

Minutes of the Extraordinary Meeting of Council

Held on Wednesday 25 June 2014
Commencing at 10.07am and concluding at 6.25pm.

PRESENT Cr D Kennedy (Mayor), Cr P Cavalier (Deputy Mayor), Cr EE Martens (AM),
Cr PA Shelley, Cr JP Thompson, Cr MB Walker, Cr JK Weatherley,
Cr JR Webb, Cr L White.

IN ATTENDANCE Recruitment Consultant (M McArthur), Corporate Communications Officer (P
Goldsmith).

Item 1: Apologies

There were no apologies.

Item 2: Disclosure of Interest

There were no disclosures of interest.

Item 3: Confidential Session

259/14 MOTION: Shelley / Cavalier

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 Mayor announced that the following matter would be considered in confidential session and the reason why it was being dealt with in this way.

Subject: Mayoral Minute – Recruitment of 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.

Mr McArthur has been invited to be present as Council's recruitment consultant to assist Council in conducting interviews for the position of General Manager.

The Mayor 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 carried with Councillors voting unanimously.

3.1.1 RECRUITMENT OF GENERAL MANAGER

GOV400038, PER400076

260/14 MOTION: Cavalier / Weatherley

That:

1. Council proceed to interview the short list of candidates for the position of General Manager;
2. Councillors allow its consultant, Matthew McArthur, to be present, lead and fully participate with the interviews; and
3. Council suspends standing orders to facilitate the conducting of interviews to permit all councillors to ask questions of the individual candidates.

The motion was carried with Councillors voting unanimously.

The Corporate Communications Officer left the meeting at 10.08am.

261/14 MOTION: White / Cavalier

That Council resume standing orders to enable a decision to be made on Council's preferred candidate.

The motion was carried with Councillors voting unanimously.

262/14 MOTION: Martens / Cavalier

That:

1. Council delegate to the recruitment consultant Matthew McArthur and the Mayor the authority to negotiate a contract of employment with the preferred candidate. Such negotiations will include remuneration package, reference checking, police checking (if necessary) and commencement date. The contract of employment to be offered will be the standard Office of Local Government Contract of employment for General Managers;
2. the Mayor be delegated authority to announce the preferred candidate when all checks are complete and contract of employment is signed.

The motion was carried with Councillors voting unanimously.

263/14 MOTION: Shelley / Cavalier

That:

1. the Council move to Open Council;
2. Council adjourns this meeting to be resumed at the Council Chambers, 86 Market Street Mudgee, after Open Day at 5.30pm.

The motion was carried with Councillors voting unanimously.

The Mayor declared the meeting adjourned at 2.28 pm.

Open Day commenced at 5.30pm at the Council Chambers, 86 Market Street Mudgee.

The Mayor declared the meeting open at 6.00pm

PRESENT Cr D Kennedy (Mayor), Cr P Cavalier (Deputy Mayor), Cr EE Martens (AM), Cr PA Shelley, Cr JP Thompson, Cr MB Walker, Cr JK Weatherley, Cr JR Webb, Cr L White.

IN ATTENDANCE Acting General Manager (B Cam), Acting Director Mid-Western Operations (D Colwell), Director Development and Community Services (C Van Laeren), Director Finance & Administration (B Exelby), Manager Information Services (S Jones), Corporate Communications Officer (P Goldsmith).

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

Item 4: Open Council

4.1 Decisions from Confidential Session

The Mayor announced the decisions taken in Confidential Session and announced that Brad Cam has been appointed as General Manager.

Item 5: General Business

5.1 REPORTS TO COUNCIL

5.1.1 DELIVERY PROGRAMME 2014-17 / OPERATIONAL PLAN
2014-15 (INCORPORATING REVENUE POLICY)

GOV400038, COR400059

264/14 MOTION: Shelley / Cavalier**That:**

- 1. the report by the Director, Finance & Administration on the Delivery Programme 2014-17 / Operational Plan 2014-15 (incorporating Revenue Policy) be received;**
- 2. Council accepts option 5 of the amended Draft Revenue Policy as its preferred rating alternative;**
- 3. Council adopts the Delivery Programme for 2014-17 and the Operational Plan for 2014-15, including the Fees & Charges Schedule with the following amendment:**

- **Mudgee Showground Fees & Charges include Old Stables Hire of \$22 per week;**
4. **Mid-Western Regional Council hereby makes the following rates and charges for the 2014/15 financial year to be:**
- **Residential Rate (Rural and Urban)**
A Residential Rate (Rural and Urban) of 0.646252 cents in the dollar on the land value as at 1 July 2014 of all land so categorised as Residential, including land further subcategorised as Residential Urban, with a minimum rate of \$609.26;
 - **Farmland Rate**
A Farmland Rate of 0.600924 cents in the dollar on the land value as at 1 July 2014 of all land so categorised as Farmland, with a minimum rate of \$609.26;
 - **Business Rate**
A Business Rate of 0.938882 cents in the dollar on the land value as at 1 July 2014 of all land so categorised as Business, with a minimum rate of \$609.26;
 - **Business Rylstone Aeropark Rate**
A Business Rylstone Aeropark Rate of 0.938882 cents in the dollar on the land value as at 1 July 2014 of all land so categorised as Business and further subcategorised as Business Rylstone Aeropark, with a minimum rate of \$200.00;
 - **Mining Rate**
A Mining Rate of 7.677528 cents in the dollar on the land value as at 1 July 2014 of all land so categorised as Mining, with a minimum rate of \$609.26;
 - **Mining Coal Rate**
A Mining Coal Rate of 7.677528 cents in the dollar on the land value as at 1 July 2014 of all land so categorised as Mining and further subcategorised as Mining Coal, with a minimum rate of \$609.26;
 - **Hunter Catchment Contribution Special Rate**
Council contributes to the provision of watercourse management in the area controlled by the Hunter Local Land Services (LLS). A Hunter Catchment Contribution Special Rate, which is determined by the LLS, of 0.0109 cents in the dollar, the rate is to be applied for the purposes of Part 4 of the Local Land Services Regulation 2014. The contribution is to be levied according to the land value within the meaning of the *Valuation of Land Act 1916*, of all land within the catchment contribution area that has a land value in excess of \$300 and is rateable for the time being under the *Local Government Act 1993*;
 - **Extra Charges**
The extra charges to be charged on overdue rates and charges shall be calculated at a rate of 8.5% per annum, on a daily simple interest basis;
 - **Domestic Waste Management Charge**

A Domestic Waste Management Charge of \$161 for all rateable and non-rateable properties within the service areas. Where there is more than one service the annual charge will be multiplied by the number of services;

- **General Waste Disposal Charge**
A General Waste Disposal Charge of \$192.50 inclusive of GST for all rateable and non-rateable properties with the exception of certain Farmland properties that can identify in the manner required by Council that they have a landholding comprised of multiple adjoining assessments with a lesser number of residences than assessments; they will be charged for the number of residences. Where there is more than one service the annual charge will be multiplied by the number of services;
- **Business Waste Management Charge**
A Business Waste Management Charge of \$205.70 inclusive of GST for all rateable and non-rateable Business category properties where a service is rendered. Where there is more than one service the annual charge will be multiplied by the number of services;
- **Water Charges**
Water charges for rateable and non-rateable properties within the water supply area of:

Charge Type	Amount
Service Availability 20mm meter	\$140
25mm meter	\$219
32mm meter	\$358
40mm meter	\$560
50mm meter	\$875
80mm meter	\$2,240
100mm meter	\$3,500
150mm meter	\$7,875
Usage - Residential Per kL	\$2.75
Usage – Business Per kL	\$2.75
Usage – Raw Water Per kL	\$0.61

In relation to strata units, each unit will be levied with a 20mm service availability charge. In relation to Torrens Title residential units, each unit will be levied with a 20mm service availability charge. In relation to vacant land where a water meter is not connected, each property will be levied with a 20mm service availability charge;

- **Sewer Charges**
Sewer charges for rateable and non-rateable properties within the sewer service area of:

Charge Type	Amount
Service availability – residential	\$697

Service availability – non-residential	\$389
Usage – non-residential based on kilolitres of water used that would reasonably be deemed to enter sewer schemes	\$2.23 per kL

AMENDMENT: Webb / Martens

That:

1. the report by the Director, Finance & Administration on the Delivery Programme 2014-17 / Operational Plan 2014-15 (incorporating Revenue Policy) be received;
2. Council accepts option 3 of the amended Draft Revenue Policy as its preferred rating alternative;
3. Council adopts the Delivery Programme for 2014-17 and the Operational Plan for 2014-15, including the Fees & Charges Schedule;
4. Mid-Western Regional Council hereby makes the following rates and charges for the 2014/15 financial year to be:
 - Residential Rate (Rural and Urban)
A Residential Rate (Rural and Urban) of 0.646252 cents in the dollar on the land value as at 1 July 2014 of all land so categorised as Residential, including land further subcategorised as Residential Urban, with a minimum rate of \$609.26;
 - Farmland Rate
A Farmland Rate of 0.600924 cents in the dollar on the land value as at 1 July 2014 of all land so categorised as Farmland, with a minimum rate of \$609.26;
 - Business Rate
A Business Rate of 0.938882 cents in the dollar on the land value as at 1 July 2014 of all land so categorised as Business, with a minimum rate of \$609.26;
 - Business Rylstone Aeropark Rate
A Business Rylstone Aeropark Rate of 0.938882 cents in the dollar on the land value as at 1 July 2014 of all land so categorised as Business and further subcategorised as Business Rylstone Aeropark, with a minimum rate of \$200.00;
 - Mining Rate
A Mining Rate of 7.677528 cents in the dollar on the land value as at 1 July 2014 of all land so categorised as Mining, with a minimum rate of \$609.26;
 - Mining Coal Rate
A Mining Coal Rate of 7.677528 cents in the dollar on the land value as at 1 July 2014 of all land so categorised as Mining and further subcategorised as Mining Coal, with a minimum rate of \$609.26;
 - Hunter Catchment Contribution Special Rate

Council contributes to the provision of watercourse management in the area controlled by the Hunter Local Land Services (LLS). A Hunter Catchment Contribution Special Rate, which is determined by the LLS, of 0.0109 cents in the dollar, the rate is to be applied for the purposes of Part 4 of the Local Land Services Regulation 2014. The contribution is to be levied according to the land value within the meaning of the *Valuation of Land Act 1916*, of all land within the catchment contribution area that has a land value in excess of \$300 and is rateable for the time being under the *Local Government Act 1993*;

- **Extra Charges**
The extra charges to be charged on overdue rates and charges shall be calculated at a rate of 8.5% per annum, on a daily simple interest basis;
- **Domestic Waste Management Charge**
A Domestic Waste Management Charge of \$161 for all rateable and non-rateable properties within the service areas. Where there is more than one service the annual charge will be multiplied by the number of services;
- **General Waste Disposal Charge**
A General Waste Disposal Charge of \$192.50 inclusive of GST for all rateable and non-rateable properties with the exception of certain Farmland properties that can identify in the manner required by Council that they have a landholding comprised of multiple adjoining assessments with a lesser number of residences than assessments; they will be charged for the number of residences. Where there is more than one service the annual charge will be multiplied by the number of services;
- **Business Waste Management Charge**
A Business Waste Management Charge of \$205.70 inclusive of GST for all rateable and non-rateable Business category properties where a service is rendered. Where there is more than one service the annual charge will be multiplied by the number of services;
- **Water Charges**
Water charges for rateable and non-rateable properties within the water supply area of:

Charge Type	Amount
Service Availability 20mm meter	\$140
25mm meter	\$219
32mm meter	\$358
40mm meter	\$560
50mm meter	\$875
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Usage - Residential Per kL	\$2.75
Usage – Business Per kL	\$2.75
Usage – Raw Water Per kL	\$0.61

In relation to strata units, each unit will be levied with a 20mm service availability charge. In relation to Torrens Title residential units, each unit will be levied with a 20mm service availability charge. In relation to vacant land where a water meter is not connected, each property will be levied with a 20mm service availability charge;

- Sewer Charges
Sewer charges for rateable and non-rateable properties within the sewer service area of:

Charge Type	Amount
Service availability – residential	\$697
Service availability – non-residential	\$389
Usage – non-residential based on kilolitres of water used that would reasonably be deemed to enter sewer schemes	\$2.23 per kL

The amendment was put and lost with Councillors voting as follows:

Councillors	Ayes	Nayes
Cr Cavalier		✓
Cr Kennedy		✓
Cr Martens	✓	
Cr Shelley		✓
Cr Thompson	✓	
Cr Walker		✓
Cr Weatherley		✓
Cr Webb	✓	
Cr White		✓

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

Councillors	Ayes	Nayes
Cr Cavalier	✓	
Cr Kennedy	✓	
Cr Martens		✓
Cr Shelley	✓	
Cr Thompson		✓
Cr Walker	✓	
Cr Weatherley	✓	
Cr Webb		✓
Cr White	✓	

5.1.2 POLICY REVIEW – CATEGORISATION OF LAND AS FARMLAND FOR RATING PURPOSES

GOV400038, A0340007, A0340049

265/14 MOTION: Shelley / Cavalier**That:**

- 1. the report by the Revenue & Property Manager on the Policy Review - Categorisation of Land as Farmland for Rating Purposes be received;**
- 2. Council adopt the revised Categorisation of Land as Farmland for Rating Purposes Policy.**

The motion was carried with Councillors voting unanimously.

5.1.3 UPDATE ON THE PROGRESS OF THE MUDGEES INDOOR SWIM SCHOOL

GOV400038, P1317011

266/14 MOTION: Shelley / Walker**That:**

- 1. the report by the Manager Health and Building on the Update on the Progress of the Mudgee Indoor Swim School be received; and**
- 2. Disregard the current order and re-issue another order, providing Mr and Mrs O’Sullivan a period of six months from July 21 to obtain a building certificate while continuing to operate the swim school at the six student capacity.**

The motion was carried with Councillors voting unanimously.

5.1.4 FINANCIAL ASSISTANCE APPLICATIONS

GOV400038, A0140201

267/14 MOTION: Walker / Shelley**That:**

- 1. the report by the Director, Finance & Administration on the Financial Assistance applications be received;**
- 2. Council note the balance of Councillor discretionary funds remaining; and**

3. The following funds be allocated from the respective Councillors' discretionary funds:

Cr Cavalier	\$500	Riding for the Disabled Association,
Cr Walker	\$417.44	Riding for the Disabled Association.

The motion was carried with Councillors voting unanimously.

Closure

There being no further business the meeting concluded at 6.25pm.