

Minutes of the Ordinary Meeting of Council

Held at the Council Chambers, 86 Market Street, Mudgee
on 15 June 2016, commencing at 5:36pm and concluding at 5:47pm.

PRESENT Cr JK Weatherley, Cr JR Webb, Cr P Shelley, Cr D Kennedy,
Cr JP Thompson, Cr M Walker, Cr P Cavalier.

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

Item 1: Apologies

Apologies were received for Cr Martens and Cr White.

142/16 MOTION: Thompson / Cavalier

That the apologies received for Cr Martens and Cr White be accepted.

The motion was carried with the Councillors voting unanimously.

Item 2: Disclosure of Interest

Councillor Webb declared an insignificant non-pecuniary conflict of interest in Item 10.2 as he has a minor business relationship with the resident.

Item 3: Confirmation of Minutes

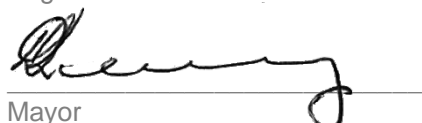
143/16 MOTION: Walker / Thompson

That the Minutes of the Ordinary Meeting held on 1 June 2016 be taken as read and confirmed.

The motion was carried with the Councillors voting unanimously.

Item 4: Matters in Progress

Nil


Mayor


General Manager

Item 5: Mayoral Minute

Nil

Item 6: Notices of Motion or Rescission

6.1 OPERATION OF RATE REVIEW COMMITTEE

GOV400054, RAT700042

MOTION: Thompson / Webb

That an explanation and press release of how the rate review committee operated be given to the Council and community.

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

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

6.2 FIT FOR FUTURE FUNDING

GOV400054, GOR500026

MOTION: Thompson

That Council approach the Premier, Deputy Premier and Minister for Local Government to pursue similar funding of \$5 million offered to recently amalgamated Councils and encourage other Councils amalgamated at the same time as our Council to join us in our pursuit of similar funding.

The motion lapsed for want of a seconder.

Item 7: Office of the General Manager

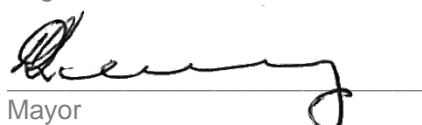
7.1 ANNUAL REPORTING OF CONTRACTUAL CONDITIONS OF SENIOR STAFF

GOV400054, A0385024

144/16

MOTION: Shelley / Cavalier

That Council receive the report by the General Manager on the Annual Reporting of Contractual Conditions of Senior Staff.



Mayor



General Manager

The motion was carried with the Councillors voting unanimously.

7.2 MRTI QUARTERLY REPORT JANUARY TO MARCH 2016
GOV400054, F0770077

145/16 MOTION: Cavalier / Walker

That Council receive the report by the General Manager on the MRTI Quarterly Report January to March 2016.

The motion was carried with the Councillors voting unanimously.

Item 8: Development

8.1 EVENTS ASSISTANCE APPLICATION - MUDGEES RUGBY
UNION SUB-JUNIOR GALA DAY
GOV400054, FIN30052, ECO800009, F0650099

146/16 MOTION: Webb / Weatherley

That Council:

- 1. receive the report by the Events Coordinator on the Events Assistance Application - Mudgee Rugby Union Sub-Junior Gala Day; and**
- 2. reimburse \$440.00 in Glen Willow hire fees paid for the Mudgee Rugby Union Club Sub-Junior Gala Day.**

The motion was carried with the Councillors voting unanimously.

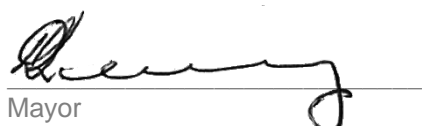
8.2 EVENTS ASSISTANCE POLICY
GOV400054, FIN300052, ECO800009

147/16 MOTION: Walker / Cavalier

That Council:

- 1. receive the report by the Events Officer on the draft Events Assistance Policy;**
- 2. place the draft Events Assistance Policy on public exhibition for 28 days to receive any community feedback; and**
- 3. adopt the draft Events Assistance Policy if no submissions are received.**

The motion was carried with the Councillors voting unanimously.


Mayor


General Manager

8.3 DRAFT CENTRAL WEST AND ORANA REGIONAL PLAN
GOV400054, LAN900016

148/16 MOTION: Cavalier / Weatherley

That Council:

1. receive the report by the Statutory / Strategic Planner on the Draft Central West and Orana Regional Plan; and
2. forward the submission onto the NSW Department of Planning and Environment for consideration.

The motion was carried with the Councillors voting unanimously.

8.4 MONTHLY DEVELOPMENT APPLICATIONS PROCESSING &
DETERMINED - MAY 2016
GOV400054, GOV400054, GOV400043, A100055, A100056

149/16 MOTION: Cavalier / Thompson

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

The motion was carried with the Councillors voting unanimously.

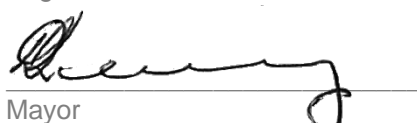
Item 9: Finance

9.1 TENDER T031617HUN - TRAFFIC AND SAFETY SIGNAGE &
GALVANISED POSTS AND CAPS
GOV400054, COR400065

150/16 MOTION: Thompson / Cavalier

That Council:

1. receive the report by the Procurement Manager on the Tender T031617HUN - Traffic and Safety Signage & Galvanised Posts and Caps;
2. accept Barrier Signs Pty Ltd as the single source supplier for traffic & safety signage for the period 1 July 2016 to 30 June 2018;
3. allow provision for a 12 month extension based on satisfactory supplier performance, which may take this contract through to 30 June 2019; and


Mayor


General Manager

4. **do not accept Category 2 – Galvanised Posts and Caps due to the low value spend in this category that does not require Council to tender under the requirements of Section 55 of the Local Government Act.**

The motion was carried with the Councillors voting unanimously.

- 9.2 CLASSIFICATION OF LAND - ALLOTMENT 122 DP 1074283
10-12 BURRUNDULLA AVENUE MUDGEE
GOV400054, P1369111

151/16 MOTION: Thompson / Cavalier

That Council:

1. **receive the report by the Revenue and Property Manager on the Classification of Land - Allotment 122 DP 1074283 10-12 Burrundulla Avenue Mudgee; and**
2. **give public notice of a proposed resolution to classify Allotment 122 DP 1074283 as Operational land.**

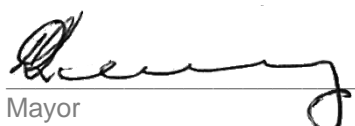
The motion was carried with the Councillors voting unanimously.

- 9.3 DELIVERY PROGRAM 2014/2017 AND OPERATIONAL PLAN
2016/2017
GOV400054, FIN300065

152/16 MOTION: Shelley / Walker

That Council:

1. **receive the report by the Manager, Financial Planning on the Delivery Program 2014-2017 and Operational Plan 2016/2017;**
2. **adopt the Operational Plan for 2016/17 and Delivery Program for 2013/14 – 2016/17, including the Fees & Charges Schedule**
3. **receive two additional public submissions to the draft 2016/17 Operational Plan as listed below, with the General Manager required to respond to each submission as follows:**
 - 3.1 **Scott Etherington – be thanked for his submission, and referred to the amended 2016/17 Fees and Charges;**
 - 3.2 **Peter Whitehall – be thanked for his submission, and be advised that staff have performed a thorough review of all Building Regulation fees, ensuring full**


Mayor


General Manager

cost recovery in arriving at the 2016/17 Fees and Charges;

4. hereby makes the following rates and charges for the 2016/17 financial year:

4.1 Residential Rural Rate

A Residential Rural Rate of 0.663620 cents in the dollar on the land value as at 1 July 2016 of all land so categorised as Residential, with a minimum rate of \$635.11;

4.2 Residential Urban Rate

A Residential Urban Rate of 0.663620 cents in the dollar on the land value as at 1 July 2016 of all land so categorised as Residential and further subcategorised as Residential Urban, with a minimum rate of \$635.11;

4.3 Farmland Rate

A Farmland Rate of 0.619564 cents in the dollar on the land value as at 1 July 2016 of all land so categorised as Farmland, with a minimum rate of \$635.11;

4.4 Business Rate

A Business Rate of 0.965637 cents in the dollar on the land value as at 1 July 2016 of all land so categorised as Business, with a minimum rate of \$635.11;

4.5 Business Rylstone Aeropark Rate

A Business Rylstone Aeropark Rate of 0.965637 cents in the dollar on the land value as at 1 July 2016 of all land so categorised as Business and further subcategorised as Business Rylstone Aeropark, with a minimum rate of \$208.49;

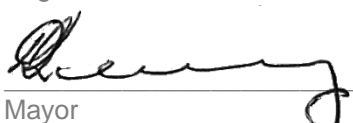
4.6 Mining Rate

A Mining Rate of 7.917282 cents in the dollar on the land value as at 1 July 2016 of all land so categorised as Mining, with a minimum rate of \$635.11;

4.7 Mining Coal Rate

A Mining Coal Rate of 7.917282 cents in the dollar on the land value as at 1 July 2016 of all land so categorised as Mining and further subcategorised as Mining Coal, with a minimum rate of \$635.11;

4.8 Hunter Valley Catchment Special Rate


Mayor


General Manager

A Hunter Valley Catchment Special Rate of 0.0118 cents in the dollar on the land value as at 1 July 2016 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.

Council contributes to the provision of watercourse management in the area controlled by Local Land Services Hunter. A Hunter Valley Catchment Special Rate, which is determined by the Authority, is to be applied for the purposes of the Local Land Services Regulation 2014.

4.9 Extra Charges

The extra charges to be charged on overdue rates and charges shall be calculated at a rate of 8.0% per annum, on a daily simple interest basis;

4.10 Domestic Waste Management Charge

A Domestic Waste Management Charge of \$171 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;

4.11 General Waste Disposal Charge

A General Waste Disposal Charge of \$203.50 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;

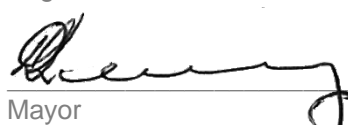
4.12 Business Waste Management Charge

A Business Waste Management Charge of \$197 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;

4.13 Water Charges

Water charges for rateable and non-rateable properties within the water supply area of:

Charge Type	Detail	Amount
Service availability	20mm meter	\$148
	25mm meter	\$231


Mayor


General Manager

	32mm meter	\$379
	40mm meter	\$592
	50mm meter	\$925
	80mm meter	\$2,368
	100mm meter	\$3,700
	150mm meter	\$8,325
Usage – per kL	Residential	\$2.91
	Business	\$2.91
	Raw Water	\$0.64

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;

4.14 Sewer Charges

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

Charge Type	Detail	Amount
Service availability	Residential	\$794
	Non Residential	\$443
Usage – Non Residential	Based on kLs of water used that would reasonably be deemed to enter sewer schemes	\$2.54 per kL

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

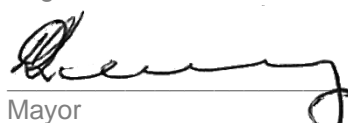
Councillors	Ayes	Nayes
Cr Weatherley	✓	
Cr Webb		✓
Councillor Shelley	✓	
Councillor Kennedy	✓	
Councillor Thompson	✓	
Councillor Walker	✓	
Councillor Cavalier	✓	

9.4 RIGHT OFF OF DEBTS - PERIOD 13/6/15 - 1/6/16
GOV400054, A0140197, A0340005

153/16

MOTION: Walker / Shelley

That Council:


Mayor


General Manager

1. **receive the report by the Revenue and Property Manager on the Right Off of Debts - Period 13/6/15 - 1/6/16;**
2. **note the write-offs totalling \$2,372.30 made under delegated authority as stipulated in Attachment 1 to this Report for the period 13/6/2015 to 1/6/2016 and;**
3. **authorise the write-off of those debts greater than \$2,500 and totalling \$56,037.23 as stipulated in Attachment 1 to this Report for the period 13/6/2015 to 1/6/2016.**

The motion was carried with the Councillors voting unanimously.

The following recommendations were adopted as a whole, being moved by Cr Shelley, seconded by Cr Cavalier and carried with Councillors voting unanimously. Each recommendation is recorded with a separate resolution number commencing at Resolution No. 154/16 and concluding with Resolution No. 156/16.

9.5 MONTHLY BUDGET REVIEW APRIL 2016

GOV400054, FIN300062

154/16 MOTION: Shelley / Cavalier

That Council:

1. **receive the report by the Manager, Financial Planning on the Monthly Budget Review April 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.

9.6 MONTHLY STATEMENT OF INVESTMENT AND BANK BALANCES AS AT 31 MAY 2016

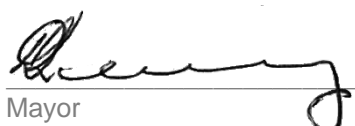
GOV400054, FIN300053

155/16 MOTION: Shelley / Cavalier

That Council:

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

The motion was carried with the Councillors voting unanimously.



Mayor



General Manager

Item 10: Operations

10.1 DRAFT ROADS ASSET MANAGEMENT PLAN - PUBLIC EXHIBITION

GOV400054, A0010002

156/16 MOTION: Shelley / Cavalier**That Council:**

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

The motion was carried with the Councillors voting unanimously.

10.2 BISHOPS VIEW ROAD, HARGRAVES

GOV400054, R0243001

157/16 MOTION: Shelley / Cavalier**That Council:**

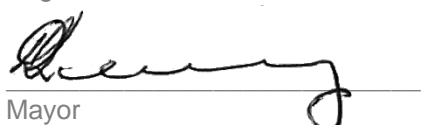
1. receive the report by the Senior Works Engineer on the Bishops View Road, Hargraves;
2. undertake maintenance works on the unmaintained section of Bishops View Road, Hargraves;
3. amend the 2016/17 Operational Plan to fund the \$40,000 works from cash reserves; and
4. add Bishops View Road, Hargraves to the maintained roads register.

AMENDMENT: Thompson

That Council review all the unmaintained roads in the Shire to ascertain if any should be added to the register.

The amendment lapsed for want of a seconder.

The motion was put and carried with the Councillors voting unanimously.


Mayor
General Manager

Item 11: Community

11.1 GLEN WILLOW PLAN OF MANAGEMENT

GOV400054, PAR300022

158/16

MOTION: Walker / Cavalier**That Council:**

1. **receive the report by the Director, Community on the Glen Willow Plan of Management; and**
2. **adopt the Plan of Management for Glen Willow.**

The motion was carried with the Councillors voting unanimously.

The following recommendations were adopted as a whole, being moved by Cr Shelley, seconded by Cr Cavalier and carried with Councillors voting unanimously. Each recommendation is recorded with a separate resolution number commencing at Resolution No. 159/16 and concluding with Resolution No. 162/16.

Item 12: Reports from Committees

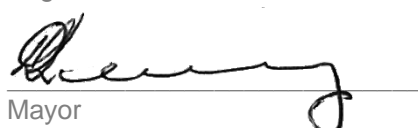
12.1 LOCAL TRAFFIC COMMITTEE MEETING

GOV400054, A010009

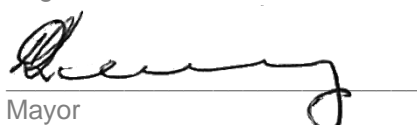
159/16

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

1. **receive the report by the Director, Operations on the Local Traffic Committee Minutes 27 April Meeting ;**
2. **note the minutes of the Local Traffic Committee meeting held 27 April 2016;**
3. **approve the Mudgee Endurance Ride 14 and 15 May 2016 event subject to the following conditions:**
 - a. **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 3.4 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 Force 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;**


Mayor
General Manager

- d. Reimbursing Council for the cost of damage repairs;
 - e. Complying with any of Council's Law Enforcement Officers' reasonable directives;
 - f. Maintain areas in a clean and tidy condition. No obstructions are to be left on the roadways or footpaths;
 - g. 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;
 - h. Any person directing traffic on a public road is 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, RMS and NSW Police Force are indemnified against any possible action as the result of the event;
 - j. Advertise the proposed event in local newspapers with relevant information at least two weeks prior to the date; and
 - k. The event convener is to consult with all affected businesses and residents adjacent to the proposed event, in writing, indicating the period during which their accesses will be affected; and
 - l. The organiser is to have a debrief with Council and Police with all traffic control documentation and controls tables for review;
4. approve the Flavours of Mudgee Street Festival 24 September 2016 event subject to the following conditions:
- a. 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 3.4 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 Force 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' reasonable directives;
 - f. Maintain areas in a clean and tidy condition. No obstructions are to be left on the roadways or footpaths;



Mayor



General Manager

- g. Any person directing traffic on a public road is required to possess an appropriate traffic controller's certificate;
- h. 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;
- i. Maintain a four-metre wide emergency vehicle lane;
- j. Advertise the proposed event in local newspapers with relevant information at least 2 weeks prior to the date;
- k. The organiser is to have a debrief with Council and Police with all traffic control documentation and controls tabled for review; and
- l. The organiser is to notify NSW Fire and Rescue and the NSW Ambulance Service of the event.

The motion was carried with the Councillors voting unanimously.

12.2 MUDGEE SHOWGROUND MANAGEMENT COMMITTEE MEETING

GOV400054, F0650007

160/16 MOTION: Shelley / Cavalier

That Council:

1. receive the report by the Manager, Plant and Facilities on the Mudgee Showground Management Committee Meeting; and
2. note the Committee's concerns regarding the stables area as noted in the minutes.

The motion was carried with the Councillors voting unanimously.

12.3 GULGONG MEMORIAL HALL COMMITTEE

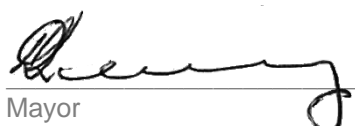
GOV400054, A0100024

161/16 MOTION: Shelley / Cavalier

That Council:

1. receive the report by the Manager Customer Services on the Gulgong Memorial Hall Committee; and
2. note the minutes from the Gulgong Memorial Hall Committee meetings held on 12 October 2015, 2 November 2015, 1 December 2015, 1 February 2016, 7 March 2016 and 4 April 2016.

The motion was carried with the Councillors voting unanimously.


Mayor


General Manager

12.4 GULGONG SPORTS COUNCIL MEETING MINUTES - 11
MARCH 2016

GOV400054, A0360003

162/16 MOTION: Shelley / Cavalier

That Council:

1. **receive the report by the Director, Community on the Gulgong Sports Council Meeting Minutes - 11 March 2016; and**
2. **note the minutes of the Gulgong Sports Council Meetings held on 11 March 2016.**

The motion was carried with the Councillors voting unanimously.

Item 13: Urgent Business Without Notice

Nil

Item 14: Confidential Session

The following item was withdrawn at the request of Cr Thompson.

14.1 DRAFT 2016/17 OPERATIONAL PLAN AND 2014-2017
AMENDED DELIVERY PROGRAM

GOV400054, FIN300065

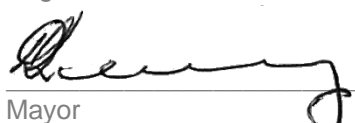
Item 14: Urgent Confidential Business Without Notice

Nil

Item 15: Open Council

Item 16: Closure

There being no further business the meeting concluded at 5:47pm.



Mayor



General Manager