# Minutes of the Ordinary Meeting of Council

Held at the Council Chambers, 86 Market Street, Mudgee on 19 April 2017, commencing at 6.14pm and concluding at 7.09pm.

**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 and Cr R Holden.

IN ATTENDANCE General Manager (Brad Cam), Director Community (Simon Jones), Director

> Development (Julie Robertson), Acting Director Development (Sally Mullinger), Chief Financial Officer (Leonie Johnson), Manager Governance

(Tim Johnston) and Executive Assistant (Mette Sutton).

Item 1: **Apologies** 

There were no apologies

Item 2: **Disclosure of Interest** 

Cr Thompson declared a significant non-pecuniary conflict of interest in item 8.5 as he is the President of the Gulgong Race Club.

Cr Holden declared a pecuniary conflict of interest in item 9.4 as a family member is making a request for grant funding.

**Confirmation of Minutes** Item 3:

72/17 **MOTION: Cavalier / Thompson** 

> That the Minutes of the Ordinary Meeting held on 15 March 2017 be taken as read and confirmed, and that resolution 58/17 be amended to read Lot 7, 13 George Street (not Lot 6, 11 George Street).

The motion was carried with the Councillors voting unanimously.

Item 4: Matters in Progress

Nil

Item 5: **Mayoral Minute** 

Mayor

Nil

Item 6: **Notices of Motion or Rescission** 

> REQUEST FOR COUNCIL CONSENT TO PROPOSED ROAD 6.1 **CLOSURE**

> > GOV400064, gov400064

Date: 19 April 2017

Page 1 of the Minutes of the Ordinary Meeting of Council held on 19 April 2017

MOTION: Cavalier / Shelley

That Council give notice of our intention that resolution 51/17 of the Council Meeting on 15 March 2017 in relation to item 9.3 whereby Council refused to provide consent to the request made by Anthony Edward Fitzgerald to close an unmaintained Council public road within Lot 180 DP 755416 at Kains Flat be and is hereby rescinded.

The rescission 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		✓

# 6.2 SHIRLEY STANLEY LANE

GOV400064, ROA100302

Date: 19 April 2017

MOTION: Thompson / Martens

That Council add Shirley Stanley Lane, Mudgee to the maintained roads register.

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		✓

# Item 7: Office of the General Manager

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. 73/17 and concluding with Resolution No. 79/17.

Page 2 of the Minutes of the Ordinary Meeting of Council held on 19 April 2017

General Manager

Mayor

GOV400064, GOV400054

Date: 19 April 2017

73/17 MOTION: Shelley / Cavalier

### **That Council:**

- 1. receive the report by the Manager Governance on the Council Meeting Schedule July 2017 to December 2017;
- 2. re-schedule the Council Meeting set for Wednesday, 20 December 2017 to Wednesday, 13 December 2017; and
- 3. confirm the Council Meetings for the remainder of 2017 as follows:

Wednesday, 19 July 2017

Wednesday, 16 August 2017

Wednesday, 20 September 2017

Wednesday, 18 October 2017

Wednesday, 15 November 2017

Wednesday, 13 December 2017

The motion was carried with the Councillors voting unanimously.

7.2 DRAFT WORKFORCE STRATEGY 2017-2022

GOV400064, GOV400054

74/17 MOTION: Shelley / Cavalier

# **That Council:**

- 1. receive the report by the Executive Manager, Human Resources on the Draft Workforce Strategy 2017-2022; and
- endorse the draft Workforce Strategy 2017-2021.

The motion was carried with the Councillors voting unanimously.

7.3 DELEGATION OF AUTHORITY FOR THE GENERAL MANAGER

GOV400064, A0230005

Page 3 of the Minutes of the Ordinary Meeting of Council held on 19 April 2017

R\_\_\_

Mayor

75/17 MOTION: Shelley / Cavalier

#### **That Council:**

- 1. receive the report by the Manager Governance on the Delegation of Authority for the General Manager; and
- 2. adopt the attached delegation for the General Manager.

The motion was carried with the Councillors voting unanimously.

# Item 8: Development

8.1 REVIEW OF MID-WESTERN REGION TOWARDS 2030 COMMUNITY PLAN

GOV400064, COR400124

Date: 19 April 2017

76/17 MOTION: Shelley / Cavalier

#### **That Council:**

- 1. receive the report by the Director Development on the Review of 2030 Community Plan;
- 2. place the revised Mid-Western Region Towards 2030 Community Plan on public exhibition for 28 days; and
- 3. receive a further report following the exhibition period.

The motion was carried with the Councillors voting unanimously.

8.2 LOCAL HERITAGE GRANTS 2016 - 17 REALLOCATION GOV400064. GRA600030

77/17 MOTION: Shelley / Cavalier

#### **That Council:**

- 1. receive the report by the Manager, Strategic Planning on the Local Heritage Grants 2016 17 Reallocation; and
- 2. reallocate \$2,000 under the Local Heritage Grant 2016 2017 program from the Presbyterian Church project to the St John's Anglican Church project for roof repairs at 6 Church Street, Mudgee.

The motion was carried with the Councillors voting unanimously.

Page 4 of the Minutes of the Ordinary Meeting of Council held on 19 April 2017

General Manager

Mayor

# 8.3 MONTHLY DEVELOPMENT APPLICATIONS PROCESSING AND DETERMINED

GOV400064, GOV400043, A100055, A100056

78/17 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.

# 8.4 SPONSORSHIP ACKNOWLEDGEMENT POLICY

GOV400064, GOV400038

Date: 19 April 2017

79/17 MOTION: Shelley / Cavalier

**That Council:** 

- 1. receive the report by the Director Development on the Sponsorship Acknowledgement Policy;
- 2. rescind the Sponsorship Acknowledgement Policy.

The motion was carried with the Councillors voting unanimously.

Cr Thompson declared a significant non-pecuniary conflict of interest in item 8.5 as he is the President of the Gulgong Race Club, left the room at 6:30pm and did not participate in discussion or vote in relation to this matter.

8.5 EVENTS ASSISTANCE FOR GULGONG CAMEL RACES

GOV400064, ECO800009

80/17 MOTION: Shelley / Karavas

**That Council:** 

- 1. receive the report by the Director Development on the Events Assistance for Gulgong Camel Races;
- reallocate the \$2,500 in events assistance provided to the 2016 Gulgong Camel Races & Family Fun Day to the 2017 Gulgong Camel Races & Family Fun Day and if the event does not proceed that the funds are returned to Council immediately.

The motion was carried with the Councillors voting unanimously.

Mayor

Page 5 of the Minutes of the Ordinary Meeting of Council held on 19 April 2017

Cr Thompson returned to the room at 6:32pm.

### Item 9: Finance

9.1 MONTHLY BUDGET REVIEW FEBRUARY 2017

GOV400064, FIN300065

Date: 19 April 2017

81/17 MOTION: Shelley / Holden

**That Council:** 

- 1. receive the report by the Manager, Financial Planning on the Monthly Budget Review February 2017;
- 2. amend the 2016/17 Operational Plan in accordance with the variations as listed in the Monthly Budget Review attachment

The motion was carried with the Councillors voting unanimously.

9.2 APPLICATION FOR CLOSURE AND PURCHASE OF PART LOY AVENUE ROAD RESERVE

GOV400064, ROA100007

82/17 MOTION: Holden / Cavalier

#### **That Council:**

- 1. receive the report by the Revenue and Property Manager on the Application for Closure and Purchase of Part Loy Avenue Road Reserve;
- 2. agrees to the Application for Closure of 14.6m<sup>2</sup> of that part of Loy Avenue road reserve adjacent to the south eastern boundary of Lot 11 DP1205283 as shown on the plan in Attachment 1 to this report and; confirm with Department of Industry Crown Lands to proceed with the closure of this area along with closure of the 213m<sup>2</sup> area of Loy Avenue road reserve the subject of resolutions by Council on 3 December 2014 and 19 August 2015 (Minute No's 526/14 & 253/15, respectively), under the one application;
- 3. agrees, upon closure of that 14.6m<sup>2</sup> section of part of Loy Avenue road reserve adjacent to the south eastern boundary of Lot 11 DP1205283 as shown on the plan in Attachment 1 to this report, to sell the land to the applicant for the amount of \$1,713.62;
- 4. directs that the applicant be responsible for all costs in relation to the closure and subsequent sale of 14.6m<sup>2</sup> of that part of Loy Avenue road reserve adjacent to the south

Page 6 of the Minutes of the Ordinary Meeting of Council held on 19 April 2017

17 B\_\_\_\_

Mayor

eastern boundary of Lot 11 DP1205283 as shown on the plan in Attachment 1 to this report, including Council's reasonable legal costs;

- 5. authorises the General Manager to sign all documentation necessary in relation to the proposed road closure and sale of 14.6m<sup>2</sup> of that part of Loy Avenue road reserve adjacent to the south eastern boundary of Lot 11 DP1205283 as shown on the plan in Attachment 1 to this report;
- 6. authorises the Common Seal of Council to be affixed to all documentation necessary in relation to the closure and subsequent sale of 14.6m<sup>2</sup> of that part of Loy Avenue road reserve adjacent to the south eastern boundary of Lot 11 DP1205283 as shown on the plan in Attachment 1 to this report.

The motion was carried with the Councillors voting unanimously.

# 9.3 MONTHLY STATEMENT OF INVESTMENT AND BANK BAI ANCES AS AT 31 MARCH 2017

GOV400064, FIN300053

Date: 19 April 2017

83/17 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 March 2017;
- 2. note the certification of the Responsible Accounting Officer.

The motion was carried with the Councillors voting unanimously.

Cr Holden declared a pecuniary conflict of interest in item 9.4 as a family member is making a request for grant funding, left the room at 6:33pm and did not participate in discussion or vote in relation to this matter.

9.4 COMMUNITY GRANTS PROGRAM APPLICATIONS - QUARTER 4

GOV400064, FIN300122

MOTION: Shelley/Cavalier

That Council amend the Community Grants Policy to include a new grant category called Youth Representative Grants, which will be open to youth, as defined in the Youth Council Guidelines, who are selected and represent Australia at any international competition or event, including but not limited

Page 7 of the Minutes of the Ordinary Meeting of Council held on 19 April 2017

B\_\_\_

Mayor

Date: 19 April 2017

to sporting, academic or the arts. This grant will be a one off grant of \$500, and will be excluded from the requirements of the Community Grant Assessment Criteria.

# 84/17 AMENDMENT: Thompson / Martens

That Council amend the Community Grants Policy to include a new grant category called Youth Representative Grants, which will be open to youth, as defined in the Youth Council Strategy, who are selected to represent Australia at any international competition or event, including but not limited to sporting, academic or the arts. This grant will be a one off grant of \$1000, and will be excluded from the requirements of the Community Grant Assessment Criteria.

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

#### 85/17 MOTION: Shelley /Martens

That Council assist Andrea Holden with a \$1,000 Youth Representative Grant for the National Youth Science Forum.

The motion was carried with Councillors voting unanimously.

Cr Holden returned to the room at 6:41pm.

# 86/17 Moved: Shelley/Martens

#### **That Council:**

- 1. receive the report by the Manager, Financial Planning on the Community Grants Program Applications Quarter 4;
- 2. provide financial assistance to the following applicants in accordance with the criteria and guidelines of the Community Grants Program Policy, subject to those requirements being met;

Mudgee North-West Division of Sydney Legacy \$2,495

Page 8 of the Minutes of the Ordinary Meeting of Council held on 19 April 2017

B\_\_\_

Mayor

Playgroup NSW	\$1,000
Lake Windamere Under Canvas Camping	\$4,000
Gulgong Hostel Association (T/A Wenonah Lodge	\$1,080
Cooyal Tennis Club	\$2,500
Hargraves-Triamble Pony Club	\$1,000
Gulgong Chamber of Commerce	\$10,000
Country Women's Assoc of NSW, Kandos Branch	\$2,000
Gulgong Memorial Hall Committee	\$3,000
Kandos Rylstone Men's Shed Incorporated	\$ 991
Hargraves & District Progress Association Inc.	\$2,960
Rotary Clubs of Mudgee and Mudgee Sunrise	\$5,000
Rylstone-Kandos District Volunteer Search & Res	cue
	\$1,485
People Against Violence	\$3,600
Rylstone Public School	\$ 858

3. Council not support the following requests for financial assistance, for the reasons provided in the report;

### **Mudgee Chamber of Commerce**

The motion was carried with the Councillors voting unanimously.

9.5 DRAFT DELIVERY PROGRAM 2017/21 AND DRAFT OPERATIONAL PLAN 2017/18

GOV400064, FIN300117

MOTION: Shelley / Holden

## That Council:

- receive the report by the Chief Financial Officer on the Draft Delivery Program 2017/21 and Draft Operational Plan 2017/18;
- 2. endorse the Draft Delivery Program 2017/21 and Draft Operational Plan 2017/18 to go on public exhibition for a period of 28 days commencing Friday 21 April 2017; and
- request a further report be presented following the exhibition period including a review of any submissions made on the Draft Delivery Program 2017/21 and Draft Operational Plan 2017/18.

#### 87/17 AMENDMENT: Martens / Karavas

#### **That Council:**

- 1. receive the report by the Chief Financial Officer on the Draft Delivery Program 2017/21 and Draft Operational Plan 2017/18;
- 2. endorse the Draft Delivery Program 2017/21 and Draft

Page 9 of the Minutes of the Ordinary Meeting of Council held on 19 April 2017

General Mar

Mayor

Date: 19 April 2017

Operational Plan 2017/18 to go on public exhibition for a period of 28 days commencing Friday 21 April 2017;

- 3. request a further report be presented following the exhibition period including a review of any submissions made on the Draft Delivery Program 2017/21 and Draft Operational Plan 2017/18; and
- 4. adopt Rate Model 2 as the method of rating in the Draft Operational Plan 2017/18, 1.5% increase overall with 0% increase to the category of farmland and the balance evenly distributed.

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

Councillors	Ayes	Nayes
Cr Shelley	·	<b>√</b>
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 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		✓

9.6 DRAFT LONG TERM FINANCIAL PLAN 2017-2027

GOV400064, F000000

88/17 MOTION: Holden / Martens

Mayor

#### **That Council:**

- 1. receive the report by the Chief Financial Officer on the Draft Long Term Financial Plan 2017-2027;
- 2. endorse the draft Long Term Financial Plan 2017-2027 to

Page 10 of the Minutes of the Ordinary Meeting of Council held on 19 April 2017

Date: 19 April 2017

3. request a report be returned to Council after the period of exhibition, with any changes recommended, through submissions received, for the Delivery Program 2017/21 and Operational Plan 2017/18 appropriately modelled in the revised Long Term Financial Plan 2017-27

The motion was carried with the Councillors voting unanimously.

# Item 10: Operations

Nil

# Item 11: Community

Cr Shelley noted his intention to move a block motion for items 11.1 to 12.6, which was seconded by Cr Cavalier.

Cr Holden then moved the following amendment:

AMENDMENT: Holden / Karavas

That Council consider item 11.1 as a separate item.

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

Councillors	Ayes	Nayes
Cr Shelley		<b>√</b>
Cr Kennedy		✓
Cr Martens		✓
Cr Thompson		✓
Cr Cavalier		✓
Cr Paine		✓
Cr Karavas	✓	
Cr O'Neill	✓	
Cr Holden	✓	

The following recommendations (items 11.1 to 12.6) 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. 89/17 and concluding with Resolution No. 96/17.

# 11.1 ELECTORAL MATTER IN PUBLIC SPACES POLICY

GOV400064, GOV400014

89/17 MOTION: Shelley / Cavalier

Page 11 of the Minutes of the Ordinary Meeting of Council held on 19 April 2017

Mayor

#### **That Council:**

- 1. receive the report by the Manager Governance on Electoral Matter in Public Spaces Policy;
- 2. place the draft Electoral Matter in Public Spaces Policy on public exhibition for 28 days seeking feedback from the community; and
- 3. adopt the Electoral Matter in Public Spaces Policy, if no submissions are received during the exhibition period.

The motion was carried with the Councillors voting unanimously.

# 11.2 SMOKE FREE OUTDOOR AREAS POLICY

GOV400064, GOV400047

Date: 19 April 2017

90/17 MOTION: Shelley / Cavalier

#### **That Council:**

- 1. receive the report by the Manager Governance on the Smoke Free Outdoor Areas Policy; and
- 2. endorse the Smoke Free Outdoor Areas Policy.
- 3. allow an exemption to this policy for major events held at Glen Willow where a designated smoking area for patrons is provided outside of spectator areas as part of the event management plan.

The motion was carried with the Councillors voting unanimously.

# Item 12: Reports from Committees

12.1 GULGONG MEMORIAL HALL COMMITTEE

GOV400064, A0100024

91/17 MOTION: Shelley / Cavalier

#### **That Council:**

- 1. receive the report by the Director Community on the Gulgong Memorial Hall Committee meeting minutes, 6th March, 2017; and
- 2. note the minutes from the Gulgong Memorial Hall Committee meeting held 6<sup>th</sup> March, 2017.

Page 12 of the Minutes of the Ordinary Meeting of Council held on 19 April 2017

Mayor

The motion was carried with the Councillors voting unanimously.

# 12.2 MUDGEE SPORTS COUNCIL

GOV400064, A0360013

Date: 19 April 2017

92/17 MOTION: Shelley / Cavalier

#### **That Council:**

- 1. receive the report by the Director Community on the Mudgee Sports Council.
- 2. note the minutes for the Mudgee Sports Council Meetings held 27<sup>th</sup> February and 27th March, 2017.

The motion was carried with the Councillors voting unanimously.

12.3 HERITAGE COMMITTEE MEETING - FEBRUARY 2017

GOV400064, DEV700020

93/17 MOTION: Shelley / Cavalier

### **That Council:**

- 1. receive the report by the Manager, Strategic Planning on the Heritage Committee Meeting February 2017; and
- 2. note the minutes of the February 2017 Heritage Committee Meeting.

The motion was carried with the Councillors voting unanimously.

12.4 MUDGEE SHOWGROUND MANAGEMENT COMMITTEE

GOV400064, F0650007

94/17 MOTION: Shelley / Cavalier

Mayor

## **That Council:**

- 1. receive the report by the Manager, Plant and Facilities on the Mudgee Showground Management Committee; and
- 2. note the contents of the minutes of the Mudgee Showground Management Committee Meeting held on 7 February 2017.

Page 13 of the Minutes of the Ordinary Meeting of Council held on 19 April 2017

# 12.5 RED HILL COMMITTEE

GOV400064, PO860011

Date: 19 April 2017

95/17 MOTION: Shelley / Cavalier

#### **That Council:**

- 1. receive the report by the Director Community on the Red Hill Committee Meeting Minutes 22nd March, 2017;
- 2. note the minutes of the Red Hill Committee meeting of 22 March 2017; and
- 3. endorse a representative of the Gulgong Chamber of Commerce to be a member of the Red Hill Committee.

The motion was carried with the Councillors voting unanimously.

12.6 LOCAL TRAFFIC COMMITTEE MEETING - MARCH 2017 GOV400064, A0100009

96/17 MOTION: Shelley / Cavalier

#### That Council:

- receive the report by the Manager Development Engineering on the Local Traffic Committee Meeting -March 2017;
- 2. Approve the proposed events held at Glen Willow Regional Sports Stadium from 22nd March 2017 to 21st March 2018 classified as Class 2 events 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;

Page 14 of the Minutes of the Ordinary Meeting of Council held on 19 April 2017

Mayor

- 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. A Traffic Control Plan (TCP) certified by a person with a Prepare a Work Zone Traffic Management Plan or maintain a current Select and Modify Certificate or the Design and Audit Certificate under the old qualifications framework to be included in the TMP;
- 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, NSW Police Force and RMS is indemnified against any possible action as the result of the event:
- 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;
- I. Advertise the proposed event in local newspapers with relevant information at least two weeks prior to the date;
- m. The organiser is to have a debrief with Council and Police with all traffic control documentation and controls tabled for review.
- 3. And the following special conditions:
  - n. Pitts Lane will be closed to all traffic other than those displaying parking pass, buses/coaches and disabled patrons. Vehicles will then be directed to racecourse and Parklands parking;
  - o. Traffic management personnel will be in place at the round-a-bout intersecting Pitts Lane, Lue and Ulan Roads;
  - p. Traffic management personnel will be in place along Lue Road, on approach to the round-a-bout instructing drivers to continue straight through round-a-bout if accredited to do so or turn right and proceed to racecourse and Parklands parking;

Page 15 of the Minutes of the Ordinary Meeting of Council held on 19 April 2017

Mayor

q. Signage to be installediat the intersection of the Castlereagh Highway and Rocky Waterhole Road, advising alternate route to the venue;

Date: 19 April 2017

r. Signage to be installed at the intersection of the Castlereagh Highway and Putta Bucca Road, advising alternate route to the venue.

The motion was carried with the Councillors voting unanimously.

Item 13: Urgent Business Without Notice

Nil

Item 14: Confidential Session

97/17 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 Request From JMPS Enterprises P/L (Video Ezy Mudgee) to Write Off Commercial Rent

The reason for dealing with this report confidentially is that it relates to discussion in relation to the personal hardship of a resident or ratepayer in accordance with Section 10A(2)(b) 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 in relation to the personal hardship of a resident or ratepayer.

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 REQUEST FROM JMPS ENTERPRISES P/L (VIDEO EZY MUDGEE) TO WRITE OFF COMMERCIAL RENT

GOV400064, A0010008

98/17 MOTION: Shelley / Cavalier

**That Council:** 

1. receive the report by the Revenue and Property Manager on the Request From JMPS Enterprises P/L (Video Ezy Mudgee) to Write Off Commercial Rent;

Page 16 of the Minutes of the Ordinary Meeting of Council held on 19 April 2017

Mayor

2. deny the request made on behalf of JMPS Enterprises P/L (Video Ezy Mudgee) for Council to accept \$9,000 as payment in full of an outstanding \$16,500 commercial rent debt owed to Council and incurred during the period 1 April 2011 to 31 March 2016 in relation to the occupation of commercial premises located at 2/81 Mortimer Street Mudgee;

Date: 19 April 2017

3. demand full payment of the \$16,500 outstanding commercial rent debt owed to Council and incurred during the period 1 April 2011 to 31 March 2016 in relation to the occupation of commercial premises located at 2/81 Mortimer Street Mudgee, by 28 April 2017, otherwise; instruct Council's debt management agent to proceed with further recovery action.

The motion was carried with the Councillors voting unanimously.

Item 15: Urgent Confidential Business Without Notice

Nil

Item 16: Open Council

99/17 MOTION: Cavalier / Thompson

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 7:09pm.

Page 17 of the Minutes of the Ordinary Meeting of Council held on 19 April 2017

Mayor