

# Minutes of the Ordinary Meeting of Council

Held at the Council Chambers, 86 Market Street, Mudgee  
on 19 July 2017, commencing at 5:50pm and concluding at 6:48pm.

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 Community (Simon Jones), Director  
Development (Julie Robertson), Manager Governance (Tim Johnston),  
Executive Assistant (Mette Sutton)

## Item 1: Apologies

There were no apologies

## Item 2: Disclosure of Interest

Councillor Holden declared a pecuniary conflict of interest in item 6.1 as he is engaged in business with two of the directors of MRTI. He also declared a less than significant non-pecuniary conflict of interest in item 9.2 as both the Rotary and Lions Clubs have assisted his daughter with fundraising for her overseas trip.

Councillor Cavalier declared a significant non-pecuniary conflict of interest in items 6.4 and 6.5 as he has a close personal relationship with one of the concerned land owners. He also declared a significant pecuniary conflict of interest in item 9.2 as his business has printed a number of banners for the Chamber of Commerce.

Councillor Kennedy declared a less than significant pecuniary conflict of interest in item 6.1 as he is the business owner of an accommodation facility. He also declared a pecuniary conflict of interest in item 9.1 being the previous owner of the drainage reserve.

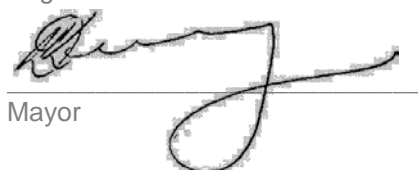
Councillor Paine declared a less than significant non-pecuniary conflict of interest in item 9.2 as he is the President of the Arts Council.

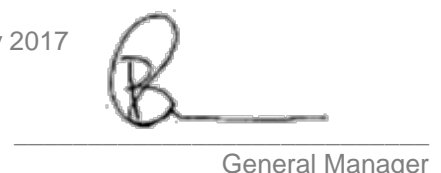
## Item 3: Confirmation of Minutes

166/17 MOTION: Cavalier / Thompson

**That the Minutes of the Ordinary Meeting held on 21 June 2017 be taken as read and confirmed, including the amendment to the typographical error in item 9.7.**

*The motion was carried with the Councillors voting unanimously.*

  
Mayor

  
General Manager

**Item 4: Matters in Progress**

Cr Shelley requested that the Pedestrian Bridge over the Cudgegong River at Rylstone be put back into the Matters in Progress, as it was a previous unanimous decision of Council that Council support this project subject to grant funding.

**Item 5: Mayoral Minute**

Nil

Councillor Holden declared a pecuniary conflict of interest in item 6.1 as he is engaged in business with two of the directors of MRTI, left the Chambers at 5:55pm and did not participate in discussion or vote in relation to this matter.

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

## 6.1 TOURISM SERVICES CONTRACT – MRTI

GOV400064, GOV400064

**167/17 MOTION: Kennedy / Karavas**

**That the resolution of the Council Meeting on 21 June 2017 in relation to Item 9.7 Tourism Services Contract – MRTI, that point 5: refuse the request for additional campaign sponsorship of \$75,000 excluding GST, be and is hereby rescinded.**

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

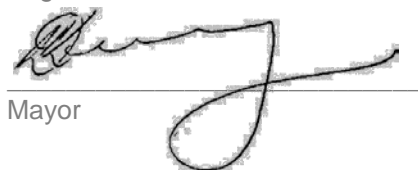
Councillors	Ayes	Nayes
Cr Shelley	✓	
Cr Kennedy	✓	
Cr Martens		✓
Cr Thompson		✓
Cr Cavalier	✓	
Cr Paine	✓	
Cr Karavas	✓	
Cr O'Neill	✓	

**168/17 MOTION: Kennedy / Karavas**

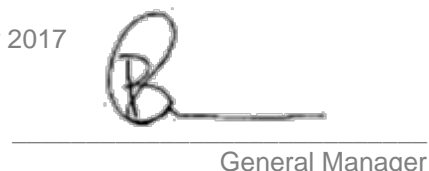
**That Council approve the additional MRTI campaign sponsorship of \$75,000 excluding GST.**

*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	✓

Councillor Holden returned to the Chambers at 6:02pm.

6.2 PSYCHOMETRIC AND BEHAVIOURAL ASSESSMENTS TO BE CONDUCTED ON ALL CANDIDATES REGISTERED FOR LOCAL GOVERNMENT ELECTIONS

GOV400064, gov400064

**MOTION:** Shelley

That Council lobbies support for psychometric and behavioural assessments to be conducted on all candidates registered for Local Government elections.

*The motion lapsed for want of a seconder.*

6.3 REINSTATE THE SALEYARD COMMITTEE

GOV400064, Gov400064

169/17

**MOTION:** Thompson / Martens

**That the Saleyard Committee be reinstated.**

*The motion was carried with the Councillors voting unanimously.*

Cr O'Neill asked a question to the General Manager via the Mayor; how many works requests have been received for the Mudgee saleyards in the last 12 months? The question was taken on notice by the General Manager. *(a response was provided to Councillors on 21 July 2017)*

Councillor Cavalier declared a significant non-pecuniary conflict of interest in items 6.4 and 6.5 as he has a close personal relationship with one of the concerned land owners, left the Chambers at 6:18pm and did not participate in discussion or vote in relation to these matters.

6.4 ROAD MAINTENANCE AND ROAD NAMING

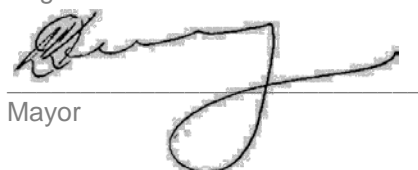
GOV400064, GOV400064

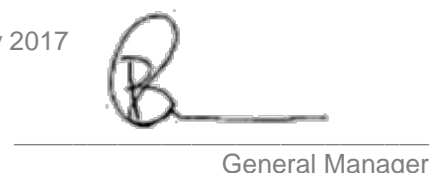
170/17

**MOTION:** Thompson / Shelley

**That:**

1. **the lane from Henry Lawson Drive past Cumbandary Reserve to Spring Creek Road be given a name; and**
2. **Council include this road on the Council's roads maintenance list following a report detailing the cost to bring the road reserve up to Council's standard being presented to the next Council meeting for a decision and budget allocation.**

  
Mayor

  
General Manager

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

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

*The motion was carried with the Councillors voting unanimously.*

## 6.5 SNELSON'S LANE

GOV400064, Gov400064

171/17

**MOTION: Thompson / Kennedy**

**That:**

- Snelsons Lane be made accessible to larger vehicles following a report detailing the cost to bring the road reserve up to Council's standard being presented to the next Council meeting for a decision and budget allocation.**

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

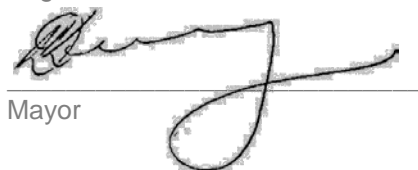
Councillors	Ayes	Nayes
Cr Shelley	✓	
Cr Kennedy	✓	
Cr Martens	✓	
Cr Thompson	✓	
Cr Paine	✓	
Cr Karavas	✓	
Cr O'Neill	✓	
Cr Holden	✓	

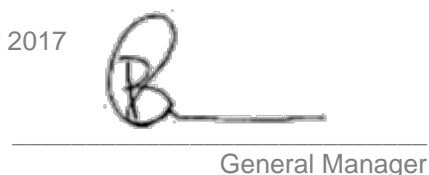
**SUPPLEMENTARY MOTION: Shelley / Martens**

That a report be developed and brought back to Council on the process to remove trees between rural roads and property boundaries.

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

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

  
Mayor

  
General Manager

Cr Karavas	✓
Cr O'Neill	✓
Cr Holden	✓

Councillor Cavalier returned to the Chambers at 6:25pm.

## 6.6 MUDGEES CBD CARPARK

GOV400064, GOV400064

MOTION: Thompson / Martens

That Council complete the development of the whole of the land at the back of Target into a carpark.

*The motion was put and lost 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		✓

## Item 7: Office of the General Manager

### 7.1 LGNSW ANNUAL CONFERENCE 2017

GOV400064, A0040005, COR400021

172/17

MOTION: Shelley / Cavalier

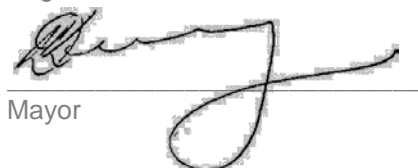
That Council:

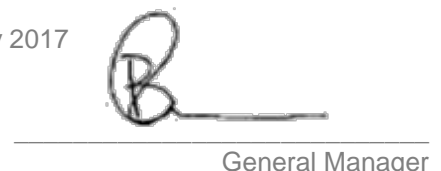
1. receive the report by the Director Community on the LGNSW Annual Conference 2017; and
2. approve the Mayor and General Manager to attend the Local Government NSW Annual Conference in Sydney between Monday 4th December to Wednesday 6th December, 2017.

*The motion was carried with the Councillors voting unanimously.*

## Item 8: Development

### 8.1 APPLICATION TO MODIFY CONSENT - MA0027/2017 - SWIM

  
Mayor

  
General Manager

SCHOOL FACILITY - 87 SHORT STREET, MUDGEE  
GOV400064, MA0027/2017

173/17

**MOTION: Cavalier / Holden****That Council:**

- A. receive the report by the Manager, Statutory Planning on the Application to Modify Consent - MA0027/2017 - Swim School Facility - 87 Short Street, Mudgee; and**
- B. approve the Application to Modify Consent - MA0027/2017 - Swim School Facility - 87 Short Street, Mudgee by amending the following condition as shown:**
- 25. Twelve (12) rear to kerb angled car parking spaces are to be provided between the eastern boundary of the subject property and Cox Street. The car parking spaces are to be:**
- line marked,
  - appropriate parking signs to be installed in the street, and
  - "No parking" signs provided adjacent to the site and adjoining driveway crossovers
- All works are to be done as private works by Council at full cost to the developer. All car parking and associated driveway works are to be completed prior to occupation of the development.**

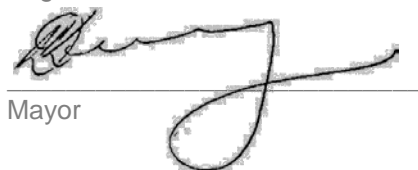
*The motion was put and carried with Councillors voting as follows:*

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

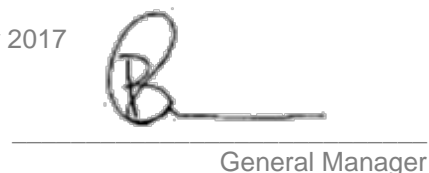
8.2 DA0261/2017 - DWELLING & 6 SERVICED APARTMENTS -  
103 WOLLAR ROAD, BUDGEE BUDGE  
GOV400064, DA0261/2017

**MOTION: Shelley / Paine****That Council:**

- A. receive the report by the Senior Town Planner on the**



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Mayor



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General Manager

DA0261/2017 - Dwelling & 6 Serviced Apartments - 103 Wollar Road, Budgee Budgee;

- B. that DA0261/2017 - Dwelling & 6 Serviced Apartments - 103 Wollar Road, Budgee Budgee be approved subject to the following conditions:

**APPROVED PLANS**

1. The development is to be carried out in accordance with the following plans endorsed with Council's Stamp as well as the documentation listed below, except as varied by the conditions listed herein and/or any plan notations.

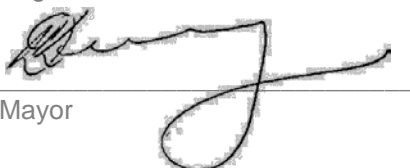
Title / Name:	Drawing No / Document Ref	Revision / Issue:	Date:	Prepared by:
Site Plan	01	-	-	Jason Boxsell Constructions
House Plan Design	02	-	-	Jason Boxsell Constructions
House Elevation Design	03	-	-	Jason Boxsell Constructions
House Elevation Design	04	-	-	Jason Boxsell Constructions
Serviced Apartment Plan/Section	05	-	-	Jason Boxsell Constructions
Serviced Apartment Elevations	06	Plans noting proposed colour	-	Jason Boxsell Constructions
Landscape Plan	08	-	-	Jason Boxsell Constructions
Site Plan with Setbacks	09	-	-	Jason Boxsell Constructions

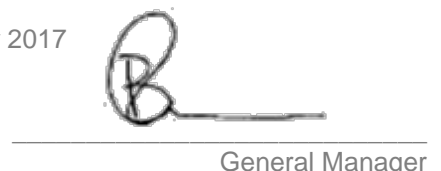
**PRIOR TO ISSUE OF THE CONSTRUCTION CERTIFICATE BUILDING**

The following conditions must be compiled with prior to Council or an accredited Certifier issuing a Construction Certificate for the proposed building.

2. A detailed landscape plan prepared by a suitably qualified person, prepared generally in accordance with the approved Landscaping Plan 08, is to be prepared and lodged with Council for approval prior to the issue of a Construction Certificate. The landscape plan is to detail further planting within the immediate curtilage of each serviced apartment together with appropriate screen planting along the front boundary.

Further landscaping is to be included on the plan along the western boundary between the olive farm and the buildings. The landscaping on the western boundary is to incorporate a minimum of 2 rows of shrubs achieving, at maturity, a height of not less than 4

  
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 Mayor

  
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 General Manager

metres and of a suitable dense foliage to assist in preventing the drift of spray from the adjacent olive farm. The species are to be native endemic to ensure the optimum chance of growth and survival.

The landscape plan is to include a 5 year maintenance schedule to ensure optimum growth and survival. The landscaping is to be established prior to the issue of an interim Occupation Certificate for any of the buildings and is to be maintained in perpetuity.

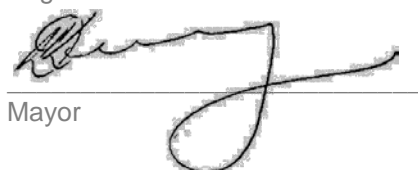
3. Details of the final colour of each serviced apartment are to be lodged with and approved by Council prior to the issue of a Construction Certificate. The colours are to be generally of an earthy tone to assist with reducing the dominance of the various buildings within the landscape.
4. All building work is to comply with the requirements of the Access to Premises Standard.
5. Prior to release of the Construction Certificate, approval pursuant to Section 68 of the Local Government Act 1993 for the installation of an On Site Sewer Management System is to be obtained from Mid-Western Regional Council.
6. A schedule of proposed fire safety measures is to be submitted to the Principal Certifying Authority with the application for the Construction Certificate.
7. The swimming pool is to be provided with a childproof barrier in accordance with the Swimming Pool Act 1992.

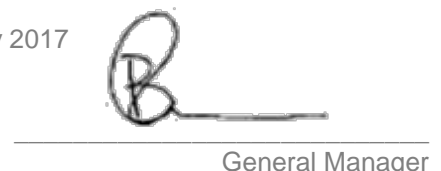
PRIOR TO THE COMMENCEMENT OF WORKS – BUILDING
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8. No work shall commence until a Construction Certificate has been issued and the applicant has notified Council of:
  - a) the appointment of a Principal Certifying Authority; and
  - b) the date on which 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.

9. A sign must be erected in a prominent position on any work site on which the erection or demolition of a building is carried out:
  - a) stating that unauthorised entry to the work site is prohibited;
  - 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; and
  - d) The sign shall be removed when the erection or demolition of the building has been completed.

  
Mayor

  
General Manager



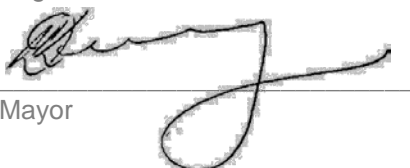
10. With the exception of work where there is in force an exemption under clause 187 and 188 of the Environmental Planning and Assessment Act 1979 all building work that involves residential building work for which the Home Building Act requires there to be a contract of insurance in force in accordance with Part 6 of that Act, such a contract of insurance is to be in force.
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; and
  - 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.

<b>BUILDING CONSTRUCTION</b>
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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 5.00pm

No construction work noise is permitted on Sundays or Public Holidays.
15. All mandatory inspections required by the Environmental Planning & Assessment Act 1979 and any other inspections deemed necessary by the Principal Certifying Authority being carried out during the relevant stage of construction.
16. Structural members subject to attack by subterranean termites shall be protected by one of the methods outlined in AS 3660.1 and a durable notice must be permanently fixed to the building in a prominent location, such as a meter box or the like, indicating:



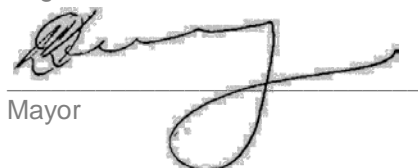
Mayor

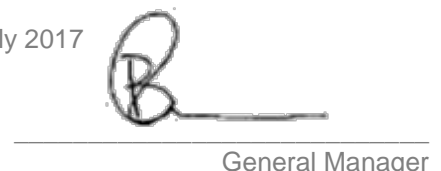


- a) the method of protection; and
  - b) the date of installation of the system; and
  - c) where a chemical barrier is used, its life expectancy as listed on the National Registration Authority label; and
  - d) the need to maintain and inspect the system on a regular basis.
17. The strength of the concrete used for the reinforced concrete floor slab must be 25Mpa.
  18. The requirements of BASIX Certificate number(s) 809880M issued on 21 April 2017 and the attached Energy Efficiency Report must be installed and/or completed in accordance with the commitments contained in that certificate. Any alteration to those commitments will require the submission of an amended BASIX Certificate to the Council and/or the Principal Certifying Authority prior to the commencement of the alteration/s
  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.
  22. The swimming pool shall not to be filled with water until a safety fence/barrier complying with the current Swimming Pools Act and Regulations has been installed and an inspection has been carried out and approval given by the Principal Certifying Authority.
  23. Where depth of water in the pool exceeds 300mm during construction a temporary barrier or fence in accordance with the current Swimming Pools Act and Regulations is to be erected or other precaution taken so as to prevent entry of children into the pool.

**PRIOR TO ISSUE OF THE OCCUPATION CERTIFICATE**  
The following conditions are to be completed prior to occupation of the building and are provided to ensure that the development is consistent with the provisions of the Building Code of Australia and the relevant development consent.

24. A building certificate issued by Mid-Western Regional Council for the gates and support structures is to be issued prior to the issue of an Occupation Certificate.

  
Mayor

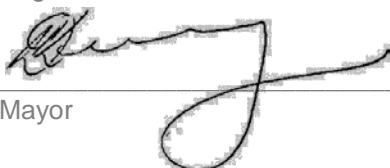
  
General Manager

25. The existing access gate at the eastern extent of the front boundary is to be removed prior to the issue of an Occupation Certificate.
26. The works identified within the NSW Roads and Maritime Services letter dated 8 June 2017 are to be completed and approved by Council prior to the issue of an interim Occupation Certificate. Prior to any works commencing within the road reserve the necessary approvals from Council's Operations Department are to be obtained.
27. 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.
28. 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.

**GENERAL**

The following conditions have been applied to ensure that the use of the land and/or building is carried out in a manner that is consistent with the aims and objectives of the environmental planning instrument affecting the land.

29. 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 Commissioner of NSW Fire Brigades with a copy of an Annual Fire Safety Statement Certifying that each specified fire safety measure is capable of performing to its specification.
30. 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.
31. Metal roof/wall cladding shall be provided in a non-reflective colour scheme such as "Colorbond" steel sheeting.
32. The accommodation units are to be used for short stay visitor accommodation only (not Temporary Workers Accommodation or Multi Unit Dwelling for permanent accommodation). Occupants are

  
Mayor



- limited to a maximum stay of 6 weeks. A register of occupancy is to be kept and produced to Council upon request.
33. The dwelling is not to be used for the purpose of tourist and visitor accommodation without the prior necessary consents.
34. 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".
35. There being no interference with the amenity of the neighbourhood by reason of the emission of any "offensive noise", vibration, smell, fumes, smoke, vapour, steam, soot, ash or dust, traffic generation or otherwise as a result of the proposed development.
36. A separate development application for any proposed signs must be submitted for the approval of Council, prior to the erection or display of any such signs. This does not apply to signs which are classified as being "Exempt Development".
37. In accordance with the provisions of section 94A of the Environmental Planning and Assessment Act 1979 and the Mid-Western Regional Council Section 94A Development Contributions Plan (the Section 94A Plan), a levy based on the value of works shall be paid to Council in accordance with this condition for the purpose of public facilities, prior to issue of a Construction Certificate.

The value of works is to be calculated in accordance with Section 9.0 and the procedure outlined in Appendix 1 of the Section 94A Plan. A report regarding value of works and any necessary certification is to be submitted to Council. Council will calculate and advise of the final levy amount following submission of the documents.

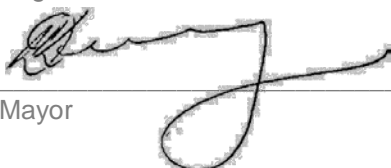
Note – the levy amount will be adjusted by the Consumer Price Index, if not paid in the same financial year it was calculated. Based on the cost of the proposed development submitted with the DA (\$1.2M), an indicative levy of \$12,000 is payable.

38. A waste management plan is to be prepared and implemented to ensure all waste is disposed of efficiently and to Council's Hill End Road waste management facility.

**SWIMMING POOL REQUIREMENTS**

These conditions are provided to ensure compliance with the provisions of the Swimming Pool Act and maintain safety around the swimming pool.

39. All waste or backwash water is to be discharged in an approved

  
Mayor



manner.

40. The pH value of the water is to be maintained between 7.2 and 7.6 and the residual chlorine value is to be not less than 0.1 p.p.m.
41. A hydrostatic valve shall be provided in the pool base.
42. Filtration and chlorination equipment shall be maintained in good condition at all times and operated in accordance with the manufacturer's instructions.
43. Filtration equipment unit shall be enclosed or located so as not to cause a noise nuisance. Any enclosure provided shall comply with provisions of Australian Standard 1055 and the Noise Control Act.

*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		✓

### 8.3 EVENTS ASSISTANCE APPLICATION - RYLSTONE SCULPTURES INC.

GOV400064, ECO800009; FIN300052

174/17

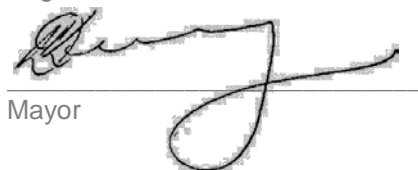
**MOTION: Shelley / Paine**

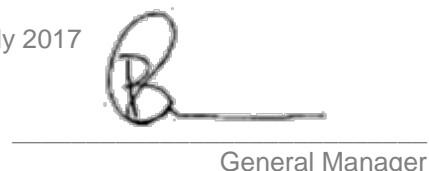
**That Council:**

1. **receive the report by the Events Coordinator on the Events Assistance Application - Rylstone Sculptures Inc.; and**
2. **provide \$1,325.50 in-kind and \$1,174.50 cash (total \$2,500) in Events Assistance funding for the Rylstone Wood Symposium 2017.**

*The motion was carried with the Councillors voting unanimously.*

The following recommendations (item 8.4 and item 8.5) 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. 175/17 and concluding with Resolution No. 176/17.

  
Mayor

  
General Manager

8.4 MONTHLY DEVELOPMENT APPLICATIONS PROCESSING  
AND DETERMINED

GOV400064, GOV400043, A100055, A100056

**175/17 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 OCCUPATION OF CARAVANS, MOBILE HOMES AND  
TEMPORARY RESIDENTIAL STRUCTURES ON PRIVATE  
LAND POLICY

GOV400064, GOV400047

**176/17 MOTION: Shelley / Cavalier**

**That Council:**

- 1. receive the report by the Director Development on the Occupation of Caravans, Mobile Homes and Temporary Residential Structures on Private Land Policy;**
- 2. place the revised Occupation of Caravans, Mobile Homes and Temporary Residential Structures on Private Land Policy on public exhibition for a period of 28 days; and**
- 3. adopt the amended Occupation of Caravans, Mobile Homes and Temporary Residential Structures on Private Land Policy if no submissions are received.**

*The motion was carried with the Councillors voting unanimously.*

Councillor Kennedy declared a pecuniary conflict of interest in item 9.1 being the previous owner of the drainage reserve, left the Chambers at 6:37pm and did not participate in discussion or vote in relation to this matter.

The Deputy Mayor, Cr Cavalier, proceeded to chair the meeting.

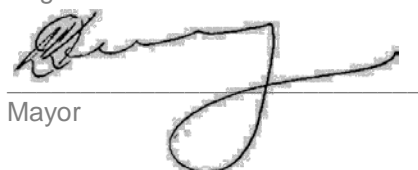
**Item 9: Finance**

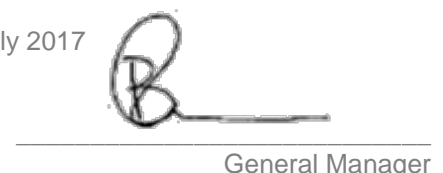
9.1 CLASSIFICATION OF LAND - LOT 18 DP 1227585 DRAINAGE  
RESERVE IN BOMBIRA ESTATE BOMBIRA

GOV400064, P24446

**177/17 MOTION: Shelley / Karavas**

**That Council:**

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
General Manager

1. receive the report by the Property Officer on the Classification of Land - Lot 18 DP 1227585 Drainage Reserve in Bombira Estate Bombira; and
2. classify allotment 18 DP 1227585, being 14 Butler Circle Bombira as Operational land in accordance with Section 31 of the Local Government Act 1993.

*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	✓	
Cr Holden	✓	

Councillor Kennedy returned to the Chambers at 6:37pm.

Councillor Holden declared a less than significant non-pecuniary conflict of interest in item 9.2 as both the Rotary and Lions Clubs have assisted his daughter with fundraising for her overseas trip, and he stayed in the room.

## 9.2 COMMUNITY GRANTS PROGRAM - QUARTER 1

GOV400064, FIN300138

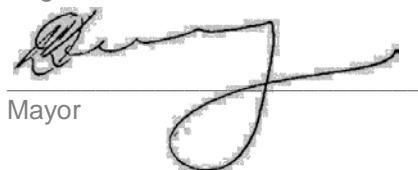
178/17

**MOTION: Shelley / Karavas**

**That Council:**

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

Mudgee Disability Support Service Inc.	\$649
Mudgee Police Citizens Youth Club NSW	\$800
Mudgee Lions Club	\$2,500
Western Region Academy of Sport (WRAS)	\$1,300
Harley Museum	\$1,476
Lue Public School	\$440
Cudgegong Country Ball Committee	\$1,000
Mudgee Chamber of Commerce 'Mudgee Money'	\$3,000
Rotary Club of Mudgee Inc. & Rotary Club of Mudgee Sunrise	\$7,000

  
Mayor



**Gulgong Hostel Association (Wenonah Lodge) \$500**

- 3. **do not collect a facility hire bond from the following applicant for the event details in this report;**

**Cudgegong Country Ball Committee**

- 4. **do not support the following requests for financial assistance, for the reasons provided in the report;**

**St Matthews Catholic School**

- 5. **note the allocation of financial assistance to the below entities, previously endorsed through the 2016 Operational plan:**

<b>Mudgee Fine Foods</b>	<b>\$3,000</b>
<b>Rylstone Kandos Preschool</b>	<b>\$4,160</b>
<b>Kandos Rylstone Community Radio Inc.</b>	<b>\$11,000</b>

*The motion was carried with the Councillors voting unanimously.*

Councillor Cavalier declared a significant pecuniary conflict of interest in item 9.2 as his business has printed a number of banners for the Chamber of Commerce, he left the Chambers at 6:39pm and did not participate or vote in relation to this matter.

Councillor Paine declared a less than significant non-pecuniary conflict of interest in item 9.2 as he is the President of the Arts Council, left the Chambers at 6:39pm and did not participate or vote in relation to this matter.

MOTION: Shelley

That Council provide \$5,000 in financial assistance to the Mudgee Chamber of Commerce 'Pink Up Mudgee'.

*The motion lapsed for want of a seconder.*

**179/17**

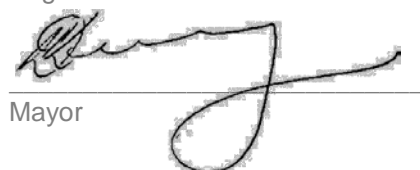
MOTION: Holden / Karavas

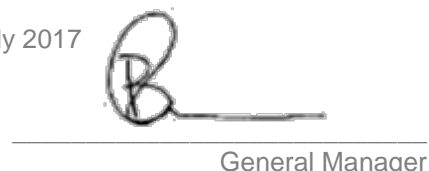
**That Council:**

- 1. **provide \$4,000 in financial assistance to the Mudgee Chamber of Commerce 'Pink Up Mudgee'; and**
- 2. **review the Community Grants Policy.**

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

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

  
 \_\_\_\_\_  
 Mayor

  
 \_\_\_\_\_  
 General Manager



Cr Thompson	✓
Cr Karavas	✓
Cr O'Neill	✓
Cr Holden	✓

**180/17 MOTION: Holden / Karavas**

**That Council provide \$2,000 in financial assistance to the Mudgee Regional Music Centre – Auspiced by Mudgee Arts Council.**

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

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

Councillor Cavalier and Councillor Paine returned to the Chambers at 6:43pm.

The following recommendations (item 9.3 to item 10.1) were adopted as a whole, being moved by Cr Holden, seconded by Cr Karavas and carried with Councillors voting unanimously. Each recommendation is recorded with a separate resolution number commencing at Resolution No. 181/17 and concluding with Resolution No. 185/17.

9.3 BORROWING POLICY

GOV400064, FIN300134

**181/17 MOTION: Holden / Karavas**

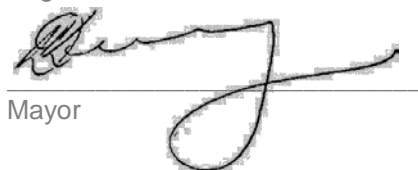
**That Council:**

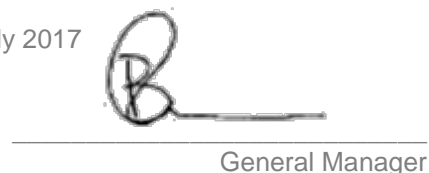
1. **receive the report by the Manager, Financial Planning on the Borrowing Policy;**
2. **place the revised Borrowing Policy on public exhibition for 28 days to receive any public submissions; and**
3. **adopt the revised Borrowing Policy if no submissions are received.**

*The motion was carried with the Councillors voting unanimously.*

9.4 PROCUREMENT POLICY

GOV400064, A0100021

  
Mayor

  
General Manager

**182/17**                    **MOTION:**     **Holden / Karavas**

**That Council:**

1.            **receive the report by the Procurement Manager on the Procurement Policy;**
2.            **place the Procurement Policy on public exhibition for 28 days; and**
3.            **adopt the revised Procurement Policy if no submissions are received.**

*The motion was carried with the Councillors voting unanimously.*

9.5     SERVICE PROVIDER MANAGEMENT POLICY

GOV400064, A0100021, COR400089

**183/17**                    **MOTION:**     **Holden / Karavas**

**That Council:**

1.            **receive the report by the Procurement Manager on the Service Provider Management Policy;**
2.            **place the Service Provider Management Policy on public exhibition for 28 days; and**
3.            **adopt the new Service Provider Management Policy if no submissions are received.**

*The motion was carried with the Councillors voting unanimously.*

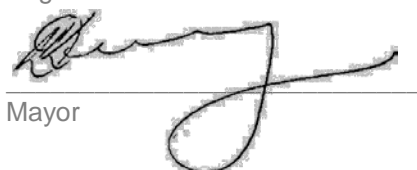
9.6     MONTHLY STATEMENT OF INVESTMENT AND BANK  
BALANCES AS AT 30 JUNE 2017

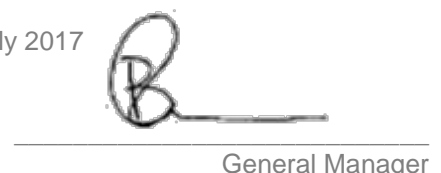
GOV400064, FIN300053

**184/17**                    **MOTION:**     **Holden / Karavas**

**That Council:**

1.            **receive the report by the Manager, Financial Planning on the Monthly Statement of Investment and Bank Balances as at 30 June 2017; and**
2.            **note the certification of the Responsible Accounting Officer.**

  
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Mayor

  
\_\_\_\_\_  
General Manager

*The motion was carried with the Councillors voting unanimously.*

**Item 10: Operations**

10.1 ASSET MANAGEMENT POLICY AND STRATEGY

GOV400064, A0010002

**185/17 MOTION: Holden / Karavas**

**That Council:**

1. receive the report by the Manager, Plant and Facilities on the Asset Management Policy and Strategy;
2. place the draft Asset Management Policy and Strategy on public exhibition for 28 days to receive any community feedback; and
3. adopt the Asset Management Policy and Strategy if no submissions are received

*The motion was carried with the Councillors voting unanimously.*

10.2 CONSTRUCTION OF LEVEE BANK AROUND THE NETBALL COURTS AT GLEN WILLOW

GOV400064, GOV400064

**186/17 MOTION: Shelley / Paine**

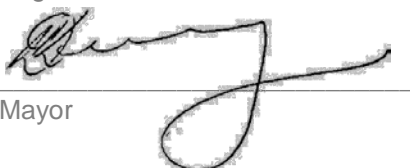
**That Council:**

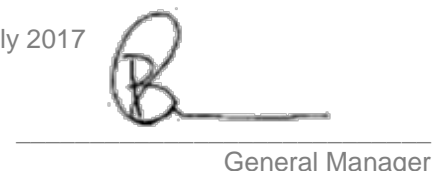
1. receive the report by the Manager Development Engineering on the Construction of Levee Bank around the Netball Courts at Glen Willow; and
2. investigate the Levee Bank and costing and bring a report to the September Council meeting.

*The motion was carried with the Councillors voting unanimously.*

10.3 FORMATION OF MID-WESTERN REGIONAL FLOODPLAIN RISK MANAGEMENT COMMITTEE

GOV400064, SEW200053

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
General Manager

**187/17**                    **MOTION:**     **Cavalier / Kennedy**

**That Council:**

1.            receive the report by the Manager Development Engineering on the Formation of Mid-Western Regional Floodplain Risk Management Committee;
2.            reinstate the Mid-Western Regional Floodplain Risk Management Committee as an advisory body to Council; and
3.            appoint Cr Holden to the Mid-Western Regional Floodplain Risk Management Committee.

*The motion was carried with the Councillors voting unanimously.*

**Item 11:                    Community**

11.1    YOUTH STRATEGY

GOV400064, COS300028

**188/17**                    **MOTION:**     **Holden / Shelley**

**That Council:**

1.            receive the report by the Manager, Community Services on the draft Youth Strategy;
2.            place the draft Youth Strategy on public exhibition for 28 days to seek any additional public comment;
3.            request feedback from the Mid-Western Regional Youth Council on the draft Youth Strategy; and
4.            provide a further report to Council on the draft Youth Strategy following the public exhibition process.

*The motion was carried with the Councillors voting unanimously.*

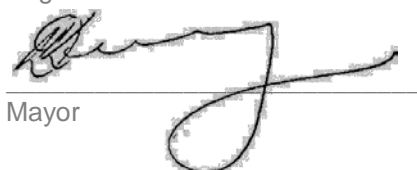
11.2    PASSIVE PARKS MANAGEMENT PLAN

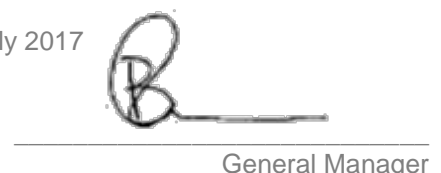
GOV400064, PAR300022

**189/17**                    **MOTION:**     **Kennedy / Holden**

**That Council:**

1.            receive the report by the Director Community on the

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
General Manager

**Passive Parks Management Plan;**

2. place the draft Passive Parks Management Plan on public exhibition for 28 days; and
3. adopt the Passive Parks Management Plan if no public submissions are received during the exhibition period.

*The motion was carried with the Councillors voting unanimously.*

11.3 YOUTH SERVICES OFFICER

GOV400064, COS300028

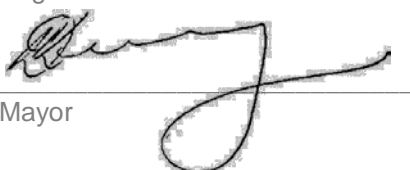
190/17

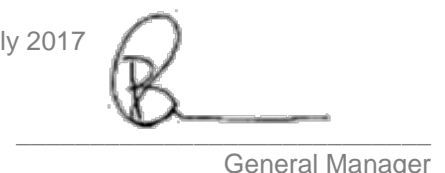
**MOTION: Karavas / Thompson**

**That Council:**

1. receive the report by the Manager, Community Services on the Bylong Coal Project Annual Funding Contribution (Youth Services Officer);
2. endorse the proposed annual contribution from KEPCO Bylong Australia Pty Ltd ('KEPCO') for the purposes of funding a Council Youth Services Officer role;
3. amend the Operational Plan 2017/18 to allow for both income and expenditure of \$120,000 as provided through the KEPCO offer; and
4. commence engagement with KEPCO to set parameters and key performance indicators for the proposed Youth Services Officer role.

*The motion was carried with the Councillors voting unanimously.*

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
General Manager

**Item 12: Reports from Committees**

Nil

**Item 13: Urgent Business Without Notice**

Nil

**Item 14: Confidential Session**

Nil

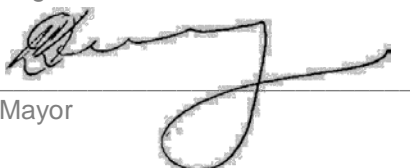
**Item 15: Urgent Confidential Business Without Notice**

Nil

**Item 16: Open Council**

**Item 17: Closure**

There being no further business the meeting concluded at 6:48pm.

  
\_\_\_\_\_  
Mayor

  
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