

Minutes of the Extraordinary Meeting of Council

Held at the Council Chambers, 86 Market Street, Mudgee
on 30 June 2020, commencing at 3.06pm and concluding at 3.40pm

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

IN ATTENDANCE General Manager (Brad Cam), Director Operations (Garry Hemsworth), Director Development (Julie Robertson), Director Community (Simon Jones), Executive Manager Human Resources (Michele George), 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

There were no disclosures of interest.

Item 3: Confirmation of Minutes

There was no confirmation of minutes.

Item 4: Finance

4.1 2020/21 OPERATIONAL PLAN AND 2017/21 DELIVERY PROGRAM

GOV400087, A0000000

209/20 MOTION: Shelley / Cavalier

That Council:

1. receive the report by the Chief Financial Officer on the Draft 2020/21 Operational Plan and 2017/21 Delivery Program;
2. receive, consider and give thanks to all public submissions to the Draft Operational Plan 2020/21 and Revised Delivery Program 2017-2021, as listed below, with the Chief Financial Officer required to respond to each submission as follows:

2.1 John Stewart – Council has considered your submission request for the installation of a



roundabout at the intersection of Church and Denison Streets Mudgee and also a centre isle concrete barrier between Aldi and Mitre 10. Council declines to make changes to the Draft Operational Plan 2020/21 and 2017/21 Delivery Program as exhibited from 29 May 2020 to 25 June 2020 and will forward your submission to the Local Traffic Committee for review;

- 2.2 **G Roast – Council has considered your submission request for a footpath in Denison Street. Council declines to make changes to the Draft Operational Plan 2020/21 and 2017/21 Delivery Program as exhibited from 29 May 2020 to 25 June 2020 and notes that footpath works are currently being prioritised in accordance with the Pedestrian Access and Mobility Plan;**
- 2.3 **Paul Christopherson – Council has considered your submission request for additional footpaths, particularly in west Mudgee. Council declines to make changes to the Draft Operational Plan 2020/21 and 2017/21 Delivery Program as exhibited from 29 May 2020 to 25 June 2020 and notes that footpath works are currently being prioritised in accordance with the Pedestrian Access and Mobility Plan;**
- 2.4 **User 2365 - Council has considered your submission request for drainage Industrial Avenue Mudgee. Council declines to make changes to the Draft Operational Plan 2020/21 and 2017/21 Delivery Program as exhibited from 29 May 2020 to 25 June 2020 and notes that Council is currently completing the Flood Risk Management Study which will prioritise stormwater drainage issues;**
- 2.5 **Mudgee RSL Sub-Branch - Council has considered your submission request for cleaning, restoration and relocation of the field gun in Lawson Park to Robertson Park. Council will undertake required cleaning using existing parks and gardens maintenance budgets, however the restoration and relocation shall be investigated by staff and a report brought back to Council for consideration;**
- 2.6 **Mudgee RSL Sub-Branch - Council has considered your submission request for cleaning of the War Memorial in Robertson Park before Remembrance Day 2020. Council agrees to undertake this cleaning using existing parks and gardens maintenance budgets;**



- 2.7 Mudgee Aero Club - Council has considered your submission request to leave ultralight aircraft in the Mudgee Aero Club fee structure and to retain the ability to add further aircraft to this fee at \$150 per aircraft. Council will amend the fee to include ultralight aircraft, and decline to add the condition of further aircraft at \$150;**
- 2.8 Wilpinjong Coal – Council has considered your submission objection to the Mining Category Rates. Council is confident that the Rate Model complies with all relevant laws in regard to the calculation of its Notional General Income and notes that Councils compliance, including those with the rate pegging provisions of the Local Government Act are subject to audit by the NSW Auditor General, who’s findings are referred to the Office of Local Government to ensure compliance. Council declines to make changes to the Draft Operational Plan 2020/21 and 2017/21 Delivery Program as exhibited from 29 May 2020 to 25 June 2020;**
- 2.9 NSW Minerals Council - Council has considered your submission objection to the Mining Category Rates. Council is confident that the Rate Model complies with all relevant laws in regard to the calculation of its Notional General Income and notes that Councils compliance, including those with the rate pegging provisions of the Local Government Act are subject to audit by the NSW Auditor General, who’s findings are referred to the Office of Local Government to ensure compliance. Council declines to make changes to the Draft Operational Plan 2020/21 and 2017/21 Delivery Program as exhibited from 29 May 2020 to 25 June 2020;**
- 3. amend the 2020/21 Fee and Charges as outlined below and include in the Fees & Charges Schedule:**
- 3.1 Swimming Lessons – Accredited Lifesaving Program participants (FC0656). Amend from \$0.93 to \$1.00;**
- 3.2 Mudgee Aero Club (FC0035)**
- Conditions amended to ‘for up to five ultralight or general aviation aircraft’;**
- And the following new fees and charges for Mudgee Aero Club:**



- Change aircraft under 1 tonne to any aircraft over 2000kg be charged at \$15.30 including GST per tonne;
 - Any aircraft less than 2000kg be charged \$6.00 per tonne
 - Introduce a minimum charge of \$6.00 including GST for any of those landing fees
 - Landing fee specifically for MWRC residents – change from ultralight to any aircraft under 2000kg, currently at \$256.00/per annum, no change to that rate
 - Introduce a new ‘annual landing fee’ for all aircraft under 2000kg for business use at \$1,100 including GST
 - Change the existing fee for commercial flying schools, to incorporate ‘under 2000kg’ and change to \$2,500 including GST
 - Current fee for CareFlight, Child Flight, Sydney SLSA, Air Ambulance, etc introduce ‘charity flights’
 - Exhibit all the new fees for 28 days and implement if no submissions received.
4. amend the draft 2020/21 Operational Plan Business Rylstone Aeropark Rate from 0.825875 cents in the dollar to 0.285 cents in the dollar;
5. adopt the Operational Plan for 2020/21 and Revised Delivery Program for 2017-2021, including the Fees & Charges Schedule;
6. makes the following rates and charges for the 2020/21 financial year:
- 6.1 A Residential Rural Rate of 0.608506 cents in the dollar on the land value as at 1 July 2020 of all land so categorised as Residential, with a minimum rate of \$694.88;
- 6.2 A Residential Urban Rate of 0.608506 cents in the dollar on the land value as at 1 July 2020 of all land so categorised as Residential and further subcategorised as Residential Urban, with a minimum rate of \$694.88;



- 6.3 A Farmland Rate of 0.433121 cents in the dollar on the land value as at 1 July 2020 of all land so categorised as Farmland, with a minimum rate of \$694.88;**
- 6.4 A Business Rate of 0.825875 cents in the dollar on the land value as at 1 July 2020 of all land so categorised as Business, with a minimum rate of \$694.88;**
- 6.5 A Business Rylstone Aeropark Rate of 0.285 cents in the dollar on the land value as at 1 July 2020 of all land so categorised as Business and further subcategorised as Business Rylstone Aeropark, with a minimum rate of \$228.11;**
- 6.6 A Mining Rate of 2.415262 cents in the dollar on the land value as at 1 July 2020 of all land so categorised as Mining, with a minimum rate of \$694.88;**
- 6.7 A Hunter Valley Catchment Contribution Rate of 0.00947 cents in the dollar on the land value as at 1 July 2020 of all land within the catchment contribution area that has a land value in excess of \$300 and is rateable for the time being under the Local Government Act 1993. Council contributes to the provision of watercourse management in the area controlled by Hunter Local Land Services. A Hunter Valley Catchment Special Rate, which is determined by the authority, is to be applied for the purposes of the Local Land Services Regulation 2014.**
- 6.8 The interest to be charged on overdue rates and charges shall be calculated at a rate of 0% per annum for the period 1 July 2020 to 31 December 2020, and 7% per annum for the period 1 January 2021 to 30 June 2021, on a daily simple interest basis;**
- 6.9 A Domestic Waste Management Charge of \$297 for all rateable and non-rateable properties within the service areas. Where there is more than one service the annual charge will be multiplied by the number of services;**
- 6.10 A General Waste Disposal Charge of \$220 for all rateable and non-rateable properties with the exception of certain Farmland properties that can identify in the manner required by Council that they have a landholding comprised of multiple assessments with a lesser number of residences than assessments; they will be charged for the number of residences. Where there is more than one service the**



annual charge will be multiplied by the number of services;

6.11 A Business Waste Management Charge of \$229 for all rateable and non-rateable Business category properties where a service is rendered. Where there is more than one service the annual charge will be multiplied by the number of services;

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

| Charge Type | Detail | Amount |
|----------------------|-------------|---------|
| Service Availability | 20mm meter | \$166 |
| | 25mm meter | \$259 |
| | 32mm meter | \$425 |
| | 40mm meter | \$664 |
| | 50mm meter | \$1,038 |
| | 80mm meter | \$2,656 |
| | 100mm meter | \$4,150 |
| | 150mm meter | \$9,338 |
| Usage - per kL | Residential | \$3.25 |
| | Business | \$3.25 |
| | Raw Water | \$1.15 |
| | Standpipe | \$6.02 |

In relation to any multi-unit residential development, including any strata development, each unit will be levied a 20mm service availability charge. In relation to vacant land where a water meter is not connected, each property will be levied with a 20mm service availability charge.

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

| Charge Type | Detail | Amount |
|-------------------------|---|--------|
| Service availability | Residential | \$890 |
| | Non-Residential | \$497 |
| Usage - Non Residential | Based on kLs of water that would reasonably be deemed to enter MWRC sewer schemes | \$2.85 |




| | | |
|---|-----------------------|----------------|
| Liquid Trade Waste - Annual Charge | Category 1 Discharger | \$99 |
| | Category 2 Discharger | \$196 |
| | Large Discharger | \$655 |
| | Industrial Discharger | \$196 - \$ 655 |
| | Re-inspection Fee | \$97 |
| Liquid Trade Waste - Category 1 without appropriate equipment | Per kilolitre | \$1.82 |
| Liquid Trade Waste - Category 2 with appropriate equipment | Per kilolitre | \$1.82 |
| Liquid Trade Waste - Category 2 without appropriate equipment | Per kilolitre | \$16.70 |

AMENDMENT: Martens / Thompson

That Council adopt Rate Model 2.

Councillor Holden and Councillor Karavas left the Chambers at 9:49am and did not participate in the vote on this matter.

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

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

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

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




Item 5: Urgent Business Without Notice

Nil

Item 6: Urgent Confidential Business Without Notice

Nil

Item 7: Open Council

Item 8: Closure

There being no further business the meeting concluded at 3.40pm.

