

Minutes of the Ordinary Meeting of Council

Held at the Council Chambers, 86 Market Street, Mudgee
on 20 April 2016, commencing at 6:20pm and concluding at 8:11pm.

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 General Manager (Brad Cam), Director Operations (Daryl Colwell), Director Community (Simon Jones), Director Development (Julie Robertson), Chief Financial Officer (Leonie Johnson), Tim Johnston (Governance Coordinator) and Executive Assistant (Mette Sutton).

Item 1: Apologies

There were no apologies

Item 2: Disclosure of Interest

Councillor JP Thompson declared a non-pecuniary conflict of interest in item 8.7 as he is on the Gulgong Camel Races Committee and the Gulgong Chinese Festival Committee.

Item 3: Confirmation of Minutes

66/16 MOTION: Shelley / Walker

That the Minutes of the Ordinary Meeting held on 16 March 2016 be taken as read and confirmed.

The motion was carried with the Councillors voting unanimously.

Item 4: Matters in Progress

Pedestrian Bridge over Cudgegong River, Rylstone

ROA100027

67/16 MOTION: Cavalier / Shelley

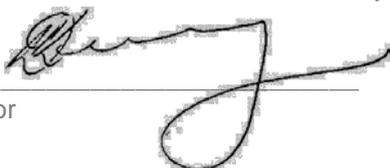
That Minute no. 421/15 be noted as completed.

The motion was carried with the Councillors voting unanimously.

Reseal of Angus Avenue, Kandos

R9182001

68/16 MOTION: Cavalier / Shelley



Mayor



That Minute no. 422/15 be noted as completed.

The motion was carried with the Councillors voting unanimously.

Item 5: Mayoral Minute

Nil

Item 6: Notices of Motion or Rescission

6.1 BABY CHANGE FACILITIES IN THE MUDGEES CBD
GOV400054, COU500068

MOTION: Thompson / Martens

That Council allocate an appropriate amount of money in the budget to build a baby change facility in the Mudgee CBD.

AMENDMENT Webb / Cavalier

That Council investigate the potential use of the old RMS site.

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

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

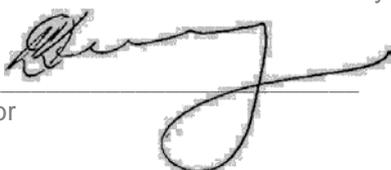
The amendment then became the motion.

69/16

FORESHADOWED AMENDMENT Weatherley / Walker

That:

- Council continue to investigate suitable locations including the RMS site to develop a new nursing mothers facility in the CBD;**
- in the meantime, Council install signs which advise the public where existing nursing mother facilities are. These include Robertson Park, Mudgee Town Library and the Town Hall Arcade.**




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

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

The foreshadowed amendment became the motion, and on becoming the motion was carried with Councillors voting unanimously.

6.2 CUDGEGONG RIVER - LAWSON PARK

GOV400054, A0130022

70/16

MOTION: Walker / Shelley

That Council apply for a Part 7 Fisheries Management Act permit with supporting documentation for the application, for the purpose of clearing the Cudgegong River at Lawson Park from the weir back.

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

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

6.3 MAINTENANCE OF UNSEALED ROADS

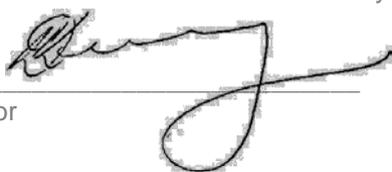
GOV400054, R0790167

MOTION: Thompson / Martens

That Council allocate an additional \$1 million to the gravel roads maintenance program over a four year period.

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

Councillors	Ayes	Nayes
Cr Kennedy		✓




Cr Cavalier		✓
Cr Martens	✓	
Cr Shelley		✓
Cr Thompson	✓	
Cr Walker		✓
Cr Weatherley		✓
Cr Webb	✓	
Cr White		✓

71/16 MOTION: Shelley / Cavalier

That Item 11.4 be brought forward for consideration.

The motion was carried with the Councillors voting unanimously.

11.4 GLEN WILLOW MASTER PLAN POST EXHIBITION REPORT
GOV400054, F0650099

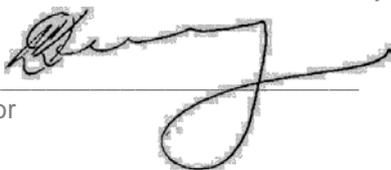
72/16 MOTION: Shelley / Cavalier

That Council:

1. receive the report by the Director, Community on the Glen Willow Master Plan Post Exhibition Report; and
2. endorse the Glen Willow Master Plan with the minor amendments noted.
3. prioritise synthetic turf for a multipurpose field.

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

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




Item 7: Office of the General Manager

7.1 COUNCIL MEETING SCHEDULE JUNE 2016 - DECEMBER 2016

GOV400054, GOV400054, GOV400020

73/16 MOTION: Weatherley / White

That Council:

1. receive the report by the Director, Community on the Council Meeting Schedule June 2016 - December 2016; and
2. set the dates for Council meetings for the period June 2016 to December 2016 as follows:

Wednesday 1 June 2016
Wednesday 15 June 2016
Wednesday 20 July 2016
Wednesday 17 August 2016
Wednesday 5 October 2016
Wednesday 19 October 2016
Wednesday 16 November 2016
Wednesday 21 December 2016

The motion was carried with the Councillors voting unanimously.

Item 8: Development

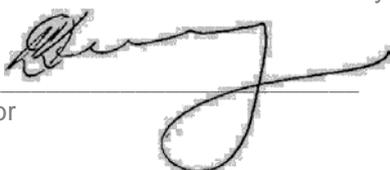
8.1 POST-EXHIBITION REPORT - PLANNING PROPOSAL TO AMEND SPLIT ZONING - LOT 60 DP 1181768 ROBERT HODDLE GROVE, BOMBIRA

GOV400054, LAN900059

74/16 MOTION: Cavalier / Shelley

That Council:

1. receive the report by the Statutory / Strategic Planner on the Post-Exhibition Report - Planning Proposal to Amend Split Zoning - Lot 60 DP 1181768; and
2. exercise its delegation in relation to the preparation of the amendment to the Mid-Western Regional Local Environmental Plan 2012 to:
 - change the zoning of part of the subject lot from RU4 Primary Production Small Lots to R2 Low Density



Mayor



General Manager

Residential; and

- amend the minimum lot size from 20ha to 2ha with provision for 4000m² subject to connection to reticulated water and sewer.

The motion was carried with the Councillors voting unanimously.

8.2 POST-EXHIBITION REPORT - PLANNING PROPOSAL LOT 147, 148 AND 174 DP756894, 542 SPRING FLAT ROAD, SPRING FLAT

GOV400054, LAN900058

75/16

MOTION: Shelley / Cavalier

That Council:

1. receive the report by the Statutory / Strategic Planner on the Post-Exhibition Report - Planning Proposal Lot 147, 148 and 174 DP756894, 542 Spring Flat Road, Spring Flat; and
2. exercise its delegation in relation to the preparation of the amendment to the Mid-Western Regional Local Environmental Plan 2012 to reduce the minimum lot size to 20 hectares in respect to Post-Exhibition Report - Planning Proposal Lot 147, 148 and 174 DP756894, 542 Spring Flat Road, Spring Flat.

The motion was carried with the Councillors voting unanimously.

8.3 PLANNING PROPOSAL FOR SMALL LOT AVIATION/RESIDENTIAL SUBDIVISION ASSOCIATED WITH AIRPORT - LOT 63 DP 618063, GEORGE CAMPBELL DRIVE, BOMBIRA

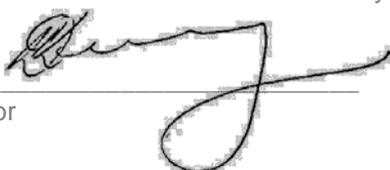
GOV400054, LAN900050

76/16

MOTION: Webb / Cavalier

That Council:

1. receive the report by the Statutory / Strategic Planner on the Planning Proposal for Small Lot Aviation/Residential Subdivision Associated with Airport - Lot 63 DP 618063, George Campbell Drive, Bombira;
2. complete its reporting requirements pursuant to Section 59 of the Environmental Planning & Assessment Act 1979 and formally notify the NSW Department of Planning and Environment of its reasons for withdrawing support for the



Planning Proposal; and

- 3. confirm that the reason for withdrawing the support was due to concerns raised during public exhibition including:**
- **Increased public safety risk with intensified use of the right of carriage way on George Campbell Drive and proximity to the obstacle limitation surfaces at Mudgee Airport.**
 - **Loss of amenity and local character of the area with intensified use of the right of carriage way on Eurunderee Lane.**
 - **Potential for land use conflict with existing agricultural activities.**

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

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

8.4 ENVIRONMENT AND WATERWAYS ALLIANCE UPDATE REPORT

GOV400054, ENV200006

77/16 MOTION: Shelley / Weatherley

That Council receive the report by the Environment Officer on the Environment and Waterways Alliance Update Report.

The motion was carried with the Councillors voting unanimously.

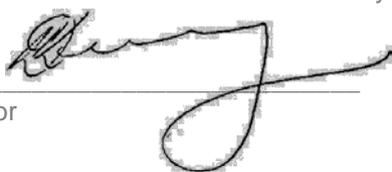
8.5 MONTHLY DEVELOPMENT APPLICATIONS PROCESSING & DETERMINED - MARCH 2016

GOV400054, GOV400054, GOV400043, A100055, A100056

78/16 MOTION: Shelley / Cavalier

That Council receive the report by the Director Development on the Monthly Development Applications Processing & Determined - March 2016.

The motion was carried with the Councillors voting unanimously.




8.6 HERITAGE COMMITTEE MEMBERS AND TERMS OF REFERENCE

GOV400054, DEV700020

79/16 MOTION: Shelley / Cavalier

That Council:

1. receive the report by the Senior Town Planner on the Heritage Committee Members and Terms of Reference;
2. endorse the Terms of Reference for the Heritage Committee; and
3. accept the nominations of Barbara Hickson, David Mort, John Bentley, Chris Pearson, Maurice Gaudry, David Warner, Virginia Hollister and Peter Monaghan to the Heritage Committee.

The motion was carried with the Councillors voting unanimously.

Councillor Thompson declared a non-pecuniary conflict of interest in item 8.7 as he is on the Gulgong Camel Races Committee and the Gulgong Chinese Festival Committee. He left the Chambers at 7:09pm and did not participate in discussion or vote in relation to the matter.

8.7 EVENTS ASSISTANCE FOR JULY TO DECEMBER 2016 EVENTS

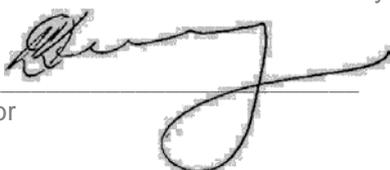
GOV400054, ECO800009, FIN300052

80/16 MOTION: Martens / White

That Council:

1. receive the report by the Events Coordinator on the Events Assistance for July to December 2016 Events;
2. provides Events Assistance to:

Lambfest	\$1,000
Mudgee Small Farm Field Days	\$2,500
Mark Dwyer Cycling Weekend	\$2,500
Mudgee & District Kennel & Obedience Club Championship Show	\$1,000
Mudgee Readers' Festival	\$2,498.20
Mudgee Running Festival	\$2,500
NSW PSSA Rugby Union	\$1390.91
2016 Week of Golf Tournament	\$2,500
Kandos Pirate Festival	\$1,500
Mudgee Physical Culture Interclub	\$100
Gulgong Chinese Gold Festival	\$1,500




Gulgong Camel Races & Family Fun Day	\$2,500
Mudgee Sevens	\$1,390.91
Sculptures in the Garden	\$2,500
Rylstone StreetFeast 2016	\$2,500

3. will not collect a facility hire bond from the following applicants:

Mudgee & District Kennel & Obedience Club Championship Show
Mudgee Readers' Festival
Kandos Pirate Festival
Mudgee Physical Culture Interclub
Rylstone StreetFeast 2016

The motion was carried with the Councillors voting unanimously.

Councillor Thompson returned to the Chambers at 7:09pm.

8.8 DELIVERY PROGRAM 2014 - 2017 SIX MONTHLY
 PROGRESS REPORT

GOV400054, COR400098

81/16 MOTION: Shelley / Weatherley

That Council receive the report by the Director Development on the Delivery Program 2014 - 2017 Six Monthly Progress Report.

The motion was carried with the Councillors voting unanimously.

8.9 VOLUNTARY PLANNING AGREEMENT - PEABODY ENERGY
 AUSTRALIA (WILPINJONG)

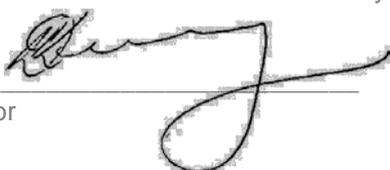
GOV400054, GOV400054; A0420169

82/16 MOTION: Walker / Cavalier

That Council:

1. receive the report by the Director Development on the Voluntary Planning Agreement - Peabody Energy Australia (Wilpinjong);
2. place the amendments to the Voluntary Planning Agreement on public exhibition for a period of 28 days in accordance with the requirements of the Environmental Planning and Assessment Act 1979; and
3. receive a further report for consideration following the exhibition of the documentation.

The motion was carried with the Councillors voting unanimously.




8.10 FOOD INSPECTION UPDATE

GOV400054, GOV400043, A0130009

83/16 MOTION: Martens / Weatherley**That Council receive the report by the Manager, Health and Building on the Food Inspection Update.***The motion was carried with the Councillors voting unanimously.***Item 9: Finance**

9.1 2016/17 DRAFT OPERATIONAL PLAN AND AMENDED DELIVERY PROGRAM

GOV400054, FIN300065

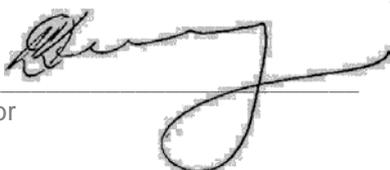
84/16 MOTION: Shelley / Cavalier**That Council:**

1. receive the report by the Chief Financial Officer on the 2016/17 Draft Operational Plan and Delivery Program;
2. endorse the Amended Delivery Program 2013/14 – 2016/17 and Draft Operational Plan 2016/17 to go on public exhibition for a period of 28 days commencing Friday 22 April 2016; and
3. request a further report be presented following the exhibition period including a review of any submissions made on the Amended Delivery Program 2013/14 – 2016/17 and Draft Operational Plan 2016/17.
4. amend the draft Operational Plan 2016/17 to reduce Goolma tennis court upgrades by \$20,000 and increase Gulgong tennis court upgrades by \$20,000.

AMENDMENT: Webb/Thompson

That Council:

1. receive the report by the Chief Financial Officer on the 2016/17 Draft Operational Plan and Delivery Program;
2. endorse the Amended Delivery Program 2013/14 – 2016/17 and Draft Operational Plan 2016/17 to go on public exhibition for a period of 28 days commencing Friday 22 April 2016; and
3. request a further report be presented following the exhibition period including a review of any submissions made on the Amended Delivery Program 2013/14 – 2016/17 and Draft



Operational Plan 2016/17.

- 4 amend the draft Operational Plan 2016/17 to reduce Goolma tennis court upgrades by \$20,000 and increase Gulgong tennis court upgrades by \$20,000.
- 5 exhibit rate model 3 in the Draft Operational Plan 2016/17.

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

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

9.2 MONTHLY BUDGET REVIEW FEBRUARY 2016

GOV400054, FIN300062

85/16

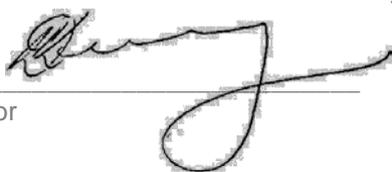
MOTION: White / Cavalier**That Council:**

1. receive the report by the Manager, Financial Planning on the Monthly Budget Review February 2016; and
2. amend the 2015/16 Operational Plan in accordance with the variations as listed in the budget review attachments.

The motion was carried with the Councillors voting unanimously.

9.3 FINANCIAL ASSISTANCE APPLICATIONS

GOV400054, FIN300052



Mayor



General Manager

86/16

MOTION: Cavalier / White**That Council:**

1. receive the report by the Manager, Financial Planning on the Financial Assistance Applications; and
2. provide financial assistance to the following applicants in accordance with the criteria and guidelines of the Financial Assistance Policy, subject to those requirements being met:

Mudgee Polo Club**\$500**

The motion was carried with the Councillors voting unanimously.

9.4 2016/17 CENTROC MEMBERSHIP

GOV400054, GOR500016

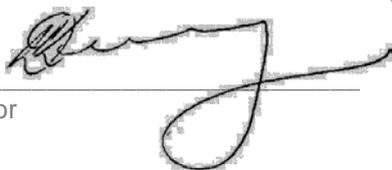
MOTION: Weatherley / White**That Council:**

1. receive the report by the Chief Financial Officer on the 2016/17 Centroc Membership;
2. continue as a member of Centroc and pay the required annual fee of \$27,019;
3. continue to take part in the Water Utilities Alliance and pay the required annual fee of \$13,076;
4. cancel membership to the Human Resources Management Group & WHS Working Group;
5. cancel membership to the Training Service;
6. cancel membership to Screen Central.

87/16

AMENDMENT Kennedy / Martens

1. receive the report by the Chief Financial Officer on the 2016/17 Centroc Membership;
2. not continue as a member of Centroc;
3. continue to take part in the Water Utilities Alliance and pay the required annual fee of \$13,076;
4. cancel membership to the Human Resources Management



Mayor



General Manager

Group & WHS Working Group;

5. **cancel membership to the Training Service;**
6. **cancel membership to Screen Central.**

The amendment was put and carried, and on becoming the motion was carried with Councillors voting as follows:

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

9.5 MONTHLY STATEMENT OF INVESTMENT AND BANK
BALANCES AS AT 31 MARCH 2016

GOV400054, FIN300053

88/16 MOTION: Cavalier / Walker

That Council:

1. **receive the report by the Manager, Financial Planning on the Monthly Statement of Investment and Bank Balances as at 31 March 2016; and**
2. **note the certification of the Responsible Accounting Officer.**

The motion was carried with the Councillors voting unanimously.

Item 10: Operations

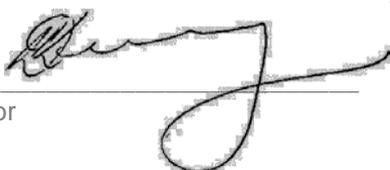
10.1 DEED OF AGREEMENT NSW ENVIRONMENT TRUST

GOV400054, WA5400033

89/16 MOTION: Weatherley / Walker

That Council:

1. **receive the report by the Manager, Weeds and Waste Services on the Deed of Agreement NSW Environment Trust;**
2. **authorise the General Manager to accept the Deed of**




Agreement from the NSW Environment Trust under the Local Govt. Organics Collection Systems Grant Program including the grant offer of \$570,467.00 and sign all necessary documentation; and

3. amend the 2015/16 Operational Plan be amended to include grant revenue of \$570,467 for Domestic Waste Management, offset by corresponding expenditure of \$570,467.

The motion was carried with the Councillors voting unanimously.

10.2 DRAFT WATER SUPPLY SYSTEMS ASSET MANAGEMENT PLAN - PUBLIC EXHIBITION

GOV400054, COU500082

90/16

MOTION: Shelley / Cavalier

That Council:

1. receive the report by the Manager, Water and Sewer on the Draft Water Supply Systems Asset Management Plan - Public Exhibition;
2. place the Draft Water Supply Systems Asset Management Plan on exhibition for 28 days; and
3. adopt the Water Supply Systems Asset Management Plan if no submissions are received following public exhibition of the draft plan.

The motion was carried with the Councillors voting unanimously.

10.3 REHABILITATION OF ANGUS AVENUE, KANDOS

GOV400054, R9182001

This item was withdrawn.

Item 11: Community

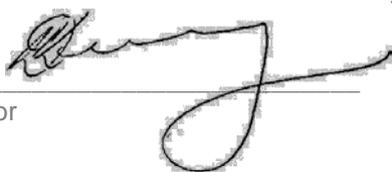
11.1 2016 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT

GOV400054, A0100021

91/16

MOTION: Cavalier / Walker

That Council:




1. receive the report by the Governance Coordinator on the call for motions to the 2016 National General Assembly of Local Government; and
2. consider the call for Motions in accordance with the guidelines and background information to be lodged by Friday 22 April 2016.

The motion was carried with the Councillors voting unanimously.

11.2 FIREARMS POLICY

GOV400054, GOV400047

92/16

MOTION: Webb / Cavalier

That Council:

1. receive the report by the Governance Coordinator on the Firearms Policy;
2. place the draft Firearms Policy on public exhibition for 28 days to receive any community feedback; and
3. adopt the Firearms Policy if no submissions are received.

The motion was carried with the Councillors voting unanimously.

11.3 LIBRARY SERVICES - QUARTERLY REPORT

GOV400054, FO620020

93/16

MOTION: White / Martens

That Council receive the report by the Library Services Coordinator on the Library Services - Quarterly Report.

The motion was carried with the Councillors voting unanimously.

Item 12: Reports from Committees

12.1 MUDGEES SHOWGROUND MANAGEMENT COMMITTEE - FEBRUARY 2016 MINUTES

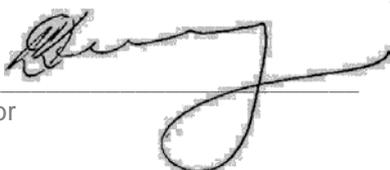
GOV400054, F0650007

94/16

MOTION: Webb / Cavalier

That:

1. Council receive the report by the Manager, Plant and Facilities on the Mudgee Showground Management



Committee; and

2. **Council note the committee's decision to have \$300 annual fee payable by all groups with a shed at the showground.**
3. **the Mudgee Showground Management Committee Meeting Minutes of 2 February 2016 be amended to read that item 6 was moved by Dana Wilmott and seconded by Malcolm Swords.**

The motion was carried with the Councillors voting unanimously.

The following recommendations were adopted as a whole, being moved by Cr Cavalier, seconded by Cr Walker and carried with Councillors voting unanimously. Each recommendation is recorded with a separate resolution number commencing at Resolution No. 95/16 and concluding with Resolution No. 100/16.

12.2 MUDGEE SPORTS COUNCIL MEETING - 30 NOVEMBER
2015 AND 29 FEBRUARY 2016

GOV400054, A0360013

95/16 MOTION: Cavalier / Walker

That Council

1. **receive the report by the Director, Community on the Mudgee Sports Council Meeting - 30 November 2015 and 29 February 2016;**
2. **note the minutes for the Mudgee Sports Council Meetings held on 30 November 2015 and 29 February 2016; and**
3. **endorse the naming of the building at Victoria Oval as the Betty Endacott Pavilion.**

The motion was carried with the Councillors voting unanimously.

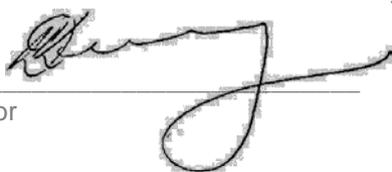
12.3 GULGONG SPORTS COUNCIL MEETINGS - 14 OCTOBER
AND 25 NOVEMBER 2015

GOV400054, A0360003

96/16 MOTION: Cavalier / Walker

That Council:

1. **receive the report by the Director, Community on the Gulgong Sports Council Meetings - 14 October and 25 November 2015; and**
2. **note the minutes of the Gulgong Sports Council Meetings held on 14 October and 25 November 2015.**



The motion was carried with the Councillors voting unanimously.

12.4 CULTURAL DEVELOPMENT COMMITTEE

GOV400054, REC800019

97/16 MOTION: Cavalier / Walker

That Council:

- 1. receive the report by the Manager, Community Services on the Cultural Development Committee;**
- 2. note the minutes of the Cultural Development Committee meetings held on 10 February and 16 March 2016; and**
- 3. endorse the appointment of Alex Wisser to the Cultural Development Committee.**

The motion was carried with the Councillors voting unanimously.

12.5 WEEDS ADVISORY COMMITTEE

GOV400054, ENV200017, ENV200042

98/16 MOTION: Cavalier / Walker

That Council:

- 1. receive the report by the Noxious Weeds Administrator on the Weeds Advisory Committee; and**
- 2. note the minutes of the Noxious Weeds Advisory Committee meeting held on Monday 7 March 2016.**

The motion was carried with the Councillors voting unanimously.

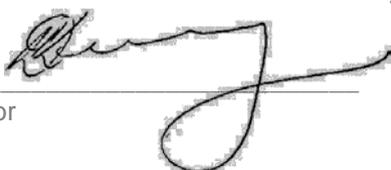
12.6 MID-WESTERN REGIONAL YOUTH COUNCIL

GOV400054, COS3000028

99/16 MOTION: Cavalier / Walker

That Council:

- 1. receive the report by the Manager, Community Services on the Mid-Western Regional Youth Council;**
- 2. note the minutes of the 19 October and 23 November 2015 and 8 February and 7 March 2016 Youth Council meetings; and**
- 3. endorse the nominations of Jack Egan, Daniel Reinhard**



and Edward Rava to be members of the Mid-Western Regional Youth Council.

The motion was carried with the Councillors voting unanimously.

12.7 LOCAL TRAFFIC COMMITTEE MINUTES 11 MARCH MEETING

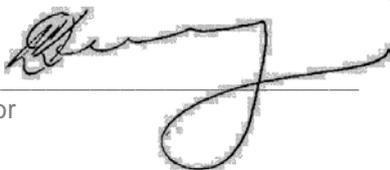
GOV400054, A0100009

100/16

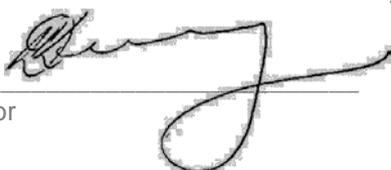
MOTION: Cavalier / Walker

That Council:

1. receive the report by the Director, Operations on the Local Traffic Committee Minutes 11 March Meeting;
2. note the minutes of the local traffic committee meeting held 11 March 2016;
3. approve the 'Clay Gulgong' event subject to the following conditions:
 - a. A Special Events Transport Management Plan is to be prepared in accordance with the Guide to Traffic and Transport Management for Special Events Version 3.4 and submitted to and approved by council prior to the event;
 - b. Events are to be undertaken in accordance with the requirements of the NSW Police Service with their approval documentation forwarded to Council for notation;
 - c. Controlling noise as required by the Protection of the Environment Operations (Noise Control) Regulation 2000;
 - d. Reimbursing Council for the cost of damage repairs;
 - e. Complying with Council's Law Enforcement Officers' directives;
 - f. Maintain areas in a clean and tidy condition. No obstructions are to be left on the roadways or footpaths;
 - g. A Traffic Control Plan certified by a person with a "Worksite Traffic Control Certificate" be included in the TMP;
 - h. If there is a need for any person to direct traffic on a public road, they are required to possess an appropriate traffic controller's certificate;
 - i. Council must be provided with a current copy of a public liability insurance policy in the amount of at least \$20 million. Such a policy is to note that Council, NSW Police and RMS are indemnified against any possible action as the result of the event;



- j. The event convener is to notify all affected businesses and residents adjacent to the proposed closure indicating the period during which their accesses will be affected. Such notification is to be in writing; and
 - k. Maintain a four-metre wide emergency vehicle lane.
4. approve the 'Cudgegong Jump Club' event subject to the conditions stipulated:
- l. A Special Events Transport Management Plan (TMP), is to be prepared in accordance with the Guide to Traffic and Transport Management for Special Events Version 3.3 and submitted to and approved by Council prior to the event;
 - m. Events are to be undertaken in accordance with the requirements of the NSW Police Service with their approval documentation forwarded to Council for notation;
 - n. Controlling noise as required by the Protection of The Environment Operations (Noise Control) Regulation 2000;
 - o. Reimbursing Council for the cost of damage repairs;
 - p. Complying with Council's Law Enforcement Officers' reasonable directives;
 - q. Maintain areas in a clean and tidy condition. No obstructions are to be left on the roadways or footpaths;
 - r. the qualification of the person creating the Traffic Control Plan must be at a minimum a holder of the Select and Modify Certificate or the Design and Audit Certificate;
 - s. Any person directing traffic on a public road is required to possess an appropriate traffic controller's certificate;
 - t. Council must be provided with a current copy of a public liability insurance policy in the amount of at least \$20 million. Such a policy is to note that Council, NSW Police and RMS are indemnified against any possible action as the result of the event;
 - u. The event convener is to notify all affected businesses and residents adjacent to the proposed closure, in writing, indicating the period during which their accesses will be affected. Such notification is to be in writing;
 - v. Maintain a four-metre wide emergency vehicle lane;
 - w. Advertise the proposed event in local newspapers with relevant information at least two weeks prior to the date;
 - x. The organiser is to have a debrief with Council and Police with all traffic control documentation and controls tables for review; and
 - y. The supplied transport management plan, including



traffic control plans are to be updated with current industry contacts.

5. support the Mudgee RSL Sub-branch road closure for Anzac Day;
6. support the Gulgong Heritage Harness Association Heritage Drive; and
7. respond to the owner of Ogden's Coaches suggesting school bus pickup location be changed.

The motion was carried with the Councillors voting unanimously.

The Mayor commended and thanked the Youth Council for the great work they do and in particular, their work in preparing and delivering the youth week program to the youth of the Mid-Western Region.

Item 13: Urgent Business Without Notice

Item 14: Confidential Session

101/16 MOTION: Cavalier / Walker

That pursuant to the provisions of Section 10 of the Local Government Act, 1993, the meeting be closed to the public.

The motion was carried with the Councillors voting unanimously.

Following the motion to close the meeting being moved and seconded, the General Manager announced that the following matters would be considered in confidential session and the reason why it was being dealt with in this way.

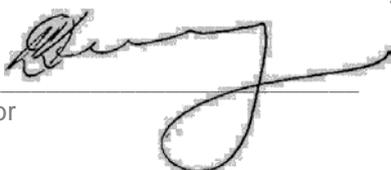
14.1 Cudgegong Waters Caravan Park Licence Assignment

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 a confidential licence agreement.

14.2 Council Meeting Practices and Procedures

The reason for dealing with this report confidentially is that it relates to advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege in accordance with Section 10A(2)(g) 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 potential legal action on matters affecting Council.

Following an enquiry from the Mayor, the General Manager advised that there were no written representations in respect of this matter and that no person in the gallery wished to make verbal representations.

14.1 CUDGEGONG WATERS CARAVAN PARK LICENCE ASSIGNMENT

GOV400054, F0650081

102/16

MOTION: Weatherley / Walker

That Council:

1. receive the report by the General Manager on the Cudgegong Waters Caravan Park Licence Assignment; and
2. reject the assignment to David Short and Veronica Barber-Short of the remaining term of the Licence agreement between Council and Bevan and Helen McKay for the occupation of Crown Reserve 190025 for caravan park activities.

AMENDMENT: Shelley /

That Council assign the lease to David Short and Veronica Barber-Short.

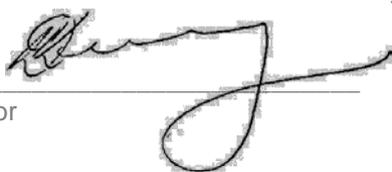
The amendment lapsed for want of a seconder.

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

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

Councillor Shelley addressed the meeting in regard to the next agenda item. He advised that he was going to leave the room and that he had not, at the commencement of the meeting, declared a conflict of interest in the item as he did not know the content of the report and was therefore unable to determine if he had a conflict or not.

Councillor Shelley left the Chambers at 7:56pm and did not participate in discussion or vote in relation to item 14.2.




14.2 COUNCIL MEETING PRACTICES AND PROCEDURES

GOV400054, GOV400055

103/16

MOTION: Cavalier / Walker**That:**

1. **Council receive the report by the Director, Community on Council Meeting Practices and Procedures;**
2. **the Mayor issue a public apology at the next Council meeting to Councillor Shelley for the procedural errors made in the preparation of the Business Paper and the allowance of the discussion of the Notice of Motion on Breaches of the Media Policy at the Council Meeting on 16 December 2015.**

AMENDMENT: Webb/Thompson

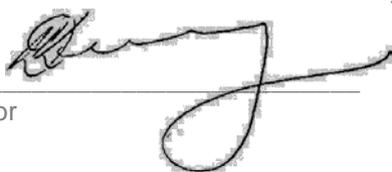
That Council write a letter of apology to Councillor Shelley for the procedural errors made in the preparation of the Business Paper and the allowance of the discussion of the Notice of Motion on Breaches of the Media Policy at the Council Meeting on 16 December 2015.

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

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




Item 15: Urgent Confidential Business Without Notice

Item 16: Open Council

104/16 MOTION: Martens / Webb

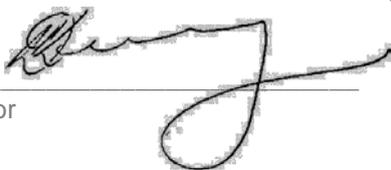
That: Council move to Open Council.

The motion was carried with the Councillors voting unanimously.

The General Manager announced the decisions taken in Confidential Session.

Item 17: Closure

There being no further business the meeting concluded at 8.11pm.



Mayor



General Manager