

Minutes of the Ordinary Meeting of Council

Held at the Council Chambers, 86 Market Street, Mudgee
on 02 February 2022, commencing at 5.36pm and concluding at 5.47pm.

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

IN ATTENDANCE General Manager (Brad Cam), Director Community (Simon Jones), Director Development (Julie Robertson), Director Operations (Julian Geddes), Chief Financial Officer (Leonie Johnson), Executive Manager People and Performance (Michele George), Manager Customer Service & Governance (Richard Cushway) and Executive Assistant (Mette Sutton).

Item 1: Apologies

There were no apologies.

Item 2: Disclosure of Interest

Councillor K Dicker declared a less than significant non-pecuniary conflict on interest in item 7.2 as she is casually employed by Coal Services Health who provide services to Wilpinjong and Moolarben coal mines.

Item 3: Confirmation of Minutes

11/22 MOTION: Cavalier / Thompson

That the Minutes of the Ordinary Meeting held on 3 November 2021 be taken as read and confirmed.

The motion was carried with the Councillors voting unanimously.

12/22 MOTION: Cavalier / Thompson

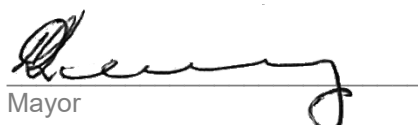
That the Minutes of the Extraordinary Meeting held on 12 January 2022 be taken as read and confirmed.

The motion was carried with the Councillors voting unanimously.

Item 4: Matters in Progress

Environmental Upgrade Agreements Res 170/21 of the Ordinary meeting 21/06/21

13/22 MOTION: Shelley / Cavalier


Mayor


General Manager

Council note that Res 170/21; a business plan be completed and a report be brought back to Council to ascertain the cost and benefit of endorsing Environmental Upgrade Agreements, is now complete.

The motion was carried with the Councillors voting unanimously.

Item 5: Mayoral Minute

Nil

Item 6: Notices of Motion or Rescission

6.1 BMX PUMP TRACK INVESTIGATION

GOV400098, A0100035, GOV400022

14/22 MOTION: Cavalier / Karavas

That Council:

1. **provides in principle support for the construction of a BMX Pump Track in the Mid-Western Region; and**
2. **investigates potential sites and costs for the construction of a BMX Pump Track across the entire region and brings a report back to Council.**

The motion was carried with the Councillors voting unanimously.

6.2 PUBLIC TOILETS ACCESSIBILITY

GOV400098, A0100035, GOV400022, F0680001

15/22 MOTION: Thompson / Cavalier

That Council provide better access to public toilets across the region but especially in the Town Hall Arcade Mudgee.

The motion was carried with the Councillors voting unanimously.

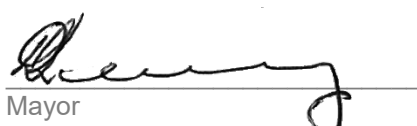
6.3 GULGONG DOG EXERCISE PARK

GOV400098, GOV400022, F0650126, A0100035,

16/22 MOTION: Thompson / Cavalier

That Council install a second access gate for the Gulgong Dog Park.

The motion was carried with the Councillors voting unanimously.


Mayor


General Manager

6.4 DRIVE-IN CINEMA

GOV400098, GOV400022, A0100035

17/22

MOTION: Cavalier / Shelley**That Council:**

1. engages in preliminary discussions with the owner of the Dubbo Drive in Cinema about the potential for bringing the facility to the Mid-Western Region; and
2. assesses the potential financial implications of any such endeavour and brings a report back to Council for consideration.

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

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

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

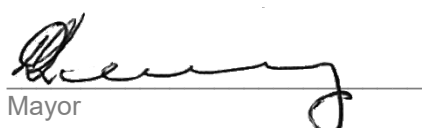
7.1 COUNCIL MEETING SCHEDULE FOR 2022

GOV400098, GOV400098

18/22

MOTION: Thompson / Cavalier**That Council:**

1. receive the report by the Governance Coordinator on the Council Meeting Schedule for 2022; and
2. confirm the Council Meetings for the remainder of 2022 as follows:

Wednesday 16 February 2022**Wednesday 16 March 2022****Wednesday 20 April 2022****Wednesday 18 May 2022****Wednesday 25 May 2022**


Mayor



General Manager

Wednesday 15 June 2022
Wednesday 20 July 2022
Wednesday 17 August 2022
Wednesday 21 September 2022
Wednesday 19 October 2022
Wednesday 16 November 2022
Wednesday 14 December 2022

The motion was carried with the Councillors voting unanimously.

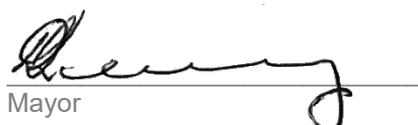
7.2 COUNCILLOR REPRESENTATIVES ON ADVISORY
COMMITTEES AND OTHER EXTERNAL BODIES
GOV400098, A0110015

19/22

MOTION: Shelley / Cavalier

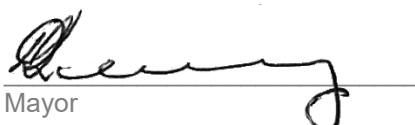
That Council:

1. receive the report by the Director Community on the Councillor Representatives on Advisory Committees and Other External Bodies;
2. appoint Councillor representatives to the following Council Advisory Committees:
 - 2.1 **Mid-Western Regional Youth Council (2 Councillors)**
Cr Paine and Cr Karavas
 - 2.2 **Mid-Western Regional Access Committee**
Cr Paine
 - 2.3 **Mudgee Sports Council**
Cr Stoddart
 - 2.4 **Gulgong Sports Council**
Cr Thompson
 - 2.5 **Kandos & Rylstone Sports Council**
Cr Shelley
 - 2.6 **Mudgee Showground Committee**
Cr Karavas, alt Cr Kennedy


Mayor


General Manager

- 2.7 Red Hill Reserve Working Party**
Cr Cavalier and Cr Thompson
- 2.8 Seniors Week Planning Committee**
Cr Dicker and Cr Thompson
- 2.9 Gulgong Memorial Hall Committee**
Cr Thompson
- 3.0 Rail Committee 355**
Cr Shelley
- 3. appoint Councillor representatives to the following State Significant Development Community Consultative Committees:**
 - 3.1 Bowdens Silver Community Consultative Committee**
Cr Palmer, alt Cr Cavalier
 - 3.2 Inglenook and Charbon Community Consultative Committee**
Cr Shelley
 - 3.3 Crudine Ridge Wind Farm Community Consultative Committee**
Cr Cavalier
 - 3.4 Moolarben Coal Community Consultative Committee**
Cr Kennedy, alt Cr Dicker
 - 3.5 Ulan Coal Mine Community Consultative Committee**
Cr Kennedy, alt Cr Palmer
 - 3.6 Wilpinjong Coal Community Consultative Committee**
Cr Kennedy, alt Cr Dicker
 - 3.7 Burrendong Wind Farm Community Consultative Committee**
Cr Paine
 - 3.8 Barneys Reef Wind Farm Community Consultative Committee**


Mayor


General Manager

Cr Cavalier

4. **Appoint Council representatives to the following other external bodies and committees:**
 - 4.1 **Cudgegong Bushfire Management Committee**
Cr Cavalier
 - 4.2 **Western Joint Regional Planning Panel (2 Councillors and 2 alternates)**
Cr Shelley and Cr Dicker, alt Russell Holden (pending confirmation)
 - 4.3 **Mid-Western Local Traffic Committee**
Cr Karavas
 - 4.4 **Mudgee Region Tourism**
Cr Kennedy
 - 4.5 **Murray Darling Association**
Cr Stoddart, Cr Cavalier, alt Russell Holden (pending confirmation)
 - 4.6 **Arts Out West**
Cr Paine
 - 4.7 **Public Libraries NSW**
Cr Paine
5. **decline the invitation to provide a Councillor representative for the Lachlan Regional Transport Committee.**

The motion was carried with the Councillors voting unanimously.

7.3 INTERACTIONS BETWEEN COUNCILLORS AND STAFF
POLICY

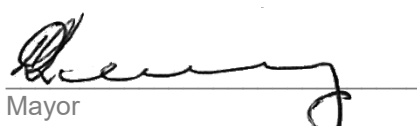
GOV400098, GOV400047

20/22

MOTION: Shelley / Paine

That Council:

1. **receive the report by the Governance Coordinator on the Interactions between Councillors and Staff Policy; and**


Mayor


General Manager

2. **adopt the updated Interactions between Councillors & Staff Policy.**

The motion was carried with the Councillors voting unanimously.

Item 8: Development

- 8.1 PLANNING PROPOSAL 194 HILL END ROAD, 70 GIBSONS LANE AND 88 GIBSONS LANE, CAERLEON PROPOSED REZONING TO R5 LARGE LOT RESIDENTIAL AND CHANGE MINIMUM LOT SIZE TO 12HA - POST EXHIBITION
GOV400098, LAN900115, GOV400098

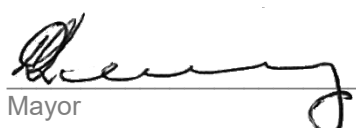
21/22 **MOTION: Shelley / Cavalier**

That Council:

- A. **receive the report by the Manager, Strategic Planning on the Planning Proposal 194 Hill End Road, 70 Gibsons Lane and 88 Gibsons Lane, Caerleon Proposed Rezoning to R5 Large Lot Residential and Change Minimum Lot Size to 12ha - Post Exhibition; and**
- B. **exercise its delegation in the preparation of the amendment to the Mid-Western Regional Local Environmental Plan 2012 in relation to the rezoning of 194 Hill End Road, Caerleon Lot 1 DP104244, Lot 68 DP756897, Lot 83 DP756897, Lot 12 DP855845, Lot 72 DP756897, Lot 26 DP756897, Lot 82 DP756897, Lot 410 DP1112456, Lot 84 DP756897, Lot 13 DP756897, Lot 35 DP756897, Lot 1 DP795672, Lot 1 DP510323, Lot 3314 DP 1112448, Lot 3315 DP1112448, Lot 34 DP756897, Lot 35 DP756897, Lot 11 DP756897 and Lot 36 DP756897 and part of Lot 81 DP756897, Lot 11 DP855845, Lot 97 DP756897, Lot 99 DP756897 and Lot 22 DP756897 from RU1 Primary Production to R5 Large Lot Residential and change the minimum lot size from 100 hectares to 12 hectares subject to the Opinion issued by Parliamentary Counsel.**

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

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


Mayor


General Manager

8.2 PLANNING PROPOSAL 157-159 CRAIGMOOR ROAD, LOT 1
DP 591181 AND LOT 2 DP 594499, HOTEL AND MOTEL
ACCOMMODATION - POST EXHIBITION
GOV400098, LAN900116, GOV400098

22/22

MOTION: Shelley / Cavalier**That Council:**

- A. receive the report by the Manager, Strategic Planning on the Planning Proposal 157-159 Craigmoor Road, Lot 1 DP 591181 and Lot 2 DP 594499, Hotel and Motel Accommodation - Post Exhibition; and**
- B. exercise its delegation in the preparation of the amendment to the Mid-Western Regional Local Environmental Plan 2012 to include Hotel and Motel Accommodation in Schedule 1 Additional Permitted Uses subject to the Opinion issued by Parliamentary Counsel.**

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

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

The following recommendations (item 8.3 to item 12.1) 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. 23/22 and concluding at Resolution No. 32/22.

8.3 MONTHLY DEVELOPMENT APPLICATIONS PROCESSING
AND DETERMINED

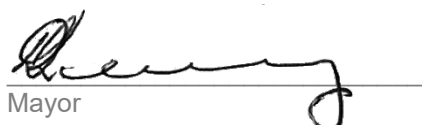
GOV400098, A0420109

23/22

MOTION: Shelley / Cavalier

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

The motion was carried with the Councillors voting unanimously.


Mayor


General Manager

Item 9: Finance

9.1 MONTHLY STATEMENT OF INVESTMENTS AS AT 31
OCTOBER 2021

GOV400098, FIN300053, GOV400098

24/22 MOTION: Shelley / Cavalier

That Council:

- 1. receive the report by the Financial Planning Coordinator on the Monthly Statement of Investments as at 31 October 2021; and**
- 2. note the certification of the Responsible Accounting Officer.**

The motion was carried with the Councillors voting unanimously.

9.2 MONTHLY STATEMENT OF INVESTMENTS AS AT 30
NOVEMBER 2021

GOV400098, FIN300053, GOV400098

25/22 MOTION: Shelley / Cavalier

That Council:

- 1. receive the report by the Financial Planning Coordinator on the Monthly Statement of Investments as at 30 November 2021; and**
- 2. note the certification of the Responsible Accounting Officer.**

The motion was carried with the Councillors voting unanimously.

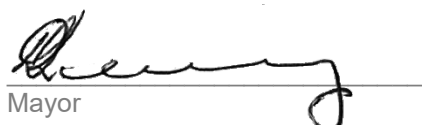
9.3 MONTHLY STATEMENT OF INVESTMENTS AS AT 31
DECEMBER 2021

GOV400098, FIN300053, GOV400098

26/22 MOTION: Shelley / Cavalier

That Council:

- 1. receive the report by the Financial Planning Coordinator on the Monthly Statement of Investments as at 31 December 2021; and**
- 2. note the certification of the Responsible Accounting**



Mayor



General Manager

Officer.

The motion was carried with the Councillors voting unanimously.

9.4 MONTHLY BUDGET REVIEW - DECEMBER 2021

GOV400098, FIN300315, GOV400098

27/22**MOTION: Shelley / Cavalier****That Council:**

1. receive the report by the Financial Planning Coordinator on the Monthly Budget Review - December 2021;
2. amend the 2021/22 budget in accordance with the variations as listed in the Monthly Budget Review attachment to this report;
3. note that the General Manager used the emergency delegation conveyed to him at 3.1 of his delegation to authorise the resealing of the Mudgee STP inlet works channel due to the inlet channel being susceptible to corrosive gas attack and to decrease any further future failures; and
4. note that the General Manager used the emergency delegation conveyed to him at 3.1 of his delegation to authorise the purchase of the solar power solution for Cooks Gap Rural Fire Brigade as it is an emergency response station that is currently without power.

The motion was carried with the Councillors voting unanimously.

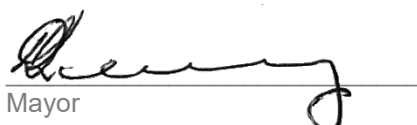
9.5 NAMING OF A NEW ROAD IN A SUBDIVISION OFF TOOLE ROAD, ULAN

GOV400098, P05509, R0790041, DA0180/2011

28/22**MOTION: Shelley / Cavalier****That Council:**

1. receive the report by the Property Support Officer on the Naming of a New Road in a Subdivision off Toole Road, Ulan; and
2. name this new road Stock Road.

The motion was carried with the Councillors voting unanimously.



Mayor

General Manager

9.6 NAMING OF THREE NEW ROADS IN A SUBDIVISION OFF
HILL END ROAD, CAERLEON

GOV400098, P24228, R0790041

29/22

MOTION: Shelley / Cavalier

That Council:

1. receive the report by the Property Support Officer on the Naming of three New Roads in a Subdivision off Hill End Road, Caerleon; and
2. name these new roads Marsh Avenue (Road 1), Lillie Close (Road 2) and Knott Boulevard (Road 3).

The motion was carried with the Councillors voting unanimously.

9.7 NAMING OF NEW STREETS IN A SUBDIVISION OFF HONE
CREEK DRIVE, CAERLEON

GOV400098, P26182, R0790141, DA0428/2013, GOV400098

30/22

MOTION: Shelley / Cavalier

That Council:

1. receive the report by the Property Support Officer on the Naming of New Streets in a Subdivision off Hone Creek Drive, Caerleon; and
2. formally approve the names of Davis Crescent and Shearman Street.

The motion was carried with the Councillors voting unanimously.

Item 10: Operations

10.1 BUSHFIRE RECOVERY - ACCEPTANCE OF EPA GRANT
FUNDING

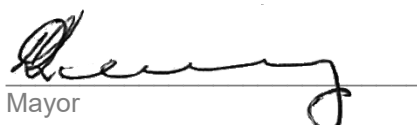
GOV400098, A0060099, A0170022


31/22

MOTION: Shelley / Cavalier

That Council:

1. receive the report by the Manager - Infrastructure Planning on the Green Waste & FenceCycle Grants;
2. accept EPA funding totalling \$470,000 under Stream B of


Mayor


General Manager

the Bushfire Generated Green Waste Clean Up and Processing Program (Green Waste Program) and FenceCycle program;

3. amend the 2021/22 Budget to include expenditure programs as follows, funded from grant funding;
 - 3.1 Green Waste program \$353,000
 - 3.2 FenceCycle Program \$117,000; and
4. authorise the General Manager to finalise and sign the respective funding agreements with the EPA.

The motion was carried with the Councillors voting unanimously.

Item 11: Community

Nil

Item 12: Reports from Committees

12.1 GULGONG SPORTS COUNCIL MEETING MINUTES - 20
OCTOBER 2021

GOV400098, A0360003

32/22 MOTION: Shelley / Cavalier

That Council:

1. receive the report by the Manager - Recreation Services on the Gulgong Sports Council Meeting Minutes - 20 October 2021; and
2. note the minutes for the Sports Council Meeting held 20 October 2021.

The motion was carried with the Councillors voting unanimously.

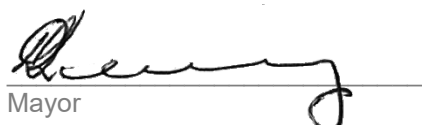
Item 13: Urgent Business Without Notice

Nil

Item 14: Confidential Session

Nil

Item 15: Urgent Confidential Business Without Notice

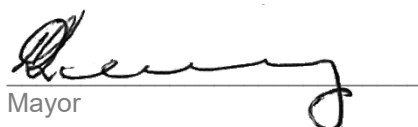

Mayor


General Manager

Item 16: Open Council

Item 17: Closure

There being no further business the meeting concluded at 5.47pm.



Mayor



General Manager