

Minutes of the Ordinary Meeting of Council

Held at the Council Chambers, 86 Market Street, Mudgee
on 19 May 2021, commencing at 5.45pm and concluding at 6.28pm.

PRESENT Cr S Paine, Cr R Holden, Cr A Karavas, Cr E Martens, Cr P Shelley,
Cr JP Thompson.

IN ATTENDANCE General Manager (Brad Cam), Director Operations (Garry Hemsworth),
Director Community (Simon Jones), Director Development (Julie
Robertson), Chief Financial Officer (Leonie Johnson), Executive Manager
Human Resources (Michele George), Governance Coordinator (Tim
Johnston) and Executive Assistant (Mette Sutton).

Item 1: Apologies

128/21 MOTION: Shelley / Karavas

An apology was received for Cr D Kennedy as he is attending a funeral, and apologies were also received for Cr P Cavalier and Cr J O'Neill.

The motion was carried with the Councillors voting unanimously.

In the absence of Mayor D Kennedy, the meeting was chaired by Deputy Mayor, Cr S Paine.

Item 2: Disclosure of Interest

Nil

Item 3: Confirmation of Minutes

129/21 MOTION: Karavas / Martens

That the Minutes of the Ordinary Meeting held on 21 April 2021 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 RURAL ROAD INSPECTION FOR COUNCILLORS

GOV400088,

MOTION: Thompson / Martens

That Council organise a bus trip for Councillors to inspect the condition of rural unsealed roads in our region, in particular, Lower Piambong Road with a view of increasing the rural road maintenance funding in the management plan.

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

Councillors	Ayes	Nayes
Cr Paine		✓
Cr Holden		✓
Cr Karavas		✓
Cr Martens	✓	
Cr Shelley		✓
Cr Thompson	✓	

Item 7: Office of the General Manager

7.1 MRT QUARTERLY REPORT: JANUARY TO MARCH 2021

GOV400088, F0770077

130/21

MOTION: Shelley / Holden

That Council receive the report by the General Manager on the MRT Quarterly Report January to March 2021.

The motion was carried with the Councillors voting unanimously.

Item 8: Development

8.1 DA0204/2021 - FUNCTION CENTRE, AMENITIES BUILDING AND CHANGE OF USE TO BED AND BREAKFAST ACCOMMODATION - 345 SPRING FLAT ROAD, SPRING FLAT

GOV400088, DA0204/2021

131/21

MOTION: Holden / Karavas

That Council:

- A. receive the report by the Planning Coordinator on DA0204/2021 - Function Centre, Amenities Building and Change of Use to Bed and Breakfast Accommodation at 345 Spring Flat Road, Spring Flat; and
- B. defer consideration of the matter to the June meeting and request the General Manager to discuss a better outcome for accessibility and road safety with the applicant.

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

Councillors	Ayes	Nayes
Cr Paine	✓	
Cr Holden	✓	
Cr Karavas	✓	
Cr Martens	✓	
Cr Shelley	✓	
Cr Thompson	✓	

8.2 PLANNING PROPOSAL LOT 39 DP 756870, 686 QUEENS PINCH ROAD, MULLAMUDDY

GOV400088, LAN900123

132/21

MOTION: Karavas / Holden

That Council:

1. receive the report by the Manager, Strategic Planning on the Planning Proposal Lot 39 DP 756870, 686 Queens Pinch Road, Mullamuddy; and
2. not support the Planning Proposal for a dwelling entitlement as Council has a sufficient supply of land currently zoned and further land identified in the short and medium opportunity areas.

AMENDMENT Thompson /

That Council:

1. receive the report by the Manager, Strategic Planning on the Planning Proposal Lot 39 DP 756870, 686 Queens Pinch Road, Mullamuddy; and
2. supports the Planning Proposal for a dwelling entitlement as Council has a sufficient supply of land currently zoned and further land identified in the short and medium opportunity areas.

The amendment lapsed for want of a seconder.

The motion, on being put, was carried with Councillors voting as follows:

Councillors	Ayes	Nays
Cr Paine	✓	
Cr Holden	✓	
Cr Karavas	✓	
Cr Martens	✓	
Cr Shelley	✓	
Cr Thompson		✓

8.3 EVENTS ASSISTANCE APPLICATIONS

GOV400088, ECO800009; FIN300052

MOTION: Holden / Shelley

That Council:

1. receive the report by the Manager Economic Development on the Events Assistance Applications;
2. provide Events Assistance to the below applicants (includes cash and in-kind amounts) for Period 1, July – December 2021;

Mudgee Race Club – Mudgee Cup	\$2000
Gulgong Vintage & Classic Motor Cycle Show	\$2000

3. provide multi-year Events Assistance funding to the below applicants (includes cash and in-kind amounts) for the period of 2021, 2022 and 2023;

	2021	2022	2023
Gardens of Mudgee	\$1000	\$1000	\$1000
Mudgee Small Farm Field Days	\$2500	\$2500	\$2500
Motorfest	\$2500	-	\$2500
Mudgee Tri Club – Mudgee Running Festival	\$2500	\$2500	\$2500

Sculptures in the Garden	\$2500	\$2500	\$2500
--------------------------	--------	--------	--------

4. decline Events Assistance to the below applicant:

Cudgegong Camera Club	\$2000
-----------------------	--------

5. amend the 2020/21 Budget and 2017-21 Delivery Program to reflect a transfer of the previously approved Events Assistance funding to the below applicants (including cash and in-kind amounts) from the current Events Assistance budget to be used for rescheduled events to be held in the 2021 - 2022 Financial Year;

Cadillac La Salle Club National Event	\$2000
---------------------------------------	--------

AMENDMENT Karavas / Thompson

That Council:

1. receive the report by the Manager Economic Development on the Events Assistance Applications;
2. provide Events Assistance to the below applicants (includes cash and in-kind amounts) for Period 1, July – December 2021;

Mudgee Race Club – Mudgee Cup	\$2000
Gulgong Vintage & Classic Motor Cycle Show	\$2000

3. provide multi-year Events Assistance funding to the below applicants (includes cash and in-kind amounts) for the period of 2021, 2022 and 2023;

	2021	2022	2023
Gardens of Mudgee	\$1000	\$1000	\$1000
Mudgee Small Farm Field Days	\$2500	\$2500	\$2500
Motorfest	\$1500	-	\$1500
Mudgee Tri Club – Mudgee Running Festival	\$2500	\$2500	\$2500
Sculptures in the Garden	\$2500	\$2500	\$2500

decline Events Assistance to the below applicant:

Cudgegong Camera Club

5. amend the 2020/21 Budget and 2017-21 Delivery Program to reflect a transfer of the previously approved Events Assistance funding to the below applicants (including cash and in-kind amounts) from the current Events Assistance budget to be used for rescheduled events to be held in the 2021 - 2022 Financial

Year;

Cadillac La Salle Club National Event	\$2000
---------------------------------------	--------

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

Councillors	Ayes	Nayes
Cr Paine		✓
Cr Holden		✓
Cr Karavas	✓	
Cr Martens	✓	
Cr Shelley		✓
Cr Thompson	✓	

The motion, on being put, was carried with Councillors voting as follows:

Councillors	Ayes	Nayes
Cr Paine	✓	
Cr Holden	✓	
Cr Karavas	✓	
Cr Martens	✓	
Cr Shelley	✓	
Cr Thompson		✓

The following recommendations (item 8.4 to item 12.4) were adopted as a whole, being moved by Cr Shelley, seconded by Cr Paine and carried with Councillors voting unanimously. Each recommendation is recorded with separate resolution numbers commencing at Resolution No.133/21 and concluding at Resolution No. 158/21.

8.4 ADVERSE EVENT PLAN

GOV400088, RIS900009

133/21

MOTION: Shelley / Holden

That Council:

1. **receive the report by the Manager Economic Development on the Adverse Event Plan; and**
2. **adopt the Adverse Event Plan as attached to the report.**

The motion was carried with the Councillors voting unanimously.

8.5 ACCEPTANCE OF GRANT FUNDING - REGIONAL EVENTS ACCELERATION FUND

GOV400088, GRA600044

134/21 **MOTION:** **Shelley / Holden**

That Council:

1. **receive the report by the Manager Economic Development on the Acceptance of Grant Funding - Regional Events Acceleration Fund;**
2. **if successful, accept \$150,000 in grant funding from the NSW Government Regional Events Acceleration Fund;**
3. **if successful, amend the 2020/21 Budget to include grant funding received of \$150,000; and**
4. **if successful, authorise the General Manager to finalise and sign the funding agreement with the NSW Government.**

The motion was carried with the Councillors voting unanimously.

8.6 MONTHLY DEVELOPMENT APPLICATIONS PROCESSING
 AND DETERMINED

GOV400088, A0420109

135/21 **MOTION:** **Shelley / Holden**

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

The motion was carried with the Councillors voting unanimously.

Item 9: Finance

9.1 CLASSIFICATION OF LAND - 68-72 CARWELL STREET
 RYLSTONE

GOV400088, P1630911

136/21 **MOTION:** **Shelley / Holden**

That Council:

1. **receive the report by the Property Officer on the Classification of Land - 68-72 Carwell Street Rylstone; and**
2. **classify allotments 18, 19 & 20 Section 2 Deposited Plan 758891 at 68-72 Carwell Street Rylstone as Operational land in accordance with Chapter 6 Part 2 Division 1 Local Government Act 1993.**

The motion was carried with the Councillors voting unanimously.

9.2 CLASSIFICATION OF LAND - 15 CARWELL STREET
RYLSTONE

GOV400088, P21852

137/21 MOTION: Shelley / Holden

That Council:

1. receive the report by the Property Officer on the Classification of Land - 15 Carwell Street Rylstone; and
2. classify allotment 1505 Deposited Plan 1271922 at 15 Carwell Street Rylstone as Operational Land in accordance with Chapter 6 Part 2 Division 1 Local Government Act 1993.

The motion was carried with the Councillors voting unanimously.

9.3 QUARTERLY BUDGET REVIEW STATEMENT MARCH 2021

GOV400088, FIN300240

138/21 MOTION: Shelley / Holden

That Council:

1. receive the report by the Manager Finance on the Quarterly Budget Review Statement March 2021;
2. amend the 2020/21 Budget in accordance with the proposed variations as listed in the Quarterly Budget Review Statement attachment to this report; and
3. note the opinion of the Responsible Accounting Officer regarding the satisfactory financial position of Council, based upon the revised estimates of income and expenditure.

The motion was carried with the Councillors voting unanimously.

9.4 MONTHLY STATEMENT OF INVESTMENTS AS AT 30 APRIL
2021

GOV400088, FIN300053

139/21 MOTION: Shelley / Holden

That Council:

1. receive the report by Manager Finance the on the Monthly

Statement of Investments as at 30 April 2021; and

2. **note the certification of the Responsible Accounting Officer.**

The motion was carried with the Councillors voting unanimously.

9.5 MONTHLY BUDGET REVIEW - APRIL 2021

GOV400088, FIN300240

140/21 MOTION: Shelley / Holden

That Council receive the report by the Manager Finance on the Monthly Budget Review - April 2021.

The motion was carried with the Councillors voting unanimously.

9.6 PLAN OF MANAGEMENT FOR MUDGEE COMMON

GOV400088, COU500102, 22104

141/21 MOTION: Shelley / Holden

That Council:

1. **receive the report by the Manager Property and Revenue and Environment Officer on the Plan of Management for Mudgee Common;**
2. **refer the draft Plan of Management for the Mudgee Common, Reserve 120019 (Lot 7304 DP 1151583) to the Minister administering the Crown Land Management Act 2016 for approval;**
3. **note that Native Title advice has been received for Reserve 120019;**
4. **upon approval from the Minister administering the Crown Land Management Act 2016 Council amends the draft Plan of Management for Reserve 120019 if required, and place it on public exhibition, as per Section 38 of the Local Government Act 1993;**
5. **conduct a public hearing in accordance with S40A Local Government Act 1993 to alter the categorisation of Reserve 120019 to Natural Area;**
6. **receive a further report at the conclusion of the public exhibition period and public hearing period to consider any submissions received and if appropriate, adopt the final Plan of Management for Reserve 120019; and**
7. **permit the General Manager to enter into a suitable Licence**

agreement with the Mudgee Region MTB Incorporated to facilitate the requirements of cl5.7 of the draft Plan of Management for the Mudgee Common.

The motion was carried with the Councillors voting unanimously.

9.7 COMMUNITY GRANTS PROGRAM - MAY 2021

GOV400088, FIN3000159

142/21

MOTION: Shelley / Holden

That Council:

1. receive the report by the Manager Finance on the Community Grants Program - May 2021;
2. consider as a submission to the Draft 2021/22 Operational Plan to provide financial assistance to the following applicant in accordance with the criteria and guidelines of the Community Grants Policy; and

Kandos Rylstone Community Radio Inc.	10,000
--------------------------------------	--------

3. decline to provide financial assistance to the following applicants, for the reasons provided in the report;
 - Gulgong Men's Shed
 - Anglican Church of Rylstone and Kandos.

The motion was carried with the Councillors voting unanimously.

9.8 POLICY REVIEW - HARDSHIP PROVISION RATES AND CHARGES

GOV400088, A0340005

143/21

MOTION: Shelley / Holden

That Council:

1. receive the report by the Manager Property and Revenue on the Policy Review - Hardship Provision Rates and Charges;
2. place the revised Hardship Provision - Rates and Charges Policy on public exhibition for 28 days; and
3. adopt the revised Hardship Provision - Rates and Charges Policy if no submissions are received.

The motion was carried with the Councillors voting unanimously.

Item 10: Operations

- 10.1 GRANT FUNDING - FIXING COUNTRY BRIDGES -
GOODIMAN CREEK BRIDGE SPRING RIDGE ROAD
GOV400088, A0210007

144/21 MOTION: Shelley / Holden

That Council:

1. receive the report by the Manager Works on the Grant Funding - Fixing Country Bridges - Goodiman Creek Bridge Spring Ridge Road;
2. confirm acceptance of \$1,200,000 in grant funding from the Fixing Country Bridges program for the replacement of the Goodiman Creek Bridge on Spring Ridge Road;
3. amend the 2020/21 Budget as follows:
 - 3.1 allocate a budget of \$50,000 for preliminary works on Goodiman Creek Bridge, funded from grant funding; and
4. amend the 2021/22 Budget and Delivery Program:
 - 4.1 allocate a budget of \$1,150,000 for the replacement of the Goodiman Creek Bridge on Spring Ridge Rd funded from grant funding.

The motion was carried with the Councillors voting unanimously.

- 10.2 ACCEPTANCE OF FIXING LOCAL ROADS ROUND 2
FUNDING FOR LOWER PIAMBONG ROAD, BOTOBOLAR
ROAD AND COXS CREEK ROAD SEAL EXTENSIONS
GOV400088, GRA600015

145/21 MOTION: Shelley / Holden

That Council:

1. receive the report by the Manager Works on the Acceptance of Fixing Local Roads Round 2 funding for Lower Piambong Road, Botobolar Road and Coxs Creek Road seal extensions;
2. accept \$4,855,200 in grant funding from the Fixing Local Roads program for seal extensions;

3. amend the 2021/22 Budget and Delivery Program as follows:
 - 3.1 allocate a budget of \$1,360,000 for the sealing of 4.0km of Coxs Creek Rd funded by \$1,156,000 from grant income and \$204,000 from the Rural Sealed Road Rehab & Widening budget allocation;
 - 3.2 allocate a budget of \$1,020,000 for the sealing of 3.0km of Botobolar Rd funded by \$867,000 from grant income and \$153,000 from Rural Sealed Road Rehab & Widening budget allocation;
 - 3.3 allocate a budget of \$680,000 for the sealing of 2.0km of Lower Piambong Rd funded by \$578,000 from grant income and \$102,000 from the Rural Sealed Road Rehab & Widening budget allocation;
4. amend the 2022/23 Budget and Delivery Program as follows:
 - 4.1 allocate a budget of \$1,700,000 for the sealing of 5.0km of Coxs Creek Rd funded by \$1,445,000 from grant income and \$255,000 from the Seal Extension Program budget allocation (Seal Extension Reserve);
 - 4.2 allocate a budget of \$952,000 for the sealing of 2.8km of Botobolar Rd funded by \$809,200 from grant income and \$142,800 from the Seal Extension Program budget allocation (Seal Extension Reserve); and
5. authorise the General Manager to finalise and sign the funding agreement with Transport for NSW.

The motion was carried with the Councillors voting unanimously.

10.3 LIFTING OF WATER RESTRICTIONS

GOV400088, F0780013

146/21

MOTION: Shelley / Holden

That Council:

1. receive the report by the Manager Water and Sewer on the Lifting of Water Restrictions;
2. remove the current level 2 water restrictions for the Gulgong and Mudgee townships; and
3. continue to implement communication and education initiatives in respect of water conservation in the Mid-

Western Region.

The motion was carried with the Councillors voting unanimously.

Item 11: Community

11.1 RYLSTONE CARAVAN PARK MASTER PLAN

GOV400088, P1617011

147/21 MOTION: Shelley / Holden**That Council:**

1. receive the report by the Director Community on the Rylstone Caravan Park Master Plan;
2. place the Draft Rylstone Caravan Park Master Plan on public exhibition for 28 days; and
3. endorse the Rylstone Caravan Park Master Plan if no submissions are received.

The motion was carried with the Councillors voting unanimously.

11.2 GLEN WILLOW STAGE 2 UPDATE

GOV400088, COR400303, COR400277, COR400332, PAR300584,
COR400273**148/21 MOTION: Shelley / Holden****That Council receive the report by the Director Community on the Glen Willow Stage 2 Update.**

The motion was carried with the Councillors voting unanimously.

11.3 ART GALLERY & CULTURAL PRECINCT PROJECT UPDATE

GOV400088, COR400301, REC800038

149/21 MOTION: Shelley / Holden**That Council receive and note the report by the Director Community on the Art Gallery & Cultural Precinct Project Update.**

The motion was carried with the Councillors voting unanimously.

11.4 MUDGEES FINE FOODS INC. - ROBERTSON PARK FARMERS
MARKETS

GOV400088, PAR300628

150/21 MOTION: Shelley / Holden

That Council:

- 1. receive the report by the Director Community on the Mudgee Fine Foods Inc. - Robertson Park Farmers Markets; and**
- 2. endorse a change to the Memorandum of Understanding with Mudgee Fine Foods Inc. to allow up to two markets each calendar month at Robertson Park.**

The motion was carried with the Councillors voting unanimously.

11.5 DELEGATIONS AND AUTHORISATIONS POLICY
GOV400088, GOV400047

151/21 MOTION: Shelley / Holden

That Council:

- 1. receive the report by the Governance Coordinator on the Delegations and Authorisations Policy;**
- 2. place the Delegations and Authorisations Policy on public exhibition for 28 days; and**
- 3. adopt the policy if no submissions are received.**

The motion was carried with the Councillors voting unanimously.

11.6 DRAFT FLIRTATION HILL MUDGEE MASTERPLAN FOR
PUBLIC EXHIBITION
GOV400088, F0650008

152/21 MOTION: Shelley / Holden

That Council:

- 1. receive the report by the Manager - Recreation Services on the Draft Flirtation Hill Mudgee Masterplan for Public Exhibition;**
- 2. note the content and recommendations within the draft Flirtation Hill Mudgee masterplan;**
- 3. place the draft Flirtation Hill Mudgee masterplan on public exhibition for 28 days to receive public feedback; and**

4. receive a further report following the public exhibition period.

The motion was carried with the Councillors voting unanimously.

11.7 ACCEPTANCE OF GRANT FUNDING FOR THE MUDGEES SHOWGROUND

GOV400088, F0650007

153/21

MOTION: Shelley / Holden

That Council:

1. receive the report by the Manager - Recreation Services on the Acceptance of Grant Funding for the Mudgee Showground;
2. accept \$47,360 in grant funding from the NSW Government Crown Reserve Improvement fund 2020- 21;
3. amend the 2021/22 budget to include \$47,360 for Mudgee Showground Equipment, to be funded from grant funding; and
4. authorise the General Manager to finalise and sign the funding agreement with the NSW Government

The motion was carried with the Councillors voting unanimously.

11.8 REQUEST FOR REPAIRS TO BLACKMANS VAULT

GOV400088, PAR300623

154/21

MOTION: Shelley / Holden

That Council:

1. receive the report by the Manager - Recreation Services on the Request for repairs to Blackmans Vault;
2. note the content and recommendations within the National Trust's letter requesting repairs to Blackmans Vault; and
3. accept the request for repairs to Blackmans Vault as a submission to the draft Operational Plan 2021/22.

The motion was carried with the Councillors voting unanimously.

Item 12: Reports from Committees**12.1 GULGONG SPORTS COUNCIL MEETING MINUTES 9 MARCH 2021**

GOV400088, A0360003

155/21 MOTION: Shelley / Holden**That Council:**

- 1. receive the report by the Manager - Recreation Services on the Gulgong Sports Council Meeting Minutes 9 March 2021; and**
- 2. note the minutes for the Sports Council Meeting held 9 March 2021.**

*The motion was carried with the Councillors voting unanimously.***12.2 GULGONG MEMORIAL HALL COMMITTEE 9 FEBRUARY 2021 & 9 MARCH 2021**

GOV400088, A0100024

156/21 MOTION: Shelley / Holden**That Council:**

- 1. receive the report by the Manager, Customer Services & Governance on the Gulgong Memorial Hall Committee; and**
- 2. note the minutes from the Gulgong Memorial Hall Committee meetings held on 9 February 2021 and 9 March 2021.**

*The motion was carried with the Councillors voting unanimously.***12.3 RED HILL COMMITTEE 11 MARCH 2021**

GOV400088, A0190002

157/21 MOTION: Shelley / Holden**That Council:**

- 1. receive the report by the Manager, Customer Services & Governance on the Red Hill Committee 11 March 2021; and**
- 2. note the minutes of the Red Hill Committee meeting held on 11 March 2021.**

The motion was carried with the Councillors voting unanimously.

12.4 LOCAL TRAFFIC COMMITTEE MEETING MINUTES - APRIL
2021

GOV400088, A0100009

158/21

MOTION: Shelley / Holden**That Council:**

1. receive the report by the Administration Officer, Operations on the Local Traffic Committee Meeting Minutes - April 2021; and
2. approve the event – “Mudgee Running Festival 2021” Sunday 22 August 2021 – be classified as a Class 2 event under the “Guide to Traffic and Transport Management for Special Events Version 3.5” and proceed with the following conditions:
 - a. Special Events Transport Management Plan (TMP), is to be prepared in accordance with the Guide to Traffic and Transport Management for Special Events Version 3.5 and submitted to and approved by Council prior to the event;
 - b. Events are to be undertaken in accordance with the requirements of the NSW Police Force with their approval documentation forwarded to Council for notation;
 - c. Controlling noise as required by the Protection of the Environment Operations (Noise Control) Regulation 2000;
 - d. Reimbursing Council for the cost of damage repairs;
 - e. Complying with Council's Law Enforcement Officers' reasonable directives;
 - f. Maintain and return areas in a clean and tidy condition. No obstructions are to be left on the roadways or footpaths;
 - g. A Traffic Control Plan (TCP) certified by a person with a ‘Select & Modify’ or a ‘Design & Audit’ certificate be included in the TMP;
 - h. Any person directing traffic on a public road is required to possess an appropriate traffic controller’s certificate;
 - i. Council must be provided with a current copy of a public liability insurance policy in the amount of at least \$20 million. Such a policy is to note that Council, NSW Police and the Transport for NSW are indemnified against any possible action as the result of the event;
 - j. The event convener is to notify all affected businesses and residents adjacent to the proposed closure indicating the period during which their accesses will be affected. Such notification is to be in

- writing;
- k. **Maintain a four-metre wide emergency vehicle lane;**
 - l. **Advertise the proposed event in local newspapers with relevant information at least two weeks prior to the date; and**
 - m. **Traffic Control plan to be in accordance with Roads and Maritime Services Traffic Control at Worksites Manual**
 - n. **The organiser is to debrief with Council and Police with all traffic control documentation and controls tabled for review.**

Additional Conditions

- o. **Send concurrency request to Transport for NSW to use shoulder of Castlereagh Hwy(Market Street**
3. **approve the event – “Mudgee Small Farm Field Days” Friday and Saturday, 8th & 9th July 2021 – and classify as a Class 2 event under the “Guide to Traffic and Transport Management for Special Events Version 3.4” and proceed with the following conditions:**
- a) **A Special Events Transport Management Plan (TMP), is to be prepared in accordance with the Guide to Traffic and Transport Management for Special Events Version 3.4 and submitted to and approved by Council prior to the event;**
 - b) **Events are to be undertaken in accordance with the requirements of the NSW Police Force with their approval documentation forwarded to Council for notation;**
 - c) **Controlling noise as required by the Protection Of The Environment Operations (Noise Control) Regulation 2000;**
 - d) **Reimbursing Council for the cost of damage repairs;**
 - e) **Complying with any of Council’s Law Enforcement Officers’ reasonable directives;**
 - f) **Maintain areas in a clean and tidy condition. No obstructions are to be left on the roadways or footpaths;**
 - g) **the qualification of the person creating the Traffic Control Plan must be a holder of the Prepare a Work Zone Traffic Management Plan or superseded Select and Modify Certificate or the Design and Audit Certificate which has not expired;**
 - h) **Any person directing traffic on a public road is required to possess an appropriate traffic controller’s certificate;**
 - i) **Council must be provided with a current copy of a public liability insurance policy in the amount of at least \$20 million. Such a policy is to list Council,**

- RMS and NSW Police as Interested Parties;**
- j) The event convener is to consult with all affected businesses and residents adjacent to the proposed closure, in writing, indicating the period during which their accesses will be affected;**
 - k) Maintain a four-metre wide emergency vehicle lane;**
 - l) Advertise the proposed event in local newspapers with relevant information at least two weeks prior to the date;**
 - m) The organiser is to debrief with Council and Police with all traffic control documentation and controls tabled for review.**
 - n) Traffic Control plans prepared in accordance with Roads and Maritime Services Traffic Control at Worksites Manual.**

Additional Conditions

o) Traffic Control plans to be updated as per notes below.

- **Traffic controller signage need to be closer to the traffic controllers.**
 - **TCP- VMs signs should not be used for advertising, instead should say traffic condition changed.**
 - **Pg. 60 of LTC agenda; spread coming into Mudgee speed signs should be 40km/h to 60km/h, not 40km/p to 40km/h in TCP.**
 - **The temporary speed signage on page 60 to be in accordance with the Traffic Control at Worksite Manual and therefore be changed to Road Work Speed Limit (sign number r4-212n) signage.**
 - **TCP- Moggs Lane speed 60km/h not 40km/h.**
- 4. endorse the design for link road between Putta Bucca Road and Glen Willow Sporting precinct in principle.**
- 5. approve the design for disabled parking for the Art Galley**
- 6. investigate safety concerns of Rocky Waterhole Road causeway.**

The motion was carried with the Councillors voting unanimously.

Item 13: Urgent Business Without Notice

159/21

MOTION: Holden / Shelley

That Council accept the urgent business without notice regarding

Mudgee Regional Tourism Internal Fit-Out.

The motion was carried with the Councillors voting unanimously.

13.1 MUDGEE REGION TOURISM INTERNAL FIT-OUT

GOV400088, F0770077

160/21 MOTION: Holden / Shelley

That Council:

- 1. provide \$40,000 to Mudgee Region Tourism for the internal fit-out of their new offices at 90 Market Street; and**
- 2. allocate these funds from the 2020/21 Art Gallery Facility budget.**

The motion was carried with the Councillors voting unanimously.

Item 14: Confidential Session

161/21 MOTION: Shelley / Martens

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

The motion was carried with the Councillors voting unanimously.

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

14.1 Update JLTA Class Action NSW Supreme Court

The reason for dealing with this report confidentially is that it relates to advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege in accordance with Section 10A(2)(g) of the Local Government Act, 1993.

Discussion of this matter in an open meeting would be, on balance, contrary to the public interest as it involves discussion of The reason for dealing with this report confidentially is that it relates to advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege in accordance with Section 10A(2)(g) of the Local Government Act, 1993..

14.2 FlyPelican Regional Service Subsidy

The reason for dealing with this report confidentially is that it relates to commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it in accordance with Section 10A(2)(d)(i) of the Local

Government Act, 1993.

Discussion of this matter in an open meeting would be, on balance, contrary to the public interest as it involves discussion of FlyPelican's business operations and financial position.

Following an enquiry from the Mayor, the General Manager advised that there were no written representations in respect of this matter and that no person in the gallery wished to make verbal representations.

14.1 UPDATE JLTA CLASS ACTION NSW SUPREME COURT
GOV400088, GOV400070

162/21

MOTION: Holden / Shelley**That Council:**

1. receive the report by the Governance Coordinator on the Update JLTA Class Action NSW Supreme Court;
2. note the report.

The motion was carried with the Councillors voting unanimously.

14.2 FLYPELICAN REGIONAL SERVICE SUBSIDY
GOV400088, ECO800028

163/21

MOTION: Holden / Shelley**That Council:**

1. receive the report by the Director Development on the FlyPelican Regional Service Subsidy;
2. authorise the General Manager to negotiate an extension of the air service subsidy with FlyPelican to include a 6 week ramp-up schedule from 5 September 2021 to 17 October 2021;
3. amend the 2020/21 budget to allocate \$5,000 from unrestricted cash towards a marketing program to actively promote the 6 week blitz;
4. amend the Delivery Program 2021/22 to increase the regional flight subsidy for FlyPelican by \$75,000 to be funded from unrestricted cash;
5. place its intention to provide an additional \$75,000 in financial support for the FlyPelican RPT service between Mudgee and Sydney on public exhibition for a period of 28 days;

6. provide financial support to FlyPelican as outlined above, if no objections are received during the public exhibition period; and
7. receive a further report, if any objections are received during the public exhibition period.

Item 15: Urgent Confidential Business Without Notice

Nil

Item 16: Open Council

164/21

MOTION: Holden / Karavas

That Council move to Open Council.

The General Manager announced the decisions taken in Confidential Session.

Item 17: Closure

There being no further business the meeting concluded at 6.28pm.