

Minutes of the Ordinary Meeting of Council

Held at the Council Chambers, 86 Market Street, Mudgee
on 15 March 2017, commencing at 6.04pm 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 and Cr J O'Neill.

IN ATTENDANCE General Manager (Brad Cam), Director Community (Simon Jones), Director
Development (Julie Robertson), Acting Director Operations (Sally
Mullinger), Chief Financial Officer (Leonie Johnson), Manager Governance
(Tim Johnston), Executive Assistant (Mette Sutton) and Executive
Administration Assistant (Erin Reid).

Item 1: Apologies

An apology was received for Councillor R Holden.

39/17 MOTION: Cavalier / Paine

That the apology received for Councillor R Holden be accepted.

The motion was carried with the Councillors voting unanimously.

Item 2: Disclosure of Interest

Councillor D Kennedy declared a pecuniary conflict of interest in item 8.1 as he is the owner of the premises and a non-pecuniary conflict of interest in item 10.5 as he is a former owner and now neighbour to the development.

Item 3: Confirmation of Minutes

40/17 MOTION: Shelley / Thompson

That the Minutes of the Ordinary Meeting held on 15 February 2017 be taken as read and confirmed.

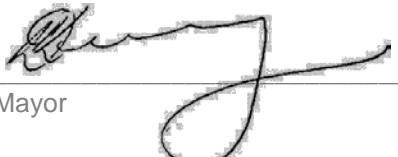
The motion was carried with the Councillors voting unanimously.


Item 4: Matters in Progress

Mudgee Golf Club

41/17 MOTION: Thompson / Martens

That Minute no. 447/15 be noted as completed.


Mayor


General Manager

The motion was carried with the Councillors voting unanimously.

Item 5: Mayoral Minute

Nil

Item 6: Notices of Motion or Rescission

6.1 COMMUNITY SAFETY COMMITTEE

GOV400064, A010054

42/17 MOTION: Karavas / Shelley

That Council:

1. re-instate the Community Safety Committee as a Section 355 Committee of Council;
2. endorse the General Manager, Mayor, Cr Karavas and the Youth Mayor to be members of the Committee; and

Subject to community consultation through the Community Safety Committee,

3. develop a plan for the installation of CCTV in the Mudgee CBD with particular reference to Byron Place and Mudgee Town Centre carparks.

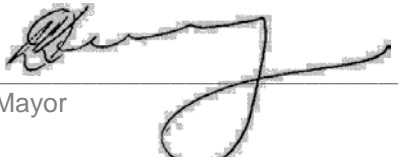
AMENDMENT: Cavalier / Thompson


Staff prepare a report outlining the estimated cost of establishing CCTV in the Mudgee CBD with particular reference to Byron Place, Mudgee Town Centre carparks and Mayne Street Gulgong with a view to reinstating a Community Safety Committee as a Section 355 Committee of Council.

The amendment was put and lost, on the casting vote of the Mayor, 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	✓	

The motion was then put with the Councillors voting unanimously.


Mayor


General Manager

6.2 CENTREPAY FOR RATEPAYERS

GOV400064, Gov400064

MOTION: Cavalier / O'Neill

That Council introduce Centrepay for Ratepayers.

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	✓	

Item 713: Office of the General Manager

Nil

Item 8: Development

Councillor Kennedy declared a pecuniary conflict of interest in item 8.1 as he is the owner of the premises. He left the Chambers at 6:21pm and did not participate in discussion or vote in relation to this matter.

8.1 S96(1A) MODIFICATION - MA0025/2017 - EXTENSION TO PERGOLA - ORIENTAL HOTEL, MUDGEE

GOV400064, MA0025/2017

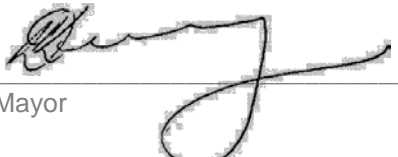
43/17 MOTION: Shelley / Martens

That Council:


- A. receive the report by the Town Planner on the S96(1A) Modification - MA0025/2017 - Extension to pergola - Oriental Hotel, Mudgee;
- B. approve S96(1A) Modification - MA0025/2017 - Extension to pergola - Oriental Hotel, Mudgee subject to the following conditions:

APPROVED PLANS

1. ~~Development is to be carried out generally in accordance with stamped plans~~



Mayor



General Manager

- ~~Project No. 711 - Drawing Number DA/CC1301
- Issue A First Floor Plan~~
- ~~Project No. 711 - Drawing Number DA/CC1201
- Issue A Ground Floor Plan + Site Plan + Fire
Safety Measures Plan~~
- ~~Project No. 711 - Drawing Number DA/CC1601
- Issue A Sections~~
- ~~Project No. 711 - Drawing Number DA/CC1501
- Issue A Elevations~~

~~and the Application received by Council on 21 August 2015 except as varied by the conditions listed herein and as marked in red on the plans. Any minor modification to the approved plans will require the lodgement and consideration by Council of amended plans. Major modifications will require the lodgement of a new development application.~~

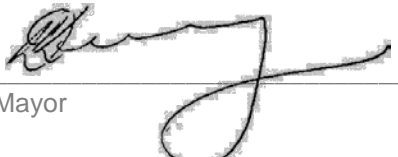
- 1a. Development is to be carried out generally in accordance with stamped plans
- Project No. 711 - Drawing Number DA/CC1301
- Issue A First Floor Plan
 - Project No. 711 - Drawing Number DA1001 S96
- Issue B Ground Floor Plan + Site Plan
 - Project No. 711 - Drawing Number DA1601 S96
- Issue A Sections
 - Project No. 711 - Drawing Number DA1501 S96
- Issue A Elevations


and the Application received by Council on 21 August 2015 except as varied by the conditions listed herein and as marked in red on the plans. Any minor modification to the approved plans will require the lodgement and consideration by Council of amended plans. Major modifications will require the lodgement of a new development application. (AMENDED MA0025/2017)

2. This consent does not alter any of the conditions or requirements as stipulated under previous consent DA0164/2015.
3. ~~The pergola is not to encroach within the playground area as approved under DA0164/2015. (AMENDED MA0025/2017)~~

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

4. All building work is to comply with the


Mayor

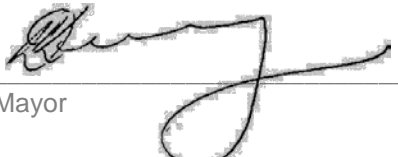

General Manager

requirements of the Access to Premises Standard.


5. A schedule of existing and proposed fire safety measures is to be submitted to the Principal Certifying Authority with the application for the Construction Certificate.

PRIOR TO COMMENCEMENT OF WORKS BUILDING

6. No work shall commence until a Construction Certificate has been issued and the applicant has notified Council of:
 - a) the appointment of a Principal Certifying Authority and
 - b) the date on which work will commence.Such notice shall include details of the Principal Certifying Authority and must be submitted to Council at least two (2) days before work commences.
7. The site shall be provided with a waste enclosure (minimum 1800mm X 1800mm X 1200mm) that has a lid or secure covering for the duration of the construction works to ensure that all wastes are contained on the site. The receptacle is to be emptied periodically to reduce the potential for rubbish to leave the site. Council encourages the separation and recycling of suitable materials.
NOTE: ALL WASTE GENERATED FROM THE CONSTRUCTION PROCESS IS TO BE CONTAINED ON-SITE
8. A sign must be erected in a prominent position on any work site on which involved in the erection or demolition of a building is carried out;
 - a) stating that unauthorised entry to the work site is prohibited, and
 - b) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.
 - c) the name, address and telephone number of the principal certifying authority for the work,
 - d) The sign shall be removed when the erection or demolition of the building has been completed.
9. If the work involved in the erection/demolition of the building;
 - a) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
 - b) building involves the enclosure of a public



Mayor



General Manager

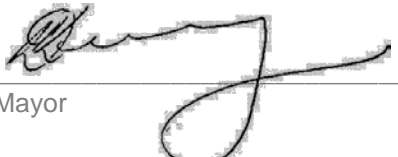
place

a hoarding or fence must be erected between the work site and the public place. If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place. Any such hoarding, fence or awning is to be removed when the work has been completed.


10. Prior to the commencement of works on site, the applicant shall advise Council's Planning Department, in writing, of any existing damage to Council property.
11. The development site is to be managed for the entirety of work in the following manner:
 - a. Erosion and sediment controls are to be implemented to prevent sediment from leaving the site. The controls are to be maintained until the development is complete and the site stabilised with permanent vegetation;
 - b. Appropriate dust control measures;
 - c. Construction equipment and materials shall be contained wholly within the site unless approval to use the road reserve has been obtained;
 - d. Toilet facilities are to be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

BUILDING CONSTRUCTION

12. All building work must be carried out in accordance with the provisions of the National Construction Code, the Environmental Planning & Assessment Act 1979 and Regulations and all relevant Australian Standards.
13. All plumbing and drainage work must be carried out by a licensed plumber and drainer and must comply with the Plumbing Code of Australia.
14. Construction work noise that is audible at other premises is to be restricted to the following times:
 - Monday to Saturday - 7.00am to 5.00pmNo construction work noise is permitted on Sundays or Public Holidays.
15. All mandatory inspections required by the



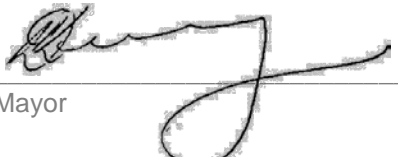
Mayor




General Manager

Environmental Planning & Assessment Act and any other inspections deemed necessary by the Principal Certifying Authority being carried out during the relevant stage of construction.

16. The licensed demolition contractor and/or principal contractor must comply with the following specific requirements in respect of the proposed demolition works:-
- a) Demolition work is not be undertaken until:
 - Council has been provided with a copy of any required Hazardous Substances Management Plan;
 - The licensed demolition contractor and/or principal contractor has inspected the site and is satisfied that all measures are in place to comply with the provisions of such Plan;
 - b) The removal, handling and disposal of any asbestos material (in excess of 10m²) is to be undertaken only by an asbestos removal contractor who holds the appropriate class of Asbestos Licence, issued by WorkCover NSW, and in accordance with the requirements of WorkCover NSW, the Work Health and Safety Act 2011 and Australian Standard 2601-2001
 - c) All asbestos and other hazardous materials are to be appropriately contained and disposed of at a facility holding the appropriate license issued by the NSW Environmental Protection Agency;
 - d) Seven working day's notice in writing is to be given to Council prior to the commencement of any demolition works. Such written notice is to include the date demolition will commence and details of the name, address, contact telephone number and licence details (type of licences held and licence numbers) of any asbestos removal contractor and demolition contractor.
17. The removal of any asbestos material (less than 10m²) during the demolition phase of the development is to be in accordance with the requirements of the Workcover Authority and disposed of at an approved waste facility.
18. All stormwater is to discharge to the street with the use of non-flexible kerb adaptors. Please note this can be achieved by connecting to existing


Mayor


General Manager

stormwater lines.

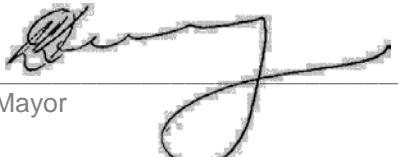
19. This approval does not provide any indemnity to the owner or applicant under the Disability Discrimination Act 1992 with respect to the provision of access and facilities for people with disabilities.
20. All building work is to comply with the requirements of the Access to Premises Standard.
21. The list of measures contained in the schedule attached to the Construction Certificate are required to be installed in the building or on the land to ensure the safety of persons in the event of fire in accordance with Clause 168 of the Environmental Planning and Assessment Regulation 2000.

PRIOR TO OCCUPATION CERTIFICATE


22. Prior to the occupation of a new building, or occupation or use of an altered portion of, or an extension to an existing building, an Occupation Certificate is to be obtained from the Principal Certifying Authority appointed for the erection of the building.
23. Prior to occupation or the issue of the Occupation Certificate (or Interim Occupation Certificate) the owner of the building must cause the Principal Certifying Authority to be given a fire safety certificate (or interim fire safety certificate in the case of a building or part of a building occupied before completion) in accordance with Clause 153 of the Environmental Planning and Assessment Regulation 2000 for each measure listed in the schedule. The certificate must only be in the form specified by Clause 174 of the Regulation. A copy of the certificate is to be given to the Commissioner of the New South Wales Fire Brigade and a copy is to be prominently displayed in the building.
24. Confirmation of registration of the boundary adjustment as approved under DA0164/2015.

GENERAL

25. For every 12 month period after the issue of the Final Fire Safety Certificate the owner/agent of the building must provide the Council and the



Mayor



General Manager

Commissioner of NSW Fire Brigades with a copy of a Annual Fire Safety Statement Certifying that each specified fire safety measure is capable of performing to its specification.

26. Where any essential services are installed in the building a copy of the final Fire Safety Certificate (together with a copy of the current fire safety schedule) is to be given to the Commissioner of NSW Fire Brigades and Council. A further copy of the Certificate (together with a copy of the current fire safety schedule) is to be prominently displayed in the building.
27. All loading and unloading in connection with the premises shall be carried out wholly within the site.
28. All exterior lighting associated with the development shall be designed and installed so that no obtrusive light will be cast onto any adjoining property or roadways, in accordance with Australian Standard 4282 "Control of the Obtrusive Effects of Outdoor Lighting".
29. The premises shall, at all times, be operated and maintained in accordance with Food Safety Standards 3.1.1, 3.2.2 and 3.2.3 prescribed in chapter 3 of the Australia and New Zealand Food Standards Code.

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

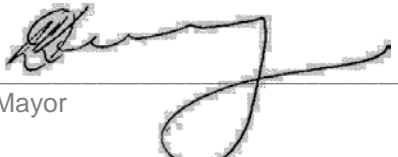
Councillors	Ayes	Nayes
Cr Shelley	✓	
Cr Martens	✓	
Cr Thompson	✓	
Cr Cavalier	✓	
Cr Paine	✓	
Cr Karavas	✓	
Cr O'Neill	✓	


Councillor Kennedy returned to the Chambers at 6:22pm.

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. 44/17 and concluding with Resolution No. 49/17.

8.2 RESULTS OF COMMUNITY ENGAGEMENT

GOV400064, COR400124


Mayor


General Manager

44/17 MOTION: Shelley / Cavalier

That Council receive the report by the Manager Economic Development on the Results of Community Engagement.

The motion was carried with the Councillors voting unanimously.

8.3 UPDATE ON THE NUMBER OF MATTERS DEALT WITH UNDER THE PROTECTION OF THE ENVIRONMENT OPERATIONS ACT 1997

GOV400064, GOV400043, ENV200046

45/17 MOTION: Shelley / Cavalier

That Council receive the report by the Manager, Health and Building on the Update on the Number of Matters Dealt with under the Protection of the Environment Operations Act 1997.

The motion was carried with the Councillors voting unanimously.

8.4 MONTHLY DEVELOPMENT APPLICATIONS PROCESSING AND DETERMINED

GOV400064, GOV400043, A100055, A100056

46/17 MOTION: Shelley / Cavalier

That Council receive the report by the Director Development on the Monthly Development Applications Processing and Determined.

The motion was carried with the Councillors voting unanimously.

8.5 FOOD INSPECTION PROGRAM

GOV400064, GOV400043, A0130009

47/17 MOTION: Shelley / Cavalier

That Council receive the report by the Manager, Health and Building on the Food Inspection Program.

The motion was carried with the Councillors voting unanimously.

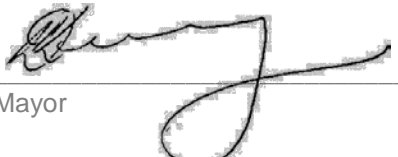
8.6 LAND & HOUSING SUPPLY MONITOR

GOV400064, GOV400043, LAN900042


48/17 MOTION: Shelley / Cavalier

That Council receive the report by the Director Development on the Land & Housing Supply Monitor.

The motion was carried with the Councillors voting unanimously.



Mayor



General Manager

Item 9: Finance

9.1 REVIEW OF HARDSHIP PROVISION - RATES AND CHARGES POLICY

GOV400064, A0340005, RAT700042

49/17 **MOTION: Shelley / Cavalier****That Council:**

1. receive the report by the Revenue and Property Manager on the Review of Hardship Provision - Rates and Charges Policy; and
2. adopt the revised Hardship Provision – Rates and Charges Policy.

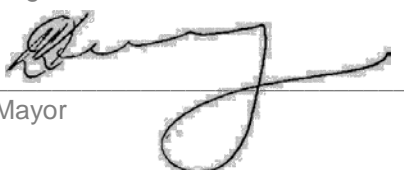
The motion was carried with the Councillors voting unanimously.


9.2 CUDGEGONG WATERS CARAVAN PARK LICENCE & SUB LICENCE ASSIGNMENT

GOV400064, P2044711,F0650081

50/17 **MOTION: Shelley / Thompson****That Council:**

1. receive the report by the Revenue and Property Manager on the Cudgegong Waters Caravan Park Licence & Sub Licence Assignment;
2. consent to the assignment of the Licence Agreement for the Occupation of Land for Caravan Park Activities dated 16 December 2013 to Mark Andrew Rogers and Deidre Francis Louise Rogers, facilitated by the Deed of Assignment of Licence Agreement and Consent of Licensor;
3. refer the assignment of the Licence Agreement for the Occupation of Land for Caravan Park Activities dated 16 December 2013 to the Department of Industry Lands for written consent of the Minister;
4. consent to the assignment of the Sub Licence Agreement dated 6 August 2014 to Mark Andrew Rogers and Deidre Francis Louise Rogers, facilitated by the Deed of Assignment of Sub Licence;
5. authorise the General Manager and Mayor to sign all



Mayor

General Manager

documentation required to execute the Deed of Assignment of Licence Agreement and Consent of Licensor and the Deed of Assignment of Sub Licence upon receipt of the Minister's consent in relation to assignment of the Licence Agreement for the Occupation of Land for Caravan Park Activities dated 16 December 2013;

6. authorise the Common Seal be affixed to any documentation required to execute the Deed of Assignment of Licence Agreement and Consent of Licensor and the Deed of Assignment of Sub Licence upon receipt of the Minister's consent in relation to assignment of the Licence Agreement for the Occupation of Land for Caravan Park Activities dated 16 December 2013; and
7. require all costs associated with the assignment of the Licence Agreement for the Occupation of Land for Caravan Park Activities dated 16 December 2013 and the assignment of the Sub Licence Agreement dated 6 August 2014, including Council's reasonable legal costs, to be borne by Mark Andrew Rogers and Deidre Francis Louise Rogers.

The motion was carried with the Councillors voting unanimously.

9.3 REQUEST FOR COUNCIL CONSENT TO PROPOSED ROAD CLOSURE

GOV400064, P24091

51/17

MOTION: Shelley / Thompson

That Council:

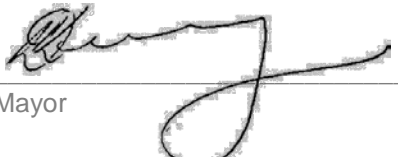
1. receive the report by the Property Officer on the Request for Council Consent to Proposed Road Closure of an unmaintained Council public road; and
2. refuse consent to Anthony Edward Fitzgerald making a road closure application to NSW Department of Industry - Lands in connection with the unmaintained Council public road within Lot 180 DP 755416 at Kains Flat.

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. 52/17 and concluding with Resolution No. 59/17.

9.4 RELATED PARTY DISCLOSURE POLICY

GOV400064, FIN3000139



Mayor



General Manager

The motion was carried with the Councillors voting unanimously.

9.7 MONTHLY BUDGET REVIEW JANUARY 2017

GOV400064, FIN300065

55/17

MOTION: Shelley / Cavalier

That Council receive the report by the Manager, Financial Planning on the Monthly Budget Review January 2017.

The motion was carried with the Councillors voting unanimously.

Item 10: Operations

10.1 RFT 2016/11 WOLLAR ROAD RECONSTRUCTION STAGE 4

GOV400064, COR400127

56/17

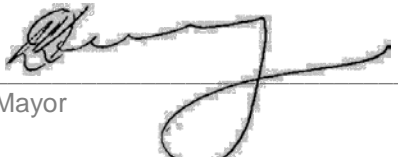
MOTION: Shelley / Cavalier

That Council:


1. **receive the report by the Senior Works Engineer on the RFT 2016/11 Wollar Road Reconstruction Stage 4;**
2. **declines all tenders submitted for RFT 2016/11 Wollar Road upgrade Stage 4 as tenders did not meet budget requirements for this section ;**
3. **authorise the General Manager to negotiate with one or all of the tenderers for the upgrade of the Wollar Road upgrade Stage 4 as the market has been tested and it is likely that a contract can be formed with one of the parties that satisfies the requirements of the request for tender without further delay;**
4. **authorise the General Manager to finalise and execute a contract if a satisfactory outcome can be negotiated;**
5. **grant the General Manager delegated authority to approve variations to the contract up to a cumulative total of 10% of the original contract sum; and**
6. **notify unsuccessful tenderers that their tenders were unsuccessful.**

The motion was carried with the Councillors voting unanimously.

10.2 KANDOS AND RYLSTONE FLOODPLAIN RISK
MANAGEMENT STUDY AND PLAN



Mayor



General Manager

GOV400064, WAT500052

57/17 **MOTION: Shelley / Cavalier****That Council:**

1. receive the report by the Manager Development Engineering on the Kandos and Rylstone Floodplain Risk Management Study and Plan;
2. adopt the Kandos and Rylstone Floodplain Risk Management Study and Floodplain Risk Management Plan.

The motion was carried with the Councillors voting unanimously.

10.3 RELOCATION OF EXISTING DRAINAGE EASEMENT LOT 5
AND 6 DP12081

GOV400064, GOV400064

58/17 **MOTION: Shelley / Cavalier****That Council:**

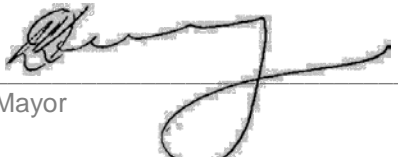
1. receive the report by the Manager Development Engineering on the Relocation of Existing Easement for Drainage Lot 5 & 6 DP12081 (9 & 11 George Street Kandos);
2. extinguish the existing Drainage Easement burdening Lots 5 & 6 DP12081 (9 & 11 George Street Kandos);
3. create a new Drainage Easement 3 metres wide burdening Lot 7 DP12081 (13 George Street Kandos) along the eastern boundary benefitting Council;
4. authorise the General Manager and Mayor to sign all documentation required to give effect to this resolution; and
5. authorise the Common Seal be affixed to any documentation required to give effect to this resolution.

The motion was carried with the Councillors voting unanimously.


10.4 DRAFT LIQUID TRADE WASTE POLICY

GOV400064, F0740038

59/17 **MOTION: Shelley / Cavalier****That Council:**



Mayor



General Manager

1. **receive the report by the Manager, Water and Sewer on the Draft Liquid Trade Waste Policy; and**
2. **endorse public exhibition of the Draft Liquid Trade Waste Policy for a period of twenty eight (28) days.**

The motion was carried with the Councillors voting unanimously.

Councillor Kennedy declared a non-pecuniary conflict of interest in item 10.5 as he is a former owner and now neighbour to the development. He left the Chambers at 6:27pm and did not participate in discussion or vote in relation to this matter.

10.5 DEFERMENT OF DEVELOPER CONTRIBUTIONS

GOV400064, DA0152/2015

60/17 MOTION: Shelley / Thompson

That Council:

1. **receive the report by the Manager Development Engineering on the Deferment of Developer Contributions;**
2. **decline the deferment of Developer Contributions in connection with DA0152/2015 in accordance with the Water and Sewerage Development Service Plan.**
3. **decline the deferment of S94 Developer Contributions as it does not satisfy the requirement specified in the plan to seek approval prior to the determination of a development application by Council.**

The motion was carried with the Councillors voting unanimously.

Councillor Kennedy returned to the Chambers at 6:29pm.

Item 11: Community

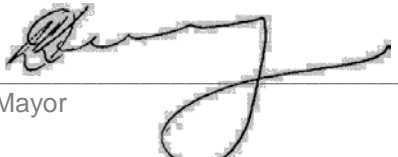
The following recommendations 11.1 to 12.4 (excluding item 12.2) were adopted as a whole, being moved by Cr Shelley, seconded by Cr Martens and carried with Councillors voting unanimously. Each recommendation is recorded with a separate resolution number commencing at Resolution No. 61/17 and concluding with Resolution No. 65/17 (excluding Resolution No. 63/17).

11.1 ELECTRONIC TELECOMMUNICATIONS - ACCEPTABLE USE POLICY


GOV400064, INT800022

61/17 MOTION: Shelley / Martens

That Council:



Mayor



General Manager

1. receive the report by the ICT Manager on the Electronic Telecommunications - Acceptable Use Policy; and
2. adopt the amended Electronic Telecommunications - Acceptable Use Policy Policy.

The motion was carried with the Councillors voting unanimously.

Item 12: Reports from Committees

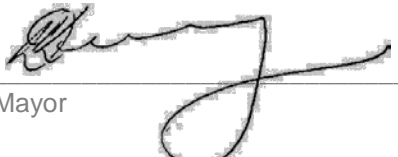
12.1 LOCAL TRAFFIC COMMITTEE MEETING - FEBRUARY

GOV400064, A0100009


62/17 MOTION: Shelley / Martens

That Council:

1. receive the report by the Manager Development Engineering on the Local Traffic Committee Meeting;
2. That Council support the event "Mudgee Small Farm Field Days" Friday and Saturday, 14 & 15 July 2017, be classified as a Class 2 event under the "Guide to Traffic and Transport Management for Special Events Version 3.4" and proceeds with 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 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 a holder of the Prepare a Work Zone Traffic Management Plan or superseded Select and Modify Certificate or the Design and Audit Certificate which has not expired;
 - 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 list Council, RMS and NSW Police as Interested Parties;



Mayor

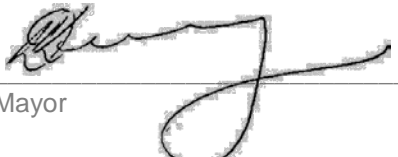


General Manager


- j. The event convener is to consult with all affected businesses and residents adjacent to the proposed closure, in writing, indicating the period during which their accesses will be affected;
- k. Maintain a four-metre wide emergency vehicle lane;
- l. Advertise the proposed event in local newspapers with relevant information at least two weeks prior to the date;
- m. The organiser is to debrief with Council and Police with all traffic control documentation and controls tabled for review.

And the following Special Conditions:

- n. The southbound lane of Henry Lawson Drive be closed between Putta Bucca Road and Ulan Road from 6am on Friday 14 July to 6pm Saturday 15 July 2017;
- o. The southbound lane of Church Street, between Short Street and Market Street, be closed between the hours of 12.00pm – 6.00pm on 14 & 15 July 2017.
- p. The Australian Rural Education Centre entrances on Ulan Road be monitored by appropriately trained traffic controllers between the hours of 7.30am to 10.30am and 3.30pm to 6.00pm (approximately – specific times to suit peak periods);
- q. The Ulan Road / Lue Road intersection be monitored by appropriately trained traffic controllers in the mornings;
- r. The Putta Bucca Road / Gulgong Road intersection is to be monitored by appropriately trained traffic controllers in the afternoons;
- s. The Road Closures be carried out & monitored by appropriately trained traffic controllers;
- t. A request be made to the Council to allow the following Speed Limit alterations on 14 & 15 July 2017;
 - Henry Lawson Drive, from the intersection of Eurunderee Lane to the Vineyard Motel driveway, be reduced to the speed limit of 80kph,
 - Henry Lawson Drive from the Vineyard Motel driveway to the Ulan Road intersection be reduced to the speed limit of 60kph,
 - Ulan Road from the intersection of Buckaroo Road to the cemetery entrance (600m before the AREC site) be reduced to the speed limit of 80kph,
 - Ulan Road from the cemetery entrance to the town entrance be reduced to the speed limit of 60kph,
 - Putta Bucca Road, a 60kph speed zone be imposed from the intersection of Henry Lawson Drive to Chestnut Close.
- u. All Parking is to be provided on site for the public, exhibitors and staff;
- v. The “free courtesy buses” be organised by AREC to allow public and exhibitors transport to the event, as suggested by the organiser; and



Mayor



General Manager

- w. The “contingency plan for wet weather” affected parking areas, be implemented as required; and
3. That Council approve the ANZAC Day March road closures that are undertaken consistent with previous year’s events.

The motion was carried with the Councillors voting unanimously.

12.2 GULGONG MEMORIAL HALL COMMITTEE MEETING
MINUTES 5TH DECEMBER, 2016 AND 6TH FEBRUARY, 2017
GOV400064, A0100025

63/17 MOTION: Cavalier / Shelley

That Council:

1. receive the report by the Director Community on the Gulgong Memorial Hall Committee Meeting Minutes 5th December, 2016 and 6th February, 2017.;
2. note the minutes from the Gulgong Memorial Hall Committee meetings held on 5 December, 2016 and, 6 February, 2017.
3. appoints Cr Thompson to be the Councillor representative for the Gulgong Memorial Hall Committee and Cr Cavalier as the alternate representative.

The motion was carried with the Councillors voting unanimously.

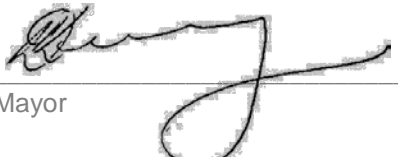
12.3 MUDGEE AND GULGONG ACCESS COMMITTEE
GOV400064, COS300015

64/17 MOTION: Shelley / Martens


That Council:

1. receive the report by the Manager, Community Services on the Mudgee and Gulgong Access Committee;
2. note the minutes of the Mudgee and Gulgong Access Committee meetings held on 6 December 2016 and 7 February 2017;
3. endorse the amended Terms of Reference for the Mudgee and Gulgong Access Committee.

The motion was carried with the Councillors voting unanimously.



Mayor



General Manager

12.4 RYLSTONE AND KANDOS ACCESS COMMITTEE

GOV400064, COS300015/A0060129

65/17

MOTION: Shelley / Martens**That Council:**

1. receive the report by the Manager, Community Services on the Rylstone and Kandos Access Committee;
2. note the minutes of the Rylstone and Kandos Access Committee held on 8 November 2016 and 14 February 2017;
3. endorse the amended Terms of Reference for the Rylstone and Kandos Access Committee; and
4. endorse Denise Jamieson and Muriel Nevell-King as new members of the Rylstone and Kandos Access Committee.

The motion was carried with the Councillors voting unanimously.

Item 13: Urgent Business Without Notice

66/17

MOTION: Cavalier / Paine**That the two items of Urgent Business Without Notice be considered at this meeting.**

The motion was carried with the Councillors voting unanimously.

13.1 COUNCIL REPRESENTATIVE ON MUDGEES REGION
TOURISM INCORPORATED.

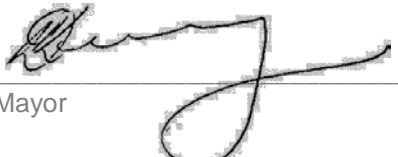
GOV400064, F0770077


67/17

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

1. receive the report by the Director Community on the Council Representative on Mudgees Region Tourism Incorporated.;
2. appoints Councillor Kennedy to be the Council Representative for Mudgees Region Tourism Incorporated.

The motion was carried with the Councillors voting unanimously.



Mayor

General Manager

13.2 COMMUNITY GRANTS PROGRAM APPLICATION - MUDGEES
DISABILITY SUPPORT SERVICES.

GOV400064, FIN300138

68/17 MOTION: Shelley / Paine

That Council:

1. receive the report by the Director Community on the Community Grants Program Application - Mudgee Disability Support Services.;
2. provide financial assistance to Mudgee Disability Support Services in accordance with the Community Grants Program Policy, by the waiver of hire fees of \$649 and the required bond of \$550 for the hire of the Town Hall Theatre.

The motion was carried with the Councillors voting unanimously.

Item 14: Confidential Session

69/17 MOTION: Cavalier / Shelley

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.

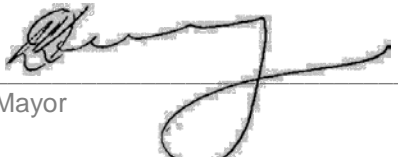
Following the motion to close the meeting being moved and seconded, the General Manager announced that the following matters would be considered in confidential session and the reason why it was being dealt with in this way.


14.1 General Manager's Performance Agreement 2016-2017

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.

Discussion of this matter in an open meeting would be, on balance, contrary to the public interest as it involves discussion of personnel matters concerning the General Manager.

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.



Mayor

General Manager

14.1 GENERAL MANAGER'S PERFORMANCE AGREEMENT 2016-2017

GOV400064, GOV400038, A0381418

70/17 MOTION: Shelley / Karavas

That Council receive the report by the Executive Manager, Human Resources on the General Manager's Performance Agreement 2016-2017.

The motion was carried with the Councillors voting unanimously.

Item 15: Urgent Confidential Business Without Notice

Nil

Item 16: Open Council

71/17 MOTION: Cavalier / Martens

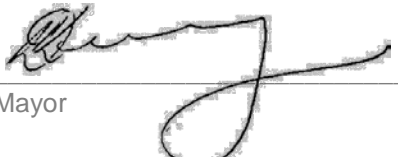
That: Council move to Open Council.

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 6:36pm.



Mayor



General Manager