

ORDINARY MEETING

WEDNESDAY 20 APRIL 2011

The logo for the Mid-Western Regional Council features three overlapping, curved lines in orange, yellow, and green, with a blue line at the bottom. The text "Mid-Western" is written in a large, bold, black font, and "REGIONAL COUNCIL" is written in a smaller, black font below it.

Mid-Western
REGIONAL COUNCIL



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13 April 2011

Dear Councillor

MEETING NOTICE

ORDINARY MEETING
WEDNESDAY 20 APRIL 2011

OPEN DAY AT 5.30 PM
COUNCIL MEETING COMMENCING AT CONCLUSION OF OPEN DAY

Notice is hereby given that the above meeting of Mid-Western Regional Council will be held in the Council Chambers, 86 Market Street, Mudgee at the time and date indicated above to deal with the business as listed on the Meeting Agenda.

Members of the public may address the Committee Meeting at Open Day. Speakers are given 5 minutes to outline any issue of relevance to the Council. If you wish to speak at Open Day please contact the Mayor's Office on 1300 765 002 or 02 6378 2850 by 3.00 pm on the day of the meeting. Alternatively, please make yourself known to the Manager Governance prior to the commencement of the meeting.

Yours faithfully

A handwritten signature in black ink, appearing to read "Warwick Bennett", written in a cursive style.

WARWICK BENNETT
GENERAL MANAGER

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ITEM 1: APOLOGIES

ITEM 2: CONFIRMATION OF MINUTES

2.1 MINUTES OF ORDINARY MEETING HELD ON 16 MARCH 2011

COUNCIL DECISION:

That the Minutes of the Ordinary Meeting held on 16 March 2011 Minute Nos 39/11 to 66/11 be taken as read and confirmed.

The Minutes of the Ordinary Meeting are attached:

MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD AT THE COUNCIL CHAMBERS, 86 MARKET STREET, MUDGEE ON WEDNESDAY 16 MARCH 2011, COMMENCING AT 5.55 PM AND CONCLUDING AT 7.05 PM.

Present: Cr D Kennedy (Mayor), Cr E Lang, Cr EE Martens (AM), Cr PA Shelley, Cr JP Thompson, Cr MB Walker, Cr JK Weatherley, Cr JR Webb.

In Attendance: General Manager (W Bennett), Group Manager Mid-Western Operations (B Cam), Group Manager Regulatory and Community Services (C Van Laeren), Group Manager Finance and Administration (C Phelan), Manager Governance (I Roberts), Media Officer (E De Long).

Media Representatives: Mudgee Guardian / The Weekly (R Murray), Radio 2MG (M Rock).

ITEM 1: APOLOGIES

An apology was received for the absence of Councillor Holden.

39/11 **MOTION:** Shelley / Lang

That the apology for the absence of Councillor Holden be received and leave of absence be granted.

The motion was put and carried.

ITEM 2: CONFIRMATION OF MINUTES

40/11 **MOTION:** Walker / Weatherley

That the Minutes of the Ordinary Meeting held on 16 February 2011 (Minute Nos. 08/11 to 38/11) be taken as read and confirmed.

The motion was put and carried.

ITEM 3: DISCLOSURES OF INTEREST

There were no disclosures of interest.

ITEM 4: MAYORAL MINUTE

There was no Mayoral Minute.

ITEM 5: REPORTS FROM COMMITTEES

PLANNING AND DEVELOPMENT COMMITTEE

41/11

MOTION: Lang / Shelley

That the matters resolved at the Planning and Development Committee meeting held on 2 February 2011 be received and confirmed.

The motion was put and carried.

ASSETS COMMITTEE

42/11

MOTION: Weatherley / Martens

That the matters resolved at the Assets Committee meeting held on 2 February 2011 be received and confirmed.

The motion was put and carried.

CULTURAL AND COMMUNITY SERVICES COMMITTEE

43/11

MOTION: Webb / Shelley

That:

1. the matters resolved at the Cultural and Community Services Committee meeting held on 2 February 2011 be received and confirmed.
2. the recommendations from the Cultural and Community Services Committee meeting held on 2 February 2011 in respect of the following items be adopted.
 - Cultural Development Committee – February 2011

The motion was put and carried.

MUDGEES SHOWGROUND TERMS OF REFERENCE

A0100052, F0650007

44/11 **MOTION:** Webb / Shelley

That the Terms of Reference be adjusted to permit User Groups to nominate an alternate delegate.

The motion was put and carried.

FINANCE AND CORPORATE COMMITTEE

45/11 **MOTION:** Shelley / Walker

That the matters resolved at the Finance and Corporate Committee meeting held on 2 February 2011 be received and confirmed.

The motion was put and carried.

ITEM 6: GENERAL BUSINESS

6.1 NOTICES OF MOTION

6.1.1 COUNCILLOR BRIEFING SESSIONS

A0100035, A0100052,

MOTION: Thompson / Martens

That council meetings be conducted in compliance with the Local Government Act 1993 No 30 and that the public be provided with access to meetings, documents and staff briefings of council as set out in the Act.

The motion was put and lost.

46/11 **MOTION:** Walker / Weatherley

That:

1. Council notes that its meetings are currently conducted in accordance with the relevant legislation, supporting all initiatives and directions from the Division of Local Government of the Premiers Department in this regard and will continue to ensure that all Council and Committee meetings follow the Council's Code of Meeting Practice and any Guidelines or Notes issued from time to time by the Division.
2. Council in accordance with the Division of Local Government's (on behalf of the State Government) Meetings Practice Note, dated August 2009 endorses the continued practice of conducting briefing sessions acknowledging that briefing sessions are essential because:

- It enables Councillors to bring an informed mind to the appropriate decision making forum which is Council or Committee meetings,
- It develops Councillors knowledge and expertise, and
- Assists Councillors in their role as public officials.

The motion was put and carried.

6.1.2 COAL MINING AND REQUEST FOR STATE GOVERNMENT LEGISLATION

A0100035, A0100052, A0420223

47/11

MOTION: Webb / Walker

That the resolution of the Council Meeting on 19 January 2011 that Council ask the newly elected State Government to legislate:

1. for the protect highly productive farmland from mining;
2. to inform all land affected owners and the community before an Exploration Licence is approved on land;
3. to conduct a proper independent assessment of dust, noise and water pollution, including the protection of underground water supplies, before an exploration licence is granted;
4. to extend the Upper Hunter Air Quality Network group to the Mid-Western Regional Council area.

be and is hereby rescinded.

The motion was put and carried.

48/11

MOTION: Webb / Walker

That Council ask the elected State Government to legislate for:

- the protection of highly productive farmland from all forms of mining including underground mining;
- all land owners within a ten kilometre radius of a proposed exploration licence be notified in writing and be given the opportunity to meaningfully participate in a community engagement process before any exploration licence is issued;
- more public access to information during the development application process is included to ensure that the community can participate in the planning process
- the need for tougher assessment rules for the Exploration licences so the community is aware of exchange of licences and can have a fair input.

- **The State Government not accept any monies for the sale of exploration licences until such times as there has been a full and meaningful public consultation process.**
- **the extension of the Upper Hunter Air Quality Network group to the Mid-Western Regional Council area.**

AMENDMENT: Martens / Thompson

That Council ask the elected State Government to legislate for:

- the protection of highly productive farmland from all forms of mining including underground mining;
- all land owners within a ten kilometre radius of a proposed exploration licence be notified in writing and be given the opportunity to meaningfully participate in a community engagement process before any exploration licence is issued;
- more public access to information during the development application process is included to ensure that the community can participate in the planning process
- the need for tougher assessment rules for the Exploration licences so the community is aware of exchange of licences and can have a fair input.
- The State Government not accept any monies for the sale of exploration licences until such times as there has been a full and meaningful public consultation process.
- the extension of the Upper Hunter Air Quality Network group to the Mid-Western Regional Council area.
- to conduct a proper independent assessment of dust, noise and water pollution, including the protection of underground water supplies, before an exploration licence is granted.

The amendment was put and lost. The motion was put and carried.

6.1.3 GULGONG SKATE PARK

A0100035, A0100052, A0060048

MOTION: Thompson / Kennedy

That Council make provisions in the quarterly review to contribute to the Gulgong Skate Park

49/11

AMENDMENT: Lang / Weatherley

That Council consider as a budget initiative for the 2011/12 financial year, funding for the upgrading of the Skatepark at Gulgong.

The amendment was put and carried and on being put as the motion was again carried.

6.1.4 TEMPORARY SIGNAGE

A0100035, A0100052

50/11

MOTION: Thompson / Webb

That Council undertake a review the signage policy as part of the formulation of the comprehensive DCP.

The motion was put and carried.

6.2 REPORTS TO COUNCIL6.2.1 DA0191/2011 COMMERCIAL ALTERATIONS, NEW CAR PARKING AND ASSOCIATED LANDSCAPING – 22 BURRUNDULLA ROAD MUDGEE

A0100052, P1351263

51/11

MOTION: Walker / Weatherley

That:

1. The report by the Senior Statutory Planner for commercial alterations, car parking and associated landscaping of the existing Country Energy Depot, 22 Burrundulla Road Mudgee, be received;
2. Council grant consent to DA 0191/2011 for commercial alterations, car parking and associated landscaping of the existing Country Energy Depot, 22 Burrundulla Road, Mudgee, subject to the following conditions of consent:

CONDITIONS**APPROVED PLANS**

1. Development is to be carried out in accordance with stamped plans 15778-A01/1, 15778-A02/2, 15778-A03/2 and Statement of Environmental Effects dated Dec.2010 to Jan. 2011, prepared by Barnson and lodged as part of application 0191/2011 received by Council on 20/12/2010 except as varied by the conditions listed herein. Any minor modification to the approved plans will require the lodgement and consideration by Council of amended plans. Major modifications will require the lodgement of a new development application.

HEALTH & BUILDING

2. All building work must comply with the requirements of the Building Code of Australia 2010, Volume One, together with the relevant Australian Standards and also the Environmental Planning and Assessment Act, 1979, as amended, and Regulations.

3. All mandatory inspections required by the Environmental Planning and Assessment Act and any other inspections deemed necessary by the Principal Certifying Authority being carried out during the relevant stages of construction.
4. Construction work noise that is audible at other premises is to be restricted to the following times:
Monday to Friday -- 7.00am to 6.00pm
Saturday -- 8.00am to 1.00pm
No construction work is permitted on Sundays and Public Holidays.
5. The site must be provided with a waste enclosure (minimum 1800mm x 1800mm x 1200mm high) that has a lid or secure covering for the duration of the construction works to ensure that all wastes are contained on site. The enclosure is to be emptied periodically to reduce the potential for rubbish to be blown from the site.
The Council encourages the separation and recycling of suitable materials.
6. Prior to the occupation of the building, an Occupation Certificate is to be obtained from the Principal Certifying Authority appointed for the erection of the building.
7. During construction temporary toilet facilities are to be provided at or in the vicinity of the nominated work site and for this purpose provide either a standard flushing toilet or an approved sewage management facility.
8. A sign must be erected in a prominent position on any work site on which the erection of a building is being carried out;
 - a. stating that unauthorised entry to the work site is prohibited, and
 - b. showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.
9. All building or site works or other written undertaking or obligation indicated in the submitted plans and supporting documentation or otherwise required under the terms of this consent being carried out or implemented prior to the occupation of the premises.
10. The building must be provided with a car parking space and with adequate means of access for persons with disabilities in order to comply with the Building Code of Australia and the Disability Discrimination Act.
Full details must be provided with the Construction Certificate.
11. The building must be provided with sanitary facilities for people with disabilities in order to comply with the Building Code of Australia and the Disability Discrimination Act.

12. Adequate facilities being provided in a screened location within the premises for the storage of garbage, discarded or returnable packaging or other forms of trade wastes and arrangements being made for the regular removal and disposal of same.
13. A Registered Surveyors Certificate showing the boundaries of the site and the proposed development plotted thereon being submitted to the Principal Certifying Authority prior to commencement of construction.
14. The proposed method(s) of compliance with the Building Code of Australia are to be clarified by documentation to be submitted with the Construction Certificate Application. In this regard, it appears that the Development Application plans do not comply with the following deemed-to-satisfy provisions of the BCA;
 - a. F4.5 – Ventilation of Rooms – Natural or mechanical.
15. The Construction Certificate application for this development is to include a list of fire safety measures that exist and are proposed to be installed in the development and/or on the land.
16. A copy of the Final Fire Safety Certificate is to be provided to the Commissioner of NSW Fire Brigades and a further copy of the Certificate is to be prominently displayed in the building.
17. For every 12 month period after the issue of the Final Fire Safety Certificate the owner/agent of the building must provide the Council with a copy of an Annual Fire Safety Statement certifying that specified fire safety measure is capable of performing to its specification.
18. Prior to the commencement of any construction works, the following provisions of the Environmental Planning and Assessment Act 1979 (the Act) are to be complied with:
 - a. Council is to be given at least 2 days notice of the date intended for commencement of building works, in accordance with Section 81A(2)(c) of the Act.
 - b. A Construction Certificate must be obtained from Council or an Accredited Certifier in accordance with Section 81A(2)(a) of the Act.
 - c. A Principal Certifying Authority must be appointed in accordance with Section 81A(2)(b) of the Act and if Council is not the PCA Council must be notified of the appointment of the PCA.
19. There being no interference with the amenity of the neighbourhood by reason of the emission of any "offensive noise", vibration, smell, fumes, smoke, vapour, steam, soot, ash or dust, or otherwise as a result of the proposed development.

20. All areas not provided with natural ventilation in accordance with the provisions of the Building Code of Australia being provided with an approved mechanical ventilation system complying with Australian Standard 1668, Parts 1 and 2.
21. Run-off and erosion controls must be installed prior to clearing the site and incorporate;
 - a. Diversion of uncontaminated upsite run-off around cleared and/or disturbed areas and areas to be cleared or disturbed.
 - b. Sediment fences at the downslope perimeter of the cleared or disturbed areas to prevent sediment and other debris escaping from the land to pollute water ways and collection areas.
 - c. Maintenance of all erosion control measures at maximum operational capacity until the land is effectively rehabilitated and stabilised.

ENGINEERING

PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

22. Complete landscaping plans are to be submitted for approval prior to issue of a Construction Certificate. All landscaping to consist of appropriately advanced trees and shrubs which are to be established prior to occupation of the development.

ENGINEERING CONSTRUCTION

23. Car parking within the development is to comply with the following:
 - a. Each parking space is to have minimum dimensions of 5.4m x 2.5m;
 - b. Each disabled car parking space is to be in accordance with the provisions of Councils Development Control Plan – Design for Accessibility.
 - c. All car parking spaces are to be line-marked and sealed with a hard standing, all weather material and must be maintained in a satisfactory condition at all times;
24. The driveway is to have a minimum width of 6 metres to allow manoeuvring access in accordance with Roads & Traffic Authority standards and sealed with a hard standing, all weather material and must be maintained in a satisfactory condition at all times.
25. All earthworks, filling, building, driveways or other works, are to be designed and constructed (including stormwater drainage if necessary) so that at no time will any ponding of stormwater occur on adjoining land as a result of this development.

26. All vehicles are to enter and leave the site in a forward direction at all times.

PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

27. All car parking and associated driveway works to be completed prior to occupation of the development.

The motion was put and carried with Councillors voting as follows:

Councillors	Ayes	Nayes
<i>Cr Kennedy</i>	✓	
<i>Cr Lang</i>	✓	
<i>Cr Martens</i>	✓	
<i>Cr Shelley</i>	✓	
<i>Cr Thompson</i>	✓	
<i>Cr Walker</i>	✓	
<i>Cr Weatherley</i>	✓	
<i>Cr Webb</i>	✓	

6.2.2 MONTHLY STATEMENT OF MID-WESTERN REGIONAL COUNCIL
BANK BALANCES AND INVESTMENTS AS AT 28 FEBRUARY
2011

A0100052, A0140304

52/11

MOTION: Shelley / Walker

That the Investment Report as at 28 February 2011 by the Management Accountant be received and the certification by the Responsible Accounting Officer noted.

The motion was put and carried.

6.2.3 CONSTITUTIONAL RECOGNITION OF LOCAL GOVERNMENT

A0100052, A0110036

53/11

MOTION: Shelley / Lang

That:

1. the report by the General Manager on the constitutional recognition of local government be received;
2. Mid-Western Regional Council declares its support for financial recognition of local government in the Australian Constitution so that the federal government has the power to fund local government directly and also for inclusion of local government in any new Preamble to the Constitution if one is proposed, and calls on all political parties to support a referendum by 2013 to change the Constitution to achieve this recognition.

The motion was put and carried.

6.2.4 RIVERSIDE MEMORIAL WALK

A0100052, A0060214

54/11

MOTION: Walker / Weatherley

That:

1. the report by the General Manager on the proposed Riverside Memorial Walk be received;
2. the reserve site on Short Street Mudgee former known as Cudgegong Southbank and the Old TAFE Site be renamed Lawson Park;
3. Council includes in the development of the Lawson Park West Reserve in Short Street Mudgee a memorial and heritage pathway that has plaques installed in the walkway to remember past community people who have contributed positively to the growth and social infrastructure of this community. The concept of the memorial and heritage pathway be part of the public consultation process in the 2011/12 draft Management Plan;
4. Council consults with the Gulgong and Rylstone townships on suitable sites in those towns for similar memorial and heritage walkways to celebrate the contributions of people to those communities.

The motion was put and carried.

6.2.5 NSW EMERGENCY SERVICE 2011-2012 BUDGET ESTIMATES

A0100052, A0150024

55/11

MOTION: Walker / Shelley

That:

1. the report by General Manager on the NSW Emergency Services 2011-2012 Budget Estimates be received;
2. that Council rejects the 2011/2012 Rural Fire Fighting Fund estimates of \$2,616,272 and refers them back to the RFS Liaison Committee for review and recommended reduction to the 2010/2011 budgeted level of \$2,392,605

The motion was put and carried.

6.2.6 ULAN WASTE TRANSFER STATION

A0100052, A0010009

56/11

MOTION: Walker / Weatherley

That:

1. the report by the Manager Governance on the acquisition of land to relocate the Ulan Waste Transfer Station be received.

2. Council seek the approval of the Minister for Local Government for a reduction in the notification period from 90 days to 14 days.

The motion was put and carried.

6.2.7 XSTRATA COAL VOLUNTARY PLANNING AGREEMENT

A0100052,

57/11

MOTION: Walker / Webb

That:

1. the report by the General Manager on the Ulan Coal Limited (Ulan Continued Operations Project) Voluntary Planning Agreement be received;
2. in accordance with the Environment and Planning Act Council adopt the Voluntary Planning Agreement attached to the General Managers report dated 8th March 2011 with Ulan Coal Limited for their Ulan Continued Operations and notes the Explanatory Note and require staff to implement the actions within the Voluntary Planning Agreement;
3. Authority is granted to the Mayor and General Manager to execute the Voluntary Planning Agreement and all necessary documentation under the common seal of Council.

The motion was put and carried.

ITEM 7: URGENT BUSINESS WITHOUT NOTICE

7.1 SALE OF LAND TO REVOKE OVERDUE RATES AND CHARGES – CHAPTER 17, PART 2, DIVISION 5, SECTION 713 OF THE LOCAL GOVERNMENT ACT 1993

A0100051, A0340011, A0340044

58/11

MOTION: Shelley / Weatherley

That this matter be dealt with as urgent business without notice.

The Mayor having ruled the matter to be of great urgency, the motion was put and carried.

59/11

MOTION: Weatherley / Walker

That Council:

1. authorise the General Manager to execute the contract documents on behalf of Council in relation to each of the properties to be sold at auction on 26 March 2011.
2. authorise the Common Seal of Council to be affixed to the transfer relating to the contract for sale for each of the properties to be sold at the auction on 26 March 2011.

The motion was put and carried.

7.2 FINANCIAL ASSISTANCE TO KANDOS/RYLSTONE AMATEUR
BOXING CLUB

A0100051, A0140201

60/11 **MOTION:** Shelley / Martens

That this matter be dealt with as urgent business without notice.

The Mayor having ruled the matter to be of great urgency, the motion was put and carried.

61/11 **MOTION:** Shelley / Lang

That Council provide financial assistance to the Kandos/Rylstone Amateur Boxing Club in the sum of \$1375.00, comprising the following amounts from the Councillor discretionary votes:

Cr Shelley	\$1,275.00
Cr Kennedy	\$100.00

The motion was put and carried.

7.3 MINING ROYALTIES

A0100051,

62/11 **MOTION:** Thompson / Martens

That this matter be dealt with as urgent business without notice.

The Mayor having ruled the matter to be of great urgency, the motion was put and carried.

63/11 **MOTION:** Thompson / Martens

That Council support the miners union call for the return of 30% of mining royalties to regional NSW.

The motion was put and carried.

ITEM 8: CONFIDENTIAL SESSION

64/11 **MOTION:** Shelley / Walker

That pursuant to the provisions of Section 10 of the Local Government Act, 1993, the meeting be closed to the public.

Following the motion to close the meeting being moved and seconded, the Manager Governance announced that the following matters would be considered in confidential session and the reason why they were being dealt with in this way.

Subject: Performance Agreement for the General Manager

The reason for dealing with this report confidentially is that it relates to personnel matters concerning particular individuals (other than councillors) in accordance with Section 10A(2)(a) of the Local Government Act, 1993.

Subject: Organisations Restructure

The reason for dealing with this report confidentially is that it relates to personnel matters concerning particular individuals (other than councillors) in accordance with Section 10A(2)(a) of the Local Government Act, 1993.

Following an enquiry from the Mayor, the Manager Governance advised that there were no written representations in respect of this matter and that no person in the gallery wished to make verbal representations.

The motion was put and carried.

8.1 PERFORMANCE AGREEMENT FOR GENERAL MANAGER

A0100052,

65/11

MOTION: Shelley / Walker

That in accordance with the adopted performance agreement, the report on the General Manager's performance for the second four months of the 2010/11 financial year be received and noted.

The motion was put and carried.

8.2 ORGANISATIONAL RESTRUCTURE

A0100052, A0270001

66/11

MOTION: Walker / Shelley

That:

1. the report by the General Manager on the organisational restructure be received;
2. Council endorse the organisation structure of three departments to be named Mid -Western Operations, Finance and Administration, and Development and Community Services and further endorses the structures within each department as set out in the attachments to the General Managers Organisational Structure report dated 4 March 2010.
3. pursuant to Section 332 of the Local Government Act 1993 Council declares the following positions to be Senior Staff effective from 1 July
 - Group Manager – Mid-Western Operations
 - Group Manager – Finance and Administration
 - Group Manager – Development and Community Services
4. the General Manager enter into three year fixed term employment contracts with the three Group Managers stated in paragraph 3 above with all contracts having a two year right of renewal subject to satisfactory performance and consultation with the Council. The remuneration rates to be paid in line with market salaries for similar positions in similar sized Councils. The new employment contracts be effective immediately

5. Council confirms that the Community News be produced monthly commencing in the June 2011, knowing that from time to time special editions maybe required if a major public consultation process is required that cannot be accommodated in the timeframes of monthly Community News.

AMENDMENT:

That:

1. the report by the General Manager on the organisational restructure be received;
2. Council endorse the organisation structure of three departments to be named Mid -Western Operations, Finance and Administration, and Planning and Community Services and further endorses the structures within each department as set out in the attachments to the General Managers Organisational Structure report dated 4 March 2010.
3. Pursuant to Section 332 of the Local Government Act 1993 Council declares the following positions to be Senior Staff effective from 1 July

Group Manager – Mid-Western Operations

Group Manager – Finance and Administration

Group Manager – Planning and Community Services

4. The General Manager enter into three year fixed term employment contracts with the three Group Managers stated in paragraph 3 above with all contracts having a two year right of renewal subject to satisfactory performance and consultation with the Council. The remuneration rates to be paid in line with market salaries for similar positions in similar sized Councils. The new employment contracts be effective immediately
5. Council confirms that the Community News be produced monthly commencing in the June 2011, knowing that from time to time special editions maybe required if a major public consultation process is required that cannot be accommodated in the timeframes of monthly Community News.

The amendment was put and lost. The motion was put and carried.

Councillor Martens asked for her vote to be recorded against this motion

ITEM 9: OPEN COUNCIL

The General Manager announced the decisions taken in Confidential Session.

CLOSURE

There being no further business the meeting concluded at 7.05 pm.

ITEM 3: DISCLOSURE OF INTEREST

In accordance with Section 451 of the Local Government Act 1993, Councillors should declare an interest in any item on this Agenda. If an interest is declared, Councillors should leave the Chambers prior to the commencement of discussion of the item.

ITEM 4: MAYORAL MINUTE (If Any)

(Insert Mayoral Minute (if any))

ITEM 5: REPORTS FROM COMMITTEES

5.1 PLANNING AND DEVELOPMENT COMMITTEE

RECOMMENDATION

That the matters resolved at the Planning and Development Committee meeting held on 6 April 2011 be received and confirmed.

The report of the Planning and Development Committee is attached:

REPORT ON THE PLANNING AND DEVELOPMENT COMMITTEE MEETING HELD AT THE COUNCIL CHAMBERS, 86 MARKET STREET, MUDGEES ON WEDNESDAY 6 APRIL 2011, COMMENCING AT 5.39 PM AND CONCLUDING AT 5.43 PM

Present: Cr D Kennedy (Mayor), Cr JR Webb (Chairperson), Cr R Holden, Cr E Lang, Cr EE Martens (AM), Cr PA Shelley, Cr JP Thompson, Cr MB Walker, Cr JK Weatherley.

In Attendance: General Manager (W Bennett), Group Manager Mid-Western Operations (B Cam), Group Manager Regulatory and Community Services (C Van Laeren), Group Manager Finance and Administration (C Phelan), Business Manager Services (J Geddes), Manager Governance (I Roberts).

Media Representatives: Mudgee Guardian / The Weekly (R Murray).

ITEM 1: APOLOGIES

There were no apologies.

ITEM 2: DISCLOSURE OF INTEREST

Councillor Martens declared a pecuniary interest in Item 5.1 in that she owns land in the Inglenook mining Area.

ITEM 3: MATTERS IN PROGRESS FROM FORMER MEETINGS

Noted.

ITEM 4: NOTICES OF MOTION TO PLANNING AND DEVELOPMENT COMMITTEE

There were no notices of motion.

ITEM 5: REPORTS TO PLANNING AND DEVELOPMENT COMMITTEE5.1 NSW COAL AND GAS STRATEGY SUBMISSION

A0100052,

Councillor Martens declared a pecuniary interest in that she owns land in the Inglenook Conservation Area, left the meeting at 5.41 pm and did not participate in discussions or vote in relation to this matter.

P.06/11

MOTION: Holden / Lang**That:**

- 1. the report by Group Manager Development and Community Services on the NSW Coal and Gas Strategy be received;**
- 2. the submission as attached to this report be forwarded to the NSW Department of Planning with the correction to the spelling error on page 17 and the inclusion of a separate section headed “Compliance” on page 20.**

The motion was put and carried as a resolution.

Councillor Martens returned to the meeting at 5.42 pm.

5.2 MOUNT PENNY COAL DIRECTOR GENERAL REQUIREMENTS

A0100052, A0420223

P.07/11

MOTION: Holden / Shelley

That the report by Group Manager Development and Community Services on the Director General Requirements for Mount Penny Coal be received.

The motion was put and carried as a resolution.

REPORT CONCLUDED

5.2 ASSETS COMMITTEE

RECOMMENDATION

That the matters resolved at the Assets Committee meeting held on 20 April 2011 be received and confirmed.

The report of the Strategic Committee is attached:

REPORT ON THE ASSETS COMMITTEE MEETING HELD AT THE COUNCIL CHAMBERS, 86 MARKET STREET, MUDGEES ON WEDNESDAY 6 APRIL 2011, COMMENCING AT 5.44 PM AND CONCLUDING AT 5.46 PM

Present: Cr D Kennedy (Mayor), Cr EE Martens (AM), Cr R Holden, Cr E Lang, Cr PA Shelley, Cr JP Thompson, Cr MB Walker, Cr JK Weatherley, Cr JR Webb.

In Attendance: General Manager (W Bennett), Group Manager Mid-Western Operations (B Cam), Group Manager Regulatory and Community Services (C Van Laeren), Group Manager Finance and Administration (C Phelan), Business Manager Services (J Geddes), Manager Governance (I Roberts),

Media Representatives: Mudgee Guardian / The Weekly (R Murray).

ITEM 1: APOLOGIES

There were no apologies.

ITEM 2: DISCLOSURE OF INTEREST

There were no disclosures of interest.

ITEM 3: MATTERS IN PROGRESS FROM FORMER MEETINGS

Noted.

S.07/11 **MOTION:** Thompson / Lang

That Res.S.41/10 be noted as completed.

The motion was put and carried.

S.08/11 **MOTION:** Kennedy / Webb

That Min. No. 18/11 be noted as completed.

The motion was put and carried.

ITEM 4: NOTICES OF MOTION TO ASSETS COMMITTEE

There were no notices of motion.

ITEM 5: REPORTS TO ASSETS COMMITTEE5.1 LOCAL TRAFFIC COMMITTEE MINUTES FOR MEETING HELD 8 MARCH 2011

A0100052, R0790060

S.09/11

MOTION: Weatherley / Walker

That:

1. the minutes for the Traffic Advisory Committee meeting held on 8 March 2011 are noted;
2. the event – ‘Mudgee Cycle Club Events 2011’ – be classified as a Class 2 Event under the “Guide to Traffic and Transport Management for Special Events Version 3.4” and proceeds with the following conditions:
 - a. Events are to be undertaken in accordance with the *Guidelines for Bicycle Road Races*.
 - b. A Special Events Transport Management Plan (TMP), is to be prepared in accordance with the *Guide to Traffic and Transport Management for Special Events Version 3.3* and submitted to and approved by Council prior to the event;
 - c. Events are to be undertaken in accordance with the requirements of the NSW Police Service with their approval documentation forwarded to Council for notation;
 - d. Controlling noise as required by the *Protection Of The Environment Operations (Noise Control) Regulation 2000*;
 - e. Reimbursing Council for the cost of damage repairs;
 - f. Complying with any of Council’s Law Enforcement Officers’ reasonable directives;
 - g. Maintain areas in a clean and tidy condition. No obstructions are to be left on the roadways or footpaths;
 - h. A Traffic Control Plan (TCP) certified by a person with a ‘Worksite Traffic Control Certificate’ be included in the TMP;
 - i. Any person directing traffic on a public road is required to possess an appropriate traffic controller’s certificate;
 - j. Council must be provided with a current copy of a public liability insurance policy in the amount of at least \$20 million. Such a policy is to note that Council is indemnified against any possible action as the result of the event;
 - k. The event convener is to consult with all affected businesses and residents adjacent to the proposed closure, in writing, indicating the period during which their accesses will be affected;
 - l. Maintain a four-metre wide emergency vehicle lane;
 - m. Advertise the proposed event in local newspapers with relevant information at least two weeks prior to the date;
 - n. The organiser is to have a debrief with Council and Police with all traffic control documentation and controls tabled for review; and

- o. A copy of the TMP including the TCP, for the Mark Dwyer Handicap and Pieter Van Gent Winery Graded Start, be forwarded to the Traffic Operations Manager at the Regional RTA Office in Parkes, for information.
3. the event – “Cudgegong Jump Club One Day Events”, 27 March 2011” – was classified as a Class 2 Event under the “Guide to Traffic and Transport Management for Special Events Version 3.4” and proceeded with the following conditions:
 - a. A Special Events Transport Management Plan (TMP), is to be prepared in accordance with the Guide to Traffic and Transport Management for Special Events Version 3.4 and submitted to and approved by Council prior to the event;
 - b. Events are to be undertaken in accordance with the requirements of the NSW Police Force with their approval documentation forwarded to Council for notation;
 - c. Controlling noise as required by the *Protection of The Environment Operations (Noise Control) Regulation 2000*;
 - d. Reimbursing Council for the cost of damage repairs;
 - e. Complying with Council's Law Enforcement Officers' reasonable directives;
 - f. Maintain areas in a clean and tidy condition. No obstructions are to be left on the roadways or footpaths;
 - g. A Traffic Control Plan (TCP), certified by a person with a "Worksite Traffic Control Certificate" be included in the TMP;
 - h. Any person directing traffic on a public road is required to possess an appropriate traffic controller's certificate;
 - i. Council must be provided with a current copy of a public liability insurance policy in the amount of at least \$10 million. Such a policy is to note that Council is indemnified against any possible action as the result of the event;
 - j. The event convener is to notify all affected businesses and residents adjacent to the proposed closure indicating the period during which their accesses will be affected. Such notification is to be in writing;
 - k. Maintain a four-metre wide emergency vehicle lane;
 - l. Advertise the proposed event in local newspapers with relevant information at least 2 weeks prior to the date; and
 - m. The organiser is to have a debrief with Council and Police with all traffic control documentation and controls tabled for review. Approval of future events will be subject to satisfying this condition.
4. the event – “Mudgee Small Farm Field Days” Friday and Saturday, 15 & 16 July 2011 – be classified as a Class 2 event under the “Guide to Traffic and Transport Management for Special Events Version 3.4” and proceeds with the following conditions:
 - a. A Special Events Transport Management Plan (TMP), is to be prepared in accordance with the *Guide to Traffic and Transport Management for Special Events Version 3.4* and submitted to and approved by Council prior to the event;
 - b. Events are to be undertaken in accordance with the requirements of the NSW Police Force with their approval documentation forwarded to Council for notation;

- c. Controlling noise as required by the *Protection Of The Environment Operations (Noise Control) Regulation 2000*;
- d. Reimbursing Council for the cost of damage repairs;
- e. Complying with any of Council's Law Enforcement Officers' reasonable directives;
- f. Maintain areas in a clean and tidy condition. No obstructions are to be left on the roadways or footpaths;
- g. A Traffic Control Plan (TCP) certified by a person with a 'Worksite Traffic Control Certificate' be included in the TMP;
- h. Any person directing traffic on a public road is required to possess an appropriate traffic controller's certificate;
- i. Council must be provided with a current copy of a public liability insurance policy in the amount of at least \$20 million. Such a policy is to note that Council is indemnified against any possible action as the result of the event;
- j. The event convener is to consult with all affected businesses and residents adjacent to the proposed closure, in writing, indicating the period during which their accesses will be affected;
- k. Maintain a four-metre wide emergency vehicle lane;
- l. Advertise the proposed event in local newspapers with relevant information at least two weeks prior to the date;
- m. The organiser is to have a debrief with Council and Police with all traffic control documentation and controls tabled for review. Approval of future events will be subject to satisfying this condition.

And the following Special Conditions:

- n. The southbound lane of Henry Lawson Drive at its intersection with Putta Bucca Road be closed from 6am on 16 July to 6pm on 17 July 2010;
- o. The southbound lane of Church Street on the southern side of the Short/Church Street roundabout be closed between the hours of 12.00pm – 6.00pm on 16 & 17 July 2010;
- p. The Australian Rural Education Centre entrances on Ulan Road be monitored by appropriately trained traffic controllers between the hours of 7.30am to 10.30am and 3.30pm to 6.00pm (approximately – specific times to suit peak periods);
- q. The Ulan Road / Lue Road intersection be monitored by appropriately trained traffic controllers in the mornings;
- r. The Putta Bucca Road / Gulgong Road intersection is to be monitored by appropriately trained traffic controllers;
- s. The Road Closures be carried out & monitored by appropriately trained traffic controllers;
- t. A request be made to the RTA to allow the following Speed Limit alterations on 16 & 17 July 2010, between the hours of 6am and 7pm;
 - On Henry Lawson Drive from the intersection of Eurunderee Lane to the Vineyard Motel driveway be reduced to the speed limit of 80kph,
 - On Henry Lawson Drive from the Vineyard Motel driveway to the Ulan Road intersection be reduced to the speed limit of 60kph,

- On Ulan Road from the intersection of Buckaroo Road to the cemetery entrance (600m before the AREC site) be reduced to the speed limit of 80kph,
 - On Ulan Road from the cemetery entrance to the town entrance be reduced to the speed limit of 60kph,
 - On Putta Bucca Road, a 60kph speed zone be imposed for the entire length of Putta Bucca Road.
- u. All Parking is to be provided on site for the public, exhibitors and staff;
- v. The “free courtesy buses” be organised by AREC to allow public and exhibitors transport to the event, as suggested by the organiser;
- w. The “contingency plan for wet weather” affected parking areas, be implemented as required;
- x. A portable variable message board be placed at the intersection of Ulan Road and Henry Lawson Road to improve information flow to drivers; and
- y. A copy of the TMP including the TCP be forwarded to the Traffic Operations Manager at the Regional RTA Office in Parkes, for information.
5. the event – ‘Mudgee Endurance Ride’ 14 & 15 May 2011 – be classified as a Class 2 Event under the “Guide to Traffic and Transport Management for Special Events Version 3.4” and proceeds with the following conditions:
- a. A Special Events Transport Management Plan (TMP), is to be prepared in accordance with the *Guide to Traffic and Transport Management for Special Events Version 3.3* and submitted to and approved by Council prior to the event;
 - b. Events are to be undertaken in accordance with the requirements of the NSW Police Service with their approval documentation forwarded to Council for notation;
 - c. Controlling noise as required by the *Protection Of The Environment Operations (Noise Control) Regulation 2000*;
 - d. Reimbursing Council for the cost of damage repairs;
 - e. Complying with any of Council’s Law Enforcement Officers’ reasonable directives;
 - f. Maintain areas in a clean and tidy condition. No obstructions are to be left on the roadways or footpaths;
 - g. A Traffic Control Plan (TCP) certified by a person with a ‘Worksite Traffic Control Certificate’ be included in the TMP;
 - h. Any person directing traffic on a public road is required to possess an appropriate traffic controller’s certificate;
 - i. Council must be provided with a current copy of a public liability insurance policy in the amount of at least \$10 million. Such a policy is to note that Council is indemnified against any possible action as the result of the event;
 - j. The event convener is to consult with all affected businesses and residents adjacent to the proposed closure, in writing, indicating the period during which their accesses will be affected;
 - k. Maintain a four-metre wide emergency vehicle lane;
 - l. Advertise the proposed event in local newspapers with relevant information at least two weeks prior to the date;
 - m. The organiser is to have a debrief with Council and Police with all traffic control documentation and controls tables for

- review. Approval of future events will be subject to satisfying this condition.
- n. The applicant to apply to the RTA for a “Direction to Restrict the Speed Limit”; and
 - o. A copy of the TMP including the TCP be forwarded to the Traffic Operations Manager at the Regional RTA Office in Parkes, for information.
6. a “Give Way” sign and associated hold line be installed on Kains Flat Road at its intersection with Wollar Road.
 7. a “Give Way” sign be installed on the unnamed access lane, off Windeyer Road, adjacent to the pull over bay.
 8. a recommendation be deferred subject to comments from the RTA regarding the roundabout design.
 9.
 - a a 4 hr parallel parking zone be installed on the western side of Church Street, between Short Street and the Holyoake Bridge; and
 - b a 4 hr rear to kerb parking zone be installed on the eastern side of Church Street, between Short Street and the Holyoake Bridge.
 10. centreline marking be reinstated on Yarrabin Road, and that it be continued from Hill End Road to Burrendong Dam Road.
 11.
 - a the preferred Option 1 of the Gulgong Centre Traffic Management Study be modified to exclude one way traffic in Queen Street and Robinson Street;
 - b the public consultation process be initiated; and
 - c the Gulgong Chamber of Commerce be included in the public consultation process.

The motion was put and carried as a resolution.

5.2 RURAL WASTE TRANSFER STATION RECYCLING

A0100052, F0570017

S.10/11

MOTION: Shelley / Webb

That the report by Business Manager Services on the rural waste transfer station recycling be received.

The motion was put and carried as a resolution.

5.3 PROPOSED TELSTRA MOBILE BASE STATION – WATER
RESERVIOR FLIRTATION HILL MUDGEE

A0100052, P2013611, A0070005

S.11/11

MOTION: Holden / Weatherley

That:

1. the report by the Manager Governance in relation to the request for Telstra Corporation Limited to locate a mobile base station at the water reservoir at Flirtation Hill Mudgee be received;
2. Council decline to lease a portion of the water reservoir compound at Flirtation Hill Mudgee to Telstra Corporation Limited;
3. Council recommend to Telstra that they consider locating their mobile base station in the vicinity of the other towers on Mt Misery.

The motion was put and carried as a resolution.

REPORT CONCLUDED

5.3 CULTURAL AND COMMUNITY SERVICES COMMITTEE

RECOMMENDATION

That the matters resolved at the Cultural and Community Services Committee meeting held on 20 April 2011 be received and confirmed.

The report of the Cultural and Community Services Committee is attached:

REPORT ON THE CULTURAL AND COMMUNITY SERVICES COMMITTEE MEETING HELD AT THE COUNCIL CHAMBERS, 86 MARKET STREET, MUDGEES ON WEDNESDAY 6 APRIL 2011, COMMENCING AT 5.47 PM AND CONCLUDING AT 5.48 PM

Present: Cr JP Thompson (Mayor), Cr E Lang (Chairperson), Cr R Holden, Cr D Kennedy, Cr EE Martens (AM), Cr PA Shelley, Cr MB Walker, Cr J K Weatherley, Cr JR Webb.

In Attendance: General Manager (W Bennett), Group Manager Mid-Western Operations (B Cam), Group Manager Regulatory and Community Services (C Van Laeren), Group Manager Finance and Administration (C Phelan), Manager Governance (I Roberts).

Media Representatives: Mudgee Guardian / The Weekly (R Murray).

ITEM 1: APOLOGIES

There were no apologies.

ITEM 2: DISCLOSURE OF INTEREST

There were no disclosures of interest.

ITEM 3: MATTERS IN PROGRESS FROM FORMER MEETINGS

Noted.

COM.21/11 **MOTION:** Shelley / Martens

That Min. No. 22/11 be noted as completed.

The motion was put and carried.

ITEM 4: NOTICES OF MOTION TO CULTURAL AND COMMUNITY SERVICES COMMITTEE

There were no notices of motion.

ITEM 5: REPORTS TO CULTURAL AND COMMUNITY SERVICES COMMITTEE

5.1 GULGONG MEMORIAL HALL COMMITTEE MEETING – MARCH 2011

A0100052, P0453311

COM.22/11 **MOTION:** Shelley / Martens

That:

1. the minutes of the Gulgong Memorial Hall Committee held on the 8 March 2011 be received;
2. that Mr Peter Willis – Chairman, Gulgong Chamber of Commerce be accepted as member of the Gulgong Memorial Hall Committee.

The motion was put and carried as a resolution.

5.2 GULGONG SPORTS COUNCIL MINUTES – FEBRUARY 2011

A0100052, A0360003

COM.23/11 **MOTION:** Shelley / Martens

That:

1. the report by Group Manager Operations on the minutes of the Gulgong Sports Council be received;
2. the minutes for the Gulgong Sports Council ordinary meeting held on 9 February 2011 be noted.

The motion was put and carried as a resolution.

5.3 KANDOS BICENTENNIAL INDUSTRIAL MUSEUM – FEBRUARY 2011

A0100052, A0060123

COM.24/11 **MOTION:** Shelley / Martens

That:

1. the report by the Manager, Library & Community Services be received;
2. Council note the minutes of the Kandos Bicentennial Industrial Museum meeting held on 10 February 2011;
3. Council form a Kandos Centenary Committee and call for expressions of interest from individuals and representatives of organisations to be appointed to the Committee and involved in the organisation and coordination of the Kandos centenary celebrations in 2014.

The motion was put and carried as a resolution.

5.4 MID-WESTERN REGIONAL YOUTH COUNCIL – MARCH 2011

A0100052, A0060048

COM.25/11

MOTION: Shelley / Martens**That:**

1. the report by the Manager, Library and Community Services be received;
2. Council note the minutes of the Mid-Western Regional Youth Council held on 15 March 2011.

The motion was put and carried as a resolution.

5.5 MUDGEE AND GULGONG ACCESS COMMITTEE – MARCH 2011

A0100052, A0060008

COM.26/11

MOTION: Shelley / Martens**That:**

1. the report by the Manager, Library & Community Services be received;
2. Council note the minutes of the Mudgee and Gulgong Access Committee meeting held on 1 March 2011;
3. Council accept the nomination of Judy Hickey to be a member of the Mudgee and Gulgong Access Committee.

The motion was put and carried as a resolution.

5.6 MUDGEE SPORTS COUNCIL MINUTES – FEBRUARY 2011

A0100052, A0360013

COM.27/11

MOTION: Shelley / Martens**That:**

1. the report by Group Manger Operations on the Mudgee Sports Council minutes be received;
2. the minutes for the Mudgee Sports Council ordinary monthly meeting held on 28 February 2011 be noted;
3. Mudgee Sports Council change their terms of reference to increase grant fees from \$2000 to \$3000 per year for ground improvements.

The motion was put and carried as a resolution.

REPORT CONCLUDED

5.4 FINANCE AND CORPORATE COMMITTEE

RECOMMENDATION

That:

1. the matters resolved at the Finance and Corporate Committee meeting held on 20 April 2011 be received and confirmed.
 2. the recommendations from the Finance and Corporate Committee meeting held on 20 April 2011 in respect of the following items be adopted.
 - Financial Assistance
 - Men's Shed Health Expo
 - Monthly Management Plan Reporting – February 2011
 - Electricity Contracts – Small Sites
-

The report of the Corporate Services Committee is attached:

REPORT ON THE FINANCE AND CORPORATE COMMITTEE MEETING HELD AT THE COUNCIL CHAMBERS, 86 MARKET STREET, MUDGEES ON WEDNESDAY 6 APRIL 2011, COMMENCING AT 5.49 PM AND CONCLUDING AT 6.26 PM

Present: Cr D Kennedy (Mayor), Cr JP Thompson (Chairperson), Cr R Holden, Cr E Lang, Cr EE Martens (AM), Cr PA Shelley, Cr MB Walker, Cr JK Weatherley, Cr JR Webb.

In Attendance: General Manager (W Bennett), Group Manager Mid-Western Operations (B Cam), Group Manager Regulatory and Community Services (C Van Laeren), Group Manager Finance and Administration (C Phelan), Manager Governance (I Roberts).

Media Representatives: Mudgee Guardian / The Weekly (R Murray).

ITEM 1: APOLOGIES

There were no apologies.

ITEM 2: DISCLOSURE OF INTEREST

There were no disclosures of interest.

ITEM 3: MATTERS IN PROGRESS FROM FORMER MEETINGS

Noted.

COR.16/11 **MOTION:** Shelley / Lang

That COR.100/10 be noted as completed.

The motion was put and carried.

COR.17/11 **MOTION:** Shelley / Lang
 That Min. No. 03/11 be noted as completed.

The motion was put and carried.

COR.18/11 **MOTION:** Shelley / Lang
 That Min. No. 05/11 be noted as completed.

The motion was put and carried.

COR.19/11 **MOTION:** Shelley / Lang
 That Min. No. 06/11 be noted as completed.

The motion was put and carried.

COR.20/11 **MOTION:** Shelley / Lang
 That Min. No. 33/11 be noted as completed.

The motion was put and carried.

COR.21/11 **MOTION:** Shelley / Lang
 That Min. No. 38/11 be noted as completed.

The motion was put and carried.

COR.22/11 **MOTION:** Shelley / Lang
 That COR.11/11 be noted as completed.

The motion was put and carried.

COR.23/11 **MOTION:** Shelley / Lang
 That COR.12/11 be noted as completed.

The motion was put and carried.

COR.24/11 **MOTION:** Shelley / Lang
 That Min. No. 49/11 be noted as completed.

The motion was put and carried.

COR.25/11 **MOTION:** Shelley / Lang
 That Min. No. 63/11 be noted as completed.

The motion was put and carried.

ITEM 4: NOTICES OF MOTION TO FINANCE AND CORPORATE COMMITTEE

4.1 GULGONG HOSPITAL

A0100035, A0100052,

COR.26/11

MOTION: Thompson / Martens

That an immediate meeting be arranged with the new State Health Minister, the Federal Minister and federal independent to expedite a new hospital for Gulgong.

The motion was put and carried as a resolution.

4.2 GULGONG SKATE PARK

A0100035, A0100052,

COR.27/11

MOTION: Thompson / Martens

That Council continue to work with the newly formed Gulgong skate park committee to expedite improvements to the Gulgong skate park.

The motion was put and carried as a resolution.

ITEM 5: REPORTS TO FINANCE AND CORPORATE COMMITTEE

5.1 2011/16 DRAFT MANAGEMENT PLAN AND BUDGET

A0100052,

COR.28/11

MOTION: Weatherley / Shelley

That:

- 1. the report by General Manager on the 2011/16 draft Management Plan and Budget be received;**
- 2. Council adopt the 2011/12 and the following four years Draft Management Plan and budget including the Fees and Charges Schedule with the following changes:**
- 3. Council proceed with public exhibition and requesting written submissions on the 2011/12 and the following four years Draft Management Plan and budget in accordance with the Local Government Act, 1993.**
- 4. a report be submitted to Council detailing all the buildings and land which are surplus to Council's current needs and could be sold or disposed of.**

AMENDMENT: Holden/

That:

- 1. the report by General Manager on the 2011/16 draft Management Plan and Budget be received;**
- 2. Council adopt the 2011/12 and the following four years Draft Management Plan and budget including the Fees and Charges Schedule with the proposed budget for Roadside Weed Spraying reduced by \$25,000;**

3. Council proceed with public exhibition and requesting written submissions on the 2011/12 and the following four years Draft Management Plan and budget in accordance with the Local Government Act, 1993.
4. a report be submitted to Council detailing all the buildings and land which are surplus to Council's current needs and could be sold or disposed of.

The amendment lapsed for want of a seconder. The motion was put and carried as a recommendation to Council.

Councillor Holden requested that his name be recorded as having voted against this decision.

5.2 FINANCIAL ASSISTANCE A0100052, a0140201

COR.29/11 MOTION: **Shelley / Kennedy**

That:

1. the report by the Financial Accountant on financial assistance be received;
2. Council note that insufficient funds remain available for distribution in Council's financial assistance programme to meet the current requests; and
3. the following amounts be distributed from Councillor's discretionary funds:

Mudgee Endurance Riders	Cr Holden	\$100.00
	Cr Lang	\$200.00
	Cr Thompson	\$100.00
Jordan Kerr	Cr Weatherley	\$500.00
	Cr Lang	\$200.00
	Cr Thompson	\$100.00
	Cr Webb	\$100.00
Mudgee Baptist Church	Cr Lang	\$200.00
	Cr Thompson	\$100.00
	Cr Webb	\$100.00

The motion was put and carried as a recommendation to Council.

5.3 MEN'S SHED HEALTH EXPO A0100052,

COR.30/11 MOTION: **Martens / Lang**

That:

1. the report by the General Manager on the Men's Shed Health Expo be received;
2. Council grant the sum of \$2,500 for the Men's Shed Health Expo from the Events Management Budget. The hire of any Council

facilities including the Gulgong Memorial Hall to be funded out of this grant.

3. an amount of \$300.00 be also provided from Councillor Thompson's discretionary vote.

The motion was put and carried as a recommendation to Council.

5.4 MONTHLY MANAGEMENT PLAN REPORTING – FEBRUARY 2011
A0100052, A0149934

COR.31/11 **MOTION:** Weatherley / Holden

That:

1. the Management Plan 2010/11 reports for the month ended 28 February 2011 be received;
2. the variations listed in the February 2011 Monthly Reporting be adopted.

The motion was put and carried as a recommendation to Council.

5.5 MOTIONS TO SHIRES ASSOCIATION CONFERENCE

COR.32/11 **MOTION:** Shelley / Lang A0100052,

That the report by General Manager on the motions for the Shires Association Conference be received.

The motion was put and carried as a resolution.

5.6 WEED CONTROL PROGRAMS REPORT – APRIL 2011
A0100052, A0130084, A0130085, A0130086

COR.33/11 **MOTION:** Shelley/Webb

That the report from the Manager Governance on the State Serrated Tussock Program to April 2001 be received.

The motion was put and carried as a resolution.

5.7 ELECTRICITY CONTRACT – SMALL SITES
A0100052, A0370001

COR.34/11 **MOTION:** Lang / Weatherley

That:

1. the report by the Group Manager Finance & Administration on the outcome of the tender for small sites electricity be received; and
2. Council note that the successful provider for small sites electricity was Origin Energy.

The motion was put and carried as a recommendation to Council.

5.5 URGENT BUSINESS WITHOUT NOTICE**RECOMMENDATION****That:**

1. the matters resolved in Urgent Business Without Notice held on 20 April 2011 be received and confirmed.
2. the recommendations from Urgent Business Without Notice held on 20 April 2011 in respect of the following items be adopted.

- **Flight Travel by Councillors**

The report of the Urgent Business is attached:

REPORT ON THE URGENT BUSINESS WITHOUT NOTICE MEETING HELD AT THE COUNCIL CHAMBERS, 86 MARKET STREET, MUDGEES, ON WEDNESDAY, COMMENCING AT 6.27 PM AND CONCLUDING AT 6.29 PM

Present: Cr D Kennedy (Mayor), Cr R Holden, Cr E Lang, Cr EE Martens (AM), Cr PA Shelley, Cr JP Thompson, Cr MB Walker, Cr JK Weatherley, Cr JR Webb.

In Attendance: General Manager (W Bennett), Group Manager Mid-Western Operations (B Cam), Group Manager Regulatory and Community Services (C Van Laeren), Group Manager Finance and Administration (C Phelan), Manager Governance (I Roberts).

Media Representatives: Mudgee Guardian / The Weekly (R Murray).

ITEM 1: APOLOGIES

There were no apologies.

ITEM 2: FLIGHT TRAVEL BY COUNCILLORS

A0100052, A0110001

U.01/11 **MOTION:** Shelley / Holden

That this matter be dealt with as Urgent Business Without Notice.

The Mayor having ruled that the matter is of urgency, the motion was put and carried.

A0100052, A0110001

U.02/11 **MOTION:** Shelley / Holden

That any flight travel by Councillors for the purpose of representing the Council be approved by the Mayor before the air travel is booked.

The motion was put and carried as a recommendation to Council.

REPORT CONCLUDED

5.6 CLOSED COMMITTEE

RECOMMENDATION

That the matters resolved at the Closed Committee meeting held on 20 April 2011 be received and confirmed.

The report of the Closed Committee is attached:

REPORT ON CLOSED COMMITTEE MEETING HELD AT THE COUNCIL CHAMBERS, 86 MARKET STREET, MUDGEE ON WEDNESDAY 6 APRIL 2011, COMMENCING AT 6.30 PM AND CONCLUDING AT 6.40 PM

Present: Cr JP Thompson (Mayor), Cr R Holden, Cr D Kennedy, Cr E Lang, Cr EE Martens (AM), Cr PA Shelley, Cr MB Walker, Cr J K Weatherley, Cr JR Webb.

In Attendance: General Manager (W Bennett), Group Manager Mid-Western Operations (B Cam), Group Manager Regulatory and Community Services (C Van Laeren), Group Manager Finance and Administration (C Phelan), Manager Governance (I Roberts).

C.01/11 **MOTION:** Holden / Walker

That pursuant to the provisions of Section 10 of the Local Government Act 1993 the meeting be closed to the public.

Following the motion to close the meeting being moved and seconded, the Manager Governance announced that the following matter would be considered in Closed Committee and the reason why it was being dealt with in that way.

Subject: Categorisation of land for rating purposes

The reason for dealing with this report confidentially is that it relates to advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege in accordance with Section 10A(2)(g) of the Local Government Act 1993.

Discussion of this matter in an open meeting would be, on balance, contrary to the public interest as it involves discussion of advice on the progress of a matter before a Court or Tribunal.

Following an enquiry from the Mayor, the Manager Governance advised that there were no written representations in respect of this matter and no person in the gallery wished to make verbal representations.

The motion was put and carried.

ITEM 1: APOLOGIES

There were no apologies.

ITEM 2: DISCLOSURE OF INTEREST

Councillor Thompson declared a non pecuniary conflict of interest in that this matter involves a person who was on his ticket at the last election.

Councillor Holden advised that he had previously had an issue with that person but as that matter had been concluded he did not consider that he had any conflict of interest in this matter.

ITEM 3: MATTERS IN PROGRESS FROM FORMER MEETINGS

Noted.

ITEM 4: REPORTS TO CLOSED COMMITTEE4.1 CATEGORISATION OF LAND FOR RATING PURPOSES

A0100052, P1197211

Councillor Thompson declared a non pecuniary conflict of interest in that this matter involves a person who was on his ticket at the last election, left the meeting at 6.34 pm and did not participate in discussions or vote in relation to this matter.

C.02/11

MOTION: Lang / Shelley

That:

1. **the report by the Manager Governance in relation to the matter in the Administrative Decisions Tribunal regarding the categorisation of land for rating purposes be received;**
2. **Council confirm the action taken by the General Manager to appeal the decision of the Administrative Decisions Tribunal in respect of ADT File No 093179.**
3. **it be noted that the Administrative Decisions Tribunal has referred to Mudgee Shire Council (which no longer exists) in this matter and the relevance of this issue be discussed with Council's legal advisors as further grounds of appeal .**

The motion was put and carried as a resolution.

Councillor Thompson returned to the meeting at 6.37 pm.

OPEN COMMITTEE

The Manager Governance announced the decision taken in Closed Committee.

REPORT CONCLUDED

ITEM 6: GENERAL BUSINESS

6.1 NOTICES OF MOTION

Nil.

6.2 REPORTS

6.2.1 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT

REPORT BY GENERAL MANAGER alga conference A0100052, A0110043
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RECOMMENDATION

That:

1. the report by the General Manager on the National General Assembly of Local Government be received;
2. Council approves the Mayor and General Manager to attend the Assembly in Canberra on 19 – 22 June 2011.

DETAILED REPORT

Please find enclosed the program and conference registration for the Australian Local Government Association National General Assembly of Local Government. This year the conference will be held in Canberra from 19 – 22 June 2011. The attendance at this conference of the Prime Minister and key Commonwealth Ministers will provide an opportunity for Council to hear their positions on a number of issues, and to speak directly with them on issues that affect regional council areas.

FINANCIAL IMPLICATIONS

This conference will be funded from Councillors' Conference budget, and the cost of sending two delegates to the conference will be as follows:

Conference registration x 2	=	\$ 1760.00
Accommodation and meals (4 nights @ \$260 x 2)	=	\$ 2080.00
Travel (assuming only one car taken)	=	<u>\$ 300.00</u>
TOTAL	=	<u>\$ 4140.00</u>

STRATEGIC OR POLICY IMPLICATIONS

Council has a policy of conference attendance and this conference complies with that policy.

WARWICK BENNETT
GENERAL MANAGER

6 April 2011

Attachments: National General Assembly overview and program

THEME OVERVIEW



Growing with our Community

➤ PLACE ➤ POSITION ➤ PARTNERSHIP

Last year's NGA, examined the trend in Australia's population which is expected to grow from the current 22 million to 35.9 million by 2050. Population growth will create opportunities and challenges for governments and communities. Meeting the demands of a bigger Australia will require substantial new physical infrastructure as well as the need for the economy to remain internationally competitive, innovative, more inclusive and sustainable. What we as a nation choose to invest in, how we invest and where we invest will have profound impacts on local communities across Australia and influence where and how Australians will live.

At the national level, reform (and, in particular, micro-economic reform) has been at the forefront of Australia's public policy debate and practice over the past twenty years. Reform has helped transform the Australian economy, and made a significant contribution to preparing the nation to meet the challenges of economic shocks such as the Global Financial Crisis. Further reform is essential if Australia is to remain internationally competitive as well as meet the future challenges of job creation, skills shortages, providing adequate and appropriate social support and achieving ecological sustainability.

Managing the local and regional impacts of reform is a significant challenge for governments. All reform has the potential to impact local and regional communities including the concentration of benefits and burdens in localities such as cities, regions or specific neighbourhoods.

Local governments are at the 'coal-face' of managing change, planning, coordination and provision of infrastructure and services for their local communities. It is therefore essential that local governments are consulted, and their policies and plans are taken into account when national reforms are being designed and implemented.

The theme of the 2011 NGA is *Growing with our Community: Place, Position and Partnership*. The aim is to stimulate ideas about new ways of doing business to meet the infrastructure and service needs of people in their local communities.

The 'Place' topic recognises that individuals and households live and work in: suburbs, neighbourhoods, farms, cities, towns, and local communities, i.e. 'places'. As these places differ geographically, culturally, economically and socially, it is not surprising that services need to be tailored to local circumstances. Under this topic, delegates will be invited to discuss models for improved collaboration between governments and governance models to jointly develop policy, plan, coordinate and deliver better infrastructure and services that will meet the circumstances of a particular 'place'.

The 'Position' topic refers to the need for local government to be seen and treated as an integral part of the Australian federal system. There are more than 560 local governments in Australia, all of them democratically elected, accountable to their communities and charged with the responsibility, under state legislation, to govern in the interests of their local communities. Under this topic delegates will be invited to explore ways of ensuring that local government is properly recognised in all government structures including the Australian Constitution, as well as how local government can be better involved in shaping Commonwealth and state service delivery to better meet local needs.



NATIONAL GENERAL
ASSEMBLY OF LOCAL
GOVERNMENT



The third topic is 'Partnership'. This recognises that government service provision, including regulation, is a shared responsibility. While local government provides a wide range of services and infrastructure, many of these are in partnership with other levels of government. At the national level, the partnership between local government and the Australian Government has delivered benefits to every Australian community including through programs such as the Roads to Recovery Program (R2R) and the Regional and Local Community Infrastructure Program (RLCIP). Under this theme delegates will be encouraged to identify opportunities and challenges to the development of effective partnerships to improve the delivery of services and infrastructure at the local and regional level.

CONCURRENT SYMPOSIA

The concurrent symposia allow delegates to break into smaller groups to focus on the detail of key issues for local government. This year delegates will choose from one of three sessions focusing on climate change, the role of arts in communities and the use of technology and broadband.

All three sessions will have renowned experts to assist and guide the discussions providing the opportunity for delegates to reflect on and develop solutions specific to their local government areas.

Key Dates

Submissions for Motions for Debate
By close of business Friday 22 April 2011



EARLY BIRD REGISTRATION
On or before Friday 29 April 2011

Standard Registration
On or before Friday 3 June 2011

Late Registration
On or after Friday 3 June 2011

Program

RCDF 2011

Regional Cooperation
and Development Forum

➔ DAY 1 SUNDAY 19 JUNE

- 9.30 am Welcome: ALGA President,
Cr Genia McCaffery
- 9.35 am Minister for Regional Development,
The Hon Simon Crean MP (invited)
- 10.05 am Regional Development—Sustaining
Growth
- 10.35 am **MORNING TEA**
- 11.00 am State of the Regions Launch—Beyond the
Mining Boom
- 12.00 noon Regional Development Australia
representative
- 12.30 pm **LUNCH**
- 1.30 pm Opposition spokesperson,
The Hon Bob Baldwin MP (invited)
- 2.00 pm Not All Regions are the Same: Common
Issues, Specific Solutions, Effective Links
- 3.30 pm **AFTERNOON TEA**
- 4.00 pm Leader of the Nationals,
The Hon Warren Truss MP (invited)
- 4.30 pm Questions and wrap-up
- 5.00 pm Finish

2011 NATIONAL GENERAL ASSEMBLY

Growing with our Community

• PLACE • POSITION • PARTNERSHIP

National General Assembly of Local Government

➔ DAY 1 SUNDAY 19 JUNE

- 5.00 pm Welcome Reception 5.00–7.00 pm

➔ DAY 2 MONDAY 20 JUNE

- 9.00 am **OPENING CEREMONY**
- 9.30 am ALGA Address: President,
Cr Genia McCaffery
- 10.00 am Political Address: Prime Minister,
The Hon Julia Gillard MP
- 10.30 am **MORNING TEA**
- 11.00 am The Pitch—How do we sell local
government?
HOST James O’Loughlin
PANELISTS John Hewson, Annabel Crabb
and Jane Caro
- 12.30 pm **LUNCH**
- 1.30 pm Place Speaker: Mayor Len Brown,
Auckland Council
- 2.00 pm Debate: Place
- 3.00 pm **AFTERNOON TEA**
- 3.30 pm Debate: Place (continued)
- 4.30 pm Political Address: Leader of the
Opposition, The Hon Tony Abbott MP
(invited)
- 7.00 pm **DINNER**
National Convention Centre 7.00–11.00 pm



NATIONAL GENERAL
ASSEMBLY OF LOCAL
GOVERNMENT

➔ DAY 3 TUESDAY 21 JUNE

9.00 am	Position Speaker: Robert Gottliebsen
9.30 am	Debate: Position
10.30 am	MORNING TEA
11.00 am	Political Address: Minister for Climate Change and Energy Efficiency, The Hon Greg Combet MP
11.30 am	Partnership Speaker: Michael Luscombe, Woolworths CEO
12.00 noon	Department of Climate Change Speaker
12.30 pm	LUNCH
1.30 pm	Concurrent Symposia
3.00 pm	AFTERNOON TEA
3.30 pm	Debate: Partnership
7.00 pm	DINNER Great Hall, Parliament House 7.00-11.00 pm

➔ DAY 4 WEDNESDAY 22 JUNE

8.30 am	Political Address: Leader of the Greens, Senator Bob Brown
9.00 am	Local Government and Community Resilience—2011 Floods
10.00 am	Political Address: Shadow Minister for Local Government, Senator Barnaby Joyce
10.30 am	MORNING TEA
11.00 am	Political Address: Minister for Regional Australia, Regional Development and Local Government, The Hon Simon Crean MP
11.30 am	Constitutional Reform Update
12.30 pm	Closing Address
1.00 pm	LUNCH

6.2.2 MONTHLY STATEMENT OF MID-WESTERN REGIONAL COUNCIL BANK BALANCES
AND INVESTMENTS AS AT 31 MARCH 2011

REPORT BY MANAGEMENT ACCOUNTANT

Bankrep
A010052, A0140304

RECOMMENDATION

That the Investment Report as at 31 March 2011 by the Management Accountant be received and the certification by the Responsible Accounting Officer noted.

EXECUTIVE SUMMARY

The purpose of this report is to certify that Council's investments have been made in accordance with legal and policy requirements; provide information on the detail of investments and raise other matters relevant to Council's investment portfolio as required.

DETAILED REPORT

Clause 212 of the Local Government (General) Regulation 2005 requires that the Responsible Accounting Officer of a Council:

- a) must provide the Council with a written report (setting out details of all money that the Council has invested under Section 625 of the Act), to be presented at each Ordinary Meeting of the Council, and
- b) must include in the report a certificate as to whether or not the investment has been made in accordance with the Act, the regulations and the Council's investment policies.

The report must be made up to the last day of the month immediately preceding the meeting.

It is part of Councils Investment Operating Plan that exposure to institutions should be limited according to their Standard & Poor's rating. Institutions without a Standard & Poor's investment rating are limited to 20% of the overall investment portfolio. Council had previously held one term deposit of \$1 million with an unrated credit union, State Government Employees Credit Union. Due to falling rates on offer with this institute staff have rolled this deposit into another large unrated credit union with better rates on offer, Community CPS Australia. This deposit is currently covered by the government Financial Claims Scheme.

FINANCIAL IMPLICATIONS

Not applicable.

STRATEGIC OR POLICY IMPLICATIONS

Not applicable.

LEONIE JOHNSON
MANAGEMENT ACCOUNTANT


CLARE PHELAN
GROUP MANAGER FINANCE

8 April 2011

Attachments: Monthly statement of Bank Balances and Investments

APPROVED FOR SUBMISSION:

WARWICK BENNETT
GENERAL MANAGER

For the month ended: 31-Mar-11

Bank Accounts	Opening			Closing		Overdraft Limit
	Balance	Receipts	Payments	Balance		
Commonwealth Bank	\$ 2,589,172	\$ 6,768,804	\$ 9,097,750	\$ 260,226	\$ 700,000	

The bank balance has been reconciled to the General Ledger 31/03/2011

Investments	Type	Amount	Yield %	Maturity		Rating	Govt		% of Portfolio
				Date	Term		Rating	NAV	
Commonwealth Bank	At Call	\$ 450,000	4.75%	N/A	At Call	A-1+	1		1.7%
National Australia Bank	Term Deposit	\$ 1,700,000	6.12%	20/04/2011	119	A-1+	2		6.5%
National Australia Bank	Term Deposit	\$ 850,000	5.98%	22/06/2011	126	A-1+	3		3.2%
National Australia Bank	Term Deposit	\$ 1,500,000	6.10%	18/05/2011	132	A-1+	3		5.7%
National Australia Bank	Term Deposit	\$ 400,000	6.20%	18/05/2011	125	A-1+	3		1.5%
Westpac Bank	Term Deposit	\$ 2,600,000	5.78%	1/06/2011	91	A-1+	2		9.9%
Westpac Bank	Term Deposit	\$ 1,700,000	5.90%	6/04/2011	182	A-1+	3		6.5%
St George Bank	Term Deposit	\$ 2,500,000	5.90%	4/05/2011	119	A-1+	2		9.5%
St George Bank	Term Deposit	\$ 500,000	5.75%	8/06/2011	126	A-1+	3		1.9%
St George Bank	Term Deposit	\$ 1,500,000	5.82%	29/06/2011	126	A-1+	3		5.7%
Bendigo & Adelaide Bank	Term Deposit	\$ 1,000,000	5.85%	13/04/2011	90	A-2	1		3.8%
Bankwest	Term Deposit	\$ 1,000,000	5.80%	11/05/2011	91	A-1+	1		3.8%
AMP	Term Deposit	\$ 1,000,000	6.00%	29/06/2011	119	A-1	1		3.8%
Macquarie Bank	Term Deposit	\$ 1,000,000	6.05%	4/05/2011	182	A-1	1		3.8%
Suncorp Metway Ltd	Term Deposit	\$ 1,000,000	5.98%	1/06/2011	91	A-1	1		3.8%
Newcastle Permanent	Term Deposit	\$ 1,000,000	6.00%	8/06/2011	91	A-2	1		3.8%
Bank of Queensland	Term Deposit	\$ 1,000,000	6.20%	11/05/2011	180	A-2	1		3.8%
Members Equity Bank	Term Deposit	\$ 1,000,000	6.15%	27/04/2011	98	A-2	1		3.8%
Heritage Building Society	Term Deposit	\$ 1,000,000	6.21%	3/08/2011	182	A-2	1		3.8%
Community CPS Aust.	Term Deposit	\$ 1,000,000	6.10%	22/06/2011	90	NR	1		3.8%
Deutsche Bank Series 5	Floating Rate	\$ 1,000,000	5.91%	23/11/2012	4yrs 9mths	A+	-		3.8%
	Note								
ANZ ASPRIT III	Sustainable	\$ 500,000	50% of +tve	19/07/2013	6 yrs	AA	-	\$ 460,715	1.9%
	Equity Linked		NAV						
	Note								
Longreach Series 26	Property	\$ 1,000,000		7/06/2014	7 yrs	A+	-	\$ 844,500	3.8%
	Linked Note								
Total Investments		\$26,200,000							100.0%

Government Guarantee Codes

- 1 Deposit is covered by Financial Claims Scheme
- 2 Deposit is covered up to \$1,000,000
- 3 Deposit is not covered by Financial Claims Scheme

Monthly Investment Portfolio Activity:

The below table shows monthly investment activity within the portfolio including investments that have matured and have been redeemed or re-invested, and new investments placed.

Bank Accounts	Opening Balance	Redeemed Balance	Re-invested Balance	Change in interest rate	Change in Term (days)
Commonwealth Bank	\$ 1,680,000	\$ 1,230,000	\$ 450,000	0.00%	At Call
Westpac Bank	\$ 1,600,000		\$ 2,600,000	0.03%	-63
Suncorp Metway Ltd	\$ 1,000,000		\$ 1,000,000	-0.04%	1
AMP			\$ 1,000,000	New Deposit	
Newcastle Permanent	\$ 1,000,000		\$ 1,000,000	0.11%	-7
State Govt Employees C/Union	\$ 1,000,000	\$ 1,000,000		Redeemed	
IMB	\$ 1,000,000	\$ 1,000,000		Redeemed	
ING Australia Bank	\$ 1,000,000	\$ 1,000,000		Redeemed	
Community CPS Australia			\$ 1,000,000	New Deposit	
	<u>\$ 8,280,000</u>		<u>\$ 7,050,000</u>		
Net Portfolio Movement	\$1,230,000 Reduction				

MWRC Policy Requirements:

Investments by Insitution	Long/Short Term Ratings	Amount	% of Portfolio	
			Actual	Policy Limit
ANZ	AA/A-1	\$ 500,000	1.9%	25.0%
National Australia Bank	AA/A-1+	\$ 4,450,000	17.0%	25.0%
Bankwest	AA/A-1+	\$ 1,000,000	3.8%	25.0%
St George Bank	AA/A-1+	\$ 4,500,000	17.2%	25.0%
Commonwealth Bank	AA/A-1+	\$ 450,000	1.7%	25.0%
Westpac Bank	AA/A-1+	\$ 4,300,000	16.4%	25.0%
Longreach	A+	\$ 1,000,000	3.8%	20.0%
Deutsche Bank	A+	\$ 1,000,000	3.8%	15.0%
AMP	A/A-1	\$ 1,000,000	3.8%	15.0%
Suncorp Metway Ltd	A/A-1	\$ 1,000,000	3.8%	15.0%
Macquarie Bank	A/A-1	\$ 1,000,000	3.8%	15.0%
Bank of Queensland	BBB+/A-2	\$ 1,000,000	3.8%	10.0%
Bendigo & Adelaide Bank	BBB+/A-2	\$ 1,000,000	3.8%	10.0%
Newcastle Permanent	BBB+/A-2	\$ 1,000,000	3.8%	10.0%
Members Equity Bank	BBB/A-2	\$ 1,000,000	3.8%	10.0%
Heritage Building Society	BBB/A-2	\$ 1,000,000	3.8%	10.0%
Community CPS Aust.	NR	\$ 1,000,000	3.8%	10.0%
		\$ 26,200,000	100.0%	

Investments by Rating	Rating*	Amount	% of Portfolio	
			Actual	Limit
Direct Securities	AAA/A-1+	\$ 14,700,000	56.1%	100.0%
	AA/A-1	\$ 500,000	1.9%	100.0%
	A/A-1	\$ 5,000,000	19.1%	60.0%
	BBB/A-2	\$ 5,000,000	19.1%	20.0%
	Unrated	\$ 1,000,000	3.8%	20.0%
Managed Funds	AAA		0.0%	
	AA		0.0%	
	A		0.0%	
	BBB		0.0%	
	Unrated		0.0%	
		\$ 26,200,000	100.0%	

*Investments lower than AA/A-1 are restricted to licenced banks, credit unions and building societies

Term to Maturity	Amount	% of Portfolio		
		Actual	Minimum	Maximum
Less than 1 year	\$ 23,700,000	90.5%	30.0%	100.0%
Between 1 and 3 years		0.0%	0.0%	70.0%
Between 3 and 5 years	\$ 1,000,000	3.8%	0.0%	50.0%
More than 5 years	\$ 1,500,000	5.7%	0.0%	25.0%
	\$ 26,200,000	100.0%		

6.2.3 COMMUNITY SAFETY

REPORT BY GENERAL MANAGER Community safety A0100052, A0420139

RECOMMENDATION**That:**

1. the report by the General Manager on community safety be received;
2. Council establishes a Community Safety Committee to determine and make recommendations to Council on the appropriate response to improving Community Safety and better controls on vandalism in this region;
3. the following be included on the Community Safety Committee:-

Mayor – Cr Des Kennedy
Chairman Cultural and Community Services Committee – Cr Elwyn Lang
Local Area Commander of Police – Martin Fileman
Youth Mayor and Deputy Youth Mayor – Jessica MacLennan and Mary Sparke
One representative each from the areas of Gulgong, Mudgee and Rylstone
One Representative from the Local Aboriginal Land Council
General Manager of the Council
4. Council seeks registrations of interest for the three community representatives through the Community News.

DETAILED REPORT

At the February meeting of Council the following resolution was passed.

That Council immediately investigates in liaison with the police all options in the Mid-Western community to endeavour to control the petty vandalism which is costing ratepayers many thousands of dollars per year. Solutions to be investigated include:

- *Installation of CCTV at Council premises around the region*
- *Council employing night patrol security guards*
- *Representation to State Government to increase police numbers*

Since that meeting the mayor and the General Manager have met with the Local Area Commander to discuss the best course of action. He has suggested that we follow accepted process with the establishment of a Community Safety Committee. That committee can analyse the crime statistics in the region and determine for recommendation to Council the best way forward. The Local Area Commander has suggested that security cameras or personnel may not necessarily be the best way forward and that lighting in a number of areas is a cheaper and better alternative.

This report recommends the setting up of a Community safety Committee which is a requirement for the introduction of CCTV cameras if indeed the Council and the Community saw this as the way forward.

I attach a copy of the NSW Government Policy Statement and Guidelines for the Establishment and Implementation of CCTV in public spaces. In particular I refer Council to section 1 (page 8) of the report - titled Issues to be considered before establishing a CCTV scheme.

FINANCIAL IMPLICATIONS

There would be no costs of establishing a committee in the first instance. However staff time to administer the committee would be required

STRATEGIC OR POLICY IMPLICATIONS

Not applicable at this time.

WARWICK BENNETT
GENERAL MANAGER

7 April 2011

Attachments: Closed Circuit Television in Public Places Guidelines (following at the end of the business paper.)

6.2.4 ECONOMIC DEVELOPMENT

REPORT BY GENERAL MANAGER Economic development A0100052, A0820020

RECOMMENDATION**That:**

- 1. the report by the General Manager on economic development be received;**
- 2. Council amends the budget for the 2011/12 and following financial years to include a provision for the employment of an Events Management Coordinator including an allocation to attract major events to the region at a cost of \$145,000;**
- 3. Council trials on a six monthly fixed contract period or by consultancy a Business Development Officer at a cost of \$65,000; and**
- 4. to fund these two projects the Council amends its 2011/12 and following four years budget by reducing the Grants and Donation budget by \$90,000 to \$65,000, the strategic Initiatives budget from \$40,000 to \$10,000, the promotion and marketing budget from \$50,000 to \$20,000 and utilising the full amount of the Events Management support budget.**

DETAILED REPORT

At a recent workshop of Council a direction was discussed in terms of how economic development, marketing and promotion of this region should be prioritised over the next few years. Council is well aware of the growth associated with the mining and power industry which will have a significant impact on this region particularly in terms of population and the infrastructure that goes with it. The Economic Development Officer is currently focused full-time on those issues.

The other activities being worked on by the Economic Development Officer include promotion of the region as a great place to live, work, play and visit as well as managing and developing Council's commercial properties.

However, there are other opportunities that Council wish to target to grow the wealth of this community and ensure economic prosperity into the future. This report sets out the potential targeted growth for the next few years as defined by that workshop.

The recommendations in this report are what Management understands to be the desired outcomes from the workshop of Councillors. Management has recommended alternative direction to these recommendations at the end of this report.

1 Event Management and Sports Tourism

This Region has a number of modern facilities that certainly have the capability of attracting major state and national events. These include Glen Willow Regional Sports facility and showgrounds in all three towns. These facilities have the potential to attract a considerable number of visitors each year – both competitors and spectators. If Council is of a mind to grow this aspect of the tourism

industry then a person needs to be employed that focuses on attracting events to this region as well as growing the existing events.

Council has sought that as part of growing the sports tourism in this region particularly at Glen Willow that at least one major sporting event is encouraged to come here annually. Discussions to date have been very positive with Touch Football Australia who has expressed a keen attitude to establish a presence in this region. However, it is important to note that there is a limit to which events this region can realistically bid for given the availability of accommodation. Touch NSW has made it clear in their submissions to date that a number of their competitions attract more than 4500 competitors plus supporters. There are currently only 2,200 beds less than 30km from the venue in this region. Further, a large number of the beds from motel/hotel accommodation are currently taken by temporary mine workers on contract. We are aware that recently two large events were proposed for the same weekend but because of the shortage of accommodation one had to be postponed for another weekend. There are options available to utilise a tent city approach as is done in Deniliquin and Tamworth, for example, however this transfers at least some of the economic benefits to those outside the region.

Other opportunities for large sporting events include hosting a pre-season NRL game, City Vs Country rugby league match or a Super 15 pre-season rugby union game with the Waratahs. A submission was recently sent to the Country Rugby League who have expressed positive interest in relation to next year's City Vs Country match being held at Glen Willow. The investigation that we have done to date on attracting a major sporting event would require Council or the organisers of such an event to make an upfront financial contribution of at least \$30,000. Additional to this would be promotional, accommodation and organisation costs. All up costs that need to be recovered could exceed \$50,000. These costs can potentially be recoverable by admission costs or sponsorship.

Council does need to consider this matter very carefully as it is a risk of public funds to put into a one night sporting event. It will without doubt attract additional people into our region that will generate financial gains to businesses in the region. However a number of visitors may only come for the night on buses and leave immediately after unless there is activity or incentive to stay. For example some of the anecdotal evidence that has come over my desk in recent years is that accommodation establishments only accept a minimum of two night's stay which is not an incentive for visitors to stay overnight for such an event.

The Council has indicated in its workshop there is an opportunity for a Council funded person to pro-actively work with current event organisers in the region to ensure that best possible assistance is given to make these events a success. For example events such as Wings, Wheels and Wine, The Wine Festival month, the Henry Lawson festival in Gulgong and the Rylstone Street Feast are a major impost on volunteers. Event management assistance could be given on the proviso that an event coordinator did not take them over but worked with volunteers on 3-4 events to improve event capacity. The involvement of volunteers and people associated with such events is critical to the success of events.

The workshop requested that Council investigate and consider employing a full time Event Co-ordinator to assist in attracting new events, expand existing events in the region as well as promoting Council facilities to encourage maximum usage. The cost of this new activity is as follows:-

Salary and other Employment costs	\$ 80,000
Administrative and travel costs	\$ 15,000
Promotional and event attraction costs	\$ 50,000
Total	\$145,000

The recommendation to fund this activity is set out below in the financial implications.

It is important to note that if the objective of the activity is to attract more than one large sporting event each year; there will need to be a corresponding increase in the amount allocated to cover promotional, event attraction and organisation costs.

2 Developing existing and attracting new businesses

70% of the growth of a business economy in a region like this comes from existing businesses. It is important that the current businesses in this region are encouraged to grow particularly on the wave of growth being experienced by coal mining and the expected population impact. There is always a fear of what will occur in the economy of this region once mining is exhausted. Based on workshop feedback, the region needs another industry that perhaps not only compliments existing businesses such as tourism, mining and agriculture but also replaces other businesses that have been lost in recent years such as the abattoir.

Council has an objective to develop the aviation industry at the Mudgee Airport. This will become a reality when the comprehensive LEP is gazetted. Opportunities exist to attract aviation businesses from larger metropolitan airports where costs are high and airspace is becoming increasingly difficult to obtain.

There are also a number of businesses that service our existing industries such as coal mining that could be encouraged to relocate to this region because there is a competitive advantage of being here. A number of those industries are in the Newcastle region but as the mining industry moves slowly westward Council should encourage them to relocate.

Council needs to give consideration to offering commercial incentives to encourage businesses to relocate other than lifestyle and reduced operating costs. The issue that needs to be considered with offering incentives to businesses to relocate is that it puts already established businesses in the region at a commercial disadvantage competing for a defined market share. Also history has shown that once the incentives cease the advantages of being here are not as good and that businesses may relocate back or at a minimum downsize.

Other opportunities need to be investigated in all parts of the region. For example it has been mentioned that a technology park be established in the Rylstone/Kandos area. We need to conduct some market research about what industries we should target directly for this area and ensure the infrastructure is capable of having the capacity for ongoing operations. It is important to identify what the point of difference is that has made Rylstone/Kandos a great place. Should Council and the community be building on the “Rylstone Naturally” theme and focus on supporting the organic business? The concern Management has is that the infrastructure in Rylstone and Kandos for both people and industry is insufficient at this time to cope with a technology park. A considerable financial investment is required to put the appropriate infrastructure in place.

The Council workshop requested an investigation into the employment of a person on a six month trial basis to undertake initial market research and discussions with industries and businesses that may be interested in establishing in this region. This short term contractual position will also work with existing businesses in the region to encourage and give advice on growth opportunities.

Salary and other Employment costs	\$ 45,000
Administrative and travel and accommodation costs	\$ 20,000
Total	\$ 65,000

Please note the above costs are only for a six month period. Any extension of this contract beyond that period would require additional funds to be found which would involve the deletion of a project in the proposed Management Plan.

If we are successful in getting a business with say 100 employees interested in relocating to the region, we need to convince both the business and its employees that the access to accommodation, schooling, pre-schooling, hospitals, transport and so forth are adequate. This is currently an issue that the region is dealing with due to the influx of mining personnel.

The cost and availability of labour is another critical consideration that needs to be taken into account in pursuing a strategy to attract new businesses to the region. If the new business cannot relocate its entire workforce, it may experience significant difficulties in attracting the required labour force locally given that the labour force is already under pressure from mining expansion. As labour shortages become more prevalent, the cost of labour will increase making it difficult for other businesses to compete with the mines. These additional labour costs could prohibit the relocation of a prospective business or industry.

3. Managements Opinion

Management believe that the growth that we are experiencing with the coal mining boom is going to be difficult to manage from a holistic government approach. We need to get the infrastructure right on the back of the mining growth. Many believe we need to get an industry established for life after mining. The reality is that mining will be with this community for the next 80 to 100 years. This is not a 20 year window of opportunity that many are stating. The 20 years only relates to the length of planning applications. The coal reserves – if coal is the way forward in this country – are well in excess of 20 years.

The traditional industries of agriculture, tourism, wine and retail may benefit more from the support of Councils economic development assistance than new industries being courted to this region. We need to look at the existing industries in the region in more depth. Who is suffering and why? What are the options and opportunities for their future? Can Council assist without creating a false expectation in the market place? Is it Council's role to subsidise business? These are some of the questions that need to be answered.

The reality is that the growth in this region is happening. We are not desperate for growth – what we are desperate for is the developers and government infrastructure to grow with us and maximise economic development opportunities that come from this growth. If we can get the infrastructure right on the back of the mining growth then we will create the environment that will attract business without Councils assistance.

Business tends to relocate for their own commercial reasons rather than as a result of encouragement or incentives from local government. The successful businesses that relocate will be undertaking their own research and preparing business studies that would indicate that a relocation will create value for the shareholders and that there is a competitive advantage to be gained through relocation.

It is important to note that whilst mining activity will be the key driver of growth in the region, growth will not be restricted to mining related activities alone. Anecdotal evidence suggests that one third of the growth comes from mining related businesses, and the remaining two thirds comes from other non-related areas which grow to cater for a larger population base with increasing demands for a range of goods and services.

Presently, there is an accommodation shortage in the region due to the expansion of the mining labour force with both contractors and new staff requiring accommodation in the region. Significant efforts are being made to attract private housing and infrastructure to improve this situation. Should Council's role be to develop housing in the region to cope with the shortage of developers and lack of affordable housing? The role for Council would not be to become a landlord but to act as the developer – put the money up to build the much needed housing and subdivision infrastructure in the short term.

There is also an opportunity for Council to encourage a Government Department to this region. With the Coalition now in power in the State Government and as this community will grow substantially over the next few years there is a very good argument that a Government Department associated with perhaps the mining industry should have a strong presence in this community. This will be discussed with the local Members of Parliament.

Management believe that the best way forward in the short term is to conduct a Mid-Western Business Expo in Newcastle to sell the benefits of doing or relocating business in this region. Such an expo needs to be well planned with targeted invitations. A similar expo could be planned for the metropolitan airports again encouraging aviation industries to this region. This would be an initiative where Councillors could attend and gauge the level of interest before committing to the employment of staff.

In terms of the Events Co-ordinator, Management believes that in the first instance that this should be a part time position – say three days per week. Council can't be seen to take over events in the region and the role needs to be support only for existing events. In terms of trying to attract one or two major sporting events to the region, the Council must be aware of the costs and the risk to public funds.

A further consideration for Council is that the general feedback coming from the IP&R consultation days being held across the region is that Council has already spent enough money on sporting facilities in the region and should be focusing further spending in other areas.

FINANCIAL IMPLICATIONS

The costs of these two Council initiatives will be \$210,000. There is no allocation in the draft Management Plan for either of these two new initiatives. If Council wishes to fund these initiatives it is recommended that Council makes the following amendment to the draft Management plan as part of the public consultation.

- Reduce the Grants and Donations Budget from \$155,000 to \$65,000
- Reduce the Council Strategic Initiatives budget from \$40,000 to \$10,000
- Transfer the Events Management budget for these projects – proposed at \$60,000
- Reduce the Promotion and Development budget from \$50,000 to \$20,000

These amendments total \$210,000 but have other consequences that Council needs to be aware of. The grants and subscription budget falls into three categories – large grants (allocation \$115,000), small grants (allocation \$22,000) and Councillor's discretionary (allocation \$18,000). If Council pursued these two initiatives with the funding recommendations above, a number of the grants that were allocated in 2010 would not occur in 2011.

The Council allocates \$40,000 a year for strategic projects that from time to time during a financial year need to be undertaken and addressed as directed by Council. This recommendation would reduce that allocation for strategic initiatives to \$10,000. Council has an allocation for promotion and development which has funded a number of sponsorships like Mudfest. This would now have to be allocated from the Council's reduced grants and donations budget. We are recommending that \$20,000 be left in this budget for the development of the promotion and marketing material that would be needed to support these two new initiatives.

The final budget amendment would be the full use of the events management budget which has been used to support organisations with \$2,000-\$3,000 allocations towards the costs of managing existing events in the region (such as the Wine Festival, Go Grazing, Motor Fest, Regions on the River, Grassroots Rugby, Henry Lawson Festival, Readers Festival). This would be replaced with the direct support from the Events Management person.

STRATEGIC OR POLICY IMPLICATIONS

These new initiatives are generally in line with Councils Economic and Event Management strategies and budgets.

ALTERNATIVE MANAGEMENT RECOMMENDATION

Management is recommending that Council only employs a part time Events Co-ordinator for a period of 3 days per week and trial two business expos at Bankstown airport and Newcastle.

The Events Co-ordinator costs would be as follows. It is not recommended that a major sporting event that requires a monetary upfront commitment be sought.

Salary and other Employment costs	\$ 50,000
Administrative and travel costs	\$ 10,000
Promotional costs	\$ 15,000
Total	\$ 75,000

The funding of this initiative would be \$60,000 from the Events Management budget and reducing the grants and donations budget by \$15,000

The management recommendations below do not include the employment of additional staff in the first instance but rather a promotion consultant to assist with the delivery of 2 business expos to trial the interest in businesses relocating to the region. The costs would be as follows:-

Promotion Consultant Cost	\$ 20,000
Business Expo Costs	\$ 20,000
Total	\$ 40,000

The funding of this initiative would be \$30,000 from the Promotion and Development budget and \$10,000 from the Strategic Initiatives budget.

Recommendation

- 1. Council amends the budget for the 2011/12 and following financial years to include a provision for the employment of a part time Events Co-ordinator at a cost of \$75,000.**
- 2. Council conducts at least two Business Expos in metropolitan areas to gauge the level of interest in businesses relocating to this region at a cost of \$40,000.**
- 3. To fund these two projects the Council amends its 2011/12 and following four years budget by reducing the Grants and Donation budget from \$155,000 to \$140,000 , the Strategic Initiatives budget from \$40,000 to \$30,000, the Promotion and Marketing budget from \$50,000 to \$20,000 and utilising the full amount of the Events Management support budget.**

WARWICK BENNETT
GENERAL MANAGER

11 April 2011

6.2.5 2011-12 AND THE FOLLOWING FOUR YEARS MANAGEMENT PLAN

REPORT BY GENERAL MANAGER

Management plan
A0100052, A0149934

RECOMMENDATION

That:

- 1. the report by the General Manager on the 2011-12 and following four years Management Plan be received;**
- 2. Council adopt the 2011/12 and the following four years Draft Management Plan and budget including the Fees and Charges Schedule;**
- 3. Council proceed with public exhibition and requesting written submissions on the 2011/12 and the following four years Draft Management Plan and budget in accordance with the Local Government Act, 1993.**

DETAILED REPORT

Council's 2011/12 and the following four years Draft Management Plan is presented for consideration by Council to allow it to be advertised and exhibited for 28 days prior to being presented back to Council with details of submissions and comments prompting recommendations of any changes.

The Draft Management Plan provides a broad overview of Council's proposed directions and general activities for the next five financial years and creates the opportunity for the community to have input into determining that future direction.

This document is based on a series of briefings with the Councillors, putting together a budget based on a series of initiatives and new ideas to grow and develop the Mid-Western Region

FINANCIAL IMPLICATIONS

This document is Council's budget for the following 5 years.

STRATEGIC OR POLICY IMPLICATIONS

The Local Government Act 1993 provides that prior to 30 June in each year; Council must adopt a management plan for the forthcoming year. Before doing so, however, Council is required to place the document on public exhibition in draft form for at least 28 days, to invite submissions on the Draft Management Plan. Any submissions received are to be considered before formally adopting the management plan (Sections 402 – 407 (LGA)).

WARWICK BENNETT
GENERAL MANAGER

11 April 2011

Attachments: The draft Management Plan is attached as a separate booklet

6.2.6 MUDGEE TOWN HALL RENOVATION – COMMUNITY COMMENT

REPORT BY MANAGER LIBRARY AND COMMUNITY SERVICE
Mudgee Town Hall Renovation – Community Comment
A0100052, F0620022, F0620018, P0159911

RECOMMENDATION

That the report by the Manager, Library & Community Services on community comment on the Mudgee Town Hall Renovation proposal be received and noted.

EXECUTIVE SUMMARY

As part of the consultation process on the proposal to renovate, restore and extend the Mudgee Town Hall building, Council requested (Minute 15/11, Council Meeting 16 February 2011) that comment be sought from particular groups such as members of the Cudgegong Southbank Working Party. Also included here is a letter from Mudgee Arts Council Inc. The feedback attached has been condensed below into a number of specific comments regarding the design proposals. Many comments were also made regarding the process that has been followed and disappointment has been expressed that the proposed new library is not proceeding. However, these have not been addressed in the issues and comments section.

DETAILED REPORT

The following table indicates a number of issues that have been raised by members of the Cudgegong Southbank Working Party and Mudgee Arts Inc in relation to the Town Hall renovation proposal. The submissions have also been attached for Council's consideration. It should also be noted that there will be additional opportunities for all members of the public to make comment and raise concerns through both the 2011/12 Management Plan process and the Development Application process. Council have now indicated a preference for the three storey extension option and new documentation will be prepared for this. It is anticipated that the Development Application will be lodged in May.

Issue	Comment
Flat roofs are a problem with leakage in heavy rain	The design of the current flat roof has been a problem. Several discussions have been held with architect, builders and engineers and it is believed a better solution has been found for this roof area that will overcome these problems
There is not sufficient space set aside for the storage of theatre props, flats, costumes etc	An additional storage area has now been located downstairs. With improvements to the under-stage storage area, there will be more storage area with these improvements than is currently available. With the addition of the elevator, the ability to bring in theatre equipment etc from off site will be dramatically improved.
Auditorium should remain as it is with the existing seating, albeit refurbished	Quality moveable furniture will be purchased that will also allow for greater flexibility for seating arrangements depending on the type of performance. The current seating is in poor repair, is not original and the individual seats are too small. The theatre layout should be adopted as the default arrangement for the auditorium, therefore requiring users to re-set it in theatre seating set up after use.
Artist's impression does not match the elevations	This has been noted and changed.
It is impossible for wheelchair patrons to attend the theatre or go to the toilet	It is possible for wheelchair bound users to access the elevator to go to any level of the theatre and library as required.

There is no provision for the library catalogue or for non-electronic checking out of library materials	All materials are checked out electronically and have been for over 15 years. The catalogue is available on any machine in the library. There will also be a service desk arrangement as is currently available in the library. However, the upgrade of the library to incorporate security mechanisms and RFID tagging will allow people to manage some circulation functions themselves in the same way as the self check machines at Woolworths
The props room is downstairs	Ideally this would be positioned upstairs. However, the design and layout do not allow this to happen easily and the installation of the elevator will make movement of these materials easier.
The disabled toilet downstairs has a doorway to a cupboard adjacent. The positions of the toilet and the baby change station should be reversed	This is a cupboard with cleaning equipment, which does not seem inconsistent with the requirements of a bathroom. The suggestion of reversing the baby change station and toilet will be considered.
There is no mezzanine level and even less space	Council have determined to proceed with the three level renovation (therefore including this mezzanine level) and the Development Application is now being written with this three level design. Therefore there will be more space as originally suggested.
The restoration robs the theatre of storage and changing space	A small percentage of the western change room has been used to incorporate the toilet requirements on the upper floor. The additional foyer area may allow greater use of the green room for changing space during performances with higher numbers of performers.
Theatre productions will still need to carry heavy equipment up the stairs without wet weather cover	The installation of the elevator will overcome much of this issue.
Theatre needs upgrade of lighting and equipment	The brief was for an upgrade of the library facilities and restoration of the Town Hall building. However, consultation has taken place with Mudgee Performing Arts and constructive discussions have taken place over theatre requirements. On March 16 th , the Operations Manager of the Bathurst Memorial Entertainment Centre visited the theatre to assist and make an assessment of needs and requirements for the Theatre. This includes new lighting, sound equipment and curtains. Costings for these items will be sought and opportunities to work with Mudgee Performing Arts on potential funding sources will be assessed in order to improve these facilities in future years.
No loading dock, no wing space, no stage height, space for musicians, etc for the theatre	The brief was for an upgrade of the library facilities and restoration of the Town Hall building and so these items have not been considered at this stage. Within the context of the Town Hall building it is seen as very difficult to extend the level and depth of the performance area and may not be a cost effective option for this building.
Nowhere for a costume rack, props table, stage management, for groups of performers to change etc	Generally, productions with larger casts already require the use of the green room for some of these matters.
Columns in the theatre auditorium should be eliminated	This is not advised from a heritage or structural point of view and is unlikely to receive heritage approval.
A proper plan for the urgent restoration of the old Town Theatre is needed	A Conservation Management Plan (CMP) was approved for the Town Hall Theatre by Council in August 2010. The plans for the renovation and restoration are consistent with this CMP.
In the library there are no rooms where people can go and discuss things and work as a group	The addition of the third level for the extension will allow this to now be included.
Extra staff will have to be employed to ensure that patrons on different levels of the library will be able to find staff as they need them.	A comprehensive review of staff tasks and workflow will take place prior to the library re-opening to ensure that patrons will be looked after throughout the library.

The library will only be 1100 m2 as opposed to the population based benchmark of 1184m2	Council have determined to proceed with the three level renovation (therefore including this mezzanine level) and the Development Application is now being written with this three level design. Therefore there will be more space than required under the population based benchmark. It should also be noted that the State Library had approved the concept as either a two storey or three storey extension given the significant increase in space being delivered.
There is no youth section	A youth section is specifically detailed in the plans
There is nowhere for people who are attending university by correspondence	The addition of the third level for the extension will allow this to now be included.
What will happen to the Grand Piano?	The Grand Piano will need to move off-site during construction. It is anticipated that it will be returned to the auditorium. One of the attractions of having more flexible seating arrangements will be the ability to layout the auditorium to face the piano for recitals.
The area set aside to hold stackable chairs seems inadequate	Preliminary measurements have indicated that there should be enough space. However, the point is noted and will be considered and will form part of the consideration for the type of seating purchased
Theatre groups should not be expected to unstack and then stack chairs for every performance	It is suggested that the theatre seating layout should be adopted as the default arrangement for the auditorium, therefore requiring users to re-set it in this theatre seating set up after use.
There is already enough auditorium space in schools, PCYC and AREC	Part of the aim of the proposal is to create opportunities to maximise the use of this important heritage cultural facility for the region. There can be significant restrictions on the use of schools or the PCYC. None of these facilities have the same type of theatre space, dressing rooms or green room options.
We should be upgrading the theatre rather than downgrading it	Part of the aim of the proposal is to restore the building and we will continue to work with groups such as the Mudgee Performing Arts Society to upgrade items such as lighting, sound equipment and curtain replacement into the future.

FINANCIAL IMPLICATIONS

There are significant financial implications regarding this proposal and these will be considered as part of the Management Plan process.

STRATEGIC OR POLICY IMPLICATIONS

Not applicable.

APPROVED FOR SUBMISSION:

SIMON JONES
MANAGER LIBRARY AND
COMMUNITY SERVICES

WARWICK BENNETT
GENERAL MANAGER

6 April 2011

Attachments:

1. Submission of comments regarding renovation & Extension of Mudgee Town Hall and Library of Di Kubowicz received 13 March 2011
2. Email submission from Ross Kurtz dated 1 March 2011
3. Letter from Catherine (Kate) Williams dated 12 March 2011.
4. Letter from Mudgee Arts Council Inc. dated 28 February 2011

Submission of comments regarding renovation & extension of Mudgee Town Hall Library.

Dear Mr Bennett,

I would like to comment on the proposed extension & renovation to the Mudgee Town Hall Library.

There are several documents regarding extending or building new libraries. One of these documents is the "People Places Revisited : Guideline for public library building". This document was published in APLIS in March 2006. The second is the document "People Places 2nd edition – a guide for public library buildings in NSW". These are the documents I am quoting from.

People Places covers a vast array of library user needs and much research has gone into it. The use of a library has changed dramatically over the past decade. "People are spending longer in libraries. On-site use is outstripping growth in loans. People need a pleasant environment where they will feel comfortable. They may want to converse with each other: general noise levels are higher. Some people want a room of their own where they can discuss issues and work as a group. Others just want a quiet area to themselves where they can concentrate."

In the plans for the renovation & extension of Mudgee library there are no rooms where people can go & discuss issues & work as a group. There are areas shown with desks & tables but not where people will feel comfortable with louder noise levels.

"Staff expertise & personal contact are still highly valued by users. Some people need little assistance and are quite happy to help themselves – logical layouts and good wayfinding are still important. Other users need a lot of assistance and staff need to be visible and accessible."

With the multi story design, of the new Mudgee Library, extra staff will have to be employed to ensure patrons on both levels of the library will be able to find staff as they need them. This is not just a security issue as cameras can watch people's movement, but it is about patrons finding staff when they are in any area of the library.

"In the research & consultation which preceded the first edition of People places the need for floor space was examined very closely. The consultants found no evidence that less space was needed. On the contrary they found that a variety of new functions as well as growing populations – demanded even more space."

When the Southbank committee looked at a library on the Southbank site, a benchmarking of People places was done in 2007 to provide an idea of floor area required. The service based benchmark required 1,126 square meters and the population based benchmark required 1,184 square meters. This projected the population for 10 years & estimated a regional population of 28000. Midwestern council has predicted we will reach this population in 3 to 5 years. The proposed library extension of the old town hall building is only 1100 square meters. If this project goes ahead in 2012 as proposed, and Mid-western grows as predicted, by 2014 we will have outgrown the "new" library facility. Mid-western council, if they go ahead with the extensions and renovation of the old town hall building, needs to have a plan for continuing to look into the future and place the building a purposed built library in the 5 year plan of Mid-western region.

"People bring their experiences of other buildings – notably retail & entertainment – into the library with them. The physical place is still important. A building which is poorly located, too small, unappealing externally, unattractive or old fashioned inside reflects badly on what we have to offer. However marvellous our collections, however innovative our service, however good our technology and however outstanding our staff, a problem building will detract from the message we are trying to get across"

Mudgee library currently is very “too small, unappealing externally, unattractive & old fashioned inside”. The extensions hopefully will address these issues; however in 3 to 5 years we will have to look once more at a library renovation or moving the library to a new location as once again it will be too small. The cost of the extension will be a very expensive short term solution.

Young people are important to our community and comprise 16% of NSW residents (Australian Bureau of Statistics, 2001). Youth is generally defined as those aged 13-24 years old with the older age group often still dependents engaged in further education. They are significant users of public libraries, major consumers of information technology, and hold social attitudes that are often different from other groups in our community. Education approaches have changed and the NSW Board of Studies now promotes co-operative learning, research and group interaction. Individual learning is not the sole approach used and youth are encouraged to interact, discuss and develop ideas together in a co-operative and team manner.

For libraries, this has had a marked effect with many libraries now filled each afternoon with young people undertaking research projects, working on joint projects with fellow students and discussing project approaches and outcomes. The provision of meeting rooms, noisy areas, student research areas and facilities are some of the physical outcomes of this trend. Importantly, youth are interested and efficient in using new technology and have been quick to utilise the technology resources of libraries. Overseas and in NSW, many libraries are meeting the information needs of youth through the provision of online school resources and web pages. Accessed at home or at the library, this approach is proving popular and effective. It is evident that many other services can be linked to the needs of our youth and by maintaining their interest, our library customers of tomorrow will be assured.

The proposed extension to Mudgee library contains no “youth” section, nor does it contain meeting rooms for group work projects. The proposed extension gives very little area for youth in a library. Despite the fact that Mudgee does not have a university, there are many people now who attend university by correspondence, as well as the significant number of young people who come home for university holidays. There are also many young people who attend TAFE or school who access Mudgee library. These people are wide users of our public library. Council had the opportunity of a three story extension which gave the community an extra 200 sq meters and a designated youth area, but disregarded this option.

People places can also be used as a step-by-step guide to the planning and eventual construction of a new library building. In this instance, your community may be growing rapidly and it is obvious that one or several new service points will be required in the next 20 years. By following each section as a step-by-step process, you can map out a work program or flow chart on what should be done to plan for this expansion of the library service. Reading the text like a story, People places will take you through an overall process with guidance on what needs to be considered and how this should be addressed.

The documents People places 2nd edition and People places revisited have well researched and assessed data as well as a comprehensive planning process. I believe Mid-Western councillors should all read & review these publications before going ahead with any proposed extensions to the Mudgee library so they are aware of what experts in a library building process believe to be key to the whole process so we can have an up to date modern library that the community will be able to use easily & it will be done right the first time.

Both these documents can be found on the internet.

http://www.sl.nsw.gov.au/services/public_libraries/docs/Peopleplacesrevisited.pdf
is the link to People places revisited and

http://www.sl.nsw.gov.au/services/public_libraries/library_mgt/lib_management_docs/peopleplaces_2ndedition.pdf

is the link to People places 2nd edition

Thankyou for reviewing my concerns regarding the proposed extensions to the Mudgee library. I look forward to seeing a library in the near future in Mudgee that is looking ahead to the communities long term needs & not just a short term quick fix.

Yours truly,

Di Kubowicz

----- Forwarded by Simon Jones/Council on 04/04/2011 08:58 AM -----



"R. Kurtz"
<mail@stonycreekstudio.com.au>

To <simon.jones@midwestern.nsw.gov.au>

cc

01/03/2011 08:23 PM

Subject

Hi Simon, Thank you for the copies of the concept plans for the Town Hall building. Overall I like the concept with a couple of concerns:

Retaining the flat roof over the existing green room is a visual problem to me-it looks like an after thought. Flat roofs are a problem with leakage in heavy rain. I would like to see the pitched roofs on each end continue over this section.

There does not appear to be sufficient space set aside for the storage of theatre props, flats, costumes etc.

I do hope that the auditorium remains as it is with the existing seating, albeit refurbished.

I noticed that the artist's impression does not match the elevations, but I suppose that is because it is a work in progress.

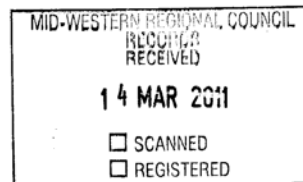
Kind regards Ross (Kurtz)

PO BOX 1290
Mudgee
NSW 2850

5 Short Street
Mudgee
NSW 285
Australia

12 March 2011

Mr Warwick Bennett
The General Manager
Mid-Western Regional Council
PO Box 156
MUDGEES NSW 2850



Dear Warwick

Comments regarding concept plans drawn to meet Mid-Western Regional Council's preferred option to renovate, restore and extend Mudgee's Old Town Hall.

I should like to thank Council for inviting comments of Southbank Committee members and other interested parties regarding its plans. I should indeed like to comment.

Council's preference is ill considered. The design offered in the concept plan is poor, misguided, expensive, condescending and without aesthetic merit. The plans may nod at extending the library's floor space and at badly needed maintenance of an existing heritage building but they offer no real advantage or advancement to the existing operations in the library or for the performing artists let alone the disabled among their audiences. There is neither a vision for the future nor an acknowledgement of changing needs.

Even without trawling through the last five years' history of discussion on regional community needs, (cultural, social and sporting), the acquisition of the Southbank site, the neglect of the Old Town Hall, lengthy professional reports and commissioned studies, impassioned representations in the council chamber, the red herrings of Stocklands, Cudgegong Gallery and the Regent Theatre, it remains deeply disappointing that Mid-Western Regional Council has achieved nothing but disenchantment and cynicism in the community. And now, after its failure to maintain the Town Hall, MWRC purports to present this amateurish pastiche as the answer to all the region's cultural needs: a crippled library and town hall theatre; cheap! Supposedly half the price of a proper library. Cheap indeed.

Cost has been cited as the principal reason for deferring the Southbank Library with unconvincing platitudes that it may be built later....Yet how can we accept that these concept drawings even as they stand can be achieved within the budget of \$3,600,000 outlined? It is well known by architects, builders, quantity surveyors and many home owners and councils that costing restoration, repairs and additions to old buildings is never and cannot ever be an exact exercise. Restorations are ALWAYS more expensive than the budget or the first estimates. There are ALWAYS unforeseen problems whether with foundations, roofs, pests, access, new building design standards, engineering, fire-ratings, waterproofing, sound and heat insulation, air-conditioning, and proposed new functions. This

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is especially so when the design does not involve gutting the building and working in from the façade with a customised solution. Had this been the proposal there may have been merit in the concept. In opting for less, how do we know we won't face something twice as expensive without the customisation that the new library offers?

The proposed design concept taxes understanding.

- Imagine the route of the wheelchair-bound theatre patron wishing to attend the theatre let alone negotiating going to the toilet before or during a performance. From the plan I have, **it is impossible**. Were s/he able to gain access s/he would be more likely to have a more comfortable seat than a stackable bum numb-er in the auditorium. The "gopher" parking spaces outside are an offensive condescension for the library user as well as the theatre patron.
- The plan for the library space remains incoherent: a confused series of pigeon-hole rooms with no logical progression. I labour without a legend for the numbers on the plan... where's the catalogue? Is all checking out electronic? Why is there a props room downstairs? Why does the disabled toilet downstairs have a doorway to a cupboard adjacent? Does this meet the letter or the spirit of the design standard? It could easily have been better just by reversing the positions of the toilet and the baby change station. The west colonnade, the glass bricks, retaining the unappealing front entry and the unprepossessing new north and east additions do not suggest restoration of this heritage building. They shout ugly cut-price tack-ons with no reference to period and no redeeming qualification.

Except for the problem of supervision, better to have put the library's whole office and storage needs upstairs and the circulation library in one clear pillar-less space... but hey perhaps supervision could go electronic too, like the check out system, especially now there's no mezzanine level and even less space than the first concept of this monstrosity.

Mudgee Performing Arts Society which has long suffered with a substandard venue is now being teased with a "restoration" of their theatre that robs them of storage and changing space and still expects them to lunk heavy equipment up the stairs without wet weather cover. Little or no opportunity for artists to present productions of style, imagination with anything vaguely resembling professional standards in lighting and settings. This auditorium never was anything but an abomination in the name of a theatre. There's no loading dock, backstage there's no wing space, no stage height, no depth, no lighting grids, no decent cross-over, let alone "flies", there's nowhere to put a costume rack, prop tables, manage the stage, and that's before we get to safety standards, dancers' needs or space for musicians. But then who'd want more than 12 adults or 15 kids on stage; there's no room for them to change, put on their make-up or even be nervous.

That major professional touring companies by-passed Mudgee was no wonder. Mid-Western region will continue to lose tourist dollars and the spin off economic boost of a theatre from the failure to provide a useful venue for even local productions. There's still no chance that the majors will visit.

Leaving aside "extra library space", all the proposed additional space upstairs is needed for adequate servicing of the stage, foyer circulation, toilet and hospitality needs of a theatre, let alone any other proposed uses such as for exhibitions or receptions but not in this configuration. This whole area needs to be revised completely from access to egress.

The "new" theatre continues to offer unreasonable sightlines for the majority of the audience with its stage-view-obstructing columns, little prospect of seating comfort in stackable chairs, impossible circulation space, little prospect of getting a drink, or going to the loo at interval. I'd cross the road to the pub and never come back, not even for an exhibition mid week.

If the building were gutted, repaired, all columns eliminated, the proscenium reconfigured, properly powered and equipped with appropriate multi-use raked seating, brought up to twenty first century building standards, and the addition of at least the square meterage suggested it would be possible for the lower level to be used for exhibitions and meetings and the top floor to be made a user friendly local performance/lecture/cinema space. Done properly this could cost more than the \$3,600,000 touted as the price, but money would be better spent with a vision for future needs as well as flexibility today. You wouldn't put a dirty band-aid on a suppurating sore; this would be the equivalent. Isn't this building worth doing properly? Doesn't the community deserve to have social and cultural facilities that match its sporting facilities?

For Council to maintain this preference is WRONG for cost reasons. WRONG for design and aesthetic reasons. WRONG for philosophic reasons and WRONG for a number of other reasons already brought to Council's attention by other qualified parties in the media and in the Council's own chamber over a sustained period of time. I have just pointed to a few specific flaws in this design all of which suggest that it is time to review all previous advice, and get on with the new library at Southbank.

With half the pressure relieved, a proper plan for the urgent restoration of the old Town Hall with a view to satisfying its remaining users and potential new followers should begin. The same process of choosing a qualified designer should be followed: selecting from tender the best demonstration of experience in community and public buildings, one with the most appropriate skills and capabilities with design, restoration and reuse of heritage buildings for new purposes specifically including theatres, exhibitions and meetings. The designer/s should demonstrate understanding of the scope of the brief and the capacity to manage the project, once and properly. It is Council's responsibility to the whole region to find the funds to do both jobs properly.

Construction of a new library will equip all members of our community with a vital piece of up-to-date infrastructure giving free or low cost access to the world of information to our residents and urgently needed public meeting place within the new building. It will allow the restoration to be achieved without the double handling cost of relocating the library **and** the performers while the task is achieved. This plan will inconvenience Mudgee Performing Arts Society and its audiences but offers them and the Midwestern region something appropriate, something really worth waiting for and something of which to be proud.

It's not too late. Councillors can address this matter immediately by

- Restoring the \$6.25 million for the development of the new Library at Southbank and to commence construction in the 2011/12 financial year.
- Rigorously pursuing all additional grant and funding sources to finalise construction. The money can be found.
- Designating the area allocated for the construction of the new library on the Southbank site with the balance to be developed as a passive park.
- Using the precedent of the Southbank committee as the process, subjecting the project of gutting and restoring the old Town Hall to the scrutiny of an appropriate selection tender with the aim of creating a revived local performance space upstairs and a dedicated public gallery space downstairs with appropriate renovations and additions.
- Deleting references to the need for further public consultation on the new library. The consultation process has ALREADY been settled. Use the DA.
- Finding a way for the Mid-Western Region to have ALL the attributes of a progressive tolerant society ...one where intellectual, cultural, scientific, and social pursuits are regarded equally highly as the sporting and physical.

I reiterate my protest made at the time of discussions on Council's Draft Management Plan 2010/11, that to defer construction of the Mid-Western Regional Library on the Cudgegong Southbank in Mudgee is to deny the completed consultation process, to disenfranchise whole sections of the community completely and to degrade the value of the work of the librarians attempting to serve the public. The library is critically important for the whole region. It won't get any cheaper to keep deferring the expenditure and it's extremely expensive to persevere with a half baked plan.

My comments are backed with educational qualifications and professional experience. Apart from my membership of the former Cudgegong Southbank Working Party, I was a member and sometime chair of the MWRC Cultural Development, Committee, I hold, Membership of the Design Institute of Australia resulting from my design studies and 8 years professional design work and more than 28 years as a professional arts administrator in the performing and visual arts. I am a Mudgee resident, and was a sponsor and the co-ordinator of Reading the Rivers, the 2009 project celebrating our new library and featuring over 300 of our region's children, for which I was rewarded with the 2010 MWRC Australia Day Arts Award.

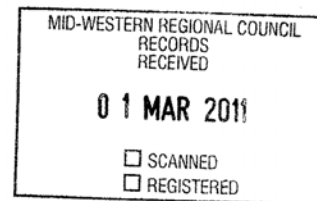
Yours faithfully



Catherine Williams MA (UTS), BA, Dip Ed (Syd) MDIA
Former Southbank Committee Member



Warwick Bennett
General Manager
Mid-Western Regional Council
P O Box 156
Mudgee



28 February 2011

Dear Mr Bennett

Mudgee Arts is concerned about the proposed renovations to the Library and the Town Hall Theatre because of the grand piano being located there. This is the only place where we can hold musical events that require a piano. We have two such performances planned for 2011 and the artists have already confirmed.. International pianist Roman Rudnytsky is booked to give a performance on the 8th July, and a musical event, *Die Winterreis,e* is booked for August 14. Will the drama theatre still be available for use on these dates?

We would also like to draw council's attention to the fact that the area set aside to hold stackable chairs seems inadequate to hold more than the 200 chairs currently available in the theatre. In addition, Mudgee Arts has a small committee and our members are mostly middle-aged or older. We should be not be expected to put out chairs before every performance then restack them afterwards. Theatrical productions would be similarly affected

There is already enough auditorium space in the region in schools, the PCYC and AREC. It does not make sense to downgrade one major facility in order to extend another. The Town Hall Theatre is an unusual facility in a small town as it is a proper theatre that caters for the performing arts - not a converted space as is usual in country towns. We should be upgrading rather than downgrading it.

Yours sincerely

Christopher Wright
President
Mudgee Arts Council Inc.

cc Simon Jones

6.2.7 NSW EMERGENCY SERVICE 2011-2012 BUDGET ESTIMATES

REPORT BY GENERAL MANAGER
EMERGENCY SERVICES BUDGET 2011-12
A0100052, A0150024

RECOMMENDATION

That:

- 1. the report by General Manager on the NSW Emergency Services 2011-2012 Budget Estimates be received;**
- 2. Council endorses the 2011/2012 Rural Fire Fighting Fund estimates of \$2,398,218.**

EXECUTIVE SUMMARY

This report is to seek Council endorsement of the 2011/12 Rural Fire Fighting Fund (RFFF) estimates, and to advise of the budgeted amounts for Emergency Services NSW. The estimates for the Rural Fire Service (RFS) are required to be submitted to the RFS, and have been prepared by the RFS to meet the RFS Strategic Plan and meet the Service Level Agreement that has been approved by the RFS Cudgong Senior Management and Liaison Committees.

In prior years, payments were made individually to the RFS and the NSW Fire Brigades, with the contribution rate to the RFS being 13.3%. This contribution rate was reduced to 11.7% with payment being made to Emergency Management NSW that now covers the contribution to the RFS, NSW Fire Brigades and the State Emergency Service.

Under the State Emergency and Rescue Management (SERM) Act 1989, Council is to provide accommodation and transport to the State Emergency Services (SES). Whilst Council has no obligation to support the Volunteer Rescue Association (VRA), the SES and VRA are housed in a shed at the Mudgee Depot that was recently completed with grant funding, volunteer funds and assistance from the TAFE.

These estimates will be incorporated into Councils 2011/12 Management Plan. It should be noted that this is an estimate and will not be finalised until approved by the NSW RFS, which is normally mid way through the next financial year. The approved budget for the 2010/11 budget was received by Council on 27th January 2011. Additionally, the charges can vary significantly depending upon State Government policy at the time and budget estimates for 2011/12 can only be based on the information currently available.

DETAILED REPORT

Each year the Fire Control Officer (FCO) prepares estimates ("the bid") for the coming financial year's expenditure. Council is required to certify the figures are a true and fair estimate of the anticipated expenditure from the RFFF in respect of the Council for the forthcoming financial year and state it will comply with Sections 109 and 110 of the Rural Fires Act 1997, when meeting its statutory contribution.

A Rural Fire District Service Agreement (RFDSA) was entered into between the Rural Fire Service (RFS) and Council, which commenced on 1 July 2008, and is for a three year period.

A requirement of the RFDSA is that a District Liaison Committee (DLC) is formed to monitor the performance of the agreement and the DLC is to:

- a) Monitor the performance of the RFSDA;
- b) Review the following documents prepared by the FCO prior to submission to and consideration by the Council:
 - The annual budget and business plan; and
 - The quarterly financial and performance reports.

The RFDSA also details the additional Council support such as accommodation.

The FCO formulated an estimate, based on the Strategic Plan and the RFDSA, for the period 2011/2012 which is attached to this report.

This financial year the RFS have attended 107 incidents (to the date of this report), for a range of incidents including motor vehicle accidents, rural house fires, grass and brush fires and spills of oil and petrol on roads.

The original budget approved by the Cudgegong Senior Management Committee and subsequently presented to the DLC at its meeting on 21 February 2011, was reviewed as required by Council and a reduction in expenditure was approved on 28 March 2011 as is required under the RFDSA, The budget as presented was endorsed by the Committee for presentation to Council.

The RFFF total bid is \$2,398,218 (prior year \$2,392,605) and is explained below:

Annual Maintenance and Repairs \$398,288 – (Prior year \$323,533)

(This amount is reimbursed in the following financial year)

This section is made up of estimates for the following:

- Maintenance of Stations/Sheds
- Maintenance of Vehicles
- Maintenance of Pumps
- Maintenance of Radios
- Petrol and Oil for Bushfire Fleet Vehicles
- Freight Cartage
- Telephone and Electricity Charges
- Vehicle and Shed Insurance Costs

Appliances \$652,507 – (Prior year \$735,177)

This is a bid for the supply of

- two Category 7 tankers (4x4 single cab)
- one Caterory 1 multi purpose 4WD crew cab
- one generator, pump and vehicle cabinet

Other Vehicles \$15,000 – (Prior year Nil)

Replacement of 1 Toyota Hi-Lux's

Equipment \$135,000 - (Prior year \$85,000)

This is a bid for the supply of equipment items made up of the following:

- Personal Protective Equipment (PPE);
- Village Equipment Program - to better equip brigades to deal with structure/ MVA events.
- General Equipment – Hoses, pumps, fittings etc; and

Brigade Stations \$250,000 - (Prior year \$300,000)

This is a bid for improvements and extensions to existing stations at Windeyer and Lawson.

Reimbursable Items \$188,387 – (Prior year \$190,568)

(This amount is reimbursed in the following financial year)

- 11.7% reimbursement of Other Support expenditure.

Hazard Reduction \$63,794 – (Prior year \$110,000)

This is to undertake Council obligations in regard to Hazard Reductions in the village areas and road side slashing.

District Staff Costs \$695,242 – (Prior year \$678,454)

This covers the cost of the following for RFS District Staff:

- Salaries and wages
- Travel
- Equipment General
- Equipment Computers
- Communications Platform
- GIS
- Vehicle Maintenance and changeover costs,

This budget maintains the following positions:

- District Manager (FCO),
- Operations Officer (DFCO),
- Community Safety Officer (DFCO),
- Learning and Development Officer (DFCO),
- Administration Officer position, and
- Part Time Administration Officer position (21 hours per week).

The RFFF contribution to Council is made up of Council's "bid" described above and an "in kind" contribution the RFS calls "program charges". Program charges are administrative costs for the RFS and are made up of the following:

- | | |
|---------------------------|-------------------------|
| • Insurance | • Planning Services |
| • Operations | • Engineering Services |
| • Administration | • Community Education |
| • Training | • Communications |
| • Emergency Funds | • Strategic Development |
| • Regional Administration | • Volunteer Training |
| • Fire Mitigation Works | • Hazard Reduction |

Under the RFDSA the RFS Commissioner will, no later than 28 February of each year, submit to Council:

- A probable allocation of expenditure for the District for the next financial year (“the probable allocation”); and
- A probable contribution (“the probable contribution”) by the Council to the New South Wales Rural Fire Fighting Fund (“the fund”).

Council entered into a three year Service Level Agreement with the Rural Fire Service that provides for the provision of accommodation to the RFS staff by Council. This cost is in addition to the RFFF budget.

FINANCIAL IMPLICATIONS

Council's throughout the State in the past have been concerned at these “Program Charges”, the reasons being they have no control over this expenditure, they seem to rise at an unrealistic rate and Council's are still expected to contribute 11.7% of these charges to the RFFF. A review was undertaken of these charges and as a consequence the Minister has approved the reimbursement of Council's contribution to programme charges except for insurance costs. Council will receive approximately \$190,585 reimbursement in 2011/12 for program charges in 2010/11. However these reimbursements, as well as the reimbursement for the annual maintenance and repairs budget, are still included in the 11.7% calculation payable by Council so it is not a full reimbursement, and being reimbursed in the following financial year, Council are also required to manage the cash flow year to year.

The program charges have historically been around 45% of the Council allocation. In 2010/11 the program charges were 72% due to an increase in State Government funding and it is unknown at this stage if this increased amount is to be maintained. This unknown amount has a considerable effect on the budgeting process and as the RFS will not confirm the 2011/12 allocation until half way through that financial year, the budget in the Management Plan is assuming that the current level of funding is maintained.

The majority of repairs and maintenance of the fire fighting vehicles is undertaken by Council staff and the budget for vehicle maintenance includes the salaries and wages of Council mechanics.

Council's total contribution for Emergency Service 2011/12 will be approximately \$585,000 made up of our contribution to the Emergency Management NSW and the additional costs to Council of housing that are required and are listed below that will be in the Draft Management Plan for 2011/12.

<u>EMERGENCY SERVICES BUDGET</u>	2010/11	2011/12
NSW RFS		
RFS bid endorsed by the RFDSA Liaison Committee:	2,392,605	2,398,218
RFS estimate of Program Charges	1,700,712	1,703,429
Total NSW RFS Budget	4,093,317	4,101,647
NSW RFS Council Contribution		
Council contribution 11.7%:	478,918	479,782
Less 11.7% Reimbursement of program charges:	(190,586)	(188,387)
Total NSW RFS Levy	288,332	291,395
Add:		
NSW Fire Brigade Levy	50,509	52,529

NSW State Emergency Service Levy	48,970	50,928
<i>Additional Council costs (including depreciation and on costs)</i>		
NSW RFS Accommodation	128,885	152,100
NSW RFS Maintenance and repairs	323,533	398,288
NSW RFS Maintenance and repairs reimbursement	(323,533)	(398,288)
NSW RFS hazard reduction	110,000	63,794
NSW RFS hazard reduction reimbursement	(110,000)	(63,794)
NSW State Emergency Service Other Costs (inc est vehicle supply)	33,550	35,000
Local Emergency Management Committee	1,600	3,520
<i>Total Expenditure for Emergency Services</i>	<i>553,846</i>	<i>585,472</i>

The area of the budgeting process where assumptions were made are:

1. That Council's total bid will be approved by the RFS,
2. The Program Charges will be the same as advised by the RFS,
3. The District Staff salaries will be as estimated by the RFS, and
4. Council's reimbursement of Program Charges from 2010/11 will be as estimated
5. That the estimated inflation increases are applied by Emergency Management NSW.

STRATEGIC OR POLICY IMPLICATIONS

Council is required under the SERM Act and the Rural Fires Act to contribute to the costs of emergency management that provide assistance in the event of floods, fires and accidents to our community and visitors to our community.

31st March 2011

Attachments:

1. Minutes and Budget – District Liaison Committee
2. Memorandum from Supt. Garry Barrett

APPROVED FOR SUBMISSION:

WARWICK BENNETT
GENERAL MANAGER

District Liaison Committee

Meeting:	02/2011 Special District Liaison Committee Meeting
Convened by:	Garry Barrett
Attended by:	Garry Barrett, Andrew Drummond, John Webb, Percy Thompson, Henry Bagnell, Barrie Hewitt, & Marie Reilly (Minutes)
Location:	Fire Control Centre, Depot Road, MUDGEE
Start time:	1730 Hrs
Duration:	23 Minutes
Apologies:	Danny Busch
Minutes by:	Marie Reilly
District	Cudgegong

Agenda

Table 1: Agenda items

No.	Agenda Item	Responsible	Time
1	Opening		
2	Apologies		
3	Review of the 2011/2012 Rural Fire Fighting Fund Estimates		
4	Close		

Minutes

1. Opening

Garry Barrett opened the meeting at 17:37hrs and welcomed those in attendance to the Special District Liaison Committee Meeting called to undertake a review of the Rural Fire Fighting Fund Estimates. (3rd Liaison Meeting for the 2010/ 2011 Financial Year).

2. Apologies

See table above.

Garry Barrett requested that somebody moves that the apologies be accepted as noted.

Moved: Barrie Hewitt Seconded: John Webb Carried

3. Review of the 2011/2012 Rural Fire Fighting Fund Estimates

- a. The Cudgegong District 2011/2012 Rural Fire Fighting Fund Estimates bid was recently submitted to Mid Western Regional Council. Following a resolution by MWRC, during the Council Meeting, the estimates were rejected and referred back to the RFS. Council adopted a motion that the 2011/2012 bid be brought back to equal the 2010/2011 Budget (\$2.3 million). The 2011/2012 Budget Estimates are \$2.6 million.
- b. Councillor Percy Thompson stated that if it was considered detrimental to the RFS to reduce the Estimates then the Committee should consider not reducing by so much.

- c. John Webb informed him that it was a Council Resolution to do so. He indicated that he could see where Council is coming from with their concerns as the RFS has had some large rises in expenses over the last couple of years. He considers we all have to make cuts somewhere.
- d. Andrew Drummond stated that the 7% RFS rise was well outside MWRC rises.
- e. Garry Barrett informed them that there were a number of projects that could be taken out or reduced that would only have a minimal effect on the volunteers.
- f. Andrew Drummond provided a copy of the RFS Budget with figure comparisons to the 2010/2011 Budget for viewing and working through to consider what could be removed. (Attached)
- g. It was agreed that Annual Repairs & Maintenance including maintain sheds, vehicles, pumps, radios and vehicle fuel should not be changed.
 - i. The cost of **vehicle fuel** per vehicle per year was minimal. If the spending on fuel exceeded the budget MWRC would have to wear the cost.
 - ii. **Radio Upgrade Bald Mountain** relates to the Radio Technicians testing all radio & repeater equipment on a yearly basis. The technicians had, last year, informed District that there is a need for an upgrade in the near future resulting in the addition to the radio maintenance bid.
 - iii. Region West Managers had discussed the setting up of District **websites**. Relevant information is available on myRFS and Facebook therefore a website is not considered essential. The \$6000 can be removed from the Estimates.
 - iv. Cudgegong District, from funds raised and donated by Mudgee High School, have purchased a number of VHF **Fire Ground Radios** for a number of local tankers. This is part of a program, over a 4 or 5 year period, to purchase 2 or 3 Fire Ground radios per vehicle for the fleet. Hence the \$20,000 bid.
 - v. The District can function without an **ADSL upgrade** therefore the \$15,000 can be removed from the Estimates.
 - vi. The remaining costs listed in this category are essential & should not be reduced.
- h. **Appliances & Other Vehicles**- Garry Barrett explained that the District now has tankers in good condition and receive a good price when sold between **10 & 15** years of age. The District receives a credit for the sale of vehicles if sold to other RFS Districts/Zones. This will, in the long term, result in a decrease of Council contribution for the purchase of new RFS vehicles as there will be some credit towards the purchase. The District does not receive the sale funds if the vehicle is sold to a private person which is generally the case with older vehicles.
 - i. Garry Barrett Stated that the District would disregard one Hilux to fit in with MWRC 5 year changeover resulting in \$15,000 reduction in the Estimates.
- i. **Equipment**- It was agreed that the Equipment Estimates should not be reduced.
- j. **Brigade Stations**-Percy Thompson, John Webb & Andrew Drummond commented that they considered a **Heritage Museum** should be supported by Council as it has the potential to attract tourists to the area. Andrew mentioned that MWRC is already making a contribution by offering the use of Council land to the Heritage Group.
 - i. Barrie Hewitt stated that the Heritage Group has made submission for an RFSA Grant. Other grants may be available through approaching the local member. There is also a possibility of applying for funding through the local mines.
 - ii. Garry Barrett stated that the Heritage funding was listed with the full knowledge that it may have to be cut if an Operational need took priority.

- iii. The 2012 Strategic Plan lists the Station Replacement Plan. However, a number of the stations are still in good order and may only require refurbishment.
- iv. The balance of the reduction could come out of the bid for the **Lawson** station. \$210,000 is available to spend on the shed upgrade. If this is not spent it could be rolled over to be spent on other sheds.
- v. **Mullamuddy** - \$150,000 has been allocated in this budget for a new Mullamuddy Station. This would not complete the building of a new shed but could be allocated to refurbishment.
- vi. **Windeyer Station**- presently does not have a kitchen or amenities. The slab for the extension is in place. The bid for \$40,000 has been made.
- k. John Webb & Percy Thompson felt that the discussion at the Council meeting was misleading to the Media. The MWRC were only committed to provide 11% of the budget (\$26,000). The Council will have saved approximately \$20,000 but will have lost \$300,000 on infrastructure. It should be considered that money is spent locally on such items as maintenance of sheds, fuel for vehicles, vehicle maintenance etc.
- l. Andrew Drummond's suggestion at the original Council Meeting was that the bid be the same as last year in addition to 2.8%.
- m. Estimates to be removed are:

Website	\$6,000
ADSL upgrade	\$15,000
Hi Lux	\$15,000
Heritage Museum	\$100,000
Lawson Station	\$160,000

Garry Barrett moved a motion that the revised estimates for 2011/2012 be resubmitted to Mid Western Regional Council for consideration.

*Moved: Garry Barrett Seconded: John Webb Carried
All in favour.*

4. Close

Garry thanked those in attendance. The Meeting closed 1800 hours
The following documents were referred to in the meeting:

Table 2: Documents

Document title	Author	Version	Date
2011/2012 Rural Fire Fighting Fund Estimates-Cudgegong District			8/12/2010

Table 3: Next meeting

Date	Start time	Finish time	Location
24/10/2011	1700 hrs		Cudgegong District Fire Control Centre

MEMORANDUM



To: Andrew Drummond
From: Supt Garry Barrett – Manager, Cudgegong District
Subject: 2010/2011 RFFF bid for consideration of Council.
Date: 31 March 2011 **File No.**

Each year all Rural Fire Districts across NSW are required to submit a bid for funding through the NSW Rural Fire Fighting Fund. This bid once approved by Council is submitted to the Rural Fire Service and considered for approval in the following year. I have formulated the attached funding bid for discussion and consideration by the Mid Western Regional Council.

Annual Maintenance and Repair	\$398,288.00
Appliances	\$652,507.00
Other Vehicles	\$15,000.00
Brigade Stations	\$250,000.00
Hazard Reduction	\$63,794.00
Equipment	\$135,000.00
11.7% from 2010/2011 programs	\$188,387.00
District staff estimates	\$695,242.00
Total	\$2,398,218.00

Program charges, insurance and other non-negotiable components are additional to this amount, with a total estimated figure in the vicinity of \$4,101,647.00. This relates to a Council contribution of \$479,893.00 of which \$188,387.00 being 11.7% of program charges is reimbursable in the following year.

Regards



Supt Garry Barrett

2011/2012 Rural Fire Fighting Fund Estimates

Summary Page

CUDGEGONG DISTRICT

Annual Maintenance and Repairs....	\$398,288.00
Appliances	\$652,507.00
Second Hand Appliances	\$0.00
Other Vehicles	\$15,000.00
Equipment	\$135,000.00
Brigade Stations	\$250,000.00
Reimbursable Items	\$188,387.00
Hazard Reduction	\$63,794.00
District Staff Estimate.....	\$695,242.00
Total	\$2,398,218.00

I hereby certify that above figures are true and fair estimate of the anticipated expenditure from the Rural Fire fighting Fund in respect of this council for this financial year. The council will comply with Sections 109 and 110 of the Rural Fires Act, when meeting its statutory contribution.

General Manager

Date:

2011/2012 Rural Fire Fighting Fund Estimates

1st July 2011 to 30th June 2012

Annual Repairs and Maintenance

CUDGEGONG DISTRICT

Maintenance Stations Sheds		\$8,435.00
Maintenance Vehicles		\$118,450.00
Maintenance Pumps		\$2,249.00
Maintenance Radio		\$11,783.00
Maintenance Petrol Oil		\$53,560.00
Maintenance Other		\$38,960.00
Cleaning of FCC	\$3,960.00	
Radio Upgrade Bald Mountain	\$15,000.00	
	\$0.00	
Fire Ground Radios	\$20,000.00	
	\$0.00	
Freight Cartage		\$566.00
Telephone Rental		\$10,815.00
Telephone Calls		\$22,185.00
Electricity		\$24,200.00
Insurance Vehicles		\$64,100.00
Insurance Sheds		\$19,985.00
Insurance Other		\$0.00
First Aid Training		\$2,000.00
Training Subsidy Brigade		\$16,000.00
ERS Paging Subsidy		\$0.00
Other Total		\$5,000.00
Stationary	\$5,000.00	
Total Section B		\$398,288.00

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2011/2012 Rural Fire Fighting Fund Estimates CUDGEGONG DISTRICT
Listing of Appliances Ordered [by Description]

Item No	Item	Price	Stock No	Item Description	Quantity	Extended Cost
301003	APPLIANCE - CAT 1 CREW CAB VILLAGE TYPE	\$294,000.00		FOUR WHEEL DRIVE (4X4) CREW CAB VILLAGE TYPE APPLIANCE INCORPORATING 3300 LITRE TANK, 5 FULL LOCKERS, CLASS 4 DIESEL POWERED PUMP, 1 X 19MM(ID) X 60M HOSE REEL, 1 X 25MM(ID) X 50M HOSE REEL WITH CHAIN DRIVE LOWERED WINDER SYSTEM, PVC DELIVERY HOSE NOZZLES, LIGHTS, SIREN, FOAM PROPORTIONER, ACCESS LADDER AND BRACKET, PUMP CONTROLS IN CABIN, THERMAL INSULATION ON RUBBER BRAKE AND FUEL LINES, RING CABIN SPRAY PROTECTION SYSTEM, FRONT SPRAY BAR, RADIATION CURTAINS, SIX FIRE BLANKETS AND HOLDER GRN/PMR RADIO FITTED, CLASS 7 PORTABLE PUMP, AIR CONDITIONED CABIN, MAXIMUM CREW OF 6.	1	\$294,000.00
307012	APPLIANCE - CAT 7 SINGLE CAB	\$176,925.00		FOUR WHEEL DRIVE (4X4) SINGLE CABIN APPLIANCE INCORPORATING A 1300 LITRE TANK, COMPLETE WITH CLASS 2 DIESEL PUMP, 1 X 30 METRE HOSE/REEL, HOSE, NOZZLE, LIGHTS, SIREN, FOAM PROPORTIONER, PUMP CONTROLS IN CABIN, AUXILIARY PUMP CONTROLS FITTED IN WORK AREA, RING CABIN SPRAY PROTECTION, RADIATION CURTAINS, THREE FIRE BLANKETS GRN/PMR RADIO FITTED, CLASS 6 PORTABLE PUMP, AIR CONDITIONED CABIN, MAXIMUM CREW 3.	2	\$353,850.00
301003N	CABA BRACKETS FOR FITMENT TO CAT 1 VILLAGE APPLIANCE	\$1,387.00		DUAL PULL DOWN CABA BRACKETS FOR FITMENT TO FRONT LOCKER	1	\$1,387.00
301003L	GENERATOR, 3kVa FOR INCLUSION ON CAT 1 CREW CAB VILLAGE APPLIANCE	\$1,504.00		3.3 kVa 240V GENERATOR FOR INCLUSION ON CAT 1 APPLIANCE. COST INCLUDES PROVISION OF UNDER TRAY LOCKABLE STOWAGE UNIT WITH SLIDE OUT RACK.	1	\$1,504.00
301003K	PUMP, FAST FILL FOR CAT 1 CREW CAB VILLAGE APPLIANCE	\$1,766.00		PETROL POWERED FAST FILL PUMP FOR INCLUSION ON CAT 1 APPLIANCE. COST INCLUDES PROVISION OF ADDITIONAL LOCKABLE STOWAGE UNIT WITH SLIDE OUT RACK	1	\$1,766.00
Total of Equipment Items						\$652,507.00

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2011/2012 Rural Fire Fighting Fund Estimates CUDGEGONG DISTRICT
Listing of Appliances Ordered [by Item No.]

Item No	Item	Price	Stock No	Item Description	Quantity	Extended Cost
301003	APPLIANCE - CAT 1 CREW CAB VILLAGE TYPE	\$294,000.00		FOUR WHEEL DRIVE (4X4) CREW CAB VILLAGE TYPE APPLIANCE INCORPORATING 3300 LITRE TANK, 6 FULL LOCKERS, CLASS 4 DIESEL POWERED PUMP, 1 X 19MM(ID) X 60M HOSE REEL, 1 X 25MM(ID) X 50M HOSE REEL WITH CHAIN DRIVE LOWERED WINDER SYSTEM, PVC DELIVERY HOSE, NOZZLES, LIGHTS, SIREN, FOAM PROPORTIONER, ACCESS LADDER AND BRACKET, PUMP CONTROLS IN CABIN, THERMAL INSULATION ON RUBBER BRAKE AND FUEL LINES, RING CABIN SPRAY PROTECTION SYSTEM, FRONT SPRAY BAR, RADIATION CURTAINS, SIX FIRE BLANKETS AND HOLDER, GRN/PMR RADIO FITTED, CLASS 7 PORTABLE PUMP, AIR CONDITIONED CABIN, MAXIMUM CREW OF 6.	1	\$294,000.00
301003K	PUMP, FAST FILL FOR CAT 1 CREW CAB VILLAGE APPLIANCE	\$1,766.00		PETROL POWERED FAST FILL PUMP FOR INCLUSION ON CAT 1 APPLIANCE. COST INCLUDES PROVISION OF ADDITIONAL LOCKABLE STORAGE UNIT WITH SLIDE OUT RACK	1	\$1,766.00
301003L	GENERATOR, 3kVa FOR INCLUSION ON CAT 1 CREW CAB VILLAGE APPLIANCE	\$1,504.00		3.3 kVa 240V GENERATOR FOR INCLUSION ON CAT 1 APPLIANCE. COST INCLUDES PROVISION OF UNDER TRAY LOCKABLE STORAGE UNIT WITH SLIDE OUT RACK.	1	\$1,504.00
301003N	CABA BRACKETS FOR FITMENT TO CAT 1 VILLAGE APPLIANCE	\$1,387.00		DUAL PULL DOWN CABA BRACKETS FOR FITMENT TO FRONT LOCKER	1	\$1,387.00
307012	APPLIANCE - CAT 7 SINGLE CAB	\$176,925.00		FOUR WHEEL DRIVE (4X4) SINGLE CABIN APPLIANCE INCORPORATING A 1300 LITRE TANK. COMPLETE WITH CLASS 2 DIESEL PUMP, 1 X 30 METRE HOSEREEL, HOSE, NOZZLE, LIGHTS, SIREN, FOAM PROPORTIONER, PUMP CONTROLS IN CABIN, AUXILIARY PUMP CONTROLS FITTED IN WORK AREA, RING CABIN SPRAY PROTECTION, RADIATION CURTAINS, THREE FIRE BLANKETS GRN/PMR RADIO FITTED, CLASS 6 PORTABLE PUMP, AIR CONDITIONED CABIN. MAXIMUM CREW 3.	2	\$353,850.00
Total of Equipment Items						\$652,507.00

2011/2012 Rural Fire Fighting Fund Estimates

Other Vehicles

CUDGEGONG DISTRICT

Brigade Name	Vehicle Make Model	Additional, Replacement or New	Source	Amount
Cudgegong FCC	Toyota Hi Lux 4x4 Dual Cab	Replacement	Local	\$15,000.00
				\$0.00
			Total	\$15,000.00

2011/2012 Rural Fire Fighting Fund Estimates

Equipment

CUDGEGONG DISTRICT

Pumps	\$0.00
PPE	\$35,000.00
Enhancements	
Community Safety	\$5,000.00
DeContamination Services	\$5,000.00
Fire Fighting Equipment	\$90,000.00
	<hr/>
Total	\$135,000.00
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2011/2012 Rural Fire Fighting Fund Estimates

Brigade stations

CUDGEGONG DISTRICT

Brigade Name	Category of Brigade Station	Amount
Windeyer	Extensions	\$40,000.00
Lawson	Extensions	\$210,000.00
		\$0.00
Total		\$250,000.00

2011/2012 Rural Fire Fighting Fund Estimates

Reimbursable Items

CUDGEGONG DISTRICT

Description	Quantity	Cost	Amount
Program Charges	1	\$188,387.00	\$188,387.00
		Total	\$188,387.00

2011/2012 Rural Fire Fighting Fund Estimates

District Estimates

CUDGEGONG DISTRICT

Approved Staff No.	6
Current Staffing Level.....	6
Salaries	\$553,350.00
<hr/>	
Travel	\$10,000.00
Telephones	\$2,000.00
Equipment General	\$5,000.00
Equipment Computers	\$12,000.00
Network Provision	\$5,669.00
IS Services	\$27,223.00
<hr/>	
Approved No Of Vehicles	4
Est. No.Of Changeovers	2
Changeover Cost	\$30,000.00
Vehicle Maintenance	\$50,000.00
New Vehicles	\$0.00
<hr/>	
Other District Staff Items	\$0.00
<hr/>	
Total	\$695,242.00
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2011/2012 Rural Fire Fighting Fund Estimates

Priority Listing

CUDGEGONG DISTRICT

Priority 1:	District Estimates	Priority 11:
Priority 2:	M & R	Priority 12:
Priority 3:	Tankers	Priority 13:
Priority 4:	Equipment	Priority 14:
Priority 5:	Stations	Priority 15:
Priority 6:		Priority 16:
Priority 7:		Priority 17:
Priority 8:		Priority 18:
Priority 9:		Priority 19:
Priority 10:		Priority 20:

2011/2012 Rural Fire Fighting Fund Estimates

Administrative Details

CUDGEGONG DISTRICT

Delivery Name	NSW Rural Fire Service, Cudgegong District
Delivery Address	Po Box 1155
(Delivery Address)	Depot Road
Delivery Town	Mudgee
Delivery Post Code	2850
Delivery Enquiry Name	Garry Barrett
Delivery EnquiryTitle	Superintendent
Delivery Enquiry Phone	(02) 6372 4434
Delivery Enquiry Fax	(02) 6372 6874
E Mail Address	garry.barrett@rfs.nsw.gov.au

2011/2012 Rural Fire Fighting Fund Estimates

Hazard Reduction Applications

CUDGEGONG DISTRICT

ID	Activity Name	Type	Applicant	Date	Bid Amount
4	Clandulla/Charbon Village	HRM	Andrew Drummond	17/11/2010	\$8,400.00
2	Goolma Village APZ	HRM	Andrew Drummond	17/11/2010	\$2,600.00
12	Grattai Hall	HRM	Andrew Drummond	17/11/2010	\$402.00
11	Grattai RFB	HRM	Andrew Drummond	17/11/2010	\$402.00
24	Gulgong Pumping Station	HRM	Andrew Drummond	17/11/2010	\$400.00
23	Gulgong STP	FTM	Andrew Drummond	17/11/2010	\$3,176.00
18	Gulgong WTS	HRM	Andrew Drummond	17/11/2010	\$400.00
5	Hargraves Village	HRM	Andrew Drummond	17/11/2010	\$9,720.00
17	Hargraves WTS	HRM	Andrew Drummond	17/11/2010	\$400.00
14	Home Rule WTS	HRM	Andrew Drummond	17/11/2010	\$1,728.00
22	Kandos Water Treatment Works	HRM	Andrew Drummond	17/11/2010	\$400.00
7	Lue Village APZ	FTM	Andrew Drummond	17/11/2010	\$4,200.00
20	Lue WTS	HRM	Andrew Drummond	17/11/2010	\$400.00
15	Mudgee Waste Depot	HRM	Andrew Drummond	17/11/2010	\$534.00
21	Mudgee Water Treatment Works	HRM	Andrew Drummond	17/11/2010	\$800.00
8	Pyramul Village	HRM	Andrew Drummond	17/11/2010	\$6,335.00
16	Queens Pinch WTS	HRM	Andrew Drummond	17/11/2010	\$402.00
9	Ridge Road	HRM	Andrew Drummond	17/11/2010	\$1,930.00
10	Rocky Waterhole Road	HRM	Andrew Drummond	17/11/2010	\$1,125.00
6	Ulan Village APZ	HRM	Andrew Drummond	17/11/2010	\$11,200.00
13	Winchester Crescent	HRM	Andrew Drummond	17/11/2010	\$6,940.00
3	Windeyer Village	HRM	Andrew Drummond	17/11/2010	\$1,500.00
19	Windeyer WTS	FTM	Andrew Drummond	17/11/2010	\$400.00
Hazard Reduction Total					\$63,794.00

6.2.8 ROAD SAFETY OFFICER REPORT JANUARY-MARCH 2011

REPORT BY GENERAL MANAGER
RSO JAN-MAR
A0100052, R0790090

RECOMMENDATION

That:

- 1. the report by the Road Safety Officer on key road safety activities and initiatives be received;**

EXECUTIVE SUMMARY

This is the Road Safety Officer's report on activities during January-March 2011.

DETAILED REPORT

Please find attached reports from Kym Snow, Road Safety Officer, providing an update on key road safety activities and initiatives.

FINANCIAL IMPLICATIONS

Not applicable.

STRATEGIC OR POLICY IMPLICATIONS

Not applicable.

WARWICK BENNETT
GENERAL MANAGER

8 April 2011

Attachments: Jan-March RSO report

APPROVED FOR SUBMISSION:

WARWICK BENNETT
GENERAL MANAGER

January -March 2011

Road Safety @ Mid-Western Regional Council

The purpose of this report is to provide an update on key road safety projects and activities in the Mid-Western Regional Council Local Government Area.

DRINK DRIVE AND DRIVER FATIGUE ROAD SAFETY PROJECTS

The RSO in conjunction with the RTA have decided that this project should take a different perspective involving a media bombardment on general drink drive issues. This will tie in with the drink drive project work that the RTA is conducting over this period.

The RSO has been preparing drink drive project promotion for the 2011 Easter period including a draft press release and draft radio announcements. This material is currently being reviewed.

DRIVER FATIGUE PROJECT

A press release to promote the signs and symptoms of driver fatigue is currently in draft format and will be issued before Easter. Posters and promotional items on the subject will be sent to Tourist Information centres and libraries for the Easter and Anzac Day period. Portable variable message signs will be displayed on the outskirts of town to promote the Stop. Revive. Survive road safety message for the school holidays and Easter /Anzac Day break. This will coincide with RTA media and radio announcements on driver fatigue for this period.

KEEP OUR SCHOOL KIDS SAFE PROJECT

The Keep Our School Kid's Safe road safety project ran successfully over the first two weeks of the new school term. Radio announcements were developed with local school children and 2MG. Press releases were developed along with

newspaper advertisements on the school zones parking. Notices on school zone parking were sent to local schools for inclusion in their school newsletters. The RSO organised for local Police to conduct patrols of schools for this project as well. There has been a lot of positive feedback, especially for the school zone radio announcements.

COMMUNITY ROAD SAFETY PROJECT

During the month of March the Road Safety Officer has been invited to Mudjee Community Health to present to the group on the topic of motorised scooters. The Road Safety Officer has been asked to attend the Stepping On Group in Mudjee. The Road Safety Officer has been asked to attend the annual Bike Muster and present bike safety sessions to the children attending. All offers have been accepted.

GULGONG LIQUOR ACCORD ROAD SAFETY PROJECT

The RSO has been evaluating the Nightrider project that was conducted over the Christmas and New Year period. This includes the financial aspects. The RSO has been informed that the Liquor accord in Gulgong is happy to continue the Nightrider alternative transport project

KEEP OUR SCHOOL KIDS SAFE PROJECT

The Road Safety Officer is developing a school newsletter notice for inclusion in all local school newsletters which focuses on road safety issues around schools. A press release on this subject is being developed as well.

GOPHER ROAD SAFETY WORKSHOP

The RSO conducted a gopher workshop at the Mudgee PCYC on Wednesday 24 March in conjunction with Council's Seniors Week 2011 activities.

Topics addressed at the workshop included the Australian Road Rules for gophers, the skills necessary for safe gopher use, physical fitness- sight, strength, coordination and safe driving gopher tips. Motorised scooters were available for test drives and instruction. This was a successful event with

attendees very keen to learn more about motorised scooters and to share their experiences with others. There was a lot of positive feedback received.

LEARNER DRIVER WORKSHOP

The RSO is preparing for the next Learner driver workshop which will be held on Wednesday 4 May at the Horatio Motor Inn. The RSO is developing a press release, radio announcements, organising catering and booking of the venue, advertising and promotion of the workshop.

6.2.9 NOXIOUS WEEDS CONTROL ADVISORY COMMITTEE – MARCH 2011

REPORT BY GROUP MANAGER OPERATIONS
Weeds Control Advisory Committee March 2011
A0100052, A0130077

RECOMMENDATION

That:

- 1. the minutes of the Noxious Weeds Control Advisory Committee held on 14 March 2011 are noted;**
- 2. the Terms of Reference be amended.**

EXECUTIVE SUMMARY

The meeting of the Noxious Weeds Control Advisory Committee was held on 14 March 2011.

The prime purpose of this Committee is to review the overall strategic direction of noxious weeds control in the MWRC area and to ensure desired outcomes are being achieved.

DETAILED REPORT

The Committee reviewed the Roadside Spraying Program and Inspection Program and noted that a continued effort over the next few years will be needed to control noxious weeds.

Due to recent staff changes the Terms of Reference require amendment and therefore the committee shall comprise of the following members:

Three (3) elected Councillors
Group Manager Operations
Three (3) members from special interest groups (such as the Farmers Federation and the Serrated Tussock Working Party)

It was agreed that the frequency of meetings also should be amended to bi-monthly and not once a month.

Copies of the original and amended Terms of Reference are attached for information.

APPROVED FOR SUBMISSION:

BRAD CAM
GROUP MANAGER OPERATIONS

WARWICK BENNETT
GENERAL MANAGER

25 March 2011

Attachments: 1. Minutes of Noxious Weeds Control Advisory Committee held on 14 March 2011
2. MWRC Noxious Weeds Advisory Committee – Terms of Reference (Original)
3. MWRC Noxious Weeds Advisory Committee – Terms of Reference (Amended)

**MINUTES OF THE MEETING OF THE NOXIOUS WEEDS CONTROL ADVISORY COMMITTEE
HELD ON MONDAY 14 MARCH 2011
AT THE COUNCIL CHAMBERS MUDGEE AT 11 AM**

Present: Cr John Webb, Cr Esme Martens, Craig Nott, Alan Heath, Mitchell Clapham, Brad Cam (Group Manager – Operations), Vince Forgione (Chief Weeds Officer)

1. WELCOME:

Cr Webb opened the meeting, thanked all for attending and introduced Brad Cam, Group Manager Operations.

2. APOLOGIES:

Mayor Des Kennedy, John Little

3. MINUTES OF PREVIOUS MEETING:

The minutes of the previous meeting held on 18 November 2010 were confirmed. (Clapham/Nott)

4. BUSINESS ARISING FROM PREVIOUS MINUTES:

Revision of Action List (See attached)

5. ROADSIDE SPRAYING PROGRAM:

- A graph showing roadside spraying programme to date was tabled. It was noted that the kilometres sprayed were significantly lower than the previous year however this was due to wet weather from mid November and also the lack of available funding.
- Some discussion took place in relation to funds required to complete the roadside spraying programme and it was suggested that we compare funding made available to other councils historically and then endeavour to apply for increased funding.

6. INSPECTION PROGRAM:

- The inspection program was reviewed and the Chief Weeds Officer advised that we are on track to complete the targeted 600 inspections required this year.
- Brad Cam suggested that a report be presented to the Committee at each meeting detailing the number of inspections and reinspections conducted in the previous period compared to the number of proposed inspections.

7. GENERAL BUSINESS:**7.1 Minutes of the Macquarie Valley Weeds Advisory Committee held in Trangie on 8 February 2011.**

The minutes were tabled. It was decided to hold over any discussion raised by these Minutes until the next meeting to allow committee members time to read them.

7.2 Macquarie Valley Weeds Advisory Committee – High Risk Pathways Management Plan and Draft Inspection Policy.

Brad Cam asked that this be held over until the next meeting to allow time to review and discuss with the Chief Weeds Officer.

7.3 Charge to landholders for reinspections

Mitchell Clapham raised the issue of a possible charge to landholders for reinspections when property owner has not complied with noxious weed control requests. Further investigation to take place into this matter.

7.4 Frequency of Meetings – Terms of Reference

It was noted that the terms of reference are in need of review and amendment and that the frequency of meetings within the terms of reference indicate meetings to be held at least once a month. It was agreed that this be amended to show that meetings of the committee be held bi-monthly. (Clapham/Heath)

7.5 Funding

Discussion was held on what extra funding was required to complete the roadside spraying and inspection programs and it was agreed that further discussions should take place before submitting a request for further funding. Cr Martens also requested that any copies of figures should be made available to her as well as Cr Webb.

7.6 State Water

Mitchell Clapham asked if State Water paid rates. He said that they are a corporation and not a government department and if they are not required to pay rates, should they? The minute secretary was asked to follow up this question with the relevant department and report to the next meeting.

8. DATE OF NEXT MEETING

The next meeting will be held on Monday 9 May at 11.00 a.m.

There being no further business the meeting closed at 1.05 p.m.

NOXIOUS WEEDS ADVISORY COMMITTEE - ACTION LIST

	Subject	Action	Action Officer	Status
1	Noxious weed control around Windermere Dam	<p>a) Mid Western Regional Council to do the Management Plan for Windermere Dam. This has been on hold pending approval of funding. Vince to follow up re funding and State Water re the Management Plan.</p> <p>b) State Water want Mid Western Regional inspections completed. Some inspections have been done and will continue asap.</p>	Vince Forgione	<p>Spoken with Colin Hurst, State Water, Dubbo who is still awaiting approval of funding from Sydney and will advise when received.</p> <p>It was suggested that the issue of funding be raised with the new Minister for Primary Industries when elections have taken place.</p> <p>The committee requested that a letter be sent to State Water advising of Council's dissatisfaction with action being taken to control noxious weeds on their property.</p>
2	Cineraria field trials. MWRC to assist Jenene Kidstone (District Agronomist).	<p>a) Proposed site near Rylstone Airport now not suitable as a field trial site. Vince to contact Trevor Foster, Bylong Valley Way with proposal to use his land for field trials. (Contact information available from Mitchell).</p> <p>b) Vince Forgione to look for a new site</p>	Vince Forgione	<p>Vince spoke with Janine Kidson on 14/2/11. Resuming old trial site at Rylstone Airport.</p> <p>Continue using Rylstone Airport site for field trials for one more season.</p>
4	Environmental Levy consideration	Staff to obtain a legal opinion on what needs to be changed to the legislation to permit a Council to levy an Environmental Levy without affecting the rates available to Council.	Brad Cam	<p>a) Following legal opinion from McPhillamy & Co follow up with new Minister after elections.</p> <p>b) Conduct community consultation process by publishing information in Community News etc</p>
6	Mid Western	Follow up with Macquarie		Vince spoke to Don

	Regional Council to follow up with Wellington and Cabonne Council regarding Bathurst Council and Upper Macquarie County Council.	County Council to treat and control Serrated Tussock on common boundaries.	Brad Cam Vince Forgione	Baldwin, Chief Weeds Officer, Upper Macquarie and requested meeting with him in relation to our concerns with weeds problems on our boundaries. He will set up meeting time and advise. Brad Cam and Vince Forgione to meet with Cabonne Council on 30 March. Brad Cam to also attend.
8	Roadside Spraying Program	Recommendation to be put to Council to lobby all political parties for an increase in funding to assist in weed control,	Dan Grant	This task was taken over by Ian Roberts in Dan Grant's absence. Minute secretary to follow up what has occurred.
9	Funding grant towards control of weeds on Crown Land	Letter received from Minister advising funding approved of \$6,900. The meeting recommended that a response be sent by the General Manager advising of our disappointment and dissatisfaction with the amount of the funding.	Dan Grant	Letter sent to Minister Tony Kelly. No response has yet been received. Response received and tabled by Cr Webb. Noted to be raised with new Minister after the elections.
10	Roadside signage for weeds awareness	Mitchell Clapham suggested that a sign may be useful near Running Stream to make the motoring public aware of serrated tussock.	Brad Cam	Mitchell to follow this up and bring suggested wording to the next meeting. Suggested wording provided and discussion took place. Brad Cam to obtain costings to produce sign. To be discussed further at next meeting.

MID-WESTERN REGIONAL COUNCIL
MWRC NOXIOUS WEEDS ADVISORY COMMITTEE

TERMS OF REFERENCE

PREAMBLE

Mid-Western Regional Council appreciates the advice, voluntary time, commitment, interest and dedication demonstrated by members of its Advisory Committees. Council will give serious consideration to recommendations stated in the minutes of Advisory Committees. Such recommendations are considered in the context of Council's Management Plan and budgetary considerations at an operational and strategic level.

RESPONSIBILITIES

The MWRC Noxious Weeds Control Advisory Committee will provide advice and recommendations to Council on matters relating to the strategic operation of noxious weeds control. These include:

- Review the overall strategic direction of noxious weed control in MWRC to ensure desired outcomes are being achieved.
- Review the Management Plan for Class 4 Noxious Weed control in MWRC.
- Liaise with external agencies eg DPI, Macquarie Valley Weeds Advisory Committee, to lobby for a more proactive approach towards better noxious weed control.
- Provide recommendations on the educating landholders of their responsibilities

COMPOSITION OF COMMITTEE

The Committee shall comprise the following members:

- Three (3) elected Councillors
- Group Manager Community and Corporate Services
- Manager Governance or Chief Weeds Officer
- Three members from special interest groups (special interest groups such as the Farmers Federation and the Serrated Tussock Working Party)

FREQUENCY OF MEETINGS

The Committee shall meet at least once a month.

DELEGATIONS

Nil

FINANCIAL ARRANGEMENTS

Nil

SECRETARIAL SUPPORT

The minutes of meetings shall be recorded and distributed by secretarial resources provided from the Council.

**MID-WESTERN REGIONAL COUNCIL
MWRC NOXIOUS WEEDS ADVISORY COMMITTEE****TERMS OF REFERENCE - AMENDED**PREAMBLE

Mid-Western Regional Council appreciates the advice, voluntary time, commitment, interest and dedication demonstrated by members of its Advisory Committees. Council will give serious consideration to recommendations stated in the minutes of Advisory Committees. Such recommendations are considered in the context of Council's Management Plan and budgetary considerations at an operational and strategic level.

RESPONSIBILITIES

The MWRC Noxious Weeds Control Advisory Committee will provide advice and recommendations to Council on matters relating to the strategic operation of noxious weeds control. These include:

- Review the overall strategic direction of noxious weed control in MWRC to ensure desired outcomes are being achieved.
- Review the Management Plan for Class 4 Noxious Weed control in MWRC.
- Liaise with external agencies eg DPI, Macquarie Valley Weeds Advisory Committee, to lobby for a more proactive approach towards better noxious weed control.
- Provide recommendations on the educating landholders of their responsibilities

COMPOSITION OF COMMITTEE

The Committee shall comprise the following members:

- Three (3) elected Councillors
- Group Manager Operations
- Three members from special interest groups (special interest groups such as the Farmers Federation and the Serrated Tussock Working Party)

FREQUENCY OF MEETINGS

The Committee shall meet at least once a month.

DELEGATIONS

Nil

FINANCIAL ARRANGEMENTS

Nil

SECRETARIAL SUPPORT

The minutes of meetings shall be recorded and distributed by secretarial resources provided from the Council.

6.2.10 ULAN WASTE TRANSFER STATION

REPORT BY BUSINESS MANAGER SERVICES
Ulan waste transfer station
A0100052, P1972711, A0010008

RECOMMENDATION

That:

- 1. the report by Business Manager Services on the Ulan waste transfer station be received;**
- 2. the proposed Ulan waste transfer station not be constructed;**
- 3. the General Manager negotiates the redistribution of funds contributed by Moolarben Coal for the construction of the Ulan waste transfer station to fund local road projects.**

EXECUTIVE SUMMARY

The Ulan waste transfer station (WTS) was located on the Ulan Wollar Rd until Moolarben Coal required the land to construct part of their conveyor system to transport coal to their rail loading facility. Council negotiated to relocate from this land to a parcel of crown land closer to Ulan Village. As part of the negotiation Moolarben Coal agreed to pay for the relocation of the Ulan WTS and made a contribution of \$150,000 to construct a new facility closer to the Ulan Village.

This project has experienced some delays due to the need for cultural heritage assessment and extinguishing of native title on the new site. Due to these delays and the project not commencing staff are taking the opportunity to put to Council the option of not constructing this facility at all.

The ownership of land in this locality has changed rapidly in the last few years and is now largely owned by mines. This raises the question of whether a domestic waste transfer station is required at Ulan.

DETAILED REPORT

The Ulan waste transfer station is currently a temporary facility set up on a small piece of land at the end of Mackay St Ulan. This facility was relocated from the Ulan Wollar Rd due to the need for mining infrastructure on the site.

Council had agreement from the Department of Lands to occupy Crown Land known as part reserve 750773 (see attachment 1) for storage purposes while compulsory acquisition was taking place to build the permanent waste facility. The current temporary facility sits on a very small cleared portion of this land off Mackay St Ulan.

The proposed Ulan WTS will sit on crown land acquired by Council on the fringe of Ulan village. As can be seen by the map provided as attachment 2 Ulan Village and surrounds is almost entirely owned by mining interests. Further much of the land to east and south east is also owned by mines. A great deal of the properties that would have once used the Ulan WTS when it was located on the Ulan Wollar Rd is now owned by mines.

There still remain many small acre properties to the South of Ulan in the Cooks Gap area and some of these properties would use the Ulan WTS. However, all these properties can also access the Home Rule WTS, and Gulgong waste facility. Properties left around the mines have access to Wollar WTS and Kains Flat WTS at Cooyal.

Mid-Western Regional Council is well serviced with waste transfer stations with thirteen unmanned facilities in total that service the entire rural community. Reducing this number to twelve in what is a part of the shire largely owned by mines will have minimal impact although some residents may feel inconvenienced.

The temporary facility at Ulan is being used however; it is also being abused mainly by commercial operators. There are large amounts of waste being dumped on the ground including an entire site shed that council has had to remove. The concern is that this will get worse as more and more industrial activity occurs around this site.

FINANCIAL IMPLICATIONS

Should the Council support the recommendation \$150,000 will be saved in construction, land acquisition and road widening costs. This money has already been provided to Council by Moolarben Coal. Recommendation 3 provides for the General Manager to negotiate the use of that money for other council projects, the likely option being roads in that locality.

There are operational savings in Council not having to service this site including the regular collection of bins, site maintenance (fencing/weed control) and bulk removal of unauthorised waste. Operational savings amount \$22,000 P/A.

STRATEGIC OR POLICY IMPLICATIONS

Council's Management Plan 2010-2015 states as a strategic objective under the Waste Interim Strategic Plan:

The provision and maintenance of waste facilities that enables Council to:

1. Provide kerbside domestic waste and kerbside recyclables collection services at Mudgee, Gulgong, Rylstone, Kandos, Charbon and Clandulla;
2. Operate a single regional landfill that meets licence conditions and industry best-practice;
3. Provide for domestic waste drop-off at locations such that at least 90% of the population is within a 15km radius of a waste facility.

Point three is the relevant statement in regards to rural waste transfer stations. Attachment three shows a 15km radius around all the waste transfer stations. In regards to Ulan it is evident that this strategic objective is still achievable without the Ulan WTS. The map also highlights the coverage shire wide provided by waste transfer stations and the options available should Ulan not be constructed.

JULIAN GEDDES
BUSINESS MANAGER SERVICES

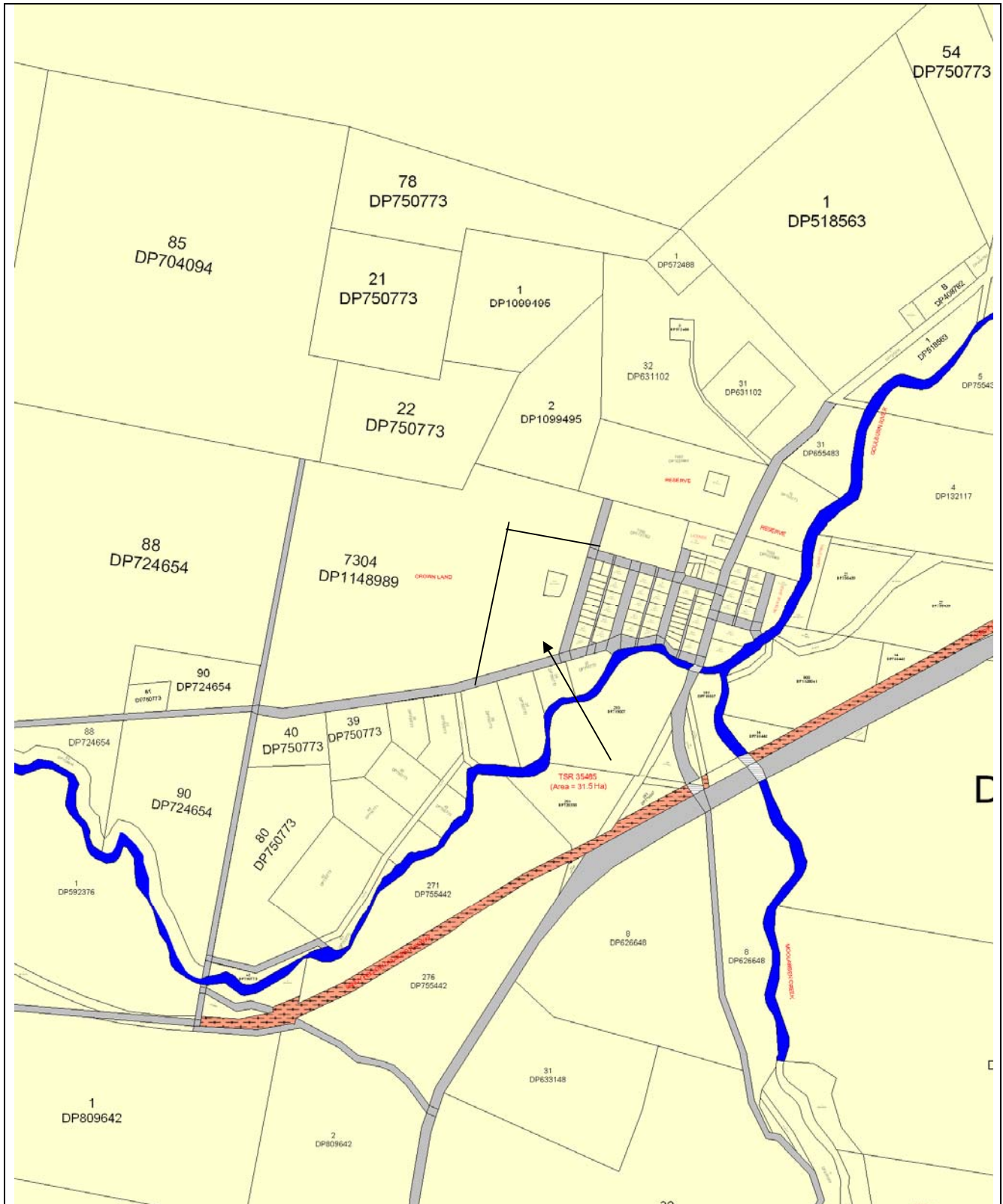
BRAD CAM
GROUP MANAGER OPERATIONS

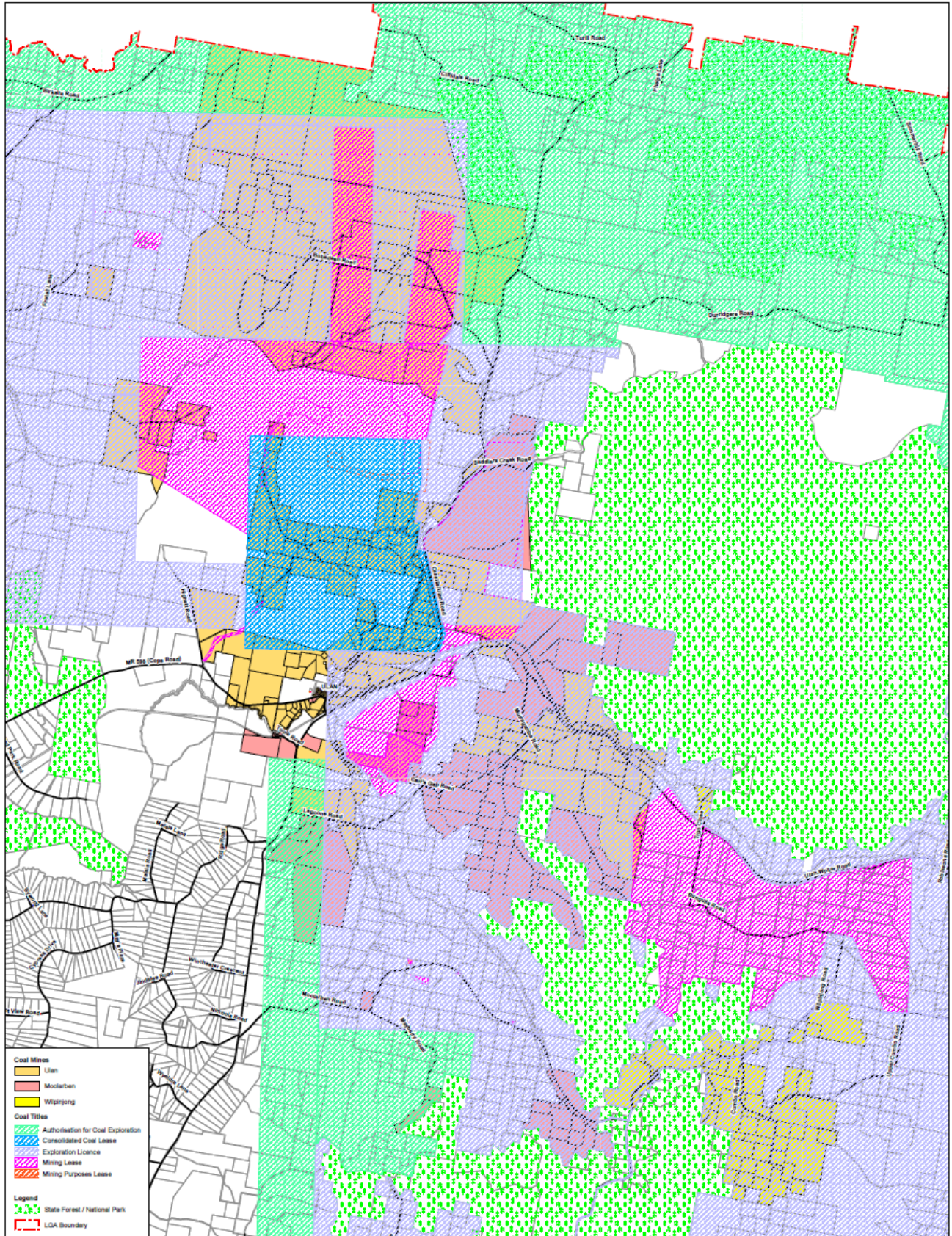
1 April 2011

- Attachments:
1. Department of Lands owned land
 2. Mine Sites in MWRC area
 3. MWRC waste transfer station locations

APPROVED FOR SUBMISSION:

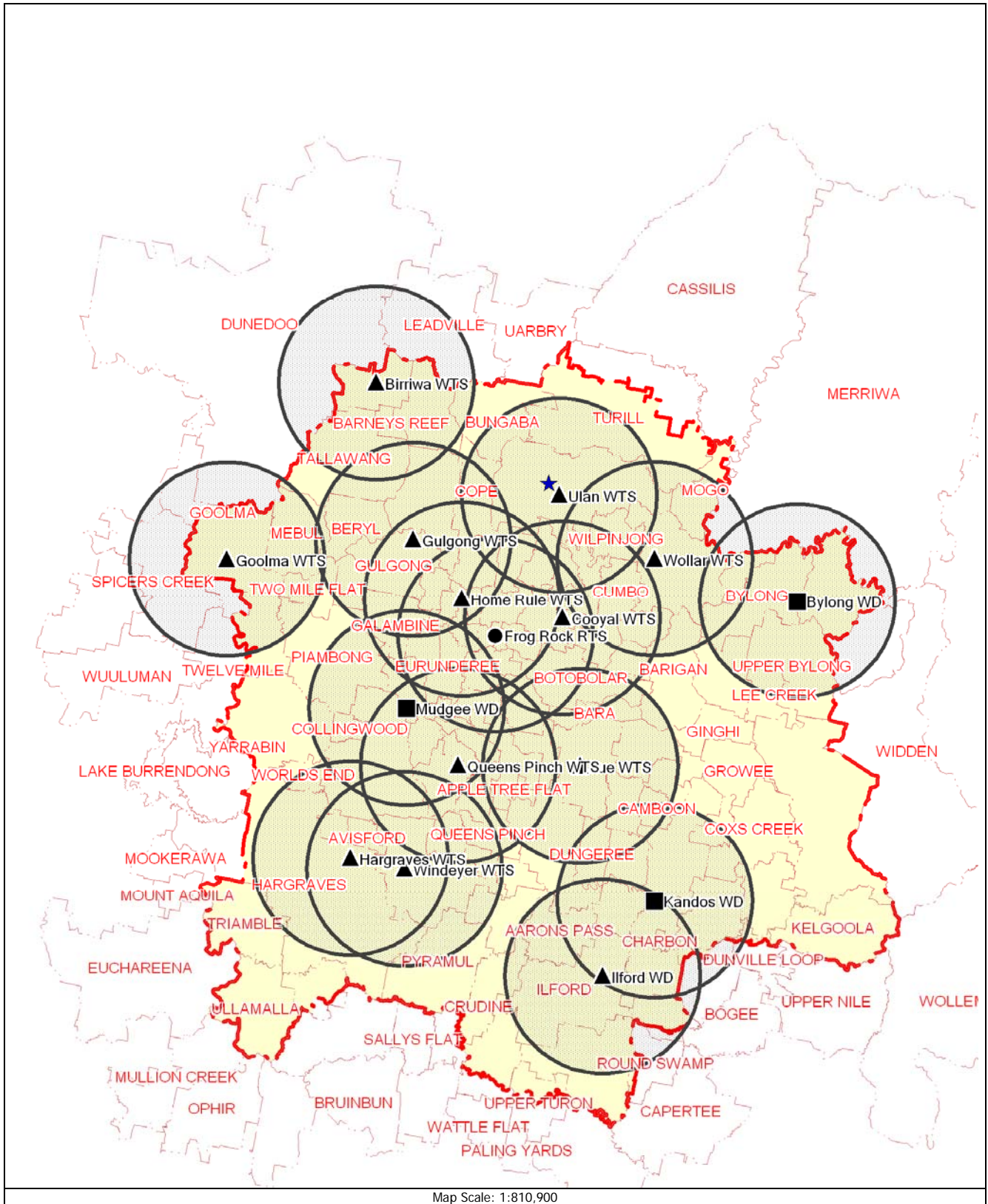
WARWICK BENNETT
GENERAL MANAGER





MINE SITES IN MWRC LGA





URGENT BUSINESS WITHOUT NOTICE

As provided by Clauses 19 & 20 of Council's Code of Meeting Practice (Clause 14 LGMR).

GIVING NOTICE OF BUSINESS

19. (1) The Council must not transact business at a meeting of the Council:
- (a) unless a Councillor has given notice of the business in writing at least two (2) days prior to the day on which the agenda and business paper is prepared and delivered to Councillors; and
 - (b) unless notice of the business has been sent to the Councillors in accordance with Clause 6 of this Code. *(see Section 367 LGA & Clause 14(1) LGMR)*
- (2) Subclause (1) does not apply to the consideration of business at a meeting if the business:
- (a) is already before, or directly relates to a matter that is already before the Council *(see Clause 14(2)(a) LGMR)*; or
 - (b) is the election of a chairperson to preside at the meeting as provided by Clause 12(1) *(see Clause 14(2)(b) LGMR)*; or
 - (c) is a matter or topic put to the meeting by the chairperson in accordance with Clause 21 *(see Clause 14(2)(c) LGMR)*; or
 - (d) is a motion for the adoption of recommendations of a committee of the Council; *(see Clause 14(2)(d) LGMR)*; or
 - (e) relates to reports from officers, which in the opinion of the Chairperson or the General Manager are urgent;
 - (f) relates to reports from officers placed on the business paper pursuant to a decision of a committee that additional information be provided to the Council in relation to a matter before the Committee; and
 - (g) relates to urgent administrative or procedural matters that are raised by the Mayor or General Manager.

BUSINESS WITHOUT NOTICE

20. (1) Despite Clause 19 of this Code, business may be transacted at a meeting of the Council even though due notice of the business has not been given to the Councillors. However, this can happen only if:
- (a) a motion is passed to have the business transacted at the meeting; and
 - (b) the business proposed to be brought forward is ruled by the Chairperson to be of great urgency.
- Such a motion can be moved without notice. *(see Clause 14(3) LGMR)*
- (2) Despite Clause 30 of this Code, only the mover of a motion referred to in subclause (1) can speak to the motion before it is put. *(see Clause 14(4) LGMR)*

ITEM 7: URGENT BUSINESS WITHOUT NOTICE