

Minutes of the Ordinary Meeting of Council

Held at the Council Chambers, 86 Market Street, Mudgee
on Wednesday 7 May 2014, commencing at **6.26pm** and concluding at 7.41pm.

PRESENT Cr D Kennedy (Mayor), Cr P Cavalier (Deputy Mayor), Cr EE Martens (AM),
Cr PA Shelley, Cr JP Thompson, Cr MB Walker, Cr JR Webb, Cr L White.

IN ATTENDANCE General Manager (WL Bennett), Director Mid-Western Operations (B Cam),
Director Development and Community Services (C Van Laeren), Director
Finance & Administration (B Exelby), Executive Assistant to the General
Manager (M Sutton)

MEDIA REPRESENTATIVES Mudgee Guardian / The Weekly (D Snider) Radio 2MG (M Heldon)

Item 1: Apologies

An apology was received for the absence of Councillor John Weatherley.

154/14 MOTION: Cavalier / Shelley

That the apology for the absence of Councillor John Weatherley be received and leave of absence be granted.

The motion was put and carried with Councillors voting unanimously.

Item 2: Disclosure of Interest

nil

Item 3: Confirmation of Minutes

155/14 MOTION: Cavalier / Walker

That the Minutes of the Ordinary Meeting held on 16 April 2014 (Minute Nos. 133/14 to 153/14) be taken as read and confirmed.

The motion was put and carried with Councillors voting unanimously.

Item 4: Matters in Progress

Protection of the Drip Gorge Res 65/14

156/14 MOTION: White / Thompson

- 1 **That Mid-Western Regional Council supports the community proposal to protect the Drip Gorge by including the Drip block 45, land to the south of the Goulburn River outside mining licence 1605 and private land block 51 in an extension of the Goulburn River National Park;**
- 2 **Mid-Western Regional Council conveys this support to the planning assessment commission as a late submission that the proposed extension to Goulburn River National Park be included as a condition of approval; and**
- 3 **Mid-Western Regional Council writes to Andrew Gee MP, Member for Orange, acknowledging his support to protect the Drip Gorge and informing him of Council's endorsement of the community proposal to extend Goulburn River National Park.**

AMENDMENT: Walker / Cavalier

That this matter be deferred until the next meeting of Council.

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

Councillors	Ayes	Nayes
Cr Cavalier	✓	
Cr Kennedy	✓	
Cr Martens		✓
Cr Shelley		✓
Cr Thompson		✓
Cr Walker	✓	
Cr Webb		✓
Cr White		✓

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

Councillors	Ayes	Nayes
Cr Cavalier		✓
Cr Kennedy		✓
Cr Martens	✓	
Cr Shelley	✓	
Cr Thompson	✓	
Cr Walker		✓
Cr Webb	✓	
Cr White	✓	

Item 5: Mayoral Minute

5.1 RECRUITMENT OF GENERAL MANAGER

GOV400038, PER400076

157/14 MOTION: Kennedy

That Council hold an Extraordinary meeting of Council on Thursday 19 June 2014 for the purpose of interviewing and selecting a preferred candidate for the position of General Manager, Mid-Western Regional Council.

The motion was put and carried with Councillors voting unanimously.

5.2 EXPENSES POLICY

GOV400038, A0110001

158/14 MOTION: Kennedy

That Council approves Councillor Martens staying in a motel at Council's expense in Mudgee on Council meeting nights during the winter months of May, June, July and August.

The motion was put and carried with Councillors voting unanimously.

Item 6: General Business

6.1 NOTICES OF MOTION

6.1.1 BLUE MOUNTAINS EXPRESSWAY

GOV400022, GOV400038

159/14 MOTION: Thompson / Walker

That Council makes a submission to the State Government (the Premier and Treasurer – copies to local members) that a proportion of the funds from any sale of NSW's electricity poles and wires be put towards the Blue Mountains expressway development.

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

Councillors	Ayes	Nayes
Cr Cavalier	✓	
Cr Kennedy		✓
Cr Martens	✓	
Cr Shelley		✓
Cr Thompson	✓	
Cr Walker	✓	
Cr Webb	✓	
Cr White	✓	

6.1.2 MOSSY ROCK LANE ADDED TO COUNCIL'S MAINTAINED ROADS REGISTER

GOV400022, GOV400038

160/14 MOTION: Shelley / Cavalier

That Mossy Rock Lane, Rylstone, be added to Council's Maintained Roads register.

AMENDMENT: Martens / Thompson

That staff bring a report back to council detailing the number of unmaintained roads with more than 5 houses located off those roads.

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

Councillors	Ayes	Nayes
Cr Cavalier		✓
Cr Kennedy		✓
Cr Martens	✓	
Cr Shelley		✓
Cr Thompson	✓	
Cr Walker		✓
Cr Webb		✓
Cr White		✓

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

Councillors	Ayes	Nayes
Cr Cavalier	✓	
Cr Kennedy	✓	
Cr Martens		✓
Cr Shelley	✓	
Cr Thompson		✓
Cr Walker	✓	
Cr Webb	✓	
Cr White	✓	

6.1.3 RYLSTONE AERODROME RATES CHARGES

GOV400022, GOV400038

161/14 MOTION: Walker / Shelley

That the rates charges at the Rylstone Aerodrome for hanger developments be set at \$200 as per the previous resolution of Council.

AMENDMENT: Thomspson/Martens

That Council review the recommended rate charged on the Rylstone Aerodrome hangar developments and change the rates charged on these properties to the minimum rate charge for 2014/15 expected to be \$609.26.

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

Councillors	Ayes	Nayes
Cr Cavalier		✓
Cr Kennedy		✓
Cr Martens	✓	
Cr Shelley		✓
Cr Thompson	✓	
Cr Walker		✓
Cr Webb		✓
Cr White		✓

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

Councillors	Ayes	Nayes
Cr Cavalier	✓	
Cr Kennedy	✓	
Cr Martens		✓
Cr Shelley	✓	
Cr Thompson		✓
Cr Walker	✓	
Cr Webb	✓	
Cr White	✓	

6.2 REPORTS TO COUNCIL

6.2.1 DA0248/2014 – PROPOSED DEMOLITION AND 51 LOT RESIDENTIAL SUBDIVISION, LOT 2 DP 534336, LOT 399 DP 1132580 AND LOT 532 DP 1132581, SALEYARDS LANE, MUDGEES

GOV400038, DA0248/2014

162/14

MOTION: Cavalier / Martens

That:

- 1. the report by the Manager Statutory Planning Manager, Statutory Planning on DA0248/2014 – Proposed Demolition and 51 Lot Residential Subdivision, Lot 2 DP 534336, Lot 399 DP 1132580 and Lot 532 DP 1132581, Saleyards Lane, Mudgees be received;**
- 2. Council approve DA0248/2014 – Proposed Demolition and 51 Lot Residential Subdivision, Lot 2 DP 534336, Lot 399 DP 1132580 and Lot 532 DP 1132581, Saleyards Lane, Mudgees as a Deferred Commencement Consent subject to the following conditions:**

DEFERRED COMMENCEMENT CONDITIONS

- A. A Phase 2 Environmental Assessment is required to identify any further contamination risk. The site is to be remediated and a site validation report provided to Council stating that the land is suitable for residential purposes. This is a deferred commencement condition and the consent does not become operational until Council is satisfied that the condition has been met.
- B. The part closure of the Saleyards Road reserve is to be completed and the Deposited Plan registered with Land and Property Information (LP). This is a deferred commencement condition and the consent does not become operational until Council is satisfied that the condition has been met.

APPROVED DEVELOPMENT

1. Development is to be carried out generally in accordance with the following;
 - Subdivision Plans stamped plans (Job No. 1202MU) Sheets 1/3;
 - Statement of Environmental Effects dated January 2014;
 - Addendum to Statement of Environmental Effects Dated 17th February 2014;
 - Traffic Impact Statement by Jabek P/L (BK138) dated March 2014;

except as varied by the conditions listed herein. Any minor modification to the approved plans will require the lodgement and consideration by Council of amended plans. Major modifications will require the lodgement of a new development application.

DEMOLITION

2. The licensed demolition contractor and/or principal contractor must comply with the following specific requirements in respect of the proposed demolition works:-
 - a) Demolition work is not be undertaken until:
 - Council has been provided with a copy of any required Hazardous Substances Management Plan;
 - The licensed demolition contractor and/or principal contractor has inspected the site and is satisfied that all measures are in place to comply with the provisions of such Plan;
 - b) The removal, handling and disposal of any asbestos material (in excess of 10m²) is to be undertaken only by an asbestos removal contractor who holds the appropriate

class of Asbestos Licence, issued by WorkCover NSW, and in accordance with the requirements of WorkCover NSW, the Work Health and Safety Act 2011 and Australian Standard 2601-2001

- c) All asbestos and other hazardous materials are to be appropriately contained and disposed of at a facility holding the appropriate license issued by the NSW Environmental Protection Agency**
- d) Seven working days notice in writing is to be given to Council prior to the commencement of any demolition works. Such written notice is to include the date demolition will commence and details of the name, address, contact telephone number and licence details (type of licences held and licence numbers) of any asbestos removal contractor and demolition contractor.**

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

- 3. A masonry retaining wall is to be provided adjacent the northern boundary of the development site to retain the proposed fill. It is to be offset by 750mm from the rear boundary and this area landscaped with Photinias (or other approved species) that will achieve a minimum height of 2 metres and planted 1 metre apart. Details of the retaining wall structure and landscaping are to be provided with the application for Construction Certificate.**
- 4. Prior to development the applicant shall advise Council's Development and Community Services Department, in writing, of any existing damage to Council property before commencement of works. The applicant shall repair (at their own expense) any part of Council's property damaged during the course of this development in accordance with AUS-Spec #1/2 (as modified by Mid-Western Regional Council) and any relevant Australian Standards.**
- 5. A Traffic Control Plan (TCP) completed by a "Certified Person" for implementation during works is to be submitted to Mid-Western Regional Council prior to any work commencing.**
- 6. A copy of the Contractor's public liability insurance cover for a minimum of \$20,000,000 is to be provided to Mid-Western Regional Council as an interested party.**
- 7. The submission to Council of engineering design plans for any road works shall include pavement and wearing surface investigation and design, sedimentation and erosion control plans, and a detailed construction plan. These plans are to be approved by the Council prior to the issue of a Construction Certificate.**

8. Prior to the commencement of subdivision works, the following actions are to be carried out;
- A site supervisor is to be nominated by the applicant;
 - Council is to be provided with two (2) days notice of works commencing.

Note: Failure to comply with these conditions will result in damage to Council's infrastructure being rectified by the applicant and at the applicant's cost.

9. A detailed engineering design is to be submitted to and approved by Council prior to the issue of a *Construction Certificate*. The engineering design is to comply with Council's Development Control Plan and the Standards referenced within Appendix B and D.
10. The causeway at the eastern end of Saleyards Lane shall be upgraded with culverts with sufficient capacity to facilitate a 1 in 10 yr ARI rainfall event without inundation of the roadway.
11. A Construction Certificate is required for, but not limited to, the following civil works;
- Water and sewer main extensions
 - Stormwater drainage such as inter-allotment drainage, detention basins,
 - Road construction
 - Footpath and kerb & gutter
 - Landscaping of public reserves
 - Construction of culvert on Saleyards Lane.

Note: No works can commence prior to the issue of the Construction Certificate.

12. 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
13. 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.

14. 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.
15. All finished surface levels shall be shown on the plans submitted for the Construction Certificate. Where it is proposed to import fill, the material shall be certified as free of hazardous materials and contamination by a suitably qualified geotechnical engineer. Fill placed in residential or commercial lots shall be compacted in accordance with *AS3798-2007 Guidelines on Earthworks for Commercial and Residential Developments*.
16. Engineering plans of the water and sewer mains extension are to be submitted to and approved by Council or an accredited certifier prior to the issue of a Construction Certificate.
Note 1: Council will quote on connecting any sewer or water main extension to the existing "live" main on receipt and approval of engineering plans.
Note 2: Council does not permit other bodies to insert new junctions or connections into 'live' mains.
17. 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.
18. The subdivision works are to be inspected by the 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 and driveway pavement construction (including excavation, formwork and reinforcement)
 - Road pavement surfacing
 - Practical completion
19. The contractor/owner must arrange an inspection by contacting Council's Development and Community Services Department between 8.30am and 4.30pm Monday to Friday, giving at least twenty four (24) hours notice. Failure to have the work inspected may result in the access being removed and reconstructed at the contractors/owners expense.
20. The applicant is to submit a Drainage Report prepared in accordance with the Institution of Engineers publication *Australian Rainfall and Run-off* to the Principal Certifying Authority for approval prior to the release of the Construction Certificate. The report must demonstrate that stormwater runoff from the site is not increased beyond the existing undeveloped state up to and including a 100 year ARI. All storm water detention

details including analysis shall be included with the drainage report.

21. The drainage report is to include water quality treatment devices meeting targets as stipulated in the DCP and full details of compliance are to be provided with the Construction Certificate.
22. All utilities and services including telecommunications, water and sewer reticulation, street lighting shall be installed prior to pavement construction.
23. Prior to commencement of works, the submission of three road names/road in order of preference, for the proposed two (2) new roads within the subdivision, are to be submitted to Council for approval.
24. Complete landscaping plans for all public reserve areas are to be submitted for approval prior to issue of a Construction Certificate. All landscaping to consist of appropriately advanced trees and shrubs. All landscaping is to be established prior to occupation of the development. Tree and shrub species should require minimal watering and salt resistant. Alternatively, smaller plant sizes will be considered if irrigation systems are implemented.

Stormwater Drainage

25. 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.
26. 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.
27. Interallotment drainage is to be provided to remove stormwater from any lots that cannot discharge to the street in accordance with Aus Spec #1. Easements not less than 1m wide shall be created over interallotment drainage in favour of upstream allotments.
28. Inter-allotment drainage is to be provided to remove stormwater from any lots that cannot discharge to the street in accordance with Aus Spec #1. Easements not less than 1m wide shall be created over inter-allotment drainage in favour of upstream allotments.
29. 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.

Roads, Kerbs and Vehicular Access

30. Street signs necessitated by the subdivision are to be installed in accordance with Aus-Spec #1 and Council standards.
31. The developer is to upgrade the existing road for the full frontage of the proposed Subdivision and the new roads, such that it has the following characteristics:

Saleyards Lane and internal subdivision roads

Item	Requirement
Full Road Pavement Width	9 m (2 x 3.5m travel lanes with 1m sealed shoulders)
Nature Strip	2 x 4.5m
Concrete Footpaths	1.2m Wide
Seal	Two-coat flush seal -14/7 mm (Double/Double) as required
Kerb & Gutter	Roll back concrete kerb & gutter
Subsoil Drainage	Behind kerb if required
Underground Drainage	Where gutter flow exceeds 2.5m during minor events or adjacent to intersections.

32. The submission to Council of engineering design plans for any road works shall include pavement and wearing surface investigation and design.
33. All utility crossings are to be perpendicular to the road centreline and performed prior to the addition of the basecourse.
34. A Traffic Control Plan (TCP) completed by a "Certified Person" for implementation during works is to be submitted to Mid Western Regional Council prior to any work commencing.
35. Prior to commencement of works, the submission of three possible street/road names in order of preference, for the proposed new road within the subdivision, are to be submitted to Council for approval.
36. Street signs necessitated by the subdivision are to be installed in accordance with Aus-Spec #1 and Council standards. A Give Way sign is required to be installed on the internal subdivision road at the junction with Saleyards Lane.

Earthworks

37. 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: The applicant should contact the Aboriginal Land Council and consult a suitably qualified individual to determine if artefacts were uncovered.

- 38. Runoff and erosion controls shall be installed prior to clearing and incorporate:-**
 - **diversion of uncontaminated onsite runoff around cleared and/or disturbed areas and areas to be cleared and/or disturbed;**
 - **sediment control fences at the downslope perimeter of the cleared and/or disturbed area to prevent sediment and other debris escaping from the land to pollute any stream or body of water;**
- 39. Maintenance of all erosion control measures at maximum operational capacity until the land is effectively rehabilitated and stabilized beyond the completion of construction.**
- 40. The development site is to be managed for the entirety of work in the following manner:**
 - **Appropriate dust control measures;**
 - **Construction equipment and materials shall be contained wholly within the site unless approval to use the road reserve has been obtained;**
 - **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.**
- 41. Any necessary alterations to, or relocations of, public utility services to be carried out at no cost to council and in accordance with the requirements of the relevant authority including the provision of easements over existing and proposed public infrastructure.**

Water and Sewer

- 42. The developer is to extend and meet the full cost of water and sewerage reticulations to service the development 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.**
- 43. The applicant is to provide separate water and sewer reticulation services to each lot.**
- 44. Three metre wide easements, including associated Section 88B Instruments, are to be created in favour of Council over any existing or newly constructed water or sewerage reticulation components located within the subject property, or extended through adjoining private properties as a result of this subdivision.**

45. Water services are to be located on alternate property boundaries to Telstra/Electricity. The developer is to provide a water meter for each lot in the subdivision.

PRIOR TO THE ISSUE OF THE SUBDIVISION CERTIFICATE

46. Under 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: The fee to issue a *Subdivision Certificate* is set out in Council's Fees and Charges
47. A linen plan and two (2) copies are to be submitted to Council for approval and endorsement by the General Manager.
48. If the *Subdivision Certificate* is not issued, for any reason whatsoever, by the end of the financial year immediately following 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.
49. Underground electricity, street lighting and telecommunications are to be supplied to the subdivision.
50. Prior to issue of the Subdivision Certificate, Council is to be supplied with:
- A certificate from the appropriate power authority indicating that satisfactory arrangements have been made for provision of electricity supply to the subdivision.
 - A certificate from the appropriate telecommunications authorities indicating that satisfactory arrangements have been made for provision of telephone services to the subdivision.
 - all contributions must be paid to Council and all works required by the consent be completed in accordance with the consent, or
 - 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.
51. Following completion of the subdivision works, one full set of work-as-executed plans, on transparent film suitable for reproduction, and an "Autocad compatible" work-as-executed Plan, (in dwg format including pen-map), 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.

52. 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 of AS2870 - 2011. Results are to be submitted to Council prior to issue of the Subdivision Certificate.
53. In accordance with the provisions of section 94 of the *Environmental Planning and Assessment Act 1979* and the Mid-Western Regional Council Section 94 Developer Contributions Plan, a contribution shall be paid to Council in accordance with this condition for the purpose of: **SUBJECT TO CPI INCREASE**

Transport Management	
Traffic Management	\$54,539
Open Space	
Local Open Space	\$85,618
District Open Space	\$116,249
Community Facilities	
Library Buildings	\$11,206
Library Resources	\$13,448
Administration	
Plan Administration	\$26,148
TOTAL	\$307,208

54. The developer shall obtain a *Certificate of Compliance* under the Water Management Act. This will require:
- a) Payment of a contribution for water and sewerage headworks at the following rate:
- | | |
|--------------------|------------|
| Water Headworks | \$ 347,083 |
| Sewerage Headworks | \$ 165,631 |
| Total Payable | \$ 512,714 |
- b) The adjustment of existing services or installation of new services and meters, as required, in compliance with Australian Standard 3500: National Plumbing and Drainage Code. All costs associated with this work shall be borne by the developer.
55. The developer is to provide a water service and meter for each lot in the subdivision. This can be achieved by making a payment to Council of \$1650 per lot to cover the cost of installing both the service and a 20mm meter on the water main.
56. Where the water service has been provided by the developer. The developer is to provide a water 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 \$370.00 per lot to cover the cost of a 20mm meter and installation.

Note: Council does not permit other bodies to connect to 'live' water mains.

- 57. The developer is to provide a sewer junction for each lot in the subdivision. This can be achieved by making a payment to Council of \$1,450.00 per new junction to cover the cost of Council installing a junction in an existing main.**
- 58. Where the developer is to construct the sewer main to service a lot, the developer is to provide a new junction for each allotment. Note: Council does not permit other bodies to insert new junctions into "live" sewer mains.**
- 59. All earthworks are to be monitored by a qualified cultural heritage officer and a minimum of one (1) weeks' notice given to the engaged officer.**
- 60. The developer is to provide a 1.8 metre high lapped and capped timber fence along the full length of the northern boundary at full cost to the developer. The fence is to be constructed above the retaining wall.**

Public reserve

- 61. Two street trees per allotment are to be provided prior to issue of the Subdivision certificate. The species of tree is to be listed on the Construction certificate drawings and approved as part of the Construction Certificate.**
- 62. The proposed public reserve is to be remediated and adapted to make it suitable for public reserve purposes with native grasses sown and soil erosion rehabilitated. The public reserve is to be remediated prior to issue of the Subdivision Certificate and held in private ownership for a period of two years from issue of the Subdivision Certificate to monitor the remediation works.**
- 63. A plan of management for the public reserve is to be prepared and adopted by Council to address cultural heritage, Endangered Ecological Communities and slope prior to issue of the Subdivision Certificate.**

The motion was put carried with Councillors voting unanimously.

6.2.2 DA0258/2014 PROPOSED ERECTION OF FIVE (5) TWO
BEDROOM UNITS AND ASSOCIATED 5 LOT STRATA
SUBDIVISION AT LOTS 286 AND 287 DP1181266, 31-33
BANJO PATERSON AVENUE MUDGEE

GOV400038, DA0258/2014, P22019 & 22020

163/14

MOTION: Walker / Thompson

That:

1. the report by the Senior Planner on DA0258/2014 Proposed Erection of Five (5) Two Bedroom Units and Associated 5 Lot Strata Subdivision at Lots 286 and 287 DP1181266, 31-33 Banjo Paterson Avenue Mudgee be received;
2. Development Application 0258/2014 for the erection of five (5) two bedroom units and the associated five lot strata subdivision of the units at Lot 286 and 287 DP 1181266, 31-33 Banjo Paterson Avenue Mudgee be approved subject to the following conditions:

APPROVED PLANS

1. Development is to be carried out generally in accordance with stamped plans Malibu31BAN sheets 1 to 7 and the Application received by Council on 31 January 2014 except as varied by the conditions listed herein. Any minor modification to the approved plans will require the lodgement and consideration by Council of amended plans. Major modifications will require the lodgement of a new development application.
2. Notwithstanding the approved plans the structures are to be located clear of any easements and/or any water and sewer mains in accordance with Council Policy

NOTE: No patio structures or paving is to be located within the easement for sewer.

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE – CIVIL

3. Prior to development the applicant shall advise Council's Development and Community Services Department, in writing, of any existing damage to Council property before commencement of works. The applicant shall repair (at their own expense) any part of Council's property damaged during the course of this development in accordance with AUS-Spec #1/2 (as modified by Mid-Western Regional Council) and any relevant Australian Standards.
4. Prior to works commencing, a copy of the Contractor's public liability insurance cover for a minimum of \$20,000,000 is to be provided to Mid-Western Regional Council. All work is to be at no cost to Council.

5. A detailed engineering design (including sediment and erosion control) supported by plans, and an "AutoCAD compatible" Plan, (in dwg format including pen-map), material samples, test reports and specifications are 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.
6. 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.
7. 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.
8. All finished surface levels shall be shown on the plans submitted for the Construction Certificate. Where it is proposed to import fill, the material shall be certified as free of hazardous materials and contamination by a suitably qualified geotechnical engineer. Fill placed in residential or commercial lots shall be compacted in accordance with AS3798-2007 Guidelines on Earthworks for Commercial and Residential Developments.
9. Engineering plans of the sewer mains extension are to be submitted to and approved by Council or an accredited certifier prior to the issue of a Construction Certificate

NOTE 1: Council will quote on connecting any sewer or water main extension to the existing "live" main on receipt and approval of engineering plans.

NOTE 2: Council does not permit other bodies to insert new junctions into 'live' sewer mains.

10. 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 works.
 - (a) The subdivision works are to be inspected by the Council (or Accredited Certifier on behalf of Council) to monitor compliance with the consent and the relevant standards of construction encompassing the following stages of construction:
 - I. Installation of sediment and erosion control measures
 - II. Water and sewer line installation prior to backfilling
 - III. Driveway pavement construction (including excavation, formwork and reinforcement)
 - IV. Practical completion

- (b) The contractor/owner must arrange an inspection by contacting Council's Development and Community Services Department between 8.00am and 4.30pm Monday to Friday, giving at least twenty four (24) hours notice. Failure to have the work inspected may result in the access being removed and reconstructed at the contractors/owners expense.
11. The applicant is to submit a Drainage Report prepared in accordance with the Institution of Engineers publication Australian Rainfall and Run-off to the Principal Certifying Authority for approval prior to the release of the Construction Certificate. The report must demonstrate that stormwater runoff from the site is not increased beyond the existing undeveloped state up to and including a 1.5 year ARI. All storm water detention details including analysis shall be included with the drainage report.

PRIOR TO ISSUE OF THE CONSTRUCTION CERTIFICATE BUILDING

12. The developer shall obtain a Certificate of Compliance under the Water Management Act. This will require:
- (a) Payment of a contribution for water and sewerage headworks at the following rate:
- | | |
|--------------------|-----------|
| Water Headworks | \$ 10,729 |
| Sewerage Headworks | \$ 11,004 |
| Total Payable | \$ 21,733 |
- (b) The adjustment of existing services or installation of new services and meters, as required, in compliance with Australian Standard 3500: National Plumbing and Drainage Code. All costs associated with this work shall be borne by the developer.
13. Prior to release of the Construction Certificate, approval pursuant to Section 68 of the Local Government Act, 1993 to carry out water supply, stormwater and sewerage works is to be obtained from Mid-Western Regional Council.
14. Complete landscaping plans are to be submitted for approval to Council prior to issue of a Construction Certificate. All landscaping is to consist of appropriately advanced trees and shrubs. All landscaping is to be established prior to occupation of the development. Tree and shrub species should require minimal watering and salt resistant. Alternatively, smaller plant sizes will be considered if irrigation systems are implemented.
NOTE: 2.0metres wide area for landscaping the driveway is to be provided along the common boundary of 29 Banjo Paterson Avenue from the property boundary to the building line.

PRIOR TO THE COMMENCEMENT OF WORKS – BUILDING

15. No condition – intentionally blank

16. No work shall commence until a Construction Certificate has been issued and the applicant has notified Council of:
- a) the appointment of a Principal Certifying Authority and
 - b) the date on which work will commence.

Such notice shall include details of the Principal Certifying Authority and must be submitted to Council at least two (2) days before work commences.

17. 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

18. A sign must be erected in a prominent position on any work site on which involved in the erection or demolition of a building is carried out;
- a) stating that unauthorised entry to the work site is prohibited, and
 - b) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.
 - c) the name, address and telephone number of the principal certifying authority for the work,
 - d) The sign shall be removed when the erection or demolition of the building has been completed.

BUILDING CONSTRUCTION

19. All building work must be carried out in accordance with the provisions of the National Construction Code, the Environmental Planning & Assessment Act 1979 and Regulations and all relevant Australian Standards.
20. All plumbing and drainage work must be carried out by a licensed plumber and drainer and must comply with the Plumbing Code of Australia.
21. Construction work noise that is audible at other premises is to be restricted to the following times:
- Monday to Saturday - 7.00am to 5.00pm
- No construction work noise is permitted on Sundays or Public Holidays.

22. All mandatory inspections required by the Environmental Planning & Assessment Act and any other inspections deemed necessary by the Principal Certifying Authority being carried out during the relevant stage of construction.
23. The strength of the concrete used for the reinforced concrete floor slab must be 25Mpa
24. The requirements of BASIX Certificate numbers 524677S, 524680S_02, 524684S, 524685S, and 524687S, issued on 16 January 2014 must be installed and/or completed in accordance with the commitments contained in that certificate. Any alteration to those commitments will require the submission of an amended BASIX Certificate to the Council and/or the Principal Certifying Authority prior to the commencement of the alteration/s
25. All buildings are to be within 90 metres of a fire hydrant. This may necessitate the provision of additional hydrants.
26. A Survey Certificate confirming boundary setbacks and floor heights is to be submitted to the PCA prior to pouring of footings or slabs.
27. The finished floor height of units 3 to 5 is not to exceed 100mm above existing ground level. For Unit 3 existing ground level is 476.5 AHD, Unit 4 existing ground level is 476 AHD and Unit 5 existing ground level is 475.5 AHD.

ENGINEERING CONSTRUCTION

28. 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.
29. Interallotment drainage is to be provided to remove stormwater from any lots that cannot discharge to the street in accordance with Aus Spec #1. Easements not less than 1m wide shall be created over interallotment drainage in favour of upstream allotments.
30. A sub-surface gravel trench drain is to be constructed around the existing pipes at the rear of the lots with perforated pipes laid to convey subsurface water to the existing pits. The trench drain shall be lined with an impermeable membrane along the eastern wall and floor to intercept any lateral ground water

- NOTE:**
- (i) Details of the design is to be submitted to council prior to the release of the Construction Certificate
 - (ii) The work is to be inspected by Council prior to back filling

31. Any necessary alterations to, or relocation of, public utility services are to be carried out at no cost to council and in accordance with the requirements of the relevant authority including the provision of easements over existing and proposed public infrastructure.
32. The footpath and driveway levels are not to be altered outside the property boundary without Council's permission. Driveways installed over public footpaths must match the existing footpath profile.
33. 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: The applicant should contact the Aboriginal Land Council and consult a suitably qualified individual to determine if artefacts were uncovered.
34. Runoff and erosion controls shall be installed prior to clearing and incorporate:-
 - diversion of uncontaminated upsite runoff around cleared and/or disturbed areas and areas to be cleared and/or disturbed;
 - sediment control fences at the downslope perimeter of the cleared and/or disturbed area to prevent sediment and other debris escaping from the land to pollute any stream or body of water;
 - maintenance of all erosion control measures at maximum operational capacity until the land is effectively rehabilitated and stabilized beyond the completion of construction.
35. The applicant is to provide separate water and sewer reticulation services to each lot.
36. The developer is to extend and meet the full cost of water and sewerage reticulations to service the development 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.

NOTE: all water meters servicing the development are required to be located at the frontage of Banjo Patterson Avenue
37. Three metre wide easements, including associated Section 88B of the Conveyancing Act 1919 instruments, are to be created in favour of Council over any existing or newly constructed water, or sewerage reticulation components located within the subject

property, or extended through adjoining private properties as a result of this subdivision.

PRIOR TO ISSUE OF THE OCCUPATION CERTIFICATE

38. All car parking and associated driveway works are to be completed prior to occupation of the development.
39. A section 68 completion certificate for the installation of all water supply, stormwater and sewerage works is to be obtained from Council.
40. Lots 286 and 287 DP1181266 are to be consolidated into one lot and evidence of the lodgement of the Plan of Consolidation with Land Titles Office is to be provided to Council

GENERAL

41. A 1.8 metre high screen fence is to be provided to all side boundaries prior to occupation of the development. All fencing is to be provided at full cost to the developer.
42. A lattice extension (Colorbond material) to the existing fence is to be provided along the rear boundary of the development to raise the height of the fence to 2.1 metres as measured from the finished ground level at Lots 286 and 287. All fencing is to be provided at full cost to the developer.
43. A 1.8 metre high screen fence is to be provided between the private open space areas of the units, prior to occupation of the development.
44. Outdoor drying facilities and letterboxes are to be provided for each unit prior to occupation.
45. Switchboards for gas, electricity, etc., must not be attached to the front or street facing elevations of the buildings.
46. Private open space areas for both unit 1 and unit 2 are to be provided with a level surface to at least 50% of the open space area.

PRIOR TO THE ISSUE OF SUBDIVISION CERTIFICATE

47. Under 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: The fee to issue a Subdivision Certificate is set out in Council's Fees and Charges)

48. A linen plan and two (2) copies are to be submitted to Council for approval and endorsement by the General Manager.
49. Underground electricity and telecommunications are to be supplied to the subdivision.
50. Prior to issue of the Subdivision Certificate, Council is to be supplied with:
- a) A certificate from the appropriate power authority indicating that satisfactory arrangements have been made for provision of electricity supply to the subdivision.
 - b) A certificate from the appropriate telecommunications authorities indicating that satisfactory arrangements have been made for provision of telephone services to the subdivision.
 - c) all contributions must be paid to Council and all works required by the consent be completed in accordance with the consent, or
 - d) an agreement be made between the developer and Council;
 - I. as to the security to be given to Council that the works will be completed or the contribution paid, and
 - II. as to when the work will be completed or the contribution paid.
51. Following completion of the subdivision works, one full set of work-as-executed plans, on transparent film suitable for reproduction, and an "AutoCAD compatible" work-as-executed Plan, (in dwg format including pen-map), 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.
52. In accordance with the provisions of section 94 of the *Environmental Planning and Assessment Act 1979* and the Mid-Western Regional Council Section 94 Developer Contributions Plan, a contribution shall be paid to Council in accordance with this condition for the purpose of: **SUBJECT TO CPI INCREASE**

<i>Transport Management</i>	
Traffic Management	\$3416
<i>Open Space</i>	0
Local Open Space	\$5358
District Open Space	\$7271
<i>Community Facilities</i>	0
Library Buildings	\$702
Library Resources	\$840
<i>Administration</i>	0
Plan Administration	\$1634
TOTAL	\$19221

53. If the Subdivision Certificate is not issued, for any reason whatsoever, by the end of the financial year immediately following

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.

54. The developer is to provide a water service and meter for each lot in the subdivision. This can be achieved by making a payment to Council of \$1650 per lot to cover the cost of installing both the service and a 20mm meter on the water main.

TOTAL PAYABLE 3 X \$1650 = \$4,950

NOTE: Council does not permit other bodies to connect into 'live' water mains.

55. The developer is to provide a sewer junction for each lot in the subdivision. This can be achieved by making a payment to Council of \$1,450.00 per new junction to cover the cost of Council installing a junction in an existing main.

TOTAL PAYABLE 3 x \$1,450.00 = \$4,350

NOTE: Council does not permit other bodies to insert new junctions into "live" sewer mains.

AMENDMENT: Webb / Martens

1. the report by the Senior Planner on DA0258/2014 Proposed Erection of Five (5) Two Bedroom Units and Associated 5 Lot Strata Subdivision at Lots 286 and 287 DP1181266, 31-33 Banjo Paterson Avenue Mudgee be received;
2. Development Application 0258/2014 for the erection of five (5) two bedroom units and the associated five lot strata subdivision of the units at Lot 286 and 287 DP 1181266, 31-33 Banjo Paterson Avenue Mudgee be refused for the following reasons:
 - a. The proposed five (5) unit, multi dwelling development is out of character with the local context as the area has been predominantly developed for single dwellings with no multi dwelling development erected in the locality.

(Section 79 C Context and Setting)
 - b. The design of the proposed development locates 3 dwellings within three (3) metres of the rear boundary of the subject property adversely impacting on the amenity of the adjoining dwellings at 20 and 22 Florence Close by increasing the potential noise impact of the development on the existing houses.
 - c. The proposed five (5) units creates undue privacy impacts on the adjoining properties. The slope of the subject site is such that the proposed rear three (3) dwellings will overlook the rear yards and

the back of existing dwellings at 20 and 22 Florence Close, reducing the privacy and amenity of these dwellings.

(MWR DCP 2013 amendment 1 – Multi Dwelling Housing)

- d. The proposed development is inconsistent with the aims and objectives of Clause 1.2 subclause (e) (iii) of MWRLEP 2012 as it will have a detrimental impact on the amenity of the are

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

Councillors	Ayes	Nayes
Cr Cavalier		✓
Cr Kennedy		✓
Cr Martens	✓	
Cr Shelley		✓
Cr Thompson		✓
Cr Walker		✓
Cr Webb	✓	
Cr White	✓	

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

Councillors	Ayes	Nayes
Cr Cavalier	✓	
Cr Kennedy	✓	
Cr Martens		✓
Cr Shelley	✓	
Cr Thompson	✓	
Cr Walker	✓	
Cr Webb		✓
Cr White		✓

6.2.3 COUNCIL SUBMISSION TO WESTERN REGION JOINT REGIONAL PLANNING PANEL – EXTENSION TO TAFE WESTERN – ULAN ROAD MUDGEES

GOV400038, DA0277/2014

164/14

MOTION: Webb / Shelley

That:

1. the report by the Manager Statutory Planning on the DA 0277/2014 for the proposed Extension to Western Institute of TAFE – Mudgee College at 269 Ulan Road Mudgee be received;
2. Council makes a written submission that indicates Council's and the community's strong support for the development subject to the provision of a footpath/cycleway from the facility to the town

of Mudgee highlighting the dangers of pedestrians walking along Ulan Road.

The motion was put and carried with Councillors voting unanimously.

6.2.4 MINIMUM RESIDENTIAL LOT SIZE AND MULTI UNIT HOUSING

GOV400038, LAN900046

MOTION: White

1. the report by the Manager Strategic Planning on the Minimum Residential Lot Size and Multi Unit Housing be received;
2. there be no change to the minimum lot size for residential land in the Local Environmental Plan 2012;
3. a planning proposal be prepared for consideration with the next amendment to the Local Environmental Plan which would seek to reduce the minimum lot size for multi unit housing from 400m2 to 300m2.

The motion lapsed for a want of a seconder

165/14 MOTION: Shelley / Walker

That:

1. **the report by the Manager Strategic Planning on the Minimum Residential Lot Size and Multi Unit Housing be received;**
2. **Council staff investigate and report back to Council on options to ensure that corner blocks in subdivisions are adequately serviced in case dual occupancy developments occur, and research how other councils in NSW deal with this matter.**
3. **a planning proposal be prepared for consideration with the next amendment to the Local Environmental Plan which would seek to reduce the minimum lot size for multi unit housing from 400m2 to 300m2.**

The motion was put and carried with Councillors voting unanimously.

6.2.5 KANDOS MUSEUM

GOV400038, P1553611

166/14 MOTION: Shelley / Thompson

That:

1. **the report by the General Manager on the Kandos Museum be received;**

2. Council allocates an additional \$66,500 to the Kandos Museum building upgrade to be funded from the Asset Replacement Reserve fund, and that the 2013/14 Operational Plan and Budget be adjusted accordingly;
3. That Council indemnify the Incorporated Association against any decisions made by Council in relation to the building and the collection prior to the handover of the Museum with the goods and chattels being described as they exist on the day of handover.
4. That the Incorporated Association be solely responsible the deaccessioning of the collection.
5. Council allocate \$15,000 per annum for a period of three years for operation costs of the Kandos Museum.

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

Councillors	Ayes	Nayes
Cr Cavalier	✓	
Cr Kennedy		✓
Cr Martens	✓	
Cr Shelley	✓	
Cr Thompson	✓	
Cr Walker		✓
Cr Webb	✓	
Cr White	✓	

6.2.6 HEALTHY COMMUNITIES – FINAL PROJECT REPORT

GOV400038, COS300021

167/14

MOTION: Cavalier / Shelley

That:

1. the report by the Manager, Information Services on the Healthy Communities - Final Project Report be received;
2. Council support in principle the continuation of the Mid-Western Healthy Communities Alliance.

The motion was put and carried with Councillors voting unanimously.

6.2.7 CLASSIFICATION OF LAND – LOT 339 DP 1194168 DRAINAGE
RESERVE 70 BANJO PATERSON AVENUE MUDGEES

GOV400038, P2270011

168/14 MOTION: Cavalier / Shelley

That:

- 1. the report by the Revenue & Property Manager on the Classification of Land - Lot 339 DP 1194168 Drainage Reserve 70 Banjo Paterson Avenue Mudgees be received;**
- 2. Council notify the public of its intention to classify Lot 339 DP 1194168 as Operational by exhibiting the proposal for 28 days and should there be no submissions from the public, the lands be so classified as Operational.**

The motion was put and carried with Councillors voting unanimously.

6.2.8 GENERAL CONTRACTOR TENDER 2013/04 – ADDITIONAL
CONTRACTOR

GOV400038, A0411304

169/14 MOTION: Cavalier / Shelley

That:

- 1. the report by the Procurement Manager on the General Contractor Tender 2013/04 – Additional Contractor be received;**
- 2. Council accepts the additional contractor for Tender 2013/04 for the provision of General Contractors in accordance with clause 178 of the Local Government (General) Regulation 2005 as listed below for incorporation into Councils Preferred Suppliers List for General Contractors;**
Contractor: Jackson Contracting Services (GM & SA Jackson)
Services provided: Pump maintenance & repair; irrigation maintenance & repair; fencing; test & tagging (PAT); handyman maintenance; cleaning (office/window/house).

The motion was put and carried with Councillors voting unanimously.

6.2.9 MOBILE BIOSOLIDS DEWATERING UNIT

GOV400038, 2013/17

170/14

MOTION: Cavalier / Shelley**That:**

1. the report by the Business Manager Services on the Mobile Biosolids Dewatering Unit be received;
2. Council accept the tender of VoR Environmental Australia Pty Ltd for a Volute Dehydrator in the amount of \$405,900.00 (excluding GST) in accordance with clause 178 of the Local Government (General) Regulation 2005;
3. An additional \$73,500 (ex GST) be allocated to the project budget from the sewer fund in the 2014/15 Operational Plan and Budget, adjusting the total project budget from \$350,000 (ex GST) to \$423,500 (ex GST), including an amount of \$17,600.00 in addition to the tender sum to cover, crantage, testing and performance proofing during commissioning; and,
4. the unsuccessful tenderers be notified that their tenders were unsuccessful.

The motion was put and carried with Councillors voting unanimously.

6.2.10 HENBURY GOLF CLUB – WATER RATES

GOV400038, P1520511

171/14

MOTION: Cavalier / White**That:**

1. the report by the General Manager on the Henbury Golf Club – water rates be received;
2. Council makes a grant of \$2,623.38 to the Henbury Golf Club to cover the lost water as a result of a water leak on their property and that staff include in the March Quarterly Budget Review an amount to cover this additional grant.

The motion was put and carried with Councillors voting unanimously.

6.2.11 REVIEW OF CONFLICTS OF INTERESTS POLICY

GOV400038, A0110003

172/14

MOTION: Cavalier / Walker**That:**

1. the report by the Manager Governance on the review of the Conflicts of Interests policy be received;

2. Council confirm the current Conflicts of Interests policy.

The motion was put and carried with Councillors voting unanimously.

6.2.12 BUSINESS USE OF THE FOOTPATH

GOV400038, A0100021

173/14 MOTION: Shelley / Cavalier

That:

- 1. the report by the Manager Governance on the Business Use of the Footpath be received;**
- 2. the proposed policy and associated fee structure be placed on public exhibition for 28 days.**
- 3. a further report be submitted for Council's consideration to consider submissions received.**
- 4. that the fees for business use on footpath for the whole region be as follows:**

New Application fee	\$100
Annual renewal fee	\$75
Area fee per square metre	\$10

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

Councillors	Ayes	Nayes
Cr Cavalier	✓	
Cr Kennedy		✓
Cr Martens	✓	
Cr Shelley	✓	
Cr Thompson	✓	
Cr Walker		✓
Cr Webb	✓	
Cr White	✓	

6.2.13 INQUIRY INTO THE 2012 LOCAL GOVERNMENT ELECTIONS

GOV400038, A0121200

174/14 MOTION: Cavalier / Shelley

That the report by the Manager Governance on the Inquiry into the 2012 Local Government Elections be received and noted

The motion was put and carried with Councillors voting unanimously.

Item 8: Confidential Session**175/14 MOTION: White / Webb**

That pursuant to the provisions of Section 10 of the Local Government Act, 1993, the meeting be closed to the public.

Following the motion to close the meeting being moved and seconded, the General Manager announced that the following matter would be considered in confidential session and the reason why it was being dealt with in this way.

Subject: Appointment of Acting General Manager

The reason for dealing with this matter confidentially is that it relates to personnel matters concerning particular individuals (other than Councillors) in accordance with Section 10A(2)(a) of the Local Government Act 1993.

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.

Mr Brad Cam left the meeting at 7.40pm and did not return to the meeting.

The motion was put and carried with Councillors voting unanimously.

8.1.1 Appointment of Acting General Manager

GOV400038, PER400076

176/14 MOTION: Kennedy

- 1. That pursuant to Section 334 of the Local Government Act 1993, Council appoints Mr Brad Cam as Acting General Manager of the Mid-Western Regional Council from 7 June 2014 until such time as a permanent General Manager is appointed and commences with the Council;**
- 2. Council offers Mr Brad Cam an equivalent of an annual remuneration package of \$240,000 for the period he is Acting General Manager.**

The motion was put and carried with Councillors voting unanimously.

Item 9: Open Council**177/14 MOTION: White / Cavalier**

That the Council move to Open Council.

The motion was put and carried with Councillors voting unanimously.

The General Manager announced the decisions taken in Confidential Session.

Closure

There being no further business the meeting concluded at 7.41pm.