared a Non-Pecuniary Interest in item 20. Cr Portolan advised that she was an objector to the Development prior to her election to Council.

Cr Ward

Cr Ward declared a non-pecuniary interest in item 11. Cr Ward advised that he is the President of the Denman Scouts Group which has a building in close proximity to the Development,

PUBLIC PARTICIPATION:

Declaration of Interest

Cr Ward declared a non-pecuniary interest in item 11. Cr Ward advised that he is the President of the Denman Scouts Group which has a building in close proximity to the Development. Cr Ward left the meeting at this stage and therefore did not take part in discussion on the matter

1. **Mr Ray Reynolds** - spoke in opposition of Item 11 of the Agenda.

BUSINESS ARISING Nil

BUSINESS

1. CONSTRUCTION TRAFFIC MANAGEMENT PLAN FOR MANGOOLA MINE DEVELOPMENT (DA 74/2008)

280. RESOLVED on the motion of Crs Lecky and Butchard that the Application for Xstrata Mangoola Pty Ltd to undertake site operations for its Mangoola Coalmine prior to the completion of the Wybong Road upgrade as listed in the relevant conditions of development consent, be supported by Council subject to the conditions and agreement made under the Memorandum of Understanding previously adopted by the Company and Council and in accordance with the Traffic Control Plan for work on the Wybong Road and the implementation of the commitment given by the Company in their letter dated 29 October, 2009, in a timely manner to the satisfaction of Council.

2. REVIEW OF WALK AND CYCLEWAY PLAN FOR MUSWELLBROOK AND DENMAN (270.001)

281. RESOLVED on the motion of Crs Rush and Portolan that the amended Walk and Cycle Plan for Muswellbrook and Denman be adopted, including the identified off road paths from Skellatar Stock Route to Rutherford Road and