

Minutes of the Ordinary Meeting of Council

Held at the Council Chambers, 86 Market Street, Mudgee
on Wednesday 18 April 2012, commencing at 5.46 pm and concluding at 6.47 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 Development and Community Services
(C Van Laeren), Manager Governance (I Roberts)

MEDIA REPRESENTATIVES Mudgee Guardian / The Weekly (R Murray), Radio 2MG (C Ross).

Item 1: Apologies

There were no apologies.

Item 2: Disclosure of Interest

Councillor Walker declared a pecuniary conflict of interest in Item 6.2.11 as he is sub-contractor on this project.

Councillor Walker declared a pecuniary conflict of interest in Item 6.2.17 as he is sub-contractor on this project.

Item 3: Confirmation of Minutes

149/12 **MOTION: Walker/Holden**

That the Minutes of the Ordinary Meeting held on 4 April 2012 (Minute Nos. 130/12 to 148/12) be taken as read and confirmed.

The motion was put and carried.

Item 4: Matters in Progress

DIRECTIONAL SIGNAGE MIN.NO.20/11 C/M 16/2/11

A0100035, A0100055, R0790215

150/12 **MOTION: Holden/Lang**

A report be presented outlining the “natural assets” of the region for which directional signage be erected.

The motion was put and carried.

RETURN OF ROYALTIES – MIN.NO.COR.13/11 F&C MTG 2/3/11

A0100055, A0100006

151/12 **MOTION: Shelley/Holden**

That Min. No. COR. 13/11 be noted as completed.

The motion was put and carried.

152/12 **MOTION: Shelley/Martens**

That Council continue to fight for the return of royalties to the region until those royalties are received.

The motion was put and carried.

STATUS OF ULAN AND COPE ROADS – MIN.NO.332/11C/M 9/10/11

A0100055, A0100052

153/12 **MOTION: Holden/Weatherley**

That Min. No. 332/11 be noted as completed.

The motion was put and carried.

REGIONAL TOURISM SIGNAGE – MIN.NO.58/12 C/M 15/2/12

A0100055, R0790215

154/12 **MOTION: Holden/Lang**

That Min. No. 52/12 be noted as completed.

The motion was put and carried.

155/12 **MOTION: Holden/Walker**

That Council consider as a budget initiative the erection of tourism signage outside of the region.

The motion was put and carried.

Item 5: Mayoral Minutes

There was no Mayoral Minute.

Item 6: General Business

6.1 NOTICES OF MOTION

Nil.

6.2 REPORTS TO COUNCIL**6.2.1 ANNUAL CONFERENCE – SHIRES ASSOCIATION OF NSW**

A0100055, A0110012

156/12

MOTION: Shelley/Walker**That:**

- 1. the report of the General Manager on the Annual Conference of the Shires Association of NSW be received;**
- 2. Council does not send any delegates to this conference.**

*The motion was put and carried.***6.2.2 MONTHLY STATEMENT OF MID-WESTERN REGIONAL COUNCIL BANK BALANCES AND INVESTMENTS AS AT 31 MARCH 2012**

A0100055, A0140304

157/12

MOTION: Shelley/Holden**That:**

- 1. the investment report as at 31 March 2012 by the Acting Group Manager of Finance and Administration be received; and**
- 2. the certification by the Responsible Accounting Officer be noted.**

*The motion was put and carried.***6.2.3 CULTURAL DEVELOPMENT COMMITTEE**

A0100055, A0420172

158/12

MOTION: Weatherley/Lang**That:**

- 1. the report by the Manager Community Development be received;**
- 2. Council note the minutes of the Cultural Development Committee meeting held on 19 March 2012.**

The motion was put and carried.

6.2.4 DEPARTMENT OF PLANNING PERFORMANCE MONITORING
A0100055, A0040006, A0170041

159/12

MOTION: Shelley/Webb

That the report by Group Manager of Planning and Development on the Department of Planning Performance Monitoring be received.

The motion was put and carried.

6.2.5 DRAFT NSW AQUIFER INTERFERENCE POLICY STAGE 1
A0100055, A0170041

160/12

MOTION: Holden/Weatherley

That:

1. **the report by the Group Manager Development and Community Services on the Draft NSW Aquifer Interference Policy Stage 1 be noted; and**
2. **Council make a submission on the Draft Policy as outlined in attachment 1 to this report.**

The motion was put and carried.

6.2.6 GRANDSTAND KANDOS SPORTS FIELD
A0100055, A0411108

161/12

MOTION: Shelley/Martens

That the report by Business Manager Recreation and Resources on the Kandos Sports Field grandstand be received.

The motion was put and carried.

6.2.7 HOST FAMILY RESPITE POLICY REVIEW
A0100055, A0060202, A0060069

162/12

MOTION: Walker/Holden

That:

1. **the report by the Customer Service Manager be received; and**
2. **Council adopt the polices as amended.**

The motion was put and carried.

6.2.8 KANDOS CEMENT COMPANY WATER USAGE

A0100055, A0310010

163/12

MOTION: Walker/Webb**That:**

1. **the General Manager's report on the Kandos Cement Company water usage be received;**
2. **Council write-off the sewer usage discharge account for Cement Australia (Kandos) Pty Limited for the sum of \$15,600; and**
3. **Council not write-off the excess water usage fee on the water consumption charge dated 16 March 2012.**

The motion was put and carried.

6.2.9 MID-WESTERN REGIONAL YOUTH COUNCIL

A0100055, A0060048

164/12

MOTION: Weatherley/Holden**That:**

1. **the report by the Manager, Community Development on the Mid-Western Regional Youth Council be received; and**
2. **Council endorse the nominations of Erin Donnelly, Katelyn Donnelly and Ann Curan to be members of the Mid-Western Regional Youth Council.**

The motion was put and carried.

6.2.10 MUDGEES SEWERAGE AUGMENTATION

A0100055, A0100055, F0740001

165/12

MOTION: Lang/Holden

That the report by the Principal's Authorised Person – Operations on the Mudgee Sewerage Augmentation progress report – March be received.

The motion was put and carried.

6.2.11 MUDGEE TOWN HALL PROGRESS REPORT – MARCH

A0100055, P0159964

Councillor Walker declared a pecuniary conflict of interest in that he is working on this project, left the meeting at 6.02pm and did not participate in discussions or vote in relation to this matter.

166/12 **MOTION: Shelley/Martens**

That the report by the Manager, Community Development on the Mudgee Town Hall Progress Report be received.

The motion was put and carried.

Councillor Walker returned to the meeting at 6.03pm.

6.2.12 MUDGEE WASTE FACILITY WEIGHBRIDGE SYSTEM

A0100055, F0570008

167/12 **MOTION: Lang/Holden**

That:

1. **the report by the Business Manager Resources and Recreation on the Mudgee Waste Facility Weighbridge System be received; and**
2. **Council amend the 2011/2012 Management Plan to increase the capital works budget by thirty five thousand dollars (\$35,000) in waste fund for the replacement of the weighbridge computer system at the Mudgee waste facility. The increase in budget is to be funded from waste fund reserves.**

The motion was put and carried.

6.2.13 DRAFT DELIVERY PROGRAM 2012-16 & OPERATIONAL PLAN
2012-13

A0100055, A0420212

MOTION: Webb/Martens

That:

1. the report by the Manager Strategic Planning on the Draft Delivery Program 2012-16 and Operational Plan 2012-13 be received;
2. Council endorse the Draft Delivery Program 2012-16 and Operational Plan 2012-13 to go on public exhibition for a period of 28 days commencing Friday 20 April 2012 with the following amendments:
 - (a) The Ad Valorem rate for Mining – Coal for the 2012/13 financial year be the same as the 2011/12 financial year;
 - (b) The Ad Valorem rate for Mining – Other for the 2012/13 financial

- year be the same as in (a) above;
- (c) The additional rate yeild generated from (a) and (b) above be deducted from the rate yield required from Farmland and the Ad Valorem be adjusted accordingly;
- (d) The total rate yeild from Residential and Business be the same as the 2011/12 financial year and the Ad Valoren be adjusted accordingly; and
3. a further report be presented to Council following the exhibition period including a review of any public submission.

168/12

AMENDMENT:**That:**

1. **the report by the Manager Strategic Planning on the Draft Delivery Program 2012-16 and Operational Plan 2012-13 be received;**
2. **Council endorse the Draft Delivery Program 2012-16 and Operational Plan 2012-13 to go on public exhibition for a period of 28 days commencing Friday 20 April 2012 with the following amendments:**
3. **a further report be presented to Council following the exhibition period including a review of any public submission.**

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

Councillors Martens, Thompson and Webb requested that their names be recorded as having voted against this decision.

6.2.14 REVIEW OF CODE OF MEETING PRACTICE AND CONFLICTS OF INTEREST POLICY

A0100055, A0110003

169/12

MOTION: Shelley/Holden**That:**

1. **the report by the Manager Governance about changes to the Council's Code of Meeting Practice and Conflicts of Interest policy be received;**
2. **Council agree to the proposed amendments to the Code of Meeting Practice and place the amended Code on public exhibition in accordance with the Local Government Act with a further report to be submitted to Council; and**
3. **Council adopt the revised Conflicts of Interests policy.**

The motion was put and carried.

6.2.15 SUBMISSION –PLAN MAKING DELEGATION & REVIEW

A0100055, A0040006

170/12

MOTION: Shelley/Walker**That:**

1. **the report by the Manager Strategic Planning on the Local Plan Making Delegations be received;**
2. **Council endorse the submission to the Department of Planning & Infrastructure in support of the policy position on Local Plan Making Delegations as outlined in Attachment 2 to this report.**

The motion was put and carried.

6.2.16 SUBMISSION – STRATEGIC REGIONAL LAND USE PLAN
UPPER HUNTER

A0100055, A0170041

171/12

MOTION: Holden/Lang**That:**

1. **the report by the Manager Strategic Planning on the Draft Strategic Regional Land Use Plan for the Upper Hunter be received;**
2. **Council endorse the submission to the Draft Strategic Regional Land Use Plan for the Upper Hunter acknowledging the inclusion of part of the Mid-Western Regional LGA in the plan and the ultimate inclusion of the entire LGA into the development of the Central West SRLUP as outlined in Attachment 1 to this report.**

The motion was put and carried.

6.2.17 TARGET COUNTRY PROGRESS REPORT - MARCH 2012

A0100055, A0100052, P0199811

Councillor Walker declared a pecuniary conflict of interest in that he is working on the project, left the meeting at 6.45pm and did not participate in discussions or vote in relation to this matter.

172/12

MOTION: Shelley/Weatherley

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

The motion was put and carried.

Councillor Walker returned to the meeting at 6.46pm.

6.2.18 COUNCIL SUBMISSIONS TO THE NSW LONG TERM
TRANSPORT MASTER PLAN DISCUSSION PAPER AND THE
INQUIRY INTO INTER-REGIONAL PUBLIC TRANSPORT

A0100055, A0440009, A0170051

173/12

MOTION: Holden/Shelley

That:

1. **Council submissions to the NSW Long Term Transport Master Plan Discussion Paper and the Inquiry into Inter-Regional Public Transport, be noted;**
2. **Council approves the lodgement of these submissions to Transport for NSW, and the Chair, NSW Legislative Assembly, State and Regional Development Committee with amendments related to public transport, passenger rail and general lack of transport in the region.**

The motion was put and carried.

Item 7: Urgent Business Without Notice

There was no urgent business without notice.

Item 8: Confidential Session

There were not items discussed in confidential session.

Closure

There being no further business the meeting concluded at 6.47 pm.