

MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD AT THE COUNCIL CHAMBERS, 86 MARKET STREET, MUDGEE ON WEDNESDAY 21 DECEMBER 2011, COMMENCING AT 6.11 PM AND CONCLUDING AT 7.03 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 L Bennett), Group Manager Mid-Western Operations (B Cam), Group Manager Development and Community Services (C Van Laeren), Acting Group Manager Finance and Administration (L Johnson), 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: DISCLOSURE OF INTEREST

Councillor Walker declared an interest in Item 6.2.15 and 6.2.19 as he is a sub-contractor for the contractor and had undertaken some work on the Target building. .

ITEM 3: CONFIRMATION OF MINUTES

515/11 **MOTION: Shelley/Weatherley**

That the Minutes of the Ordinary Meeting held on 7 December 2011 (Minute Nos. 398/11 to 514/11) be taken as read and confirmed.

The motion was put and carried.

ITEM 4: MATTERS IN PROGRESS

516/11 **MOTION: Webb/Weatherley**

That Min. No. COR.26/11 be endorsed as completed.

The motion was put and carried.

517/11 **MOTION: Lang/Shelley**

That Min. No. 170/11 be endorsed as completed.

The motion was put and carried.

- B. That Council resolves to determine Development Application DA0103/2012 by way of consent subject to the following conditions.**

APPROVED DEVELOPMENT

- 1. This consent relates to the erection of a three detached multi dwelling houses and subsequent Torrens title subdivision, as illustrated on the plans, specifications and supporting documentation received by Council stamped with reference to this consent, as modified by the following conditions. The development shall be carried out in accordance with this consent.**
- 2. The development is to be carried out generally in accordance with the stamped approved plans Ref Lot (1) A, B & C, Lot (1) C, Lot (1) B, Lot(1) A, Titled Site Plan, Landscaping Plan, Subdivision Plan, Elevations and Floor Plan Dated 20/10/11 including any Amendments made in red.**

Notes:

- Any alteration to the plans and/or documentation shall be submitted for the approval of Council. Such alterations may require the lodgement of an application to amend the consent under s96 of the Act, or a fresh development application. No works, other than those approved under this consent, shall be carried out without the prior approval of Council.***
- Where there is an inconsistency between the documents lodged with this application and the following conditions, the conditions shall prevail to the extent of that inconsistency.***

GENERAL

- 3. If any aboriginal artefacts are uncovered or identified during construction earthworks, such work is to cease immediately and the local aboriginal community and National Parks and Wildlife Service are to be notified.**

(Note: A suitably qualified person would be required to be present during earthworks to identify whether any artefacts were uncovered).

- 4. The applicants shall, at their own expense, engage a registered surveyor to relocate any survey mark that may be disturbed by the development or any associated work. Any information regarding relocation should be supplied to the Land Titles Office and Council.**

5. 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.
6. 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.

PRIOR TO THE COMMENCEMENT OF WORKS

These conditions are provided to ensure that the construction site is maintained in a suitable manner and in the accordance with the relevant requirements

7. Separate application must be made under Section 68 of the Local Government Act 1993, as amended, to Mid-Western Regional Council for all water supply, sewerage, and stormwater drainage work associated with the development. Full details must be submitted to the Council for approval prior to the issue of the commencement of works.
8. 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) A Construction Certificate is to be obtained in accordance with Section 81A(2)(a) of the Act.
 - b) A Principal Certifying Authority is to be appointed and Council is to be notified of the appointment in accordance with Section 81A(2)(b) of the Act.
 - c) 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.
9. 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.
10. 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.

11. 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.
12. Runoff and erosion controls must be installed prior to clearing the site and incorporate:
 - a) Diversion of uncontaminated upslope runoff around cleared and/or disturbed areas and areas to be cleared and/or disturbed.
 - b) Sediment control fences at the downslope perimeter of the cleared and/or disturbed area to prevent sediment and other debris escaping from the land to pollute any stream or body of water.
 - c) Maintenance of all erosion control measures at maximum operational capacity until the land is effectively rehabilitated and stabilised beyond the completion of the development or particular stage of the development.
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. If Council is not the Principal Certifying Authority a copy of the Surveyors Certificate is to be provided to Council prior to the commencement of work.
14. With the exception of work where there is in force an exemption under clause 187 or 188 of the Environmental Planning & Assessment Act 1979 all building work that involves residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, such a contract of insurance is to be in force. No work is to commence until a copy of a Home Owners Warranty or Owner/Builders Permit have been submitted to Council.
15. 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	\$11,412
Sewerage Headworks	\$8,340

Total Payable

\$19,752

- (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.

PRIOR TO THE ISSUE OF CONSTRUCTION CERTIFICATE

16. A Construction Certificate application must include working drawings of the structural elements of the proposed buildings within the development, prepared and certified by a practising Professional Structural Engineer. Full details are to be provided with the Construction Certificate application.
17. The Construction Certificate application must include full details of the proposed reinforced strip footings and piers prepared in accordance with the determined soil classification and certified by a practising Professional Structural Engineer or prepared in accordance with the requirements of AS 2870 "Residential Slabs & Footings Code".

CONDITIONS RELATING TO THE BUILDING WORK

18. 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.
19. 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.
20. The selected plumber/drainer must provide Council with a drainage diagram detailing the location of the drainage system and the relevant connections.
21. All plumbing and drainage inspections must be carried out by Council prior to the covering of any trenches and/or wall/ceiling linings.

22. Roof water is to be collected and discharged to the street water table by the use of non-flexible kerb adapters.
23. Building work is to comply with the requirements of clause 2.5 "Building in Saline Environments" contained in Council's Development Control Plan for "Residential Development" 2008 relating to the measures that must be implemented for the construction of house slabs and footings. The strength of the concrete used for the reinforced concrete floor slab must achieve a minimum 25MPa (N25).
24. If soil conditions require it:
 - a) Retaining walls associated with the erection of a building or other approved methods of preventing movement of soil must be provided, and
 - b) Adequate provision must be made for drainage. Full details must be provided to the Council prior to the commencement of that phase of the work.
 - c) Cut and/or fill must not exceed 1000mm.
25. The requirements of the submitted BASIX Certificates, numbers 353697S and 353698S issued on 19 September 2010 and must be installed and/or completed in accordance with the commitments contained in that Certificate. Any alteration to those commitments will require the submission of an amended BASIX Certificate to the Council prior to the commencement of the alteration/s.
26. Prior to the occupation of the building a written statement must be submitted to the Council confirming the installation/completion of those commitments.

ENGINEERING WORKS

27. 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.

28. 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.
29. 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.
30. 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

31. All car parking and associated driveway works to be completed prior to occupation of the development.
32. 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.
33. 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.
34. 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.

CONDITIONS RELATING TO THE SUBDIVISION OF THE (3) DWELLING HOUSES

35. A linen plan and two (2) copies are to be submitted to Council for approval and endorsement by the General Manager.
36. 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.

37. 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 shall be paid to Council in accordance with this condition for the purpose of:

Transport Management	
Traffic Management	\$2,151.34
Open Space	
Local Open Space	\$3,382.18
District Open Space	\$4,591.98
Community Facilities	
Library Buildings	\$441.84
Library Resources	\$531.26
Administration	
Plan Administration	\$1,030.96
Total Payable	\$12,130.00

NOTE:

If the *Subdivision Certificate* is not issued within twelve (12) months of the date on which this consent operates, the charges and contributions contained within this consent, may be subject to increases in line with CPI adjustments and/or updated fee schedules.

38. 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.

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

40. 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 \$1,100.00 per new junction to cover the cost of Council installing a junction in an existing main.

TOTAL PAYABLE 2 x \$1,100.00 = \$2,200.00

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

- 41. 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 \$1,100.00 per lot to cover the cost of installing both the service and a 20mm meter on the water main.

TOTAL PAYABLE 2 x \$1,100.00 = \$2,200.00

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

- 42. 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.
- 43. Occupation certificates demonstrating a practical completion of the building work must be submitted with the application for subdivision certificate.

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

Councillors	Ayes	Nayes
Cr Holden		✓
Cr Kennedy	✓	
Cr Lang	✓	
Cr Martens		✓
Cr Shelley	✓	
Cr Thompson	✓	
Cr Walker	✓	
Cr Weatherley	✓	
Cr Webb	✓	

6.1.2 DRAFT LEP 2011 – CONSIDERATION OF SUBMISSIONS - PERUMAL & WARNER PARTNERSHIP

A0100035, A0100052, A0420220

MOTION: Thompson/Martens

That the decision of Council on 7 December 2011 under Minute No. 503.11 in relation to the Draft LEP 2011 – Consideration of Submissions – Perumal & Warner Partnership being:

“15. That the submission from the Perumal & Warner Partnership in respect to Lots 65-7, 72, 253,214-5, 434-5 DP 755434, Lot 1 DP 1136192 and Lots 168-9 DP 1145165 be noted and that there be no amendment to the Draft LEP.”

be and is hereby rescinded.

The motion was put and lost.

6.2 REPORTS TO COUNCIL

6.2.1 DA0070/2012 - PROPOSED FIVE LOT RURAL SUBDIVISION – GLEN ALICE ROAD RYLSTONE

A0100052, P1900261

524/11

MOTION: Walker/Shelley

That:

1. the report of the Environmental Town Planner regarding DA0070/2012 for a Five Lot Rural Subdivision be received; and
2. Lot 1352 DP 1091480 85 Glen Alice Road Rylstone be determined not to be Prime Crop and Pasture land under the terms of the Rylstone Local Environmental Plan 1996 and that Council Staff determine the rest of the application in accordance with the appropriate LEP.

AMENDMENT: Webb/Martens

That:

1. The application be refused as it fails to comply with Item 13.1.1 of the Rylstone LEP.
2. This matter be reviewed in respect of new DA's in relation to dwelling entitlements after the issue of rural lot sizes is determined.

The amendment was put and lost 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>	✓	

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

Councillors	Ayes	Nayes
Cr Holden	✓	
Cr Kennedy	✓	
Cr Lang	✓	
Cr Martens		✓
Cr Shelley	✓	
Cr Thompson	✓	
Cr Walker	✓	
Cr Weatherley	✓	
Cr Webb		✓

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

A0100052, A0140304

525/11

MOTION: Lang/Martens

That the Investment Report as at 30 November 2011 by the Acting Group Manager Finance be received and the certification by the Responsible Accounting Officer noted.

The motion was put and carried.

6.2.3 VOLUNTARY PLANNING AGREEMENT – CENTENNIAL COAL

A0100052, P1436011

526/11

MOTION: Shelley/Martens

That:

1. the report by Group Manager Development and Community Services on the Voluntary Planning Agreement for Charbon Colliery be received; and
2. the draft VPA be placed on exhibition in accordance with the requirements of the Environmental Planning and Assessment Act.

The motion was put and carried.

6.2.4 COMMUNITY PLAN TOWARDS 2030

A0100052, A0420212

527/11

MOTION: Holden/Martens

That:

1. the report by Team Leader Strategic Planning on the Draft Community Plan be received; and

2. the Draft Community Plan Towards 2030 be adopted by Council subject to the following amendment-

Theme 4 –Connecting our Region – an additional action that states – “Pursuing with State Government and ARTC to have passenger rail return to the region”

and a copy of the plan be forwarded to the Director-General in accordance with the requirements of the Local Government Act.

The motion was put and carried.

6.2.5 ECONOMIC DEVELOPMENT – ACTION PLAN

A0100052, A0820020

528/11

MOTION: Walker/Shelley

That:

1. the report by the General Manager on the Economic Development – Action Plan be received; and
2. Council endorses the economic development actions for 2012 as set out in this report and the General Manager prepare an action plan and report to Council quarterly on progress against that action plan.

The motion was put and carried.

6.2.6 BOUNDARY CHANGE

A0100052, P1489711

529/11

MOTION: Walker/Weatherley

That:

1. the report by Manager Governance on the request for a boundary change be received;
2. Council agree to the boundary change involving the property “Ellengrove” so that all of this property be transferred into the Mid-Western Regional local government area.
3. Council write to Lithgow City Council seeking their formal agreement to this transfer.
4. Upon receipt of the agreement of Lithgow City Council a letter be forwarded to the Division of Local Government of the Department of Premier and Cabinet:

- Seeking the permission of the Minister for Local Government and the Governor to the alteration of the boundary with the Lithgow local government area pursuant to the provisions of Section 218B of the Local Government Act 1993 in relation to Lots 53, 66, 67, 73 & 74, DP755757, owned by Mr S Wilkinson so as to bring the whole of these lots within the Mid-Western Regional local government area; and
- Requesting that the proclamation altering the areas contain a provision that Mid-Western Regional Council will be responsible for any outstanding rates and charges.

The motion was put and carried.

6.2.7 FINANCIAL ASSISTANCE – TIER 2 APPLICATIONS

A0100052, A0140201

530/11

MOTION: Webb/Holden

That:

1. the report by the Financial Accountant on financial assistance applications be received;
2. Council provide financial assistance to the following applicants in accordance with the criteria and guidelines of the Financial Assistance Policy – Tier 2, subject to those requirements being met, with the funding from the general financial assistance vote:
 - Shine for Kids \$200
 - Mudgee Martial Arts Club \$400
 - St Johns Church (DA fees) \$296
3. Council provide financial assistance to the following applicants in accordance with the criteria and guidelines of the Financial Assistance Policy – Tier 2, subject to those requirements being met and an additional requirement of a one year commitment in which time the applicant is required to remain in Mudgee in the field of mental health after completing her internship, with the funding from the general financial assistance vote:
 - Amy Penney \$1000
4. the following amounts be distributed from Councillor discretionary votes:

Signage for Spiney Burr Grass	Cr Webb	\$1,700
Rylstone Pensioners Association	Cr Martens	\$250
Rylstone Seniors Lunch	Cr Martens	\$250

Gulgong Seniors Lunch	Cr Thompson	\$200
Kandos Boxing Gym – Jim Large	Cr Shelley Cr Lang	\$300 \$100

The motion was put and carried.

6.2.8 HEALTHY COMMUNITIES FUNDING AGREEMENT

A0100052, A0140402, A0060060 & A0060032

531/11

MOTION: Walker/Shelley

That:

1. the report by the Manager, Community Development be received;
2. Council accept the funding offer from the Australian Government, Department of Health and Ageing for \$566,042 for the Healthy Communities initiative; and
3. Council authorise the General Manager to negotiate a final funding agreement and to execute the necessary documentation under the Common Seal.

The motion was put and carried.

6.2.9 UPCOMING EVENTS AT GLEN WILLOW

A0100052, F0650108, A0149935

532/11

MOTION: Walker/Shelley

That:

1. the report by the General Manager on the costs of upcoming events at Glen Willow be received; and
2. the General Manager be authorised to negotiate with the Rugby League Clubs in the region to determine who will assume the responsibilities for the various beverage and food requirements at the NRL Country vs City game.

The motion was put and carried.

6.2.10 2011/12 BORROWINGS

A0100052, A0140322

533/11

MOTION: Shelley/Walker

That:

1. the General Manager be authorised to enter into a finance arrangement with National Bank for the sum of \$11,400,000 for a term of ten years, (to fund the Mudgee Sewer Scheme and the re-

refurbishment of the regions swimming pools) amortised over twenty years, at the rate supplied subject to no material change;

2. the General Manager be authorised to enter into a finance arrangement with National Bank for the sum of \$1,845,000 for a term of ten years (for the extensions to the Target Building in Mortimer Street Mudgee) at the rate supplied subject to no material change; and
3. the common seal of council be applied to the Deemed Charge over Council Rates

The motion was put and carried.

6.2.11A LOCAL PLANNING PANEL SURVEY

A0100052, A040220

534/11

MOTION: Shelley/Lang

That:

1. the report by Team Leader Strategic Planning on the Local Planning Panel Survey be received; and
2. the Group Manager Development and Community Services be given delegation to respond to the survey distributed by the Local Planning Panel in relation to the Council's experience with the Standard Instrument LEP in accordance with the survey response attached to this report.

The motion was put and carried.

6.2.11B 2012 MEETING PROGRAM

A0100052, A0100004

535/11

MOTION: Shelley/Walker

That:

1. the report by the Manager Governance on the meeting schedule for 2012 be received;
2. Council Meetings for 2012 be scheduled as follows commencing with an Open Day at 5.30 pm:

Wednesday, 1 February 2012
Wednesday, 15 February 2012
Wednesday, 7 March 2012
Wednesday, 21 March 2012
Wednesday, 4 April 2012

Wednesday, 18 April 2012
Wednesday, 2 May 2012
Wednesday, 16 May 2012
Wednesday, 6 June 2012
Wednesday, 20 June 2012
Wednesday, 18 July 2012
Wednesday, 1 August 2012
Wednesday, 15 August 2012
Wednesday, 5 September 2012
Wednesday, 26 September 2012
Wednesday, 17 October 2012
Wednesday, 7 November 2012
Wednesday, 21 November 2012
Wednesday, 5 December 2012
Wednesday, 19 December 2012

The motion was put and carried.

6.2.12 MONTHLY MANAGEMENT PLAN REPORTING – NOVEMBER 2011
A0100052, A0149935

536/11 **MOTION:** Walker/Holden

That the Management Plan 2011/12 reports for the month ended 30 November 2011 be received.

The motion was put and carried.

6.2.13 MUDGEES SPORTS COUNCIL MINUTES – OCTOBER / NOVEMBER
A0100052, A0360013

537/11 **MOTION:** Lang/Shelley

That:

1. **the report by Group Manager Operations on the Mudgee Sports Council minutes be received; and**
2. **the minutes for the Mudgee Sports Council ordinary monthly meetings held on 31 October and 28 November 2011 be noted.**

The motion was put and carried.

6.2.14 MUDGEES SEWAGE TREATMENT PLANT CONSTRUCTION

A0100052, F0740001

538/11

MOTION: **Holden/Weatherley**

That the report by the Manager Water & Waste Strategies on the Mudgee Sewage Treatment Plant Construction be received.

The motion was put and carried.

6.2.15 MUDGEE TOWN HALL RENOVATION PROJECT UPDATE

A0100052, P0159964

Councillor Walker declared a pecuniary interest in that he is a sub-contractor to this contractor, left the meeting at 6.53 pm and did not participate in discussions or vote in relation to this matter.

539/11

MOTION: **Shelley/Weatherley**

That the report by the Manager, Community Development on the Mudgee Town Hall Renovation Project be received.

The motion was put and carried.

Councillor Walker returned to the meeting at 6.54 pm

6.2.16 NOXIOUS WEEDS ADVISORY COMMITTEE

A0100052, A0130079

540/11

MOTION: **Webb/Shelley**

That:

1. **the minutes of the Noxious Weeds Advisory Committee held on 5 December 2011 are noted;**
2. **the amended Local Weed Control Management Plan be adopted;**
3. **Council write to the Minister for Primary Industries expressing concern with the lack of noxious weed control on the Windermere Dam Foreshore and requesting the formation of a management committee to advise on effective weed control and feral pest management; and**
4. **Council also write to the Minister requesting additional funding to undertake weed control on the region's road corridors.**

The motion was put and carried.

6.2.17 MUDGEES SALEYARDS MANAGEMENT COMMITTEE

A0100052, A0100047, F0720036

541/11

MOTION: Lang/Webb

That:

1. the report by Group Manager Operations on the Mudgee Saleyards Management Committee Meeting be received; and
2. the minutes for the Mudgee Saleyards Management Committee ordinary monthly meeting held on 20 October 2011 be noted.

The motion was put and carried.

6.2.18 MUDGEES SHOWGROUND MANAGEMENT COMMITTEE –
OCTOBER 2011

A0100052, P0210911, A0100012

542/11

MOTION: Webb/Weatherley

That:

1. the report by Group Manager Operations on the Mudgee Showground Management Committee Meeting be received; and
2. the minutes for the Mudgee Showground Management Committee ordinary monthly meeting held on 4 October 2011 be noted.

The motion was put and carried.

6.2.19 TARGET COUNTRY PROGRESS REPORT – NOVEMBER 2011

A0100052, P0199811

Councillor Walker declared a pecuniary interest in that he is a sub-contractor to this project, left the meeting at 6.55 pm and did not participate in discussions or vote in relation to this matter.

543/11

MOTION: Shelley/Lang

That the report by the Group Manager - Operations on the Target Country Progress Report – November be received.

The motion was put and carried.

Councillor Walker returned to the meeting at 6.56 pm.

6.2.20 TENDER ASSESSMENT – 2010/05 WET AND DRY PLANT HIRE

A0100052, A0411005

544/11

MOTION: Shelley Martens**That:**

1. the report by Manager Technical Support on the Wet and Dry Plant Hire Tender be received;
2. That Council accepts the additional contractors for tender 2010/05 for the provision of Wet and Dry plant hire in accordance with clause 178 of the *Local Government (General) Regulation 2005* as listed below for incorporation into Councils Preferred Suppliers List for Wet Hire;

SKIDSTEER

Castlereagh Contracting Services	Skidsteer	New Holland C190 / 2010
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TRACTOR

Castlereagh Contracting Services	Tractor	Slashe MF 1560 / 1990
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EXCAVATOR

Castlereagh Contracting Services	Excavator	Kabelco 5.5T / 2010
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MISCELLANEOUS

Downer Australia	Stabiliser	Wirtgen / WR 2400 / 2011
Downer Australia	Stabiliser	Wirtgen / WR 2500K / 1999
Downer Australia	Stabiliser	Civil / RS 425 / 1996, 1999
Downer Australia	Spreaders	Flocon
Stabilised Pavements Australia	Stabiliser	Wirtgen (>500HP)
Stabilised Pavements Australia	Stabiliser	CMI (>500HP)
Stabilised Pavements Australia	Stabiliser	Catapillar (>500HP)
Stabilised Pavements Australia	Stabiliser	Catapillar (250-350HP)
Stabilised Pavements Australia	Spreader	Flocon
Castlereagh Contracting Services	Spray Unit	Quick Spray / 2005

3. Council accepts the list of additional contractors for tender 2010/05 for the provision of Wet and Dry plant hire in accordance with clause 178 of the *Local Government (General) Regulation 2005* as listed below for incorporation into Councils Preferred Suppliers List for Dry Hire;

ROLLER

LO Hire PTY LTD	S/D Roller	BOMAG BW 219D-4 / 2011
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MISCELLANEOUS

Castlereagh Contracting Services	Mulcher	Digga Mega Mulcher / 2011
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Note: The rates tendered are commercially in confidential in accordance with the Tendering Guidelines issued by the NSW Division of Local Government and thus the rates will not be released for public information.

The motion was put and carried.

6.2.21 TOURIST REGIONAL SIGNAGE

A0100052, R0790215

545/11

MOTION: Thompson/Lang

That:

1. the report by the General Manager on the Tourist Regional Signage be received;
2. Council does not proceed with the implementation of direction signage at key intersections to the region.
3. Council request the RTA to erect more effective direction signage at major intersections to the region.
4. Council pursue tourism signage outside of the Mid-Western local government area.

The motion was put and carried.

6.2.22 MUDGEE & GULGONG WATER TREATMENT PLANT UPGRADES

A0100052, F0780002

546/11

MOTION: Weatherley/Thompson

That:

1. the report by Manager Water & Waste Strategies on the Mudgee & Gulgong Water Treatment Plant Upgrades be received;
2. the quotation received from Worley Parsons P/L to prepare Concept Designs for the upgrading of the Mudgee and Gulgong Water Treatment Plants for the sum of \$53,900 plus GST be accepted and funded from the Council water accounts; and
3. the 2011/12 management plan be amended accordingly.

The motion was put and carried.

ITEM 7: URGENT BUSINESS WITHOUT NOTICE

7.1 FUNDING RYLSTONE SHOWGROUNDS

A0100052, A0140201, F0650145

547/11

MOTION: Weatherley/Shelley

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.

548/11

MOTION: Shelley/Martens

That:

1. the report by the General Manager on the funding for the Rylstone Showgrounds be received;
2. Council accepts the offer of the Hon Katrina Hodgkinson MP on behalf of the Crown Lands Division of the Department of Primary Industries for a \$15,000 grant and a \$25,000 loan from the Public Reserves Management Fund towards the replacement of cattle pens at the Rylstone Showgrounds;
3. Council accepts the offer of the Rylstone Showground Society to make the loan repayments for the loan; and
4. the 2011/12 Management Plan be amended accordingly to reflect this project, grant and loan.

The motion was put and carried.

ITEM 8: CONFIDENTIAL SESSION

There were no items of a confidential nature.

ITEM 9: OPEN COUNCIL

CLOSURE

There being no further business the meeting concluded at 7.03 pm.