

Minutes of the Ordinary Meeting of Council

Held at the Council Chambers, 86 Market Street, Mudgee
on 20 November 2024, commencing at 6:14pm and concluding at 7:32pm.

PRESENT Cr D Kennedy, Cr K Dicker, Cr A Karavas, Cr R Palmer, Cr P Shelley, Cr JP Thompson, Cr M Cornish, Cr E Lang.

IN ATTENDANCE General Manager (Brad Cam), Director Development (Alina Azar), Director Operations (Julian Geddes), Director Corporate Services (Leonie Van Oosterum), Acting Director Corporate (Rachel Gill), Manager Customer Services and Governance (Richard Cushway) and Executive Assistant (Mette Sutton).

Presentation of Financial Statements

Council's Financial Statements ending 30 June 2024 were presented by Cassie Malone from the NSW Audit Office (via video link). Cassie spoke to a powerpoint presentation noting that Council met 5 of the 6 industry benchmarks, the own source operating revenue the only ratio set by the regulator that was not met.

Cassie thanked Council's Finance team for their cooperation and provision of information during the audit process.

Acknowledgement of Country

I would like to acknowledge the traditional owners of the lands on which we meet, the Wiradjuri people and pay our respects to elders past, present and emerging.

Item 1: Apologies

There were no apologies.

Item 2: Disclosure of Interest

Councillor Thompson declared a significant non-pecuniary conflict of interest in item 8.3 as he is president of the Gulgong Turf Club.

Item 3: Confirmation of Minutes

264/24 MOTION: Shelley / Palmer

That the Minutes of the Ordinary Meeting held on 16 October 2024 be taken as read and confirmed.

The motion was carried with the Councillors voting unanimously.



Item 4: Matters in ProgressUlan and Cope Road Safety – Rumble Strips**265/24 MOTION: Shelley / Dicker**

That Council note Res 241/23 of the ordinary meeting 18 October 2023 regarding Ulan and Cope Road Safety – Rumble Strips, as complete.

The motion was carried with the Councillors voting unanimously.

Item 5: Mayoral Minute

Nil

Item 6: Notices of Motion or Rescission

Nil

Item 7: Office of the General Manager

Nil

Item 8: Development

8.1 ME0009/2025 - MODIFICATION TO DA0333/2022 -
SUBDIVISION OF LAND (1 INTO 41 LOTS) - PROPOSED
REMOVAL OF PARK - 1-5 RAILWAY STREET, GULGONG
GOV400105, DA0333/2022

266/24 MOTION: Shelley / Thompson**That Council:**

- A. receive the report by the Planning Coordinator on Section 4.55(1A) Modification (ME0009/2025) to DA0333/2022 - Removal of Park within Subdivision - 1-5 Railway Street, Gulgong; and**
- B. not approve the Section 4.55(1A) Modification (ME0009/2025) to DA0333/2022 - Removal of Park within Subdivision - 1-5 Railway Street, Gulgong.**

AMENDMENT Palmer /

That Council:

- A. receive the report by the Planning Coordinator on Section**



4.55(1A) Modification (ME0009/2025) to DA0333/2022 - Removal of Park within Subdivision - 1-5 Railway Street, Gulgong; and

B. approve the Section 4.55(1A) Modification (ME0009/2025) to DA0333/2022 - Removal of Park within Subdivision - 1-5 Railway Street, Gulgong subject to the amended conditions and Statement of Reasons (in blue) as written in the report and:

- include a picnic table and shelter, bench seating, fencing and landscaping;
- not include (5) pieces of play equipment and soft fall.

The amendment was lost for want of a seconder.

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

Councillors	Ayes	Nayes
Cr Kennedy	✓	
Cr Dicker	✓	
Cr Karavas	✓	
Cr Palmer	✓	
Cr Shelley	✓	
Cr Thompson	✓	
Cr Cornish	✓	
Cr Lang	✓	

8.2 PLANNING PROPOSAL LOT 101 DP 1221261 - 148 WYOMING ROAD, STUBBO - POST EXHIBITION

GOV400105, LAN900153, PP-2023-235

MOTION: Palmer / Dicker

That Council:

1. receive the report by the Manager Strategic Planning on the Planning Proposal Lot 101 DP 1221261 - 148 Wyoming Road, Stubbo - Post Exhibition; and
2. request the NSW Department of Planning, Housing and Infrastructure to draft and finalise the amendment to the Mid-Western Regional Local Environmental Plan 2012.

267/24

AMENDMENT

Kennedy / Thompson

That Council:




1. **receive the report by the Manager Strategic Planning on the Planning Proposal Lot 101 DP 1221261 - 148 Wyoming Road, Stubbo - Post Exhibition; and**
2. **withdraws its support for the Planning Proposal Lot 101 DP 1221261 - 148 Wyoming Road, Stubbo - Post Exhibition.**

The amendment was put and carried on the casting vote of the Mayor, with Councillors voting as follows:

Councillors	Ayes	Nayes
Cr Kennedy	✓	
Cr Dicker		✓
Cr Karavas	✓	
Cr Palmer		✓
Cr Shelley		✓
Cr Thompson	✓	
Cr Cornish		✓
Cr Lang	✓	

The amendment, on becoming the motion, was put and won on the casting vote of the Mayor, with Councillors voting as follows:

Councillors	Ayes	Nayes
Cr Kennedy	✓	
Cr Dicker		✓
Cr Karavas	✓	
Cr Palmer		✓
Cr Shelley		✓
Cr Thompson	✓	
Cr Cornish		✓
Cr Lang	✓	

Councillor Thompson declared a significant non-pecuniary conflict of interest in item 8.3 as he is president of the Gulgong Turf Club, he left the room at 6:51pm and did not participate in discussion or vote in relation to this matter.

8.3 **EVENTS ASSISTANCE APPLICATIONS PERIOD 2: 1 JANUARY TO 30 JUNE 2025**

GOV400105, ECO800009, FIN300052

268/24

MOTION: Lang / Karavas

That Council:

1. **receive the report by the Events Coordinator on the Events Assistance Applications;**




2. provide Events Assistance to the below late applicant (includes cash and in-kind amounts) for Period 1, July – December 2024:

	2024/25
	Period 1
Mudgee Bridge Club	\$500

- provide Events Assistance to the below applicant (includes cash and in-kind amounts) for Period 1, July – December 2024:

	2024/25
	Period 1
Mudgee Dragons	\$2,500

3. provide multi-year Events Assistance funding to the below applicant (includes cash and in-kind amounts) for the period of 2025, 2026 and 2027; and

	2024/25	2025/26	2026/27
	Period 2	Period 2	Period 2
Gulgong Turf Club – Gold Cup	\$2,000	\$2,000	\$2,000

4. decline the below applicants as they do not meet the requirements of the Events Assistance Policy as they are for events that make a profit or are for-profit organisations:

	2024/25	2024/25
	Period 1	Period 2
Champagne Lounge		\$3,000

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

Councillors	Ayes	Nayes
Cr Kennedy	✓	
Cr Dicker	✓	
Cr Karavas	✓	
Cr Palmer	✓	
Cr Shelley	✓	
Cr Cornish	✓	
Cr Lang	✓	

Councillor Thompson returned to the Chambers at 6:52pm.

8.4 LEASE OF RYLSTONE TO GULGONG RAIL CORRIDOR




GOV400105, ECO800032

MOTION: Thompson / Cornish

That Council:

1. receive the report by the Business Support Officer on the Lease of Rylstone to Gulgong Rail Corridor; and
2. not endorse the leasing of the Rylstone to Gulgong Rail Corridor.

269/24

AMENDMENT: Shelley / Karavas

That Council:

1. **receive the report by the Business Support Officer on the Lease of Rylstone to Gulgong Rail Corridor;**
2. **endorse in principle the leasing of the Rylstone to Gulgong Rail Corridor;**
3. **endorse the General Manager to:**
 - 3.1 **commence community engagement and feasibility studies of opportunities to activate this rail corridor;**
 - 3.2 **engage with Transport for NSW (TfNSW) to seek landowner consent to utilise the rail corridor between Rylstone and Gulgong (approximate length 83.5 kilometres); and**
 - 3.3 **bring a report back to Council at a later date with outcomes of community engagement and topline feasibility studies.**

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

Councillors	Ayes	Nayes
Cr Kennedy	✓	
Cr Dicker	✓	
Cr Karavas	✓	
Cr Palmer	✓	
Cr Shelley	✓	
Cr Thompson		✓
Cr Cornish	✓	
Cr Lang	✓	

The amendment, on becoming the motion, was put and carried with Councillors voting as follows:




Councillors	Ayes	Nayes
Cr Kennedy	✓	
Cr Dicker	✓	
Cr Karavas	✓	
Cr Palmer	✓	
Cr Shelley	✓	
Cr Thompson		✓
Cr Cornish	✓	
Cr Lang	✓	

8.5 ACCEPTANCE NSW GRANT FUNDING - FLIRTATION HILL
MUDGEES DESTINATION ADVENTURE PLAYGROUND
GOV400105, GRA600020

270/24

MOTION: Shelley / Palmer

That Council:

1. **receive the report by the Manager Economic Development on the Acceptance NSW Grant Funding – Flirtation Hill Mudgee Destination Adventure Playground;**
2. **if successful, in 2025/26 set an expenditure budget of \$2,070,000. \$1,035,000 to be funded by grants from Growing Regions Program Round 2 and \$1,035,000 to be funded by voluntary planning agreement funds for the construction of Flirtation Hill Mudgee destination adventure playground;**
3. **if successful, in 2026/27 set an expenditure budget of \$330,000. \$165,000 to be funded by grants from Growing Regions Program Round 2 and \$165,000 to be funded by voluntary planning agreement funds for the construction of Flirtation Hill Mudgee destination adventure playground; and**
4. **authorise the General Manager to finalise and sign the funding agreements.**

The motion was carried with the Councillors voting unanimously.

The following recommendations (item 8.6 to item 9.2) were adopted as a whole, being moved by Cr Shelley seconded by Cr Karavas and carried with Councillors voting unanimously. Each recommendation is recorded with separate resolution numbers commencing at Resolution No. 271/24 and concluding at Resolution No.275/24.

8.6 COMMUNITY ENGAGEMENT STRATEGY REVIEW
GOV400105, ECO800001




271/24 MOTION: Shelley / Karavas

That Council:

- 1. receive the report by the Manager Economic Development on the Community Engagement Strategy Review;**
- 2. place the reviewed Community Engagement Strategy on public exhibition for 28 days; and**
- 3. receive a further report following conclusion of the public exhibition period to consider any submissions received, or if at the end of the public exhibition period, no submissions are received, adopt the Community Engagement Strategy as proposed.**

The motion was carried with the Councillors voting unanimously.

8.7 MONTHLY DEVELOPMENT APPLICATIONS PROCESSING AND DETERMINED

GOV400105, A0420109

272/24 MOTION: Shelley / Karavas

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

The motion was carried with the Councillors voting unanimously.

8.8 POLICY REVIEW - SOCIAL MEDIA POLICY

GOV400105, ECO800001

273/24 MOTION: Shelley / Karavas

That Council:

- 1. receive the report by the Corporate Communications Coordinator on the Policy Review - Social Media Policy;**
- 2. place the revised Social Media Policy on public exhibition for 28 days; and**
- 3. adopt the revised Social Media Policy if no submissions are received during the exhibition period.**

The motion was carried with the Councillors voting unanimously.



Item 9: Corporate Services**9.1 PRESENTATION OF THE 2023/24 FINANCIAL STATEMENTS**
GOV400105, FIN300446**274/24 MOTION: Shelley / Karavas****That Council receive the report by the Financial Operations Co-ordinator on the Presentation of the 2023/24 Financial Statements.***The motion was carried with the Councillors voting unanimously.***9.2 POLICY REVIEW - SMOKE-FREE WORKPLACE**
GOV400105, WHS119, RIS900011**275/24 MOTION: Shelley / Karavas****That Council:**

- 1. receive the report by the WHS and Risk Coordinator on the Policy Review - Smoke-Free Workplace;**
- 2. place the revised policy on public exhibition for 28 days; and**
- 3. receive a further report following conclusion of the public exhibition period to consider any submissions received, or if at the end of the public exhibition period, no submissions are received, adopt the Smoke-Free Workplace as proposed.**

*The motion was carried with the Councillors voting unanimously.***9.3 TRANSFER OF LAND - TWO MILE RFS SHED**
GOV400105, P014658**276/24 MOTION: Shelley / Thompson****That Council:**

- 1. receive the report by the Property Coordinator on the Transfer of Land - Two Mile RFS Shed;**
- 2. resolve to accept the transfer of land being part Lot 8 DP 1006945 by agreement with the landowner at the price outlined in the financial section of this report;**
- 3. arrange the preparation, lodgement, and registration of the**



- required subdivision to excise the area of land occupied by the Two Mile Rural Fire Service Shed;
4. authorise the General Manager, and the Mayor if required, to complete and execute all documentation, in relation to the subdivision, agreement, dealing, and transfer into Mid-Western Regional Council's ownership;
 5. authorise the Common Seal of Council to be affixed to all documentation, where necessary, in relation to the subdivision, agreement, dealing and transfer into Mid-Western Regional Council's ownership;
 6. give public notice of a proposed resolution to classify the area of land occupied by the Two Mile Rural Fire Services Shed, on completion of subdivision and title creation, as Operational Land in accordance with Chapter 6, Part 2, Division 1 Local Government Act 1993 (the Act); and
 7. receive a further report after the exhibition period to consider any submissions and deal with the next steps in the classification process as required by the Act.

The motion was carried with the Councillors voting unanimously.

9.4 QUARTERLY BUDGET REVIEW - SEPTEMBER 2024

GOV400105, FIN300240

277/24

MOTION: Palmer / Cornish

That Council:

1. receive the report by the Financial Planning Coordinator and Chief Financial Officer on the Quarterly Budget Review - September 2024;
2. amend the 2024/25 Budget in accordance with the proposed variations as listed in the Quarterly Budget Review Statement attachment to this report;
3. note that the General Manager used the emergency delegation conveyed to him at 3.1 of his delegation to authorise the necessary costs to install the new tank for the Cudgegong Waters Park due to there being no potable water available resulting in food health and safety risk; and
4. note the opinion of the Responsible Accounting Officer regarding the satisfactory financial position of Council.

The motion was carried with the Councillors voting unanimously.



Mayor



General Manager

9.5 MONTHLY BUDGET REVIEW - OCTOBER 2024

GOV400105, FIN300315

278/24

MOTION: Thompson / Dicker**That Council receive the report by the Accountant Reporting & Analysis on the Monthly Budget Review - October 2024.***The motion was carried with the Councillors voting unanimously.*9.6 NAMING OF AN UNNAMED ROAD OFF WINDEYER ROAD,
WINDEYER

GOV400105, R0790041

279/24

MOTION: Dicker / Cornish**That Council:**

1. receive the report by the Property Support Officer on the naming of an unnamed road off Windeyer Road, Windeyer;
2. formally approve the name of Thellys Lane for an unnamed road off Windeyer Road, Windeyer; and
3. publish formal declaration of the approved name in the NSW Government Gazette, and notify the naming in accordance with Council's Road, Bridge and Place Naming Policy.

*The motion was carried with the Councillors voting unanimously.*9.7 NAMING OF A BRIDGE ON HILL END ROAD OVER GRATTAI
CREEK, GRATTAI

GOV400105, ROA100071, R9216001

280/24

MOTION: Thompson / Lang**That Council:**

1. receive the report by the Property Support Officer on the Naming of a bridge on Hill End Road over Grattai Creek, Grattai;
2. support the name of Greenview Bridge;
3. provide public notification of the proposed name and call



for further submissions in accordance with the Road, Bridge & Place Naming Policy; and

4. receive a further report at the end of the exhibition period to formalise the name of the bridge.

The motion was carried with the Councillors voting unanimously.

9.8 MONTHLY STATEMENT OF INVESTMENTS AS AT 31
OCTOBER 2024

GOV400105, FIN300053

281/24 MOTION: Palmer / Karavas

That Council:

1. receive the report by the Financial Planning Coordinator and Chief Financial Officer on the Monthly Statement of Investments as at 31 October 2024; and
2. note the certification of the Responsible Accounting Officer.

The motion was carried with the Councillors voting unanimously.

9.9 ANNUAL REPORT 2023/24

GOV400105, GOV400008

282/24 MOTION: Dicker / Karavas

That Council:

1. receive the report by the Financial Operations Co-ordinator and Chief Financial Officer on the Annual Report 2023/24;
2. endorse the Annual Report 2023/24; and
3. place a copy of the Annual Report 2023/24 on Council's website and provide to the Minister for Local Government.

The motion was carried with the Councillors voting unanimously.

Item 10: Operations

10.1 LANDFILL GAS CAPTURE SYSTEM

GOV400105, F0570008

283/24 MOTION: Shelley / Cornish



That Council:

1. receive the report by the Manager Waste and Environmental Services on the Mudgee Waste Facility Landfill Gas System;
2. endorse installation of a landfill gas capture system at Mudgee Waste Facility;
3. endorse the commencement of a tender process seeking options for a landfill gas capture system;
 - 3.1 option 1 full-service model, with the potential for Council to receive some royalties; and
 - 3.2 option 2 - being for design and construct only, with Council to own, operate and maintain the system; and
4. amend the 2024/25 budget to allow for the progression of option 1, by allocating \$100,000 for possible earthworks modifications for access to install the landfill gas capture system to be funded from waste fund cash; and
5. require a report be brought back to Council to set out the recommended option for progression, including any whole of life costs as set out in the report should option 2 be the recommended option.

The motion was carried with the Councillors voting unanimously.

10.2 ACCEPTANCE OF NSW SAFE AND SECURE WATER PROGRAM GRANT FUNDING - WATER SUPPLY AND SEWERAGE SERVICES STRATEGIC PLANNING

GOV400105, GRA600062

284/24

MOTION: Palmer / Dicker

That Council:

1. receive the report by the Manager Water and Sewer on the Acceptance of NSW Government Grant Funding - Water and Sewer Strategic Planning ;
2. increase the 2024/25 water management studies expenditure budget by \$155,000 to be funded from grants, resulting in 50% of water supply strategic planning costs to be funded by NSW Government Safe and Secure Grant



Mayor



General Manager

funding;

3. **amend the 2024/25 sewer management studies budget to receive \$95,000 grant funding (with no increase to expenditure), resulting in 50% of the sewerage services strategic planning costs to be funded by the NSW Government Safe and Secure Grant funding; and**
4. **authorise the General Manager to finalise and sign the funding agreements.**

The motion was carried with the Councillors voting unanimously.

10.3 MUDGEE WASTE FACILITY NEW CELL PROGRESS REPORT
GOV400105, F0570008

285/24 MOTION: Palmer / Cornish

That Council receive and note the report by the Manager Waste and Environmental Services on the new landfill cell construction.

The motion was carried with the Councillors voting unanimously.

10.4 GALLERY CAFE PROPOSAL
GOV400105, WAS400041

286/24 MOTION: Shelley / Cornish

That Council:

1. **receive the report by the Director Operations on the Gallery Cafe Proposal;**
2. **support the opening of the Art Gallery Café utilising Council's Australian Disability Enterprise; and**
3. **amend the 2024/2025 Budget, funded from unrestricted cash, to:**
 - 3.1 **allocate \$20,000 for start-up costs;**
 - 3.2 **reduce rental income by \$7,800; and**
 - 3.3 **allocate the operating revenue and expenditure, as written in the financial implications section of this report.**

The motion was carried with the Councillors voting unanimously.



Item 11: Community

The following recommendations (item 11.1 to item 11.6) were adopted as a whole, being moved by Cr Shelley seconded by Cr Karavas and carried with Councillors voting unanimously. Each recommendation is recorded with separate resolution numbers commencing at Resolution No. 287/24 and concluding at Resolution No.275/24.

11.1 POLICY REVIEW - INTERACTIONS BETWEEN COUNCILLORS AND STAFF

GOV400105, GOV400047

287/24**MOTION: Shelley / Karavas****That Council:**

1. receive the report by the Governance Co-ordinator on the Policy Review - Interactions Between Councillors and Staff; and
2. place the Interactions Between Councillors and Staff policy on exhibition for 28 days and if no submissions are received, adopt the policy.

The motion was carried with the Councillors voting unanimously.

11.2 KILDALLON EDUCATION CENTRE - MUDGEES ARTS COUNCIL 2023/2024 ANNUAL REPORT

GOV400105, P1122711

288/24**MOTION: Shelley / Karavas****That Council:**

1. receive the report by the Acting Director Community on the Kildallon Education Centre - Mudgee Arts Council 2023/2024 Annual Report; and
2. note the Kildallon Education Annual Report provided by Mudgee Arts Council.

The motion was carried with the Councillors voting unanimously.

11.3 MUDGEES VALLEY PARK EXPANSION PROJECT PROGRESS UPDATE

GOV400105, FIN300365, COR400446



289/24 MOTION: Shelley / Karavas

That Council receive and note the report by the Acting Director Community on the Mudgee Valley Park Expansion Project Progress Update.

The motion was carried with the Councillors voting unanimously.

**11.4 MUDGEE CENTRE OF EXCELLENCE TRAINING CAMP
PROGRESS UPDATE**

GOV400105, FIN300368

290/24 MOTION: Shelley / Karavas

That Council receive and note the report by the Acting Director Community on the Mudgee Centre of Excellence Training Camp Progress Update.

The motion was carried with the Councillors voting unanimously.

**11.5 LIBRARY SERVICES QUARTERLY REPORT - JULY TO SEPT
2024**

GOV400105, F0620020

291/24 MOTION: Shelley / Karavas

That Council receive and note the Library Services Quarterly Report - July to Sept 2024 by the Acting Manager Library Services.

The motion was carried with the Councillors voting unanimously.

11.6 COUNCIL MEETING SCHEDULE FOR 2025

GOV400105, GOV400105, GOV400113

292/24 MOTION: Shelley / Karavas**That Council:**

- 1. receive the report by the Governance Co-ordinator on the Council Meeting Schedule for 2025; and**
- 2. confirm the dates for the 2025 Council Meetings as follows:**
 - Wednesday 19 February**
 - Wednesday 19 March**
 - Wednesday 16 April**



- **Wednesday 21 May**
- **Wednesday 28 May – Extraordinary Council Meeting**
- **Wednesday 18 June**
- **Wednesday 16 July**
- **Wednesday 20 August**
- **Wednesday 17 September**
- **Wednesday 15 October**
- **Wednesday 19 November**
- **Wednesday 10 December**

The motion was carried with the Councillors voting unanimously.

11.7 DOCTORS FOR MUDGEER REGION

GOV400105, REC800016

293/24

MOTION: Lang / Palmer

That Council:

1. **receive the report by the Acting Director Community on the Doctors for Mudgeer Region; and**
2. **amend the 2024/25 budget to increase the Doctor Attraction budget by \$24,007, to be funded from unrestricted cash.**

The motion was carried with the Councillors voting unanimously.

11.8 DETERMINATION OF COUNCILLOR FEES AND CATEGORISATION OF COUNCIL


GOV400105, A0110038

294/24

MOTION: Karavas / Palmer

That Council:

1. **receive the report by the Governance Co-ordinator on the Determination of Councillor Fees and Categorisation of Council;**
2. **take note of the categorisation of Councils and the category of which Mid-Western Regional Council falls under; and**
3. **determine whether a submission be made to the Local Government Remuneration Tribunal**



The motion was carried with the Councillors voting unanimously.

11.9 COUNCIL ADVISORY COMMITTEE - FLOOD RISK
MANAGEMENT COMMITTEE, AND EXTERNAL COMMITTEE -
JOINT REGIONAL PLANNING PANEL

GOV400105, A0110015

295/24

MOTION: Shelley /

That Council:

1. **receive the report by the Acting Director Community on the Council Advisory Committee - Flood Risk Management Committee, and External Committee - Joint Regional Planning Panel;**
2. **endorse the re-establishment of the Flood Risk Management Council Advisory Committee;**
3. **confirm Councillor Palmer and Councillor Cornish as Council representatives to the Flood Risk Management Council Advisory Committee; and**
4. **appoint Council's Director Operations as Council's representative to the Joint Regional Planning Panel.**

The motion was carried with the Councillors voting unanimously.

The following recommendations (item 11.10 to item 12.1) were adopted as a whole, being moved by Cr Shelley seconded by Cr Karavas and carried with Councillors voting unanimously. Each recommendation is recorded with separate resolution numbers commencing at Resolution No. 296/24 and concluding at Resolution No.297/24.

11.10 MRT QUARTERLY REPORT - JULY TO SEPTEMBER 2024

GOV400105, F0770077

296/24

MOTION: Shelley / Karavas

That Council receive the report by the Acting Director Community on the MRT Quarterly Report - July to September 2024.

The motion was carried with the Councillors voting unanimously.



Item 12: Reports from Committees**12.1 LOCAL TRAFFIC COMMITTEE MEETING MINUTES -
OCTOBER 2024**

GOV400105, A0100009

297/24 MOTION: Shelley / Karavas

That Council receive the report by the Administration Assistant - Infrastructure Planning on the Local Traffic Committee Meeting Minutes - October 2024.

The motion was carried with the Councillors voting unanimously.

Item 13: Urgent Business Without Notice

Nil

Item 14: Confidential Session**298/24 MOTION: Shelley / Palmer**

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 Acquisition of Land for Access to Gulgong Waste Transfer Station

The reason for dealing with this report confidentially is that it relates to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business in accordance with Section 10A(2)(c) 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 other potential claimants, not yet notified for compensation under section 39 of the Land Acquisition (Just Terms Compensation) Act 1991.

14.2 Purchase of Property

The reason for dealing with this report confidentially is that it relates to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business in accordance with Section 10A(2)(c) 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 a commercially private transaction.

14.3 Mudgee Hangar Lease Proposal

The reason for dealing with this report confidentially is that it relates to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business in accordance with Section 10A(2)(c) 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 confidential commercial valuations and market analysis in regards to future rental negotiations.

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 ACQUISITION OF LAND FOR ACCESS TO GULGONG WASTE TRANSFER STATION

GOV400105, P026207

299/24

MOTION: Shelley / Karavas

That Council:

1. receive the report by the Property Coordinator on the Acquisition of Land for access to Gulgong Waste Transfer Station;
2. resolves to acquire part Lot 7306 DP 1146224 (the Land) by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991;
3. make application to the Minister and the Governor for approval to acquire the land identified as Lot 2 & Lot 3 as highlighted on Attachment 1, being an area of approximately 15392m2 and forming part of Lot 7306 DP1146224, by compulsory process for the purposes of public road, under sections 177 and 178 of the Roads Act 1993;
4. authorise the General Manager and Mayor, if required to do so, to execute all necessary documentation including following said approval or Deed -
 - a. for the publication of an acquisition notice in the NSW Government Gazette under s19 of the Land Acquisition (Just Terms Compensation) Act 1991;
 - b. the dedication of the subject land as a Council public road in accordance with s10 Road Act 1993;



- c. **the agreement under s63 of the Land Acquisition (Just Terms Compensation) Act 1991 with Crown Lands, where applicable, being the Deed of Acquisition by Agreement;**
5. **authorises the affixing of the Common Seal to all documents necessary to formalise the acquisition of the Land, shown as Lot 2 & Lot 3 on Attachment 1 to this Report; and**
6. **amend the 2024/2025 Budget to allocate amounts as specified in the Financial Implications section of this report.**

The motion was carried with the Councillors voting unanimously.

14.2 PURCHASE OF PROPERTY

GOV400105, COM100027

300/24

MOTION: Shelley / Palmer

That Council:

1. **receive the report by the Manager Economic Development on the Purchase of Property;**
2. **approve the purchase of the specified property at market value;**
3. **set a budget of \$250,000 for the purchase and furnishing of the specified property funded from land development reserve fund; and**
4. **delegate authority to the General Manager to negotiate, finalise and execute the contract of sale for the specified property.**

The motion was carried with the Councillors voting unanimously.

14.3 MUDGE HANGAR LEASE PROPOSAL

GOV400105, a000

301/24

MOTION: Cornish / Karavas

That Council:

1. **receive the report by the Director Corporate Services on**



the Mudgee Hangar Lease Proposal;

2. **acknowledge the key objectives of the Mudgee Regional Airport Master Plan 2015, as Attachment 3, and note the alignment of the commercial lease application in respect to the South East Development Zone (SEDZ) at Mudgee Airport;**
3. **note the commercial rental valuation determination for Lot 56 DP 1285949 where the newly constructed airport hangar is located (Mudgee Airport Hangar) dated 6 March 2024, as per Confidential Attachment;**
4. **note the market rental review report provided by Councils Property Officer dated 7 November 2024, as per Confidential Attachment;**
5. **note that authority has been previously approved for the General Manager to negotiate the rental amounts for no more than 10% less than the rental valuation for all 13 lots in the SEDZ;**
6. **authorise the General Manager or his delegate to negotiate the rental amount for the Mudgee Airport Hangar for no more than 10% less than the market rental review for commercial purposes;**
7. **authorise the General Manager or his delegate to negotiate further improvements to the Mudgee Airport Hangar to accommodate the commercial needs of a suitable applicant, within approved budgets and with a total rate of return on investment of no less than 8% per annum;**
8. **amend the 2024/25 Budget to allocate \$110,000 to upgrade the Mudgee Airport Hangar to make it suitable for commercial proposals as set out in the report, to be funded from the Land Development Reserve; and**
9. **authorise the General Manager to sign and execute the Lease for Lot 56 DP 1285949, the Mudgee Airport Hangar, and any other documentation related to the assignment.**

The motion was carried with the Councillors voting unanimously.

Item 15: Urgent Confidential Business Without Notice

Nil



Item 16: Open Council

302/24 MOTION: Shelley / Palmer

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 7:32pm.

