

MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD AT THE COUNCIL CHAMBERS, 86 MARKET STREET, MUDGEE ON WEDNESDAY 18 MAY 2011, COMMENCING AT 5.52 PM AND CONCLUDING AT 6.52 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: Acting General Manager (B Cam), Acting Group Manager Mid-Western Operations (S Mullinger), 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

There were no apologies.

ITEM 2: CONFIRMATION OF MINUTES

90/11

MOTION: Holden / Shelley

That the Minutes of the Ordinary Meeting held on 20 April 2011 (Minute Nos. 67/11 to 89/11) be taken as read and confirmed.

The motion was put and carried.

In moving the minutes, Councillor Holden indicated that it was proposed that a rescission motion be lodged in relation to Minute No. 88/11 on the Ulan Waste Transfer Station.

ITEM 3: DISCLOSURES OF INTEREST

Councillor Thompson declared a pecuniary interest in Item 6.2.6 as he has an interest in a hotel in Mudgee.

Councillor Kennedy declared a pecuniary interest in Item 6.2.6 as he owns a hotel in Mudgee.

ITEM 4: MAYORAL MINUTE

There was no Mayoral Minute.

ITEM 5: REPORTS FROM COMMITTEES

PLANNING AND DEVELOPMENT COMMITTEE

91/11 **MOTION:** Holden / Lang

That the matters resolved at the Planning and Development Committee meeting held on 6 April 2011 be received and confirmed except for Item 5.1.

The motion was put and carried.

ITEM 5.1 DETACHED DUAL OCCUPANCY – 7 TEBBUTT COURT, MUDGEE

A0100052, P1958661

92/11 **MOTION:** Walker / Weatherley

That:

- A. Development application DA0253/2011 for a detached dual occupancy at 7 Tebbutt Court, Mudgee be approved subject to the following conditions:**

APPROVED PLANS

- 1. Development is to be carried out in accordance stamped plans 3216_A01/A07 dated February 2011 and Statement of Environmental Effects prepared by Giselle Denley Drafting Services as lodged with the application received by Council on 11.03.2011, 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 AND BUILDING

- 2. All plumbing and drainage work must be carried out by a licensed plumber and drainer and must comply with the requirements of AS 3500 (National Plumbing & Drainage Code) and the NSW Code of Practice - Plumbing & Drainage.**

The selected plumber/drainer must provide Council with a drainage diagram detailing the location of the drainage system and the relevant connections.

All plumbing and drainage inspections must be carried out by Council prior to the covering of any trenches or wall/ceiling linings.

3. All building work must comply with the requirements of the Building Code of Australia 2010, Volume Two, together with the relevant Australian Standards and also the Environmental Planning and Assessment Act, 1979, as amended, and Regulations.
4. 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.
5. 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.
6. 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.
7. Prior to the occupation of a new building, an Occupation Certificate must be obtained from the Principal Certifying Authority appointed for the erection of the building.
8. 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.
9. A sign must be erected in a prominent position on any work site on which the erection of a building is being carried out;
 - stating that unauthorised entry to the work site is prohibited, and
 - 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.
10. 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.

11. **The placing of building materials or the carrying out of any building operations upon or from the Councils footway, roadway or any Reserve is prohibited unless prior consent in writing has been obtained from Council.**
12. **The footpath and driveway levels are not to be altered outside the property boundary without Council permission. Driveways constructed over the public footpath must be constructed in accordance with the Councils standard drawings and each driveway must be inspected prior to pouring the concrete.**
13. **The installation of the damp-proof membrane under each slab-on-ground construction must comply with NSW Clause 3.2.2.6 of the Building Code of Australia, Volume Two, 2010 regarding the use, installation and branding of a “high impact” damp-proof membrane.**
14. **The strength of the concrete used for the reinforced concrete floor slabs must be a minimum of 25MPa (N25) Prior to pouring the concrete floor slabs their preparation must comply with the requirements of Council’s Development Control Plan, Clause 2.5, “Building in a Saline Environment”**
15. **All building work that involves residential building work for which the Home Building Act 1989 requires there to be a contract of insurance (Home Warranty Insurance Scheme) in force in accordance with Part 6 of that Act, such a contract of insurance must be in force and a copy provided to Council prior to the commencement of any building work. A copy must be provided to the Council.**
16. **Where a nuisance may be caused by the placement of fill on the site or from the natural slope of the land, adequate yard drainage together with appropriately sized sumps must be provided for the collection of these waters. The water from the sumps must discharge to the street gutter or an interallotment drainage easement. This drainage system must be separate to the roof water drainage system.**
17. **A Registered Surveyors Certificate showing the boundaries of the site and the proposed development plotted thereon must be submitted to the Principal Certifying Authority prior to the commencement of construction.**
18. **Application may be made to Council or to an Accredited Certifier for the issue of the required Construction Certificate for this development and to be appointed the Principal Certifying Authority monitoring compliance with the approval and issuing any required documentary evidence or reports/certificates relevant to the development.**

19. **The requirements of the submitted BASIX Certificates, numbers 362535S, and 362539S both issued on 01 March 2011 must be installed and/or completed in accordance with the commitments contained in those Certificates. Any alteration to those commitments will require the submission of an amended BASIX Certificate/s to the Council prior to the commencement of the alteration/s.**
20. **Prior to the issue of an Occupation Certificate or the occupation of the building a written statement must be submitted to the Council confirming the installation/completion of all of those commitments.**
21. **Erosion and sediment control measures being implemented prior to the commencement of works and must be maintained during the period of construction to prevent sediment and other debris escaping from the site.**
22. **Controls are not to be removed until the site is stable with all bare areas supporting an established vegetative cover.**

ENGINEERING CONSTRUCTION

23. **Vehicular entrances and concrete footway crossings are to be provided at a suitable location to the development. Concrete must not be poured until the excavation, formwork and reinforcing has been inspected by Council. The contractor/owner must arrange an inspection by contacting Council's Development Engineer between 8.00am and 4.00pm Monday to Friday, giving at least twenty four (24) hours notice. Failure to have the work inspected may result in the access being removed and reconstructed at the contractors/owners expense.**
24. **All works are to be constructed at the full cost of the developer, in a manner consistent with Aus-Spec #1 and Council's standard drawings.**
25. **Interallotment drainage is to be provided to remove stormwater from any lots that cannot discharge to the street in accordance with AusSpec #1.**
26. **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.**
27. **All driveway, impervious pavement and private open space areas are to collect stormwater runoff and pipe to the Interallotment drainage system. The drainage system is to be sized to accommodate the 1:10yr ARI. Details of the drainage system are**

to be submitted to Council for approval prior to the commencement of that part of the works.

PRIOR TO ISSUE OF THE OCCUPATION CERTIFICATE

- 28. All car parking and associated driveway works to be completed prior to occupation of the development.
- 29. 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.
- 30. Prior to the occupation of a new building, an Occupation Certificate is to be obtained from the Principal Certifying Authority appointed for the erection of the building.
- 31. Provisions are to be made such that the dwellings are connected to the reticulated communication, energy, water and sewer systems prior to the occupation of the buildings.

PRIOR TO THE ISSUE OF THE SUBDIVISION CERTIFICATE

- 32. A linen plan and two (2) copies are to be submitted to Council for approval and endorsement by the General Manager.
- 33. Under the Environmental Planning & Assessment Act, 1979, a Subdivision Certificate is required before the linen plan of subdivision can be registered with the Land Titles Office.

NOTE: Council’s fee to issue a Subdivision Certificate is set out in Council’s fees and charges and for this development is \$210 at the date of determination.

- 34. In accordance with the provisions of section 94 of the *Environmental Planning and Assessment Act 1979* and the Mid-Western Regional Council Section 94 Developer Contributions Plan, a contribution, **SUBJECT TO CPI INCREASE**, shall be paid to Council in accordance with this condition for the purpose of:

Catchment 2 – 1 Additional Lot/s

Program	Total \$
Transport Management	
Traffic Management	\$1,076
Open Space	
Local Open Space	\$1,691
District Open Space	\$2,296
Community Facilities	

Library Buildings	\$221
Library Resources	\$266
Administration	
Plan Administration	\$515
TOTAL PAYABLE	\$6,065

If the *Subdivision Certificate* is not issued, for any reason whatsoever, within twelve (12) months of the date of determination, then the charges and contributions contained in this consent, may be increased to the current rate at the time of payment.

- 35. Prior to the issue of a *Subdivision Certificate*:
 - (a) all contributions must be paid to Council and all works required by the consent be completed in accordance with the consent, or
 - (b) an agreement be made between the developer and Council;
 - i) as to the security to be given to Council that the works will be completed or the contribution paid, and
 - ii) as to when the work will be completed or the contribution paid.

- 31. The developer shall obtain a *Certificate of Compliance* under the Water Management Act. This will require:
 - (a) Payment of a contribution for water and sewerage headworks at the following rate:

Water Headworks	\$2,340
Sewerage Headworks	\$3,198
Total	\$5,538
 - (b) The adjustment of existing services or installation of new services and meters, as required, in compliance with Australian Standard 3500: National Plumbing and Drainage Code. All costs associated with this work shall be borne by the developer.

- 36. The applicant is to provide separate water and sewer reticulation services to each lot.

- 37. The developer is to provide a water service and meter for each lot in the subdivision. This can be achieved by making a payment to Council of \$1,081.60 per lot to cover the cost of installing both the service and a 20mm meter on the water main.

TOTAL PAYABLE 1 x \$1,081.60 = \$1,081.60

Note: Council does not permit other bodies to insert new junctions into 'live' water mains.

38. The developer is to provide a sewer junction for each lot in the subdivision. This can be achieved by making a payment to Council of \$1,081.60 per new junction to cover the cost of Council installing a junction in an existing main.

TOTAL PAYABLE 1 x \$1,081.60 = \$1,081.60

Note: Council does not permit other bodies to insert new junctions into “live” sewer mains.

39. Three metre wide easements, including associated Section 88B instruments, are to be created in favour of Council over any existing or newly constructed inter-allotment drainage, water, or sewerage reticulation components located within the subject property, or extended through adjoining private properties as a result of this subdivision.
40. Prior to issue of the Subdivision Certificate, Council is to be supplied with:
- a) A certificate from an energy provider indicating that satisfactory arrangements have been made for provision of electricity supply to the subdivision.
 - b) A certificate from a communication provider indicating that satisfactory arrangements have been made for provision of telephone services to the subdivision.

B. Council commence a register of variations to the DCP.

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

Councillors	Ayes	Nayes
<i>Cr Holden</i>		✓
<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>		✓

ASSETS COMMITTEE

93/11

MOTION: Holden / Shelley

That:

1. the matters resolved at the Assets Committee meeting held on 6 April 2011 be received and confirmed except for Minute No. S.14/11.
2. the recommendations from the Assets Committee meeting held on 6 April 2011 in respect of the following items be adopted.
 - Gulgong Showground Sewer Connection

The motion was put and carried.

MINUTE NO. S.14/11 – COST TO MAINTAIN HIDEAWAY LANE

A0100052, A0100021

94/11

MOTION: Holden / Lang

That no further action be taken with regard to this matter.

AMENDMENT: Thompson /

That Council review the roads policy to examine the possibility of expending smaller amounts on laneways such as this.

The amendment lapsed for want of a seconder. The motion was put and carried.

RECOMMENDATION NO. S.15/11 – IRRIGATION OF PROPERTY FROM PUTTA BUCCA WETLANDS

A0100052, F0740039

95/11

MOTION: Weatherley / Holden

That:

1. the report by Manager Governance on the irrigation of the property owned by B L & W J Morrison from the Putta Bucca Wetlands be received;
2. Council permit the continued irrigation of this property from the Putta Bucca Wetlands only until such time as the current Mudgee Sewerage Treatment Plant is decommissioned with the arrangements provided in a formal agreement between B L & W J Morrison and Council.
3. the cost of the agreement be met by B L & W J Morrison.

4. authority be granted for the agreement to be executed under Seal.

The motion was put and carried.

CULTURAL AND COMMUNITY SERVICES COMMITTEE

96/11

MOTION: Holden / Martens

That:

1. the matters resolved at the Cultural and Community Services Committee meeting held on 6 April 2011 be received and confirmed.
2. the recommendations from the Cultural and Community Services Committee meeting held on 6 April 2011 in respect of the following items be adopted.
 - Mudgee Community Transport – Funding agreement with Transport NSW

The motion was put and carried.

FINANCE AND CORPORATE COMMITTEE

97/11

MOTION: Lang / Walker

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.
 - 2010/11 Quarterly Budget Review – March 2011
 - Mudgee Airport subdivision

The motion was put and carried.

RECOMMENDATION NO.COR.41/11 – FINANCIAL ASSISTANCE

A0100052, A0140201

98/11

MOTION: Holden / Martens

That:

1. the report by the Finance Officer on financial assistance be received;

2. Council makes an allocation of \$3,000 for the Promotions budget towards the Cudgegong Valley Antique Machinery Club for their endeavours to get the national Antique machinery Rally in 2013.
3. The following amounts be distributed from the Council discretionary votes:

Gulgong Eisteddfod	Cr Holden	\$200.00
	Cr Kennedy	\$200.00
	Cr Lang	\$200.00
	Cr Martens	\$200.00
	Cr Weatherley	\$200.00
Rylstone CWA – rates	Cr Martens	\$250.00
Mudgee Historical Society – rates	Cr Martens	\$250.00
Rylstone Historical Society – mural arts project	Cr Martens	\$250.00
Furniture for Student Doctor accommodation	Cr Holden	\$500.00

4. In relation to the rates for the Rylstone Racecourse, payable by the Rylstone District Trainers Group, Council provide financial assistance to meet the outstanding rates from the discretionary votes of Councillor Walker, Councillor Martens and Councillor Thompson.

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 MONTHLY STATEMENT OF MID-WESTERN REGIONAL COUNCIL
BANK BALANCES AND INVESTMENTS AS AT 30 APRIL 2011**

A0100052, A0140304

99/11

MOTION: Holden / Weatherley

That the Investment Report as at 30 April 2011 by the Management Accountant be received and the certification by the Responsible Accounting Officer noted.

The motion was put and carried.

6.2.2 ECONOMIC DEVELOPMENT

A0100052, A0149935

MOTION: Webb / Shelley

That:

1. the report by the Group Manager Finance & Administration on the funding of proposed economic development initiatives be received; and
2. amend the 2012 to 2016 budgets to include \$115,000 for an Events Management Coordinator to be funded \$30,000 from existing Events Management program, \$20,000 from existing Strategic Initiatives program, \$40,000 from existing Promotions & Industry Development program, \$20,000 from existing Large Grants program, and \$5,000 from budget initiative aboriginal heritage sensitivity mapping.

100/11

AMENDMENT: Holden / Lang

That:

1. the report by the Group Manager Finance & Administration on the funding of proposed economic development initiatives be received;
2. amend the 2011/12 budget to include \$20,000 for attending Business Expos in 2012 funded from the Promotions & Industry Development program; and
3. amend the 2012 to 2016 budgets to include \$115,000 for an Events Management Coordinator to be funded \$30,000 from existing Events Management program, \$20,000 from existing Strategic Initiatives program, \$20,000 from existing Promotions & Industry Development program, \$20,000 from existing Large Grants program, and \$25,000 from budget initiative aboriginal heritage sensitivity mapping.

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

6.2.3 GOODS & SERVICES TAX CERTIFICATE 2011

A0100052, A0149907

101/11

MOTION: Walker / Martens

That:

1. the report by the Financial Accountant on the Goods & Services Tax Certificate 2011 be received;
2. Council authorise the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer to sign the Statement by

Council and Management regarding Goods and Services Tax compliance for 2011.

The motion was put and carried.

6.2.4 PROPOSED CLOSURE OF ROAD RESERVE – LIBRARY LANE
A0100052, R0790175, P0159963 F0620022, P0159911

MOTION: Shelley / Thompson

That consideration of this matter be deferred.

The motion was withdrawn.

102/11 **MOTION:** Weatherley / Webb

That:

1. **Council note the report from the Manager, Library and Community Services;**
2. **Council apply to the Land and Property Management Authority for the closure of the section of Council Road Reserve known as Library Lane Section 55 Plan No. 20709 running between Lot 5 Section 55 DP 758721 known as the Town Hall and Library and Lot 1 and DP 73990;**
3. **Council resolve to close approximately 35 metres in length of this road reserve from the Market Street end adjacent to Lot 5 of Section 55 DP758721 and Lot 1 DP 73990 (i.e. adjacent to the Mudgee Town Hall building) making it Operational Land and affix the Common Seal of Council to the relevant documentation associated with the partial closure.**

The motion was put and carried.

6.2.5 MUDGEE REGION TOURISM INC QUARTERLY REPORT –
MARCH 2011

A0100052, f0770077

103/11 **MOTION:** Shelley / Holden

That the report by the General Manager on the Mudgee Region Tourism Inc Quarterly Report (March 2011) be received.

The motion was put and carried.

6.2.6 CONSUMPTION OF ALCOHOL AT APPROVED OUTDOOR
DINING FACILITIES LOCATED WITHIN ALCOHOL FREE ZONES
A0100052, A0130008, P0040811

Councillor Thompson declared a pecuniary interest as he has an interest in a hotel in Mudgee, left the meeting at 6.30 pm and did not participate in discussions or vote in relation to this matter.

Councillor Kennedy declared a pecuniary interest as he owns a hotel in Mudgee, vacated the Chair and left the meeting at 6.30 pm and did not participate in discussions or vote in relation to this matter. In his absence, Councillor Walker assumed the Chair.

104/11

MOTION: **Holden / Weatherley**

That:

- 1. the report by Technical Assistant – Health & Building on the consumption of alcohol at approved outdoor dining facilities within alcohol free zones be received;**
- 2. Council oppose the Footpath Dining Licence application submitted by Sajo’s Lounge Bar & Restaurant.**
- 3. Council oppose the consumption of alcohol at approved outdoor dining facilities as a policy.**

AMENDMENT: Shelley / Walker

That:

1. the report by Technical Assistant – Health & Building on the consumption of alcohol at approved outdoor dining facilities within alcohol free zones be received;
2. the policy, “Consumption of Alcohol at Approved Outdoor Dining Facilities Located in Alcohol Free Zones” be adopted;
3. the Footpath Dining Licence application submitted by Sajo’s Lounge Bar & Restaurant be approved subject to compliance with the “Consumption of Alcohol at Approved Outdoor Dining Facilities Located in Alcohol Free Zones” policy.

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

Councillors Thompson and Kennedy returned to the meeting at 6.43 pm and Councillor Kennedy resumed the Chair.

6.2.7 TENDER ASSESSMENT – T111011HUN, SUPPLY AND DELIVERY OF DOMESTIC WATER METERS

A0100052, A0100026

105/11

MOTION: Weatherley / Holden

That:

1. Council accepts Elster Metering Pty Ltd (via Regional Procurement) for tender T111011HUN for the Supply & Delivery of Domestic Water Meters and that Council enter into a contract with Elster in accordance with clause 178 of the Local Government (General) Regulation 2005.
2. Council authorises the General Manager to finalise and execute the contract on behalf of Council with Elster Metering Pty Ltd (via Regional Procurement) for T111011HUN Supply & Delivery of Domestic Water Meters.

The motion was put and carried.

6.2.8 TENDER ASSESSMENT – 2011/02 DESIGN AND CONSTRUCTION OF CARWELL CREEK BRIDGE

A0100052, A0411102

106/11

MOTION: Shelley / Martens

That:

1. The report by Business Manager Works on the Design and Construction of Carwell Creek Bridge is received
2. Council awards the contract to Waeger Constructions Pty Ltd for the design and construction of Carwell Creek Bridge for the tendered price of \$697,000 (excluding GST). The General Manager be given delegated authority to vary this tender by 5% during construction if any contingency variations are required

The motion was put and carried.

107/11

MOTION: Martens / Weatherley

That:

1. Council acquire approximately 1.6 ha of the northern portion of Lot 2, DP567725 for road purposes, with the General Manager authorised to finalise negotiations with the landowner.
2. Any necessary documentation be executed under the Common Seal of the Council.

The motion was put and carried.

ITEM 7: URGENT BUSINESS WITHOUT NOTICE

7.1 CHARBON COLLIERY COMMUNITY CONSULTATIVE COMMITTEE

A0100035, A0100052, A0100006

108/11 **MOTION:** Holden / 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.

109/11 **MOTION:** Thompson / Lang

That Council participates in the Charbon Colliery Community Consultative Committee and appoints Councillor Martens as Council's delegate.

The motion was put and carried.

7.2 AUSTRALIAN TOUCH FOOTBALL ASSOCIATION ANNUAL GENERAL MEETING

A0100035, A0100052, F0650108

110/11 **MOTION:** Martens / 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.

111/11 **MOTION:** Thompson / Weatherley

That Council allocate approximately \$3,000.00 from the Promotional and Development Opportunities budget to host the Australian Touch Football Association's annual general meeting in May 2011.

The motion was put and carried.

ITEM 8: CONFIDENTIAL SESSION

112/11 **MOTION:** Martens / Holden

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 confidential session and the reason why it was being dealt with in this way.

Subject: Proposed Lease of 75-77 Mortimer Street, Mudgee

The reason for dealing with this report confidentially is that it relates to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it, in accordance with Section 10A(2)(d)(i) 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 information that is commercial in confidence.

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 PROPOSED LEASE OF 75-77 MORTIMER ST MUDGEE

A0100052, P0199811

113/11

MOTION: Holden / Weatherley

That:

- 1. the report by the Economic Development Officer on the proposed lease of 75-77 Mortimer St Mudgee (Lots 1 and 2 DP 795017) be received;**
- 2. Council accepts the Letter of Offer from the proposed tenant and authorises the General Manager to finalise the Letter of Offer and relevant lease documentation and attach the Council seal;**
- 3. Council proceeds with Stage 1 of the car parking works on the Mortimer St site with \$400,000 to be funded from Section 94 fund and \$300,000 to be funded from loan funding;**
- 4, Council proceed to lodge a development application for building extensions of approximately \$1.724 million to be funded by way of loan.**
- 5. Council notify the Division of Local Government of its intention to borrow approximately \$2 million to partly fund the above works.**

The motion was put and carried.

ITEM 9: OPEN COUNCIL

The Manager Governance announced the decision taken in Confidential Session.

CLOSURE

There being no further business the meeting concluded at 6.52 pm.