

# Minutes of the Ordinary Meeting of Council

Held at the Council Chambers, 86 Market Street, Mudgee  
on 17 July 2024, commencing at 5.42pm and concluding at 6.06pm.

PRESENT Cr D Kennedy, Cr S Paine, Cr P Cavalier, Cr K Dicker, Cr A Karavas, Cr R Palmer, Cr P Shelley, Cr Stoddart and Cr JP Thompson.

IN ATTENDANCE General Manager (Brad Cam), Acting Director Community (Rachel Gill), Acting Director Development (Ty Robson), Director Operations (Julian Geddes), Director Corporate Services (Leonie Van Oosterum) and Executive Assistant (Mette Sutton).

## 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.

**156/24 MOTION: Karavas / Thompson**

**That Council supports the request from Cr Cavalier to the General Manager to attend tonight's Council Meeting via Audio / Visual Link on the grounds that he is away from the region on other commitments.**

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

## Item 1: Apologies

There were no apologies.

## Item 2: Disclosure of Interest

Councillor Thompson declared a less than significant conflict of interest in item 8.3 as his daughter and partner rent a house that is subject of the planning proposal.

## Item 3: Confirmation of Minutes

**157/24 MOTION: Dicker / Shelley**

**That the Minutes of the Ordinary Meeting held on 19 June 2024 be taken as read and confirmed.**

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



**Item 4: Matters in Progress**

Nil

**Item 5: Mayoral Minute**

Nil

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

6.1 JUBILEE OVAL UPGRADE

GOV400105, A0100035, GOV400022

MOTION THOMPSON /

That Council upgrade Jubilee Oval so sports people can use it, particularly when there are big events at Glen Willow and when Glen Willow is too wet to use.

*The motion lapsed for want of a seconder.*

6.2 INVERNESS AVENUE RESIDENTIAL DEVELOPMENT HEAVY  
VEHICLE ACCESS

GOV400105, GOV400022, DA0178/2022

MOTION

That Council investigate the possibility of an access off Castlereagh Highway to the Inverness Avenue development for machinery and trucks.

*Cr Thompson withdrew the Notice of Motion.*

6.3 MAINTENANCE AND GRADING OF RURAL ROADS

GOV400105,

MOTION

That Council in the quarterly review put more funding into the rural roads and maintenance program.

*Cr Thompson withdrew the Notice of Motion.*



**Item 7: Office of the General Manager**

Nil

**Item 8: Development**

8.1 DA0229/2024 - PROPOSED USE OF BUILDING AS FARM BUILDING AND MINOR WORKS - 686 QUEENS PINCH ROAD, MULLAMUDDY

GOV400105, DA0229/2024

**158/24 MOTION: Shelley / Paine****That Council:**

- A. receive the report by the Manager Planning on DA0229/2024 - Proposed Use of Building as Farm Building and Minor Works - 686 Queens Pinch Road, Mullamuddy and;
- B. approve DA0229/2024 - Proposed Use of Building as Farm Building and Minor Works - 686 Queens Pinch Road, Mullamuddy by way of a deferred commencement consent, and subject to the following conditions and statement of reasons:

**PART A – DEFERRED COMMENCEMENT CONSENT**

1. This is a deferred commencement condition in accordance with Section 4.16(3) of the Environmental Planning and Assessment Act 1979 and this consent shall not operate until the following matters have been completed, to the satisfaction of Council:

1. A Building Information Certificate is required to be issued for the unauthorised building work that is the subject of this development consent, issued by Council in accordance with Division 6. 7 of the Environmental Planning and Assessment Act 1979, is to be obtained.

Evidence that will sufficiently enable Council to be satisfied as to the compliance with the above matters must be submitted to Council within twelve (12) months of the date of determination.

If sufficient evidence of the satisfaction of the above matters is not received by Council within this timeframe, the consent will lapse pursuant to Section 4.53(6) of the Environmental Planning and Assessment Act 1979.

If sufficient evidence of the satisfaction of the above matters is received by Council within the above nominated timeframe,



Mayor



General Manager

Council will notify the applicant/developer in writing of the date the development consent becomes operative. This consent will become operative subject to the following conditions of consent.

The development consent will lapse 5 years after it becomes operative, in accordance with Section 4.53 of the Environmental Planning and Assessment Act 1979.

Note - Matters that may need to be addressed prior to the issue of a Building Certificate include engineering certification for structural adequacy. Please contact Council's Building Surveyors prior to lodging an application for a Building Information Certificate to determine what information will be required to support an application for a Building Information Certificate.

## PART B –CONDITIONS OF CONSENT

### GENERAL CONDITIONS

#### 1. Approved plans and supporting documentation

Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.

Title / Name:	Drawing No / Document Ref:	Revision / Issue:	Date:	Prepared by:
Site Plan	-	-	16 February 2024	Navigate Planning
Ground Floor Plan	Drawing No. 02	C	11.6.24	No author
Mezzanine Floor Plan	Drawing No. 03	C	11.6.24	No author
Elevations	Drawing No. 04	C	11.6.24	No author
Building Code of Australia Category 1 Assessment Report #1	-	-	5 June 2024	BCA Performance

In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.

#### 2. Clarification of approved use of the building

For clarity, this development consent provides approval for the use of the building as a farm building ancillary to the agricultural use of the land, all required building works in accordance with the stamped approved plans and conditions of this consent, only.

The 'farm admin', 'utility room' and 'storage' spaces of the




building is to be used solely in conjunction with the approved use of the farm building by the landowner and is not to be adapted or used for any other purpose. The separate use or occupation of these spaces is also not permitted by this consent nor the introduction of new facilities such as a kitchen or portable cooking facilities.

Note: This consent does not authorise any plumbing or drainage works as part of the use of the building as a farm building.

**3. Non-reflective finishes**

Metal roof/wall cladding shall be provided in a non-reflective/non-glary colour scheme such as "Colourbond" steel sheeting.

**4. Building not to be used for habitable uses**

The building must not be adapted nor used for habitable, recreational, retail or industrial purposes at any time.

**5. Imported waste derived fill material**

The only waste derived fill material that may be received at the development site must be:

- a) Virgin excavated natural material, within the meaning of the Protection of the Environment Operations Act 1997; and
- b) Any other waste-derived material the subject of a resource recovery exemption under cl.91 of the Protection of the Environment Operations (Waste) Regulation 2014 that is permitted to be used as fill material.

**6. Waste Disposal**

All waste generated by the development is to be disposed of to a Council approved waste facility. All fees and charges for disposal are to be borne by the developer.

**7. Hazardous Substances Storage**

Storage of hazardous substances is to be located within an appropriate storage facility in accordance with requirements of the relevant Material Safety Data Sheet.

**8. No ponding of stormwater**

All earthworks, filling, building, driveways or other works are to be designed and constructed (including stormwater drainage if necessary) to ensure that at no time any ponding of stormwater occurs on the subject site or adjoining land as a result of this development. Design must also ensure that no diversion of runoff onto other adjacent properties occurs.

**9. Water Storage**



To service this development minimum water tank storage of 60,000 litres is required, of which a minimum of 20,000 litres static water supply is to be retained for firefighting purposes.

#### 10. Occupation Certificate

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 Certifier appointed for the erection of the building

#### 11. Commencement of works

This consent does not permit commencement of any site works. Works are not to commence until such time as a Construction Certificate has been obtained and the appointment of a Principal Certifier.

#### 12. Erection of signs

1. This section applies to a development consent for development involving building work, subdivision work or demolition work.

2. It is a condition of the development consent that a sign must be erected in a prominent position on a site on which building work, subdivision work or demolition work is being carried out—

- a. showing the name, address and telephone number of the principal certifier for the work, and
- b. showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and
- c. stating that unauthorised entry to the work site is prohibited.

3. The sign must be—

- a. maintained while the building work, subdivision work or demolition work is being carried out, and
- b. removed when the work has been completed.

4. This section does not apply in relation to—

- a. building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or
- b. Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.

#### 13. Outdoor Lighting – obtrusive effects

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”.



**14. Annual Fire Safety Statement**

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 Fire and Rescue NSW with a copy of an Annual Fire Safety Statement certifying that each specified fire safety measure is capable of performing to its specification.

**BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE****15. Long Service Levy**

Prior to the issue of a Construction Certificate, the developer shall pay a Long Service Levy at the prescribed rate to either the Long Service Levy Corporation or Council, for any work costing \$250,000 or more.

Note - The amount payable is currently based on 0.25% of the cost of work. This is a State Government Levy and is subject to change.

Note – Council can only accept payment of the Long Service Levy as part of the fees for a Construction Certificate application lodged with Council. If the Construction Certificate is to be issued by a Private Certifier, the Long Service Levy must be paid directly to the Long Service Levy Corporation or paid to the Private Certifier.

**16. Section 64 Upgrade – Fire Safety - Building Code of Australia**

Pursuant to section 64 of the Environmental Planning and Assessment Regulation 2021, the existing buildings are to be brought into conformity with the following Performance Requirements of the BCA, Volume 1.

- a) D1P4 – Exits
- b) E4P1 – Visibility in an emergency
- c) E1P2 – Fire Extinguishers

Plans and specifications demonstrating compliance are to be submitted to and approved by the Certifier prior to the issue of a Construction Certificate.

**BEFORE WORK COMMENCES****17. Pre-construction notifications**

In accordance with the provisions of the Environmental Planning and Assessment Act 1979 construction works approved by this consent must not commence until:

- a) A Construction Certificate has been issued by the Certifier (i.e. Council or an accredited certifier); and
- b) A Principal Certifier has been appointed by the person having benefit of the development consent in accordance with the Environmental Planning and Assessment Act 1979; and



- c) If Council is not the Principal Certifier, notify Council no later than two (2) days before building work commences as to who is the appointed Principal Certifier; and
- d) At least two (2) days before commencement of building work, the person having benefit of the development consent is to notify Council as to the intention to commence building work.

#### 18. Construction waste enclosure

The site shall be provided with a waste enclosure (minimum 1800mm X 1800mm X 1200mm) that has a lid or secure covering for the duration of the construction works to ensure that all wastes are contained on the site. The receptacle is to be emptied periodically to reduce the potential for rubbish to leave the site. Council encourages the separation and recycling of suitable materials.

**NOTE - ALL WASTE GENERATED FROM THE CONSTRUCTION PROCESS IS TO BE CONTAINED ON-SITE**

#### 19. Existing damage to council property

Prior to the commencement of works on site, the applicant shall advise Council's Operations Department in writing, of any existing damage to Council property.

#### 20. Relocation of services

The developer shall be responsible for all costs incurred in the necessary relocation of any services affected by the required construction works. Council and other service authorities should be contacted for specific requirements prior to commencement of any works.

#### 21. Sediment erosion controls

Sediment erosion controls shall be installed within the development site, to the satisfaction of the Certifier (i.e. Council or the Principal Certifier), prior to the commencement of works.

### DURING WORK

#### 22. Mandatory inspections

All mandatory inspections required by the Environmental Planning and Assessment Act 1979 and any other inspections deemed necessary by the Principal Certifier shall be carried out during the relevant stage of construction.

#### 23. Aboriginal material found during construction

In the event of any Aboriginal archaeological material being discovered during earthmoving/construction works, all work in that area shall cease immediately and the Office of





Environment and Heritage (OEH) notified of the discovery as soon as practicable. Work shall only recommence upon the authorisation of the OEH.

#### 24. Management of Development Site

The development site is to be managed for the entirety of work in the following manner:

- a) Erosion and sediment controls are to be implemented to prevent sediment from leaving the site. The controls are to be maintained until the development is complete and the site stabilised with permanent vegetation;
- b) Appropriate dust control measures;
- c) Construction equipment and materials shall be contained wholly within the site unless approval to use the road reserve has been obtained;
- d) Toilet facilities are to be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

#### 25. Hours of work

Site work must only be carried out between the following times

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- 8am to 5pm Monday to Saturday

No site work is permitted on Sundays or Public Holidays.

Site work is not to be carried out outside of these times except where there is an emergency, or for urgent work directed by a police officer or a public authority.

#### 26. Procedure for critical stage inspections

While building work is being carried out, the work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate.

### BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

#### 27. Decommissioning works required

Prior to the issue of any Occupation Certificate, the chimney stack and fireplace is to be permanently decommissioned and/or removed from the building (with the wall reinstated accordingly) to the written satisfaction of Council.

#### 28. OSMS – Inspection for Onsite Sewage Management System

Prior to the use of the premises for the purposes approved by this consent, and prior to the issue of an Occupation Certificate, a satisfactory final inspection report from the Council must be obtained, verifying the associated onsite



wastewater management system has been supplied and installed in accordance with the approval under Section 68 of the Local Government Act 1993.

**29. Finish of Surface Around Site**

Prior to use of the development and/or issue of an Occupation Certificate, the excavated and/or filled areas of the site are to be stabilised and drained, to prevent scouring onto adjacent private or public property. The finished ground around the perimeter of the building is to be graded to prevent ponding of water, and to ensure the free flow of water away from the building and adjoining properties.

**30. Stormwater clear of building and OSSM**

Prior to use of the development and/or issue of an Occupation Certificate, roof water from the building and any rainwater tank overflow shall be piped clear of all buildings and clear of the sewage wastewater disposal area - without creating any nuisance on the property, or to adjoining properties.

**31. Car Parking and Driveway**

Prior to commencement of use of the development and/or issue of an Occupation Certificate, all approved car parking and associated driveway works are to be completed.

**32. Fire Safety Certificate**

Prior to occupation the owner of the building must cause the Certifier 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 Section 41 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 for each measure listed in the schedule. The certificate must only be in the form specified by Section 86 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.

**OCCUPATION AND ONGOING USE**

**33. All car parking within site**

All parking associated with the use is to be contained wholly within the site.

**34. Driveways to be maintained**

All access crossings and driveways are to be maintained for the life of the development.



**35. No interference with amenity**

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, or otherwise as a result of the proposed development.

**36. Clean and tidy condition**

The development is to be maintained in a clean and tidy manner, at all times.

**37. Ongoing use of the building**

The development is not permitted to operate in any other manner other than as a farm building, being used ancillary to the agricultural use of the land, only. The building is not permitted to be utilized at any time for habitable, recreational, retail or industrial purposes.

**STATEMENT OF REASONS:**

1. The proposed development complies with the requirements of the applicable environmental planning instruments and Mid-Western Regional Development Control Plan 2013.
2. The proposed development is considered satisfactory in terms of the matters identified in Section 4.15 of the Environmental Planning and Assessment Act 1979, subject to compliance with conditions of consent.
3. Four submissions were received in response to public notification of the proposed development which have been addressed in the following manner:
  1. The application is for a farm building, ancillary to the agricultural use of the land. The conditions imposed seek to ensure that the future use of the building is consistent with this requirement.
  2. A condition is imposed to decommission and/or remove the chimney stack and fireplace from the building prior to occupation.
  3. Essential fire safety measures are required to be installed in the farm building as the classification of the building has been confirmed by the applicants Building Code of Australia Report to be a class 7 or 8 building (farm building).

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



Councillors	Ayes	Nayes
Cr Kennedy	✓	
Cr Paine	✓	
Cr Cavalier	✓	
Cr Dicker	✓	
Cr Karavas	✓	
Cr Palmer	✓	
Cr Shelley	✓	
Cr Stoddart	✓	
Cr Thompson	✓	

8.2 ME0033/2024 (DA0098/2006) - MODIFICATION TO STAGING OF SUBDIVISION @ 130-148 MEDLEY STREET GULGONG NSW 2852

GOV400105, P1266361

159/24

**MOTION:** Paine / Dicker

**That Council:**

- A. receive the report by the Town Planner on the ME0033/2024 (DA0098/2006) - Modification to Staging of Subdivision @ 130-148 Medley Street GULGONG NSW 2852;
- B. that ME0033/2024 (DA0098/2006) - Modification to Staging of Subdivision @ 130-148 Medley Street GULGONG NSW 2852 be approved subject to the following conditions:

**APPROVED PLANS**

1. The subdivision is to be carried out generally in accordance with the stamped approved plan Ulan Coal Mines Ltd - Proposed plan of Subdivision (SD857) dated 8/2005; drawn by RJ Crooks and Associates Pty Ltd and Statement of Environmental Effects prepared by RJ Crooks and Associates in conjunction with Barnson Pty Ltd for Stages 1, 2 and 3 and the Staging Plan for Hollingsworth Estate, dated 18<sup>th</sup> January 2024, drawn by de Witt Consulting and Statement of Environmental Effects prepared by de Witt Consulting for Stages 4A, 4B and 5, except as varied by any conditions listed herein. Any minor modification to the approved subdivision plan will require the lodgement and consideration by Council of amended plans. Major modifications will require the lodgement of a new development application.  
**AMENDED BY ME0033/2024**



Mayor



General Manager

**PRIOR TO THE ISSUE OF SUBDIVISION CERTIFICATE (ALL STAGES)**

These conditions have been imposed to ensure that the proposed subdivision complies with the requirements of the Environmental Planning and Assessment Act, 1979, Council policy and the relevant standards.

2. In accordance the Environmental Planning & Assessment Act, 1979, a Subdivision Certificate is required before the linen plan of subdivision can be registered with the Land Titles Office.

**Note:** Council's fee to issue a Subdivision Certificate is set out in Council's fees and charges and for this development, at the date of determination, is \$140 plus \$70 per lot.

3. Documentary evidence of compliance with Council's approval and relevant standards of construction is to be obtained for each stage and lodged with Council prior to the issue of the Subdivision Certificate.
4. A linen plan and two (2) copies are to be submitted to Council for approval and endorsement by the General Manager.
5. If the Subdivision Certificate is not issued, for any reason whatsoever, within twelve (12) months of the date of determination, then the charges and contributions contained in this consent, may be increased to the current rate at the time of payment.
6. Prior to the issue of a Subdivision Certificate:
  - (a) all contributions must be paid to Council and all works required by the consent be completed in accordance with the consent, or
  - (b) an agreement be made between the developer and Council;  
as to the security to be given to Council that the works will be completed or the contribution paid, and as to when the work will be completed, or the contribution paid.

**WATER AND SEWER**

7. The developer shall obtain a Certificate of Compliance under the Water Management Act 2000. This will require:
  - (a) The adjustment of existing services or installation of new services and meters, as



Mayor



General Manager

required, in compliance with Australian Standard 3500: National Plumbing and Drainage Code. All costs associated with this development shall be borne by the developer.

- 8. The applicant is to provide separate water and sewer reticulation services to each lot in the proposed subdivision.
- 9. The developer is to extend and meet the full cost of water and sewerage reticulations to service the new lots plus the cost of connecting to existing services. All water and sewerage work is required to be carried out in accordance with the requirements of Mid-Western Regional Council (as the Water Supply Authority under the Local Government Act, 1993) and in accordance with the National Specification - Water & Sewerage Codes of Australia.
- 10. The construction of sewer mains such that there is a separate and distinct sewer connection located wholly within the boundary of each proposed allotment, in accordance with the Local Government (Water, Sewerage and Drainage) Regulation and the WSA 02-2002 Sewerage Code of Australia at full cost to the developer.
- 11. Engineering plans of any mains extensions are to be lodged with Council and approved prior to the commencement of any construction.  
 Note: Council will quote on connecting any sewer or water main extension to the existing "live" main on receipt and approval of engineering plans.  
 Note: Council does not permit other bodies to insert new junctions into 'live' sewer or water mains.
- 12. The developer is to provide a water service and meter for each lot in the subdivision. This can be achieved through providing a water service ending with a lockable ball valve to each lot and make a payment to Council of \$250 per lot to cover the cost of a 20mm meter and installation.

<b>TOTAL PAYABLE STAGE 1</b>	<b>19</b>	<b>x</b>	<b>\$350</b>	<b>=</b>	<b>\$6,650</b>
<b>TOTAL PAYABLE STAGE 2</b>	<b>15</b>	<b>x</b>	<b>\$350</b>	<b>=</b>	<b>\$5,250</b>
<b>TOTAL PAYABLE STAGE 3</b>	<b>19</b>	<b>X</b>	<b>\$645</b>	<b>=</b>	<b>\$12,255</b>
<b>TOTAL PAYABLE STAGE 4A</b>	<b>11</b>	<b>X</b>	<b>\$645</b>	<b>=</b>	<b>\$7,095</b>



Mayor



General Manager

<b>TOTAL PAYABLE STAGE 4B</b>	<b>11</b>	<b>X</b>	<b>\$645</b>	<b>= \$7,095</b>
<b>TOTAL PAYABLE STAGE 5</b>	<b>6</b>	<b>X</b>	<b>\$645</b>	<b>= \$3,870</b>

**AMENDED BY ME0033/2024**

**STORMWATER**

13. **Interallotment drainage is to be provided to remove stormwater from any lots that cannot discharge to the street in accordance with AusSpec #1.**
14. **A minimum of two (2) roof-water outlets per allotment are to be provided in the kerb and gutter at the time of installation of kerb and gutter. Such outlets shall be located near the projected line of allotment side boundaries and shall be of no less a quality than kerb adaptors kept at Council's Administration Centre as a guide.**
15. **An Erosion and Sediment Control Plan for the development is to be prepared and implemented in accordance with the LANDCOM guidelines and requirements as outlined in the latest edition of "Soils and Construction - Managing Urban Stormwater". Points to be considered include, but are not limited to:**
  - **Saving available topsoil for reuse in the revegetation phase of the subdivision;**
  - **Using erosion control measures to prevent on-site damage;**
  - **Rehabilitating disturbed areas quickly;**
  - **Maintenance of erosion and sediment control structures;**

**A schedule of operations is to be submitted to ensure all appropriate works are undertaken at the correct stage.**
16. **Three metre wide easements, including associated Section 88 instruments, are to be created in favour of Council over any existing or newly constructed inter-allotment drainage, water, or sewerage reticulation components located within the subject property, or extended through adjoining private properties as a result of this subdivision.**
17. **All earthworks, filling, building, driveways or other works, are to be designed and constructed (including stormwater drainage if necessary) so that at no time will any ponding of stormwater occur on adjoining land as a result of this development.**




18. **Water quality devices shall be installed in accordance with Part 5.3 of Mid-Western Regional Council's Development Control Plan 2013 (DCP 2013). Such devices are to be inspected by Council for compliance with the DCP 2013 prior to the issue of a Subdivision Certificate.**
19. **Deleted**
20. **The applicant is to indicate how the storm water leaving the site will be directed towards Gossage Road. This may require easement negotiations with downstream landholders. Full details to be provided with the application for Construction Certificate.**
21. **Any soil / water retention structures are to be constructed prior to the bulk stripping of topsoil, to ensure sediment from the whole site is captured.**

#### **ROADWORKS**

22. **Any existing vehicular crossings not utilised by the development shall be removed and the area restored to match the adjoining section of kerb and gutter prior to occupation of the development.**
23. **Street signs necessitated by the subdivision are to be installed in accordance with Aus-Spec #1 and the relevant Australian standards.**
24. **Amended pursuant to modification MA0001/2012**

**The developer is to upgrade Grevillea Street for the full frontage of the proposed subdivision (relevant to each stage), such that it has the following characteristics:**

<b>Item</b>	<b>Requirement</b>
<b>Half Road Pavement Width</b>	<b>5.5m wide @ 6% crossfall</b>
<b>Footpath Width</b>	<b>Residue of current road reserve</b>
<b>Concrete Footpaths</b>	<b>1.2 wide</b>
<b>Seal</b>	<b>Two-coat flush seal -14/7 mm (Double/ Double)</b>
<b>Kerb &amp; Gutter</b>	<b>Roll back concrete kerb &amp; gutter</b>
<b>Subsoil Drainage</b>	<b>Behind kerb if required</b>
<b>Underground Drainage</b>	<b>Where gutter flow exceeds 2.5 metres during minor events and adjacent to intersections.</b>






25. Road Number 1 in the subdivision is to be constructed in accordance with the following:

Item - Road 1	Requirement
Road Reserve Width	18 m
Pavement Width	9m
Footpath Width	4.5 m
Concrete Footpaths	1.2 wide (one side)
Seal	Two-coat flush seal - 14/7 mm (Double/ Double)
Kerb & Gutter	Roll back concrete kerb & gutter
Subsoil Drainage	Behind kerb if required
Underground Drainage	Where gutter flow exceeds 2.5 metres during minor events and adjacent to intersections.

**AMENDED BY ME0033/2024**

#### OTHER SERVICES

26. Prior to issue of the Subdivision Certificate, Council is to be supplied with:
- (a) A certificate from Country Energy indicating that satisfactory arrangements have been made for provision of an underground electricity supply and street lighting to the subdivision;
  - (b) A Pre-Provisioning Confirmation Document from Telstra indicating that satisfactory arrangements have been made for the provision of telephone services to the subdivision.
  - (c) Documentary evidence of the creation of easements with associated Section 88 instruments, in favour of the lots which benefit from the utility, over any services through private property.
27. Underground electricity and street lighting is to be supplied to the subdivision. Details to be submitted for approval by Council and Country Energy prior to issue of the Construction Certificate.

#### ENGINEERING DETAILS

28. All works are to be constructed at the full cost of the developer, in a manner consistent with Aus-Spec #1 and Council's standard drawings.




29. A detailed engineering design supported by plans, and an "Autocad compatible" Plan, (in dwg format including pen-map}, material samples, test reports and specifications is to be prepared in accordance with AUS-SPEC #1 (as modified by Mid-Western Regional Council) and the conditions of this development consent. The engineering design is to be submitted to and approved by Council or an Accredited Certifier prior to the issue of a Construction Certificate.
30. Following completion of the subdivision works, one full set of work-as-executed plans, on transparent film suitable for reproduction, is to be submitted to Council. All work-as-executed plans shall bear the Consulting Engineer's or Consulting Surveyor's certification stating that all information shown on the plans is accurate.
31. Following completion of all engineering works, a bond of 5% of the value of such works (not carried out by Council) or a minimum of \$2000.00, whichever is the greater, shall be lodged with Council.
32. The bond may be provided by way of a monetary deposit with the Council or a bank guarantee to the satisfaction of the Council. If the applicant chooses to provide a bank guarantee, the guarantee must not specify any time limitations on the operation of the guarantee.
33. The developer is to ensure that all defects in the works that become apparent within twelve (12) months of Council accepting the works on maintenance are remedied to Council's satisfaction. If these defects are not satisfactorily remedied, Council may use bond monies to carry out rectification.  
Note: Any unexpended bond money will be returned to the developer at the end of the twelve (12) months period, less the estimated cost of any outstanding works.
34. No construction is to commence before a Construction Certificate is issued for the subdivision works. The works are to be constructed in accordance with the plans and specifications referred to in the Construction Certificate.  
Note: The Construction Certificate may be issued by Council or an Accredited Certifier. Council's fee for this service is set out in Council's fees and charges.



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Mayor

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General Manager

35. The subdivision works are to be inspected by the Council (or an Accredited Certifier on behalf of Council) to monitor compliance with the consent and the relevant standards of construction, encompassing the following stages of construction:
- Installation of sediment and erosion control measures
  - Water and sewer line installation prior to backfilling
  - Establishment of line and level for kerb and gutter placement
  - Road Pavement construction
  - Road Pavement surfacing
  - Practical Completion
36. Upon inspection of each stage of construction, the Council (or an Accredited Certifier on behalf of Council) is also required to ensure that adequate provisions are made for the following:
- Sediment and erosion control measures;
  - Traffic control measures;
  - Maintenance of public areas free from unauthorised materials, waste or other obstructions.
37. The developer is to grant Council (or an Accredited Certifier on behalf of Council) unrestricted access to the site at all times to enable inspections or testing of the subdivision works.
38. The applicants shall, at their own expense, engage a registered surveyor to relocate any survey mark that may be disturbed by the development or any associated work. Any information regarding relocation should be supplied to the Land Titles Office and Council.
39. The applicant shall repair, in accordance with the requirements specified in Aus- Spec #1, any part of Council's property damaged during the course of this development.

#### GENERAL

40. The developer must provide Council and land purchasers with a site classification for each lot within the subdivision. The classification is to be carried out at a suitable building site on each lot and is to be carried out by a NATA registered laboratory using method (a) of Clause 2.2.3 of AS2870 - 1996. Results to be submitted to Council prior to issue of



Mayor



General Manager

the Subdivision Certificate.

- 41. Any proposed site filling is to be performed in accordance with Aus-Spec #1, and all fill is to be:
  - (i) from clean material only, free from organic matter;
  - (ii) compacted in horizontal layers not more than 250mm thick to 95% of the standard maximum dry density of the soil graded at a minimum slope of 1:200 towards the proposed new road.
  
- 42. A 'restriction as to user' shall be created in accordance with the Conveyancing Act specifying that any construction shall be carried out in accordance with requirements for building in saline environments as contained in AS 2870 'Residential Slabs and Footings'.
  
- 43. If any aboriginal artefacts are uncovered or identified during construction earthworks, such work is to cease immediately, and the local aboriginal community and National Parks and Wildlife Service are to be notified.  
 Note: A suitably qualified person would be required to be present during earthworks to identify whether any artefacts were uncovered).
  
- 44. Street tree landscaping is to be provided within the proposed road reserves. A plan for the proposed planting is to be submitted for approval by Council prior to issue of a Subdivision Certificate. All landscaping is to consist of appropriately advanced trees.
  
- 45. Amended pursuant to modification MA0001/2012

The proposed drainage reserves are to be turfed.

Item	Requirement
Half Road Pavement Width	Existing Pavement is considered adequate
Footpath Width	Existing 8.45 m to remain
Concrete Footpaths	1.2 wide
Seal	Two-coat flush seal -14/7 mm (Double/Double) as required
Kerb & Gutter	Existing Standard concrete kerb & gutter to remain
Underground Drainage	Where gutter flow exceeds 2.5 metres during minor events and adjacent to intersections.



Mayor



General Manager

**STAGE 1 SPECIFIC CONDITIONS**

- 46. The developer is to upgrade Fisher Street for the full frontage of the proposed subdivision, such that it has the following characteristics:
- 47. Proposed intersection treatment measures must be detailed in the Engineering Plans submitted to Council prior to the issue of Construction Certificate for the intersection of Road No. 1 and Grevillea Street.
- 48. The new roads in the subdivision are to be constructed in accordance with the following:

Item- Road 2	Requirement
Road Reserve Width	15 m
Pavement Width	7.0 m
Footpath Width	4.0 m
Concrete Footpaths	Not Required
Seal	Two-coat flush seal - 14/7 mm (Double/Double)
Kerb & Gutter	Roll back concrete kerb & gutter
Subsoil Drainage	Behind kerb if required
Underground Drainage	Where gutter flow exceeds 2.5 metres during minor events and adjacent to intersections.
Cul-de-sac Head	Minimum sealed radius 8.5m

~~STAGE 3 SPECIFIC CONDITIONS~~

~~DELETED BY ME0033/2024~~

- 49. Road Number 3 in the subdivision is to be constructed in accordance with the following:

Item - Road 3	Requirement
Road Reserve Width	15 m
Pavement Width	7.0 m
Footpath Width	4.0m
Concrete Footpaths	Not required

~~AMENDED BY ME0033/2024~~

~~STAGE 4 SPECIFIC CONDITIONS~~

~~DELETED BY ME0033/2024~~



Mayor



General Manager

50. The developer is to upgrade Medley Street for the full frontage of the proposed subdivision, such that it has the following characteristics:

Item	Requirement
Half Road Pavement Width	6.5m wide @ 3% crossfall
Footpath Width	3.5m to match existing kerb and gutter
Concrete Footpaths	1.2 wide
Seal	Two-coat flush seal -14/7 mm (Double/Double) as required
Kerb & Gutter	Roll back concrete kerb & gutter
Underground Drainage	Where gutter flow exceeds 2.5 metres during minor events and adjacent to intersections.

51. Any work to be carried out within 3m of the travel lanes of the highway requires a Road Occupancy Licence from RTA which can be obtained by contacting Mr Paul Maloney on (02) 6861 1686.

**~~STAGE 5 SPECIFIC CONDITIONS~~**  
**DELETED BY ME0033/2024**

52. The number of proposed accesses onto Medley Street is to be minimised through the use of shared access points. Two access points are agreed to, one access point servicing lots 65 and 66 and another servicing lots 67 and 68. These requirements are to be enforced through Restrictions as to Users on the title of the lots in accordance with section 88 of the Conveyancing Act.
53. Lot 69 is to gain access from Guntawang Street only. This requirement is to be enforced through a Restriction as to User on the title of lot 69 in accordance with section 88 of the Conveyancing Act.
54. No allotments adjoining Fisher Street are to have access from the highway and are only to access from Grevillea Street and proposed road no.2. These requirements are to be enforced through Restriction as to Users on the titles of the lots in accordance with section 88 of the Conveyancing Act.
55. Proposed intersection treatment measures must be detailed in the Engineering Plans submitted to Council prior to Construction Certificate for the




intersection of Medley and Guntawang Streets and the intersection of Fisher Street and Grevillea Road. As both required intersections are located on the Castlereagh Highway the developer will be required to enter into a Works Authorisation Deed with RTA. A Works Authorisation Deed is necessary in order to carry out privately funded works on a classified state road. All works are to be at no cost to the RTA.

56. The developer is to upgrade Guntawang Street for the full frontage of the proposed subdivision, such that it has the following characteristics:

Item	Requirement
Half Road Pavement Width	5.5m wide @ 3% crossfall
Footpath Width	4.5m
Concrete Footpaths	1.2 wide
Seal	Two-coat flush seal - 14/7 mm (Double/Double)
Kerb & Gutter	Roll back concrete kerb & gutter
Subsoil Drainage	Behind kerb if required
Underground Drainage	Where gutter flow exceeds 2.5 metres during minor events and adjacent to intersections.

57. As Guntawang Street is currently a Crown Road, prior to any road construction, the crown road reserve must be transferred to Council. The transfer can be initiated by paying the fee required to the Department of Lands (via Council) and Council sending an accompanying letter requesting the road be transferred to Council.

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

Councillors	Ayes	Nayes
Cr Kennedy	✓	
Cr Paine	✓	
Cr Cavalier	✓	
Cr Dicker	✓	
Cr Karavas	✓	
Cr Palmer	✓	
Cr Shelley	✓	
Cr Stoddart	✓	
Cr Thompson	✓	




Councillor Thompson declared a less than significant conflict of interest in item 8.3 as his daughter and partner rent a house that is subject of the planning proposal. He did not leave the room and did vote on this matter.

8.3 PLANNING PROPOSAL LOT 1 DP702951 (36-42 SHORT STREET, MUDGEE) INCREASE BUILDING HEIGHT FROM 8.5 TO 10.5 METRES

GOV400105, LAN900154

160/24

**MOTION:** Palmer / Karavas

**That Council:**

1. **receive the report by the Manager Strategic Planning on the Planning Proposal Lot 1 DP702951 (36-42 Short Street, Mudgee) increase building height from 8.5 to 10.5 metres;**
2. **provide initial support for the Planning Proposal to amend the Mid-Western Regional Local Environmental Plan 2012 to increase the building height from 8.5 to 9.5 metres for Lot 1 DP702951 (36-42 Short Street, Mudgee) and submit to the NSW Department of Planning, Housing and Infrastructure via the NSW Planning Portal seeking a Gateway Determination, in accordance with Section 3.34 of the Environmental Planning and Assessment Act 1979;**
3. **undertake community consultation as outlined in any approved Gateway determination; and**
4. **commence a review of the Mid-Western Regional LEP 2012 building heights mapping in order to prepare a Mudgee Heights Master Plan.**

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

Item 8.4 was withdrawn.

8.4 PLANNING PROPOSAL LOT 122 DP 1074283 - 10-12 BURRUNDULLA AVENUE, MUDGEE - POST EXHIBITION  
GOV400105, LAN900189, PP-2024-806

**RECOMMENDATION**

**That Council:**

1. **receive the report by the Manager Strategic Planning on the Planning Proposal Lot 122 DP 1074283 - 10-12 Burrundulla Avenue, Mudgee - 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 via the NSW Planning Portal*.

## 8.5 DRAFT EMPLOYMENT LANDS STRATEGY (INDUSTRIAL) 2024 - POST EXHIBITION

GOV400105, LAN900156

161/24

**MOTION: Palmer / Paine**

**That Council:**

1. receive the report by the Manager Strategic Planning on the *Draft Employment Lands Strategy (Industrial) 2024 – Post Exhibition*;
2. amend the *Draft Employment Lands Strategy (Industrial) 2024* to:
  - 2.1 include 18 Castlereagh Highway, Mudgee (Lot 40 DP1124695) as an opportunity in the *Draft Employment Lands Strategy (Industrial) 2024*;
  - 2.2 include part (as detailed in the received submission) of 3B Castlereagh Highway, Burrundulla (Lot 6 DP1269918) in Opportunity 2 in the *Draft Employment Lands Strategy (Industrial) 2024*;
  - 2.3 remove 38 Hill End Road (Lot 18 DP 1113002) from Opportunity 1 in the *Draft Employment Lands Strategy (Industrial) 2024*;
3. place the amended *Draft Employment Lands Strategy (Industrial) 2024* on public exhibition for a period of 28 days; and
4. 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 *Draft Employment Lands Strategy (Industrial) 2024*.

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

Councillors	Ayes	Nayes
Cr Kennedy	✓	
Cr Paine	✓	



Mayor



General Manager

Cr Cavalier	✓	
Cr Dicker	✓	
Cr Karavas	✓	
Cr Palmer	✓	
Cr Shelley	✓	
Cr Stoddart	✓	
Cr Thompson		✓

## 8.6 SMART COMMUNITY STRATEGY

GOV400105, ECO800001

162/24

**MOTION: Paine / Stoddart****That Council:**

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

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

The following recommendations (item 8.7 and item 8.8) 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 separate resolution numbers commencing at Resolution No. 163/24 and concluding at Resolution No.164/24.

## 8.7 MONTHLY DEVELOPMENT APPLICATIONS PROCESSING AND DETERMINED

GOV400105, A0420109

163/24

**MOTION: Shelley / Cavalier**

**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 AMENDMENT - STREET BANNER USAGE POLICY

GOV400105, ECO800001

164/24

**MOTION: Shelley / Cavalier**


Mayor



General Manager

**That Council:**

1. receive the report by the Manager Economic Development on the Policy Amendment - Street Banner Usage Policy;
2. place the revised Street Banner Usage Policy on public exhibition for 28 days; and
3. adopt the revised Street Banner Usage 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 NEW AND AMENDED FEES AND CHARGES 2024/25  
 GOV400105, FIN300117

**165/24 MOTION: Paine / Dicker**

**That Council:**

1. receive the report by the Financial Planning Coordinator on the New and Amended Fees and Charges 2024/25; and
2. amend the following fee amounts, as written;

Service Type	Amended Fee	Current Fee amount (\$)	Amended fee amount (\$)
ANIMAL & STOCK CONTROL   Companion Animals   Lifetime Registrations	Dog - Desexed (by relevant age)	\$75.00	\$78.00
	Dog - Desexed (by relevant age eligible pensioner)	\$32.00	\$34.00
	Dog - Desexed (sold by pound/shelter)	\$0.00	\$0.00
	Dog - Not Desexed or Desexed (after relevant age)	\$252.00	\$262.00
	Dog - Not Desexed (not recommended)	\$75.00	\$78.00
	Dog - Not Desexed (not recommended eligible pensioner)	\$32.00	\$34.00
	Dog - Not Desexed (recognised breeder)	\$75.00	\$78.00



Mayor



General Manager

	Cat - Desexed or Not Desexed	\$65.00	\$68.00
	Cat - Desexed (eligible Pensioner)	\$32.00	\$34.00
<b>ANIMAL &amp; STOCK CONTROL   Companion Animals   Lifetime Registrations</b>	Cat - Desexed (sold by pound/shelter)	\$0.00	\$0.00
	Cat - Not Desexed (not recommended)	\$65.00	\$68.00
	Cat - Not Desexed (not recommended eligible pensioner)	\$32.00	\$34.00
	Cat - Not Desexed (recognised breeder)	\$65.00	\$68.00
	Registration Late Fee	\$0.00	\$0.00
<b>ANIMAL &amp; STOCK CONTROL   Companion Animals   Annual Permit Fees</b>	Cat not desexed by four months of age	\$92.00	\$96.00
	Dangerous Dog	\$221.00	\$230.00
	Restricted Dog	\$221.00	\$230.00
	Permit Late fee	\$21.00	\$22.00

The motion was carried with the Councillors voting unanimously.

## 9.2 MEMORANDUM OF UNDERSTANDING FOR REALIGNMENT OF BARIGAN ROAD AND MAREE ROAD

GOV400105, LAN900086

166/24

**MOTION:** Palmer / Stoddart

**That Council:**

1. receive the report by the Manager - Property and Revenue on the Memorandum of Understanding for realignment of Barigan Road and Maree Road;
2. agree to the realignment of Barigan Road and Maree Road as set out in Attachment 1 to this Report;
3. authorise the General Manager to make any necessary amendments to negotiate and finalise the memorandum of understanding for the realignment of Barigan Road and Maree Road (the MOU);
4. authorise the General Manager (or their delegate) to sign



Mayor



General Manager

**the MOU; and**

- 5. receive a further report(s) at the appropriate juncture as may be required in the execution of the Council functions required by the MOU.**

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

**9.3 MONTHLY BUDGET REVIEW - JULY 2024 BUDGET VARIATIONS**

GOV400105, FIN300315

**167/24 MOTION: Paine / Palmer**

**That Council:**

- 1. receive the report by the Financial Planning Coordinator on the Monthly Budget Review - July 2024 Budget Variations; and**
- 2. amend the 2024/25 budget in accordance with the variations as listed in the Monthly Budget Review attachment to this report.**

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

**9.4 COMMUNITY GRANTS PROGRAM - JULY 2024**

GOV400105, GRA600009

**168/24 MOTION: Shelley / Karavas**

**That Council:**

- 1. receive the report by the Financial Planning Co-ordinator on the Community Grants Program - July 2024; and**
- 2. provide financial assistance to the following applications in accordance with the criteria and guidelines of the Community Grants Policy:**

• Mid-Western Region Community Music Association Incorporation	<b>\$5,000</b>
• Windeyer Crown Land Managers	<b>\$3,000</b>
• Alesha Bennetts	<b>\$3,000</b>
• Jarrod Emeny	<b>\$2,000</b>
• Mudgee Lions Club	<b>\$2,500</b>
• Wollemi Physical Culture	<b>\$5,000</b>
• Community Charity Shop Inc	<b>\$5,000</b>
• Radschool Association Inc	<b>\$690</b>
• Back to Gulgong Inc	<b>\$2,500</b>




3. **not provide financial assistance to the Mudgee Aero Club Incorporated as they already receive a very decent lease agreement for which they benefit; and**
4. **amend the Community Grants Program Policy so that the Disability Representative Grants Category cap is increased from \$1,000 to \$2,000.**

AMENDMENT: Cr Thompson / nil seconder

1. receive the report by the Financial Planning Co-ordinator on the Community Grants Program - July 2024; and
2. provide financial assistance to the following applications in accordance with the criteria and guidelines of the Community Grants Policy:

• Mid-Western Region Community Music Association Incorporation	\$5,000
• Windeyer Crown Land Managers	\$3,000
• Alesha Bennetts	\$3,000
• Jarrod Emeny	\$2,000
• Mudgee Aero Club Incorporated	\$4,500
• Mudgee Lions Club	\$2,500
• Wollemi Physical Culture	\$5,000
• Community Charity Shop Inc	\$5,000
• Radschool Association Inc	\$690
• Back to Gulgong Inc	\$2,500

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

9.5 CLASSIFICATION OF LAND - LOT 1002 DP 1301844  
DRAINAGE RESERVE LOCATED AT 27 MERVYNS LANE,  
SPRING FLAT

GOV400105, COU500013

169/24

**MOTION: Palmer / Stoddart**

**That Council:**

1. **receive the report by the Property Officer on the Classification of Land - Lot 1002 DP 1301844 located at 27 Mervyns Lane, Spring Flat;**
2. **authorise the General Manager and Mayor, where additionally required to do so, sign all documentation necessary to classify Lot 1002 DP 1301844 as Operational Land;**
3. **authorise the Common Seal of Council to be affixed, where**



Mayor



General Manager

necessary, in relation to the classification of Lot 1002 DP 1301844 as Operational Land; and

4. notify the public of its intention to classify the Drainage Reserve at Lot 1002 DP 1301844 as Operational Land in accordance with Chapter 6, Part 2 Division 1 of the Local Government Act 1993, by publicly exhibiting the proposal for 28 days, and should there be no submissions received from the public, the subject land be so classified as Operational Land.

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

9.6 CLASSIFICATION OF LAND - LOT 1003 DP 1301844  
DRAINAGE RESERVE AT 11 MERVYNS LANE, SPRING FLAT  
GOV400105, COU500013

170/24

**MOTION:** Stoddart / Thompson

**That Council:**

1. receive the report by the Property Officer on the Classification of Land - Lot 1002 DP 1301844 Drainage Reserve at 11 Mervyns Lane, Spring Flat;
2. authorise the General Manager and the Mayor, where additionally required to do so, to sign all documentation necessary to classify Lot 1003 DP 1301844 as Operational Land;
3. authorise the Common Seal of Council to be affixed, where necessary, in relation to the classification of Lot 1003 DP 1301844 as Operational Land; and
4. notify the public of its intention to classify the Drainage Reserve at Lot 1003 DP 1301844 as Operational Land in accordance with Chapter 6, Part 2 Division 1 of the Local Government Act 1993, by publicly exhibiting this proposal for 28 days, and should there be no submissions received from the public, the subject land be so classified as Operational Land.

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

9.7 MONTHLY STATEMENT OF INVESTMENTS AS AT 30 JUNE  
2024

GOV400105, FIN300053

171/24

**MOTION:** Karavas / Palmer

**That Council:**



Mayor



General Manager

1. receive the report by the Financial Planning Coordinator on the Monthly Statement of Investments as at 30 June 2024; and
2. note the certification of the Responsible Accounting Officer.

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

## 9.8 SOLAR ARRAY PROGRESS REPORT

GOV400105, ENE100032

172/24

**MOTION: Shelley / Stoddart**

**That Council:**

1. receive the report by the Director Corporate Services on the Solar Array Progress Report;
2. amend the 2024/25 Budget for the Solar Array Stage 3 works to increase expenditure by \$600,000, funded from unrestricted cash; and
3. request that a report be brought back to Council with updated Business case modelling, including revised capital costs, operating costs and energy market pricing.

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

## Item 10: Operations

### 10.1 REVIEW OF NSW WASTE LEVY

GOV400105, F0570008

173/24

**MOTION: Shelley / Karavas**

**That Council:**

1. receive the report by the Manager Waste and Environmental Services on the Review of NSW Waste Levy;
2. note EPA document "Review of the NSW Waste Levy Issues Paper" and Netwaste's response on behalf of member councils; and
3. formally oppose, in the strongest possible manner, any extension of the waste levy area.

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





**Item 11: Community**11.1 COMMUNITY AND CULTURAL SERVICES QUARTERLY  
REPORT

GOV400105, COS300010

174/24 MOTION: Stoddart / Paine

That Council:

1. receive the report by the Acting Director Community on the Community and Cultural Services Quarterly Report; and
2. note the recent services provided and activities coordinated by Council's Community & Cultural Services Team.

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

**Item 12: Reports from Committees**

## 12.1 AUDIT RISK AND IMPROVEMENT COMMITTEE MEMBERS

GOV400105, COR400236

175/24 MOTION: Dicker / Palmer

That Council:

1. receive the report by the Acting Director Community on the Audit Risk and Improvement Committee Members; and
2. re-appoint John Stuart and John Bentley as two Independent Committee members to the Audit, Risk and Improvement Committee until November 2026.

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

12.2 LOCAL TRAFFIC COMMITTEE MEETING MINUTES - JUNE  
2024

GOV400105, A0100009

176/24 MOTION: Karavas / Thompson

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

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



12.3 BOTOBOLAR COMMUNITY COMMITTEE MEETING MINUTES  
- 26 JUNE 2024

GOV400105, A0060107

177/24 MOTION: Stoddart / Palmer

That Council:

1. receive the report by the Acting Director Community on the Botobolar Community Committee Meeting Minutes - 26 June 2024; and
2. endorse the minutes of the Botobolar Community Committee meeting held on 26 June 2024.

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

**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 6.06pm.

