

Minutes of the Ordinary Meeting of Council

Held at the Council Chambers, 86 Market Street, Mudgee
on 28 September 2016, commencing at 5.42pm and concluding at 6.36pm.

PRESENT Cr P Shelley, Cr D Kennedy, Cr E Martens, Cr JP Thompson, Cr P Cavalier,
Cr S Paine, Cr A Karavas, Cr J O'Neill, Cr R Holden.

IN ATTENDANCE General Manager (Brad Cam), Director Operations (Daryl Colwell), Acting
Director Community (Richard Cushway), Director Development (Julie
Robertson), Governance Co-ordinator (Tim Johnston) and Executive
Assistant (Mette Sutton).

Item 1: Apologies

There were no apologies

Item 2: Disclosure of Interest

Councillor Shelley declared a non-significant non-pecuniary conflict of interest in Item 7.5 as he is doing work for Bowdens Silver Mine.

Item 3: Confirmation of Minutes

Nil

Item 4: Matters in Progress

Nil

Item 5: Mayoral Minute

Nil

Item 6: Notices of Motion or Rescission

Nil

Item 7: Office of the General Manager

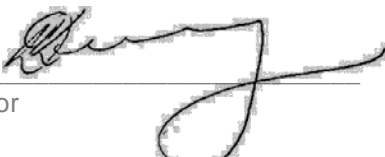
7.1 DELEGATIONS TO THE MAYOR

GOV400054, GOV400054


242/16 MOTION: Shelley / Holden

That Council:

1. receive the report by the Governance Coordinator on the



Mayor



General Manager

Delegations to the Mayor;

2. **pursuant to the provisions of Section 377 of the Local Government Act, 1993, delegate to the Mayor authority:**
 - a) **to monitor the General Manager in the exercise of the General Manager's powers, duties and functions;**
 - b) **to authorise expenditure on works approved in the Operational Plan for an amount up to \$20,000;**
 - c) **to authorise work, not approved in the Operational Plan, which in the Mayor's opinion is urgent, at a cost not exceeding \$20,000 except in the case of Bush Fire Emergency where the limit is \$50,000;**
 - d) **to approve the attendance of any Councillor at meetings or functions between Council meetings, that the Mayor would normally attend on behalf of Council;**
 - e) **to affix and witness the Common Seal of Council, in response to a resolution of Council, to any necessary documents in conjunction with the General Manager or another councillor;**
3. **adopt the attached delegations for the Mayor.**

The motion was carried with the Councillors voting unanimously.

7.2 ELECTION OF THE MAYOR

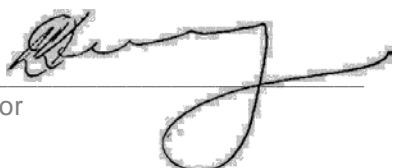
GOV400054, GOV400054

243/16**MOTION: Shelley / Kennedy****That Council:**

1. **receive the report by the Governance Coordinator on the Election of the Mayor;**
2. **determine that the Ballot for the election of the Mayor be by Open Voting; and**
3. **designate the General Manager as Returning Officer for the election with the election to be conducted by the General Manager and the Acting Director Community.**

The motion was carried with the Councillors voting unanimously.

The General Manager called for nominations for the position of Mayor and announced that one nomination had been received for Councillor Thompson. Two further nominations were forthcoming, being for Councillor Karavas and Councillor Kennedy.



Mayor



General Manager

The ballot was then conducted with two votes in favour of Councillor Thompson's nomination, two votes for Councillor Karavas and five votes for Councillor Kennedy.

The General Manager declared Councillor Kennedy elected as Mayor for the ensuing two years.

7.3 ELECTION OF DEPUTY MAYOR

GOV400054, GOV400054

244/16 MOTION: Shelley / Cavalier

That Council:

- 1. receive the report by the Governance Coordinator on the Election of Deputy Mayor;**
- 2. determine that the Ballot for the election of the Deputy Mayor be by Open Voting; and**
- 3. elect the Deputy Mayor for the Mayoral term (2 years)**
- 3. designate the General Manager as the Returning Officer for the election with the election to be conducted by the General Manager and the Acting Director Community.**

The motion was carried with the Councillors voting unanimously.

The General Manager called for nominations for the position of Deputy Mayor and announced that one nomination had been received for Councillor Martens. One further nomination was forthcoming, for Councillor Cavalier.

The ballot was then conducted with four votes in favour of Councillor Martens nomination and five votes for Councillor Cavalier.

The General Manager declared Councillor Cavalier elected as Deputy Mayor for the ensuing two years.

Councillor Kennedy assumed the Chair.

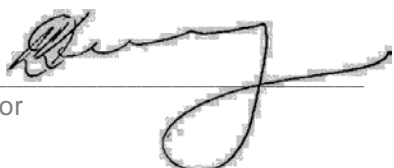
245/16 MOTION: Holden / Martens

That Council establish a Sub Committee to review the Code of Conduct and Code of Meeting Practice and to make recommendations. The Sub Committee to consist of Councillor Holden, the Mayor, the General Manager and an appropriate staff member.

The motion was carried with the Councillors voting unanimously.

MOTION: Martens / Thompson

That Council retain the Gulgong Memorial Hall Committee, the Rylstone and Kandos Access Committee and the Mudgee Saleyards Committee.



246/16

AMENDMENT: Holden / Shelley

That Council consider the Gulgong Memorial Hall Committee, the Rylstone and Kandos Access Committee and the Mudgee Saleyards Committee as three independent motions.

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

Councillors	Ayes	Nayes
Cr Shelley	✓	
Cr Kennedy	✓	
Cr Martens	✓	
Cr Thompson		✓
Cr Cavalier	✓	
Cr Paine	✓	
Cr Karavas	✓	
Cr O'Neill	✓	
Cr Holden	✓	

The amendment on being put as the motion was carried with the Councillors voting unanimously..

MOTION: Martens / Thompson

That Council retain the Gulgong Memorial Hall Committee as a 355 Committee.

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

Councillors	Ayes	Nayes
Cr Shelley		✓
Cr Kennedy		✓
Cr Martens	✓	
Cr Thompson	✓	
Cr Cavalier		✓
Cr Paine		✓
Cr Karavas	✓	
Cr O'Neill		✓
Cr Holden		✓

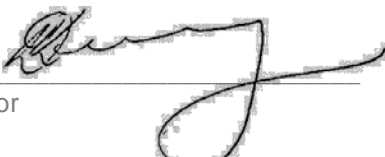
247/16

MOTION: Martens / Karavas


That Council retain the Rylstone & Kandos Access Committee as a 355 Committee.

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

Councillors	Ayes	Nayes
Cr Shelley	✓	
Cr Kennedy	✓	
Cr Martens	✓	
Cr Thompson	✓	



Mayor



General Manager

Cr Cavalier		✓
Cr Paine	✓	
Cr Karavas	✓	
Cr O'Neill		✓
Cr Holden		✓

MOTION: Thompson / Martens

That Council retain the Mudgee Saleyards Committee as a 355 Committee.

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

Councillors	Ayes	Nayes
Cr Shelley		✓
Cr Kennedy		✓
Cr Martens	✓	
Cr Thompson	✓	
Cr Cavalier		✓
Cr Paine		✓
Cr Karavas	✓	
Cr O'Neill	✓	
Cr Holden		✓

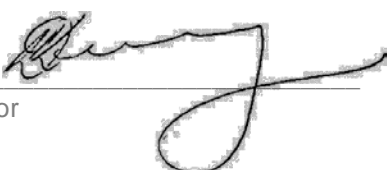
7.4 COUNCIL ADVISORY COMMITTEES


GOV400054, A0110015

RECOMMENDATION

That Council:

1. receive the report by the Governance Coordinator on the Council Advisory Committees;
2. confirm the membership of all proposed Council Advisory Committees with external membership as shown on the attached schedule; and
3. appoints the following Councillor representatives to the following committees:
 - (a) Mudgee Showground Management Committee
(1 Councillor)
 - (b) Red Hill Reserve Working Party (1 Councillor)
 - (c) Mudgee Sports Council Sub Committee
(1 Councillor)
 - (d) Gulgong Sports Council Sub Committee
(1 Councillor)


Mayor


General Manager

- (e) Rylstone Sports Council Sub Committee
(1 Councillor)
- (f) Mid-Western Regional Council Heritage Committee
(1 Councillor)
- (g) Mid-Western Regional Council Access Committee
(1 Councillor)
- (h) Mid-Western Regional Council Cultural Development
Committee (1 Councillor)
- (i) Australia Day Selection Committee (Mayor, Deputy
Mayor and 2 Councillors)
- (j) Mid-Western Regional Youth Council (2 Councillors)
- (k) Noxious Weeds Control Advisory Committee
(1 Councillor)

248/16 MOTION: Kennedy / Shelley

The Council appoint Councillor Holden and Councillor Karavas as the Councillor representatives on the Mudgee Showground Committee.

The motion was carried with the Councillors voting unanimously.

249/16 MOTION: Shelley / Holden

The Council appoint Councillor Cavalier as the Councillor representative on the Red Hill reserve Working Party.

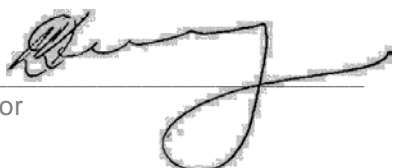
The motion was put and carried with Councillors voting as follows:

Councillors	Ayes	Nays
Cr Shelley	✓	
Cr Kennedy	✓	
Cr Martens		✓
Cr Thompson		✓
Cr Cavalier	✓	
Cr Paine	✓	
Cr Karavas	✓	
Cr O'Neill	✓	
Cr Holden	✓	

MOTION: Martens / Karavas

The Council appoint Councillor Thompson as the Councillor representative on the Red Hill reserve Working Party.

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




Councillors	Ayes	Nayes
Cr Shelley		✓
Cr Kennedy		✓
Cr Martens	✓	
Cr Thompson	✓	
Cr Cavalier		✓
Cr Paine	✓	
Cr Karavas	✓	
Cr O'Neill		✓
Cr Holden		✓

250/16 MOTION: Kennedy / Shelley

The Council appoint Councillor O'Neill as the Councillor representative on the Mudgee Sports Council Sub Committee

The motion was carried with the Councillors voting unanimously.

251/16 MOTION: Shelley / Holden

The Council appoint Councillor O'Neill as the Councillor representative on the Gulgong Sports Council Sub Committee.

The motion was carried with the Councillors voting unanimously.

252/16 MOTION: Kennedy / Holden

The Council appoint Councillor Shelley as the Councillor representative on the Rylstone Sports Council Sub Committee.

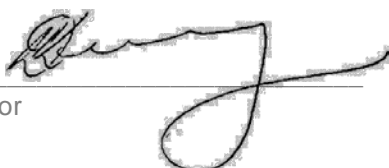
The motion was put and carried with Councillors voting as follows:

Councillors	Ayes	Nayes
Cr Shelley	✓	
Cr Kennedy	✓	
Cr Martens	✓	
Cr Thompson		✓
Cr Cavalier	✓	
Cr Paine	✓	
Cr Karavas	✓	
Cr O'Neill	✓	
Cr Holden	✓	

MOTION: Thompson / Karavas

The Council appoint Councillor Martens as the Councillor representative on the Rylstone Sports Council Sub Committee:

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




Councillors	Ayes	Nayes
Cr Shelley		✓
Cr Kennedy		✓
Cr Martens	✓	
Cr Thompson	✓	
Cr Cavalier		✓
Cr Karavas	✓	
Cr O'Neill		✓
Cr Holden		✓

Cr Paine abstained from voting..

253/16 MOTION: Kennedy / Shelley

The Council appoint Councillor Paine and Councillor Holden as the Councillor representatives on the Mid-Western Regional Council Heritage Committee.

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

Councillors	Ayes	Nayes
Cr Shelley	✓	
Cr Kennedy	✓	
Cr Martens		✓
Cr Thompson	✓	
Cr Cavalier	✓	
Cr Paine	✓	
Cr Karavas	✓	
Cr O'Neill	✓	
Cr Holden	✓	

254/16 MOTION: Cavalier / Shelley

The Council appoint Councillor Paine and Councillor Karavas as the Councillor representatives on the Mudgee & Gulgong Access Committee.

The motion was carried with the Councillors voting unanimously.

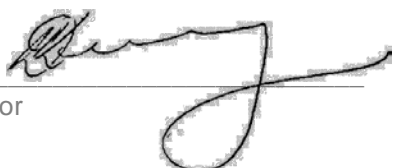
255/16 MOTION: Holden / Karavas

The Council appoint Councillor Martens as the Councillor representative on the Rylstone & Kandos Access Committee.

The motion was carried with the Councillors voting unanimously.

256/16 MOTION: Holden / Shelley

The Council appoint Councillor Holden and Councillor Paine as the Councillor representatives on the Mid-Western Regional Council




Cultural Development Committee.

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

Councillors	Ayes	Nayes
Cr Shelley	✓	
Cr Kennedy	✓	
Cr Cavalier	✓	
Cr Paine	✓	
Cr Karavas	✓	
Cr O'Neill	✓	
Cr Holden	✓	

Councillors Martens and Thompson abstained from voting.

257/16 MOTION: Cavalier / O'Neill

The Council appoint Councillor Shelley and Councillor Karavas as the Councillor representatives on the Australia day Committee.

AMENDMENT Thompson / Paine

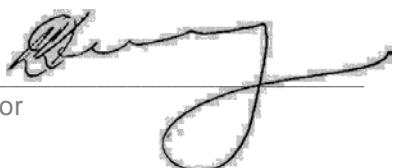
That Council appoint Councillor Martens and Councillor Shelley as the Councillor representatives on the Australia day Committee.

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

Councillors	Ayes	Nayes
Cr Shelley		✓
Cr Kennedy		✓
Cr Martens	✓	
Cr Thompson	✓	
Cr Cavalier		✓
Cr Paine	✓	
Cr Karavas		✓
Cr O'Neill		✓
Cr Holden		✓

The motion on being put was carried with Councillors voting as follows:

Councillors	Ayes	Nayes
Cr Shelley	✓	
Cr Kennedy	✓	
Cr Martens		✓
Cr Thompson	✓	
Cr Cavalier	✓	
Cr Paine	✓	
Cr Karavas	✓	
Cr O'Neill	✓	
Cr Holden	✓	




258/16 MOTION: Thompson / O'Neill

That Council appoint Councillor Karavas and Councillor Paine as the Councillor representatives on the Mid-Western Regional Youth Council.

The motion was carried with the Councillors voting unanimously.

259/16 MOTION: Cavalier / Shelley

The Council appoint Councillor Holden as the Councillor representatives on the Noxious Weeds Control Advisory Committee.

AMENDMENT: Martens / Karavas

That Council appoint Councilor Thompson as the Councillor representative on the Noxious Weeds Control Advisory Committee.

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

Councillors	Ayes	Nayes
Cr Shelley		✓
Cr Kennedy		✓
Cr Martens	✓	
Cr Thompson	✓	
Cr Cavalier		✓
Cr Paine		✓
Cr Karavas	✓	
Cr O'Neill		✓
Cr Holden		✓

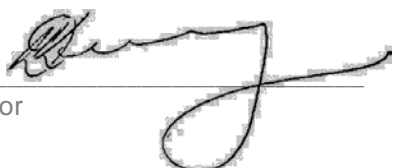
The motion on being put was carried with Councillors voting as follows:

Councillors	Ayes	Nayes
Cr Shelley	✓	
Cr Kennedy	✓	
Cr Martens		✓
Cr Cavalier	✓	
Cr Paine	✓	
Cr Karavas	✓	
Cr O'Neill	✓	
Cr Holden	✓	

Councillor Thompson abstained from voting.

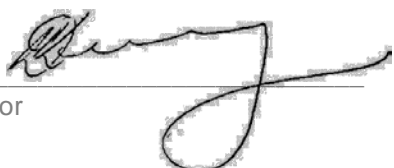
7.5 DELEGATES TO EXTERNAL COMMITTEES AND OTHER ORGANISATIONS 2016-17

GOV400054, A0110015

260/16 MOTION: Shelley / Paine



That Council:

1. receive the report by the Governance Coordinator on the Delegates to External Committees and other organisations 2016-17; and
2. appoint its delegates to the following external Committees or other organisations:
 - (a) Bushfire Management Committee (2 Councillors)
 - (b) Rural Fire Service District Liaison Committee (2 Councillors)
 - (c) Mudgee Regional Tourism Inc (1 Councillor)
 - (d) Ulan Coal Mine Community Consultative Committee (1 Councillor)
 - (e) Wilpinjong Community Consultative Committee (2 Councillors)
 - (f) Charbon Community Consultative Committee (1 Councillor)
 - (g) Moolarben Community Consultative Committee (2 Councillors)
 - (h) Inglenook Exploration Community Consultative Committee (General Manager or nominee)
 - (i) Central West Catchment Management Authority (1 Councillor)
 - (j) Macquarie Valley Weeds Advisory Committee (1 Councillor)
 - (k) Joint Regional Planning Panel (2 Councillors)
 - (l) Murray Darling Association (2 Representatives)
 - (m) Local Traffic Committee (1 Councillor)
 - (n) Bowdens Silver Mine Community Consultative Committee (1 Councillor)
 - (o) Crudine Ridge Wind Farm Consultative Committee (1 Councillor)
3. confirm Councillor delegates to the external committees as follows:

Name of Organisation**Council Delegate**



Bushfire Management Committee	Councillors Cavalier & Thompson
Rural Fire Service District Liaison Committee	Councillors Cavalier & O'Neill
Mudgee Region Tourism Inc	Councillor Holden
Ulan Coal Mine Community Consultative Committee	Councillors Kennedy & Martens
Wilpinjong Community Consultative Committee	Councillor Kennedy
Charbon Community Consultative Committee	Councillor Martens
Moolarben Community Consultative Committee	Councillors O'Neill & Cavalier
Inglenook Exploration Community Consultative Committee	Councillor Martens
Central West Catchment Management Authority –	
Local Government Reference Group	Councillor Holden
Macquarie Valley Weeds Advisory Committee	Councillor Holden
Murray Darling Association	Councillors Holden & Kennedy
Local Traffic Committee	Councillor Karavas
Bowdens Silver Mine Community Consultative Committee	Councillor O'Neill
Crudine Ridge Wind Farm Consultative Committee	Councillor Karavas

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

Councillors	Ayes	Nayes
Cr Shelley	✓	
Cr Kennedy	✓	
Cr Cavalier	✓	
Cr Paine	✓	
Cr Karavas	✓	
Cr O'Neill	✓	
Cr Holden	✓	

Councillors Martens and Thompspon abstained from voting.

261/16 MOTION: Shelley / Holden

That Council appoint Councillor Holden and Councillor Cavalier as the Councillor representatives on the Joint Regional Planning Panel.

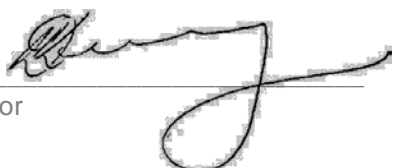
AMENDMENT LAPSED: Thompson

That Council appoint Councillor Martens and Councillor Holden as the Councillor representatives on the Joint Regional Planning Panel.

The amendment lapsed for want of a seconder. The motion was put and carried with Councillors voting as follows:

Councillors	Ayes	Nayes
Cr Shelley	✓	
Cr Kennedy	✓	
Cr Martens		✓
Cr Thompson		✓
Cr Cavalier	✓	
Cr Karavas		✓
Cr O'Neill	✓	
Cr Holden	✓	

Councillor Paine abstained from voting.




MOTION: Thompson / Holden

That Council continue to participate in the Bells Line Expressway Group meetings.

262/16

AMENDMENT Shelley / Cavalier

That Council continue to participate in the Bells Line Expressway Group meetings and that Councillor Holden be appointed as Council's delegate.

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

Councillors	Ayes	Nays
Cr Shelley	✓	
Cr Kennedy	✓	
Cr Martens		✓
Cr Thompson	✓	
Cr Cavalier	✓	
Cr Paine	✓	
Cr Karavas		✓
Cr O'Neill	✓	
Cr Holden	✓	

The amendment on being put as the motion was carried with Councillors voting unanimously.

7.6 COUNCIL MEETING SCHEDULE OCTOBER 2016 TO JUNE 2017

GOV400054, GOV400054

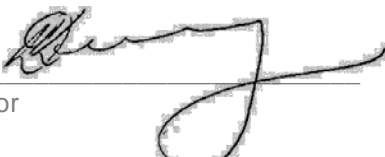
263/16

MOTION: Shelley / Cavalier


That Council:

1. receive the report by the Governance Coordinator on the Council Meeting Schedule October 2016 to June 2017; and
2. schedule Council Meetings for the remainder of the 2016/2017 calendar year as follows:

Wednesday, 19 October 2016
Wednesday, 16 November 2016
Wednesday, 21 December 2016
Wednesday, 15 February 2017
Wednesday, 15 March 2017
Wednesday, 19 April 2017
Wednesday, 17 May 2017
Wednesday, 21 June 2017



 Mayor



 General Manager

The motion was carried with the Councillors voting unanimously.

Item 8: Development

Nil

Item 9: Finance

Nil

Item 10: Operations

Nil

Item 11: Community

Nil

Item 12: Reports from Committees

Nil

Item 13: Urgent Business Without Notice

Item 14: Confidential Session

Nil

Item 15: Urgent Confidential Business Without Notice

Item 16: Open Council

Item 17: Closure

There being no further business the meeting concluded at 6:36pm.

