

MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD AT THE COUNCIL CHAMBERS, 86 MARKET STREET, MUDGEES ON WEDNESDAY 20 APRIL, COMMENCING AT 5.48 PM AND CONCLUDING AT 6.48 PM.

Present: Cr D Kennedy (Mayor), 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), Radio 2MG (M Rock).

ITEM 1: APOLOGIES

An apology was received for the absence of Councillor Thompson.

67/11 **MOTION: Martens / Webb**

That the apology for the absence of Councillor Thompson be accepted and leave of absence be granted.

The motion was put and carried.

ITEM 2: CONFIRMATION OF MINUTES

68/11 **MOTION: Weatherley / Shelley**

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 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

69/11 **MOTION: Holden / Shelley**

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

The motion was put and carried.

ASSETS COMMITTEE

70/11 **MOTION:** Lang / Weatherley

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

The motion was put and carried.

CULTURAL AND COMMUNITY SERVICES COMMITTEE

71/11 **MOTION:** Lang / Holden

That the matters resolved at the Cultural and Community Services Committee meeting held on 6 April 2011 be received and confirmed.

The motion was put and carried.

FINANCE AND CORPORATE COMMITTEE

72/11 **MOTION:** Webb / Shelley

That:

1. **the matters resolved at the Finance and Corporate Committee meeting held on 6 April 2011 be received and confirmed.**
2. **the recommendations from the Finance and Corporate Committee meeting held on 6 April 2011 in respect of the following items be adopted.**
 - **Men's Shed Health Expo**
 - **Monthly Management Plan Reporting – February 2011**
 - **Electricity Contracts – Small Sites**

The motion was put and carried.

RECOMMENDATION COR.29/11 – FINANCIAL ASSISTANCE

A0100052, A0140201

73/11 **MOTION:** Webb / Lang

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 |
| Gulgong MADS | Cr Webb | \$200.00 |

The motion was put and carried

URGENT BUSINESS WITHOUT NOTICE

74/11

MOTION: Holden / Walker

That the matters resolved in Urgent Business Without Notice held on 6 April 2011 be received and confirmed.

The motion was put and carried.

CLOSED COMMITTEE

75/11

MOTION: Holden / Shelley

That the matters resolved in Urgent Business Without Notice held on 6 April 2011 be received and confirmed.

The motion was put and carried.

ITEM 6: GENERAL BUSINESS

6.1 NOTICES OF MOTION

There were no notices of motion.

6.2 REPORTS TO COUNCIL

6.2.1 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT

A0100052, A0110043

76/11

MOTION: Shelley / Lang

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.

The motion was put and carried.

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

A0100052, A0140304

77/11

MOTION: Walker / Lang

That the Investment Report as at 31 March 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 COMMUNITY SAFETY

A0100052, A0420139

78/11

MOTION: Webb/Walker

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
Council's Youth Officer – Cathy Leisfield
Youth Mayor – Jessica MacLennan
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.**

The motion was put and carried.

6.2.4 ECONOMIC DEVELOPMENT

A0100052, A0820020

79/11

MOTION: Webb / Martens

That:

1. Council amends the budget for the 2011/12 and following financial years to include a provision for the employment of an 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.

AMENDMENT: Holden/Lang

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. The General Manager report on alternate budget initiatives to fund these two projects.

Both the motion and amendment were withdrawn.

80/11

MOTION: **Holden / Lang**

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 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.**
4. **The General Manager report on alternate budget initiatives to fund these two projects.**

AMENDMENT: **Kennedy / Shelley**

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. The General Manager report on alternate budget initiatives to fund these two projects.

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

6.2.5 2011-12 AND THE FOLLOWING FOUR YEARS MANAGEMENT PLAN

A0100052, A0149934

81/11

MOTION: **Shelley / Walker**

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.**

AMENDMENT: Holden / Lang

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 with the \$25,000 increase in the weeds budget to be allocated as follows:
 - \$15,000 on weeds inspections; and
 - \$10,000 on pursuing compliance with Section 18 Weed Control Notices;
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.

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

82/11

MOTION: Holden / Shelley

That a report be presented to Council on the resourcing for weed control.

The motion was put and carried.

6.2.6 MUDGEETOWN HALL RENOVATION – COMMUNITY COMMENT
A0100052, F0620022, F0620018, P0159911

83/11

MOTION: Weatherley / Martens

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

The motion was put and carried.

6.2.7 NSW EMERGENCY SERVICE 2011-2012 BUDGET ESTIMATES
A0100052, A0150024

84/11

MOTION: Walker / Weatherley

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.

The motion was put and carried.

85/11 **MOTION:** Holden / Shelley

That Council approach the new State Government about the better management of the balance of Rural Fire Service funding.

The motion was put and carried.

6.2.8 ROAD SAFETY OFFICER REPORT JANUARY-MARCH 2011

A0100052, R0790090

86/11 **MOTION:** Lang / Shelley

That the report by the Road Safety Officer on key road safety activities and initiatives be received.

The motion was put and carried.

6.2.9 NOXIOUS WEEDS CONTROL ADVISORY COMMITTEE – MARCH 2011

A0100052, A0130077

87/11 **MOTION:** Webb / Holden

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 as follows:
"The Committee shall comprise the following members:
Two (2) elected Councillors
Group Manager Operations or Chief Weeds Officer
Three members from special interest groups (such as the Farmers Association and the Serrated tussock Working Party)."

The motion was put and carried.

6.2.10 ULAN WASTE TRANSFER STATION

A0100052, P1972711, A0010008

MOTION: Weatherley / Walker

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.

The motion was withdrawn.

88/11

MOTION: Webb / Kennedy

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;
4. Council enter into an agreement with Ulan School for waste collection;
5. the General Manager negotiate with the EPA and the coal mines about the possibility of a waste facility being located on one of the mine properties.

The motion was put and carried.

ITEM 7: **URGENT BUSINESS WITHOUT NOTICE**

7.1 NOTIFICATION OF COUNCILLORS ABOUT MEETINGS WITH MAYOR AND GENERAL MANAGER

A0100052,

89/11

MOTION: Holden / Lang

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.

MOTION: Holden / Martens

That all Councillors be informed of upcoming meetings conducted with the General Manager and Mayor (with non staff members) and that a report of the outcomes of all meetings is distributed to all Councillors weekly.

The motion was put and lost.

CLOSURE

There being no further business the meeting concluded at 6.48 pm.