



Business Papers 2023

MID-WESTERN REGIONAL COUNCIL

ORDINARY MEETING

Wednesday 15 March 2023

MINUTES

*A prosperous and progressive
community we proudly call home*



CONFIRMATION OF MINUTES

3.1 Minutes of Ordinary Meeting held on 15 February 2023.....3

Minutes of the Ordinary Meeting of Council

Held at the Council Chambers, 86 Market Street, Mudgee
on 15 February 2023, commencing at 5.37pm and concluding at 5.45pm.

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

IN ATTENDANCE General Manager (Brad Cam), Acting Director Community (Pete Raines), Director Development (Alina Azar), Director Operations (Julian Geddes), Chief Financial Officer (Leonie Johnson), Executive Manager People and Performance (Michele George), Manager Customer Services & Governance (Richard Cushway) and Executive Assistant (Mette Sutton).

Acknowledgement of Country

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

Item 1: Apologies

There were no apologies.

Item 2: Disclosure of Interest

There were no disclosures of interest.

Item 3: Confirmation of Minutes

01/23 MOTION: Cavalier / Palmer

That the Minutes of the Ordinary Meeting held on 14 December 2022 be taken as read and confirmed.

The motion was carried with the Councillors voting unanimously.

Item 4: Matters in Progress

02/23 MOTION: Cavalier / Palmer

That Matter in Progress: Indoor Pool Business Case NOT be completed.

The motion was carried with the Councillors voting unanimously.

03/23 MOTION: Cavalier / Dicker

That Matter in Progress: Removal of NOTAM at Mudgee Airport, Res 356/22 (c) of the Ordinary Meeting held 16/11/22, be noted as complete.

The motion was carried with the Councillors voting unanimously.

Item 5: Mayoral Minute

5.1 MAYORAL MINUTE: MUDGEE CLASSIC 2023
GOV400103, FIN300202, GOV400103

04/23 MOTION: Kennedy

That Council:

1. **approve \$5,322 support requested for the Mudgee Classic 2023 cycling event;**
2. **place its intention to provide support for the Mudgee Classic 2023 event on public exhibition for a period of 28 days;**
3. **if no public submissions received, provide support of \$5,322 from unrestricted cash; and**
4. **receive a further report, if any public submissions are received.**

The motion was carried with the Councillors voting unanimously.

Item 6: Notices of Motion or Rescission

6.1 GULGONG PONY CLUB FINANCIAL ASSISTANCE
GOV400103, A0100035, GOV400022

05/23 MOTION: Cavalier / Thompson

That Council:

1. **provide \$7,000 in financial assistance to the Gulgong Pony Club and Polocrosse Grounds to support the works being undertaken for the Amenities Shed under DA0353/2022; and**
2. **approve that the financial assistance be funded from the Community Grants budget.**

The motion was carried with the Councillors voting unanimously.

Item 7: Office of the General Manager**7.1 DELIVERY PROGRAM 2022/26 SIX MONTHLY PROGRESS REPORT**

GOV400103, COR400116, GOV400098

06/23 MOTION: Shelley / Cavalier

That Council receive the report by Executive Manager People and Performance on the Delivery Program 2022/26 Six Monthly Progress Report.

The motion was carried with the Councillors voting unanimously.

Item 8: Development**8.1 PLANNING PROPOSAL LOT 1 AND 2 DP 1278320, 7443 CASTLEREAGH HIGHWAY, ILFORD - POST EXHIBITION**

GOV400103, LAN900147

07/23 MOTION: Cavalier / Thompson**That Council:**

- A. receive the report by the Manager, Strategic Planning on the Planning Proposal Lot 1 and 2 DP 1278320, 7443 Castlereagh Highway, Ilford - Post Exhibition; and**
- B. request the Department of Planning and Environment to draft and finalise the amendment to the Mid-Western Regional Local Environmental Plan 2012 to amend the minimum lot size to 40 hectares for Lots 1 and 2 DP 1278320.**

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

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

The following recommendations (item 8.2 to item 12.1) were adopted as a whole, being moved by Cr Shelley, seconded by Cr Palmer and carried with Councillors voting unanimously. Each recommendation is recorded with separate resolution numbers commencing at Resolution No. 08/23 and concluding at Resolution No. 21/23.

8.2 COUNTRY UNIVERSITY CENTRE MUDGEE REGION
GOV400103, ECO800022

08/23 MOTION: Shelley / Palmer

That Council:

1. receive the report by the Director Development and Manager - Economic Development on the Country University Centre Mudgee Region; and
2. amend the Budget to allocate \$100,000 in 2024/25, \$100,000 in 2025/26 and \$50,000 in 2026/27 towards CUC Mudgee Region operating expenses funded from Unrestricted Cash.

The motion was carried with the Councillors voting unanimously.

8.3 ACCEPTANCE OF NSW GOVERNMENT GRANTS
GOV400103, GRA600052

09/23 MOTION: Shelley / Palmer

That Council:

1. receive the report by the Manager - Economic Development on the Acceptance of NSW Government Grants;
2. if successful, accept the grant funding from the following NSW Government grant funding bodies:

Grant Fund	Project	Grant Amount Requested
Infrastructure Betterment Fund	Betterment of Access Road to Rylstone Water Treatment Plant	\$420,000
Infrastructure Betterment Fund	Betterment of Rylstone Dam Wall Foundation and Erosion Projection	\$420,000
Places to Play (Open Spaces Program)	BMX Pump Tracks (Glen Willow) Stage 1	\$150,000

3. if successful, amend the 2022/23 and 2023/24 budgets in accordance with the adjustments listed on the Financial Implication section of this report and authorise the General Manager to finalise and sign the funding agreements; and
4. amend the 2022/23 income for Airport Ambulance Transfer Bay to be \$50,000 grant funded and authorise the General Manager to finalise and sign the funding agreement.

The motion was carried with the Councillors voting unanimously.

8.4 MONTHLY DEVELOPMENT APPLICATIONS PROCESSING AND DETERMINED

GOV400103, A0420109

10/23 MOTION: Shelley / Palmer

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

The motion was carried with the Councillors voting unanimously.

Item 9: Finance

9.1 NAMING OF A NEW STREET IN A SUBDIVISION OFF PLENTY ROAD, SPRING FLAT.

GOV400103, P23444, R0790141

11/23 MOTION: Shelley / Palmer

That Council:

1. receive the report by the Property Support Officer on the naming of a new street in a subdivision off Plenty Road, Spring Flat;
2. name this street Mervyns Lane; and
3. advertise the proposed name and receive a further report at the end of the exhibition period to formalise the name of the street.

The motion was carried with the Councillors voting unanimously.

9.2 COMMUNITY GRANTS PROGRAM - FEBRUARY 2023

GOV400103, FIN3000159

12/23 MOTION: Shelley / Palmer

That Council:

1. receive the report by the Financial Planning Coordinator on the Community Grants Program - February 2023;
2. provide financial assistance to the following applications in accordance with the criteria and guidelines of the Community Grants Policy:
 - Mudgee Dressage Group Incorp \$3,975

- **Rylstone-Kandos Show Society** **\$5,000**

The motion was carried with the Councillors voting unanimously.

9.3 QUARTERLY BUDGET REVIEW - DECEMBER 2022

GOV400103, FIN300240

13/23

MOTION: Shelley / Palmer

That Council:

1. **receive the report by the Financial Planning Coordinator on the Quarterly Budget Review - December 2022;**
2. **amend the 2022/23 Budget in accordance with the proposed variations as listed in the Quarterly Budget Review Statement attachment to this report;**
3. **note that the General Manager used the emergency delegation conveyed to him at 3.1 of his delegation to authorise the costs to remove trees from the Kandos Preschool as they are posing a significant risk to children, staff and the property;**
4. **note that the General Manager used the emergency delegation conveyed to him at 3.1 of his delegation to authorise the replacement of the beacon light pole that is essential for safe operation of the airport;**
5. **note the opinion of the Responsible Accounting Officer regarding the satisfactory financial position of Council; and**
6. **amend the 2022/23 Budget to include \$60,000 for a concept design for the potential upgrade of the Broadhead Road/Bruce Road intersection to be funded from unrestricted cash.**

The motion was carried with the Councillors voting unanimously.

9.4 MONTHLY BUDGET REVIEW - JANUARY 2023

GOV400103, FIN300315

14/23

MOTION: Shelley / Palmer

That Council:

1. **receive the report by the Accountant Reporting & Analysis on the Monthly Budget Review - January 2023; and**
2. **amend the 2022/23 budget in accordance with the variations as listed in the Monthly Budget Review attachment to this report.**

The motion was carried with the Councillors voting unanimously.

9.5 MONTHLY STATEMENT OF INVESTMENTS AS AT 31
DECEMBER 2022

GOV400103, FIN300053

15/23 MOTION: Shelley / Palmer

That Council:

- 1. receive the report by the Financial Planning Coordinator on the Monthly Statement of Investments as at 31 December 2022; and**
- 2. note the certification of the Responsible Accounting Officer.**

The motion was carried with the Councillors voting unanimously.

9.6 MONTHLY STATEMENT OF INVESTMENTS AS AT 31
JANUARY 2023

GOV400103, FIN300053

16/23 MOTION: Shelley / Palmer

That Council:

- 1. receive the report by the Financial Planning Coordinator on the Monthly Statement of Investments as at 31 January 2023; and**
- 2. note the certification of the Responsible Accounting Officer.**

The motion was carried with the Councillors voting unanimously.

Item 10: Operations

10.1 RFT 2022/93 - WATER AND SEWER NETWORK
MAINTENANCE AND CONSTRUCTION CONTRACTORS

GOV400103, COR400584

17/23 MOTION: Shelley / Palmer

That Council:

- 1. receive the report by the Water and Sewer Project Engineer on the RFT 2022/93 - Water and Sewer Network Maintenance and Construction Contractors;**

2. **accept the following submissions to create Council's Panel Contract for the Water and Sewer Construction and Maintenance Services:**
 - (a) **Central West Leak Detection and Plumbing**
 - (b) **Peters Plumbing and Excavations**
 - (c) **TWS Evolution PTY LTD**
 - (d) **Dependable Trade Solutions**
 - (e) **Trazilbat Pty Ltd**

for Tender RFT2022/93 for the provision of Water and Sewer network Maintenance and Construction in accordance with Clause 178 of the Local Government (General) Regulation 2005 - Part 7 Tendering;
3. **accept the commencement date is 1 March 2023 and expiry is 1 March 2026; and**
4. **delegate authority to the Manager, Water and Sewer to authorise additional suppliers to the list should they meet the requirements of the tender.**

The motion was carried with the Councillors voting unanimously.

Item 11: Community

11.1 POLICY REVIEW - STATEMENT OF BUSINESS ETHICS

GOV400103, GOV400047

18/23

MOTION: Shelley / Palmer

That Council:

1. **receive the report by the Manager, Customer Services & Governance on the Policy Review - Statement of Business Ethics;**
2. **place the Policy Review - Statement of Business Ethics on exhibition for 28 days to seek feedback from the community; and**
3. **adopt the Statement of Business Ethics if no submissions are received during the exhibition period.**

The motion was carried with the Councillors voting unanimously.

11.2 LIBRARY SERVICES - QUARTERLY REPORT

GOV400103, F0620020

19/23

MOTION: Shelley / Palmer

That Council receive the report by the Manager Library Services on the Library Services - Quarterly Report.

The motion was carried with the Councillors voting unanimously.

11.3 VILLAGE SUBSIDY REVIEW 2023/24

GOV400103, FIN300052

20/23 MOTION: Shelley / Palmer

That Council:

- 1. receive the report by the Director Community on the Village Subsidy Review 2023/24; and**
- 2. note the recommendations on the payment of village subsidies for 2023-2024.**

The motion was carried with the Councillors voting unanimously.

Item 12: Reports from Committees

12.1 LOCAL TRAFFIC COMMITTEE MEETING MINUTES -
DECEMBER 2022

GOV400103, A0100009

21/23 MOTION: Shelley / Palmer

That Council receive the report by the Operations Administration Assistant on the Local Traffic Committee Meeting Minutes for December 2022.

The motion was carried with the Councillors voting unanimously.

Item 13: Urgent Business Without Notice

Nil

Item 14: Confidential Session

22/23 MOTION: Cavalier / Palmer

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

The motion was carried with the Councillors voting unanimously.

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

14.1 General Manager's Performance Agreement 2022-2023: 6 Monthly Review

The reason for dealing with this report 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.

Discussion of this matter in an open meeting would be, on balance, contrary to the public interest as it involves discussion of personnel matters concerning the General Manager.

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 GENERAL MANAGER'S PERFORMANCE AGREEMENT 2022-2023: 6 MONTHLY REVIEW

GOV400103, A0381418, GOV400098

23/23 MOTION: Shelley / Palmer

That Council receive the report by the Executive Manager, People and Performance on the General Manager's Performance Agreement 2022-2023.

The motion was carried with the Councillors voting unanimously.

Item 15: Urgent Confidential Business Without Notice

Nil

Item 16: Open Council**24/23 MOTION: Cavalier / Thompson**

That Council move to Open Council.

The motion was carried with the Councillors voting unanimously.

The General Manager announced the decisions taken in Confidential Session.

Item 17: Closure

There being no further business the meeting concluded at 5.45pm.