

ORDINARY MEETING

WEDNESDAY 5 OCTOBER 2011

The logo for the Mid-Western Regional Council features three overlapping, curved lines in orange, yellow, and green, with a blue line at the bottom. The text "Mid-Western" is written in a large, bold, black font, and "REGIONAL COUNCIL" is written in a smaller, black font below it.

Mid-Western
REGIONAL COUNCIL



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28 September 2011

Dear Councillor

MEETING NOTICE

ORDINARY MEETING
WEDNESDAY 5 OCTOBER 2011

OPEN DAY AT 5.30 PM
COUNCIL MEETING COMMENCING AT CONCLUSION OF OPEN DAY

Notice is hereby given that the above meeting of Mid-Western Regional Council will be held in the Council Chambers, 86 Market Street, Mudgee at the time and date indicated above to deal with the business as listed on the Meeting Agenda.

Members of the public may address the Committee Meeting at Open Day. Speakers are given 5 minutes to outline any issue of relevance to the Council. If you wish to speak at Open Day please contact the Mayor's Office on 1300 765 002 or 02 6378 2850 by 3.00 pm on the day of the meeting. Alternatively, please make yourself known to the Manager Governance prior to the commencement of the meeting.

Yours faithfully

A handwritten signature in black ink, appearing to read "Warwick Bennett", written in a cursive style.

WARWICK BENNETT
GENERAL MANAGER

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ITEM 1: APOLOGIES

ITEM 2: DISCLOSURE OF INTEREST

In accordance with Section 451 of the Local Government Act 1993, Councillors should declare an interest in any item on this Agenda. If an interest is declared, Councillors should leave the Chambers prior to the commencement of discussion of the item.

ITEM 3: CONFIRMATION OF MINUTES

3.1 MINUTES OF ORDINARY MEETING HELD ON 21 SEPTEMBER 2011

COUNCIL DECISION:

That the Minutes of the Ordinary Meeting held on 21 September 2011 Minute Nos 211/11 to 275/11 be taken as read and confirmed.

The Minutes of the Ordinary Meeting are attached:

MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD AT THE COUNCIL CHAMBERS, 86 MARKET STREET, MUDGEE ON WEDNESDAY 21 SEPTEMBER 2011, COMMENCING AT 5.33 PM AND CONCLUDING AT 7.41 PM.

Present: Cr D Kennedy (Mayor), Cr R Holden, Cr E Lang, Cr EE Martens (AM), Cr PA Shelley, Cr JP Thompson, Cr MB Walker, Cr JK Weatherley, Cr JR Webb.

In Attendance: General Manager (W L Bennett), Group Manager Mid-Western Operations (B Cam), Group Manager Development and Community Services (C Van Laeren), Group Manager Finance and Administration (C Phelan), Manager Governance (I Roberts).

Media Representatives: Mudgee Guardian / The Weekly (R Murray), Radio 2MG (M Rock).

ITEM 1: APOLOGIES

There were no apologies.

PRESENTATION BY AUDITOR

Mr John O'Malley (Morse Group) made a presentation in relation to Council's Financial Reports for the 2010/11 financial year and responded to questions from Councillors.

7.2.12 2011 FINANCIAL REPORTS – PRESENTATION BY COUNCIL'S
AUDITOR

A0100052, A0149932

211/11 **MOTION:** Webb / Martens

That the report by the Group Manager Finance & Administration on the presentation of the 2011 Financial Reports by Council's Auditor be received.

The motion was put and carried.

ITEM 2: ANNUAL ELECTIONS2.1 DELEGATIONS TO THE MAYOR

A0100052, A0110016

212/11 **MOTION:** Shelley / Holden

That Council:

1. pursuant to the provisions of Section 377 of the Local Government Act, 1993, delegate to the Mayor authority:
 - a) To monitor the General Manager in the exercise of the General Manager's powers, duties and functions;
 - b) To authorise work, not approved in the Budget/Management Plan, which in the Mayor's opinion, is urgent at a cost not exceeding \$20,000 except in the case of Bush Fire Emergency where the limit is \$50,000;
 - c) To approve the attendance of any Councillor at meetings or functions between Council meetings, that the Mayor would normally attend on behalf of Council;
 - d) To affix and witness the Common Seal of Council, in response to a resolution of Council, to any necessary documents in conjunction with the General Manager or another councillor;
2. adopt the attached delegations for the Mayor.

The motion was put and carried.

2.2 ELECTION OF MAYOR

A0100052, A0110008

213/11 **MOTION:** Walker / Thompson

That:

1. Council determine that the Ballot for the election of the Mayor be by Ordinary Ballet;
2. the election be conducted by the General Manager, Warwick Bennett and the Manager Governance, Ian Roberts.

The motion was put and carried.

Councillor Kennedy then vacated the Chair.

The General Manager announced that only one nomination had been received, that being from Cr Des Kennedy.

The General Manger then declared Councillor Des Kennedy elected as Mayor of the Mid-Western Regional Council for the next twelve months.

Councillor Kennedy the assumed the Chair.

2.3 ELECTION OF DEPUTY MAYOR

A0100052, A0110008

214/11

MOTION: Holden / Martens

That:

- 1. Council determine that the Ballot for the election of the Deputy Mayor be by Preferential Ballot;**
- 2. the election be conducted by the General Manager and Manager Governance.**

The motion was put and carried.

The General Manager announced that three (3) nominations had been received, those being from Cr Russell Holden, Cr Max Walker and Cr John Webb.

The ballot was then conducted. After the counting of votes, the General Manager declared Councillor Walker elected as Deputy Mayor for the ensuing twelve months.

2.4 CREATION OF STANDING COMMITTEES

A0100052, a0110015

215/11

MOTION: Weatherley / Lang

That:

- 1. no standing committees be established;**
- 2. Council holds two Council meetings per month with the exception of January where there are no Council meetings and July where there is only one Council meeting. Those meetings be held on the first and third Wed of each month and the July meeting be held on the third Wednesday of the month; and**
- 3. Clause 16 of Council's Code of Meeting Practice be altered accordingly.**

AMENDMENT: Webb / Martens

That Council retain the existing Committee Structure being:

- Planning and Development Committee
- Assets Committee

- Cultural & Community Services Committee
- Finance & Corporate Services Committee

The amendment was put and lost. The motion was put and carried.

2.5 ELECTION OF COMMITTEE CHAIRPERSONS

A0100052, A0110015

This matter was withdrawn.

2.6 COUNCIL ADVISORY COMMITTEES

A0100052, A0110015

1. Mudgee Showground Management Committee

216/11

MOTION: Weatherley / Walker

That Councillors Webb and Holden be appointed as Council representatives on the Mudgee Showground Management Committee.

The motion was put and carried.

2. Kandos Bicentennial Industrial Museum Committee

217/11

MOTION: Kennedy / Lang

That Councillor Martens be appointed as the Council representative on the Kandos Bicentennial Museum Committee.

The motion was put and carried.

3. Gulgong Memorial Hall Committee

218/11

MOTION: Lang / Webb

That Councillor Thompson be appointed as the Council representative on the Gulgong Memorial Hall Committee.

The motion was put and carried.

4. Red Hill Reserve Working Party

219/11

MOTION: Holden / Lang

That Councillor Thompson be appointed as the Council representative on the Red Hill Reserve Working Party.

The motion was put and carried.

5. Mid-Western Regional Council Peak Sports Council

220/11

MOTION: Holden / Martens

That Councillor Lang be appointed as the Council representative on the Mid-Western Regional Council Peak Sports Council.

The motion was put and carried.

6. Mudgee Sports Council Sub Committee

221/11 **MOTION:** Holden / Thompson

That Councillor Lang be appointed as the Council representative on the Mudgee Sports Council Sub-Committee, with Councillor Weatherley as the alternate.

The motion was put and carried.

7. Gulgong Sports Council Sub Committee

222/11 **MOTION:** Holden / Lang

That Councillor Thompson be appointed as the Council representative on the Gulgong Sports Council Sub-Committee.

The motion was put and carried.

8. Rylstone Sports Council Sub Committee

223/11 **MOTION:** Holden / Lang

That Councillor Shelley be appointed as the Council representative on the Rylstone Sports Council Sub-Committee.

The motion was put and carried.

9. Mid-Western Regional Council Heritage Committee

224/11 **MOTION:** Lang / Weatherley

That Councillor Holden be appointed as the Council representative on the Mid-Western Regional Council Heritage Committee.

The motion was put and carried.

10. Mudgee & Gulgong Access Committee

225/11 **MOTION:** Martens / Lang

That Councillor Thompson be appointed as the Council representative on the Mudgee & Gulgong Access Committee.

The motion was put and carried.

11. Rylstone & Kandos Access Committee

226/11 **MOTION:** Shelley / Holden

That Councillor Martens be appointed as the Council representative on the Rylstone & Kandos Access Committee.

The motion was put and carried.

12. Mid-Western Regional Cultural Development Committee

227/11 **MOTION:** Lang / Weatherley

That Councillor Holden be appointed as the Council representative on the Mid-Western Regional Council Cultural Development Committee.

The motion was put and carried.

13. Australia Day Selection Committee

228/11 **MOTION:** Thompson / Walker

That the Australia Day Selection Committee comprise the Mayor, Deputy Mayor and Councillor Weatherley.

The motion was put and carried.

14. Mudgee Regional Saleyards Committee

MOTION: Webb / Thompson

That representation be reduced to two Councillors and Councillors Webb and Martens be appointed as Council representatives on the Mudgee Regional Saleyards Committee.

229/11 **AMENDMENT:** Shelley / Holden

That representation be reduced to two Councillors and Councillors Webb and Weatherley be appointed as Council representatives on the Mudgee Regional Saleyards Committee.

The amendment was put and carried and on being put as the motion was again carried.

15. Mid-Western Regional Youth Council

230/11 **MOTION:** Holden / Webb

That Councillors Kennedy and Weatherley be appointed as Council representatives on the Mid-Western Regional Youth Council.

The motion was put and carried.

16. Internal Audit Committee

231/11 **MOTION:** Lang / Walker

That Councillor Holden be appointed as the Council representative on the Internal Audit Committee.

AMENDMENT: Thompson / Martens

That Councillor Martens be appointed as the Council representative on the Internal Audit Committee.

The amendment was put and lost. The motion was put and carried.

17. Community Safety Committee

232/11 **MOTION:** Holden / Shelley

That Councillors Kennedy and Lang be appointed as the Councillor representative on the Community Safety Committee

The motion was put and carried.

18. Noxious Weeds Control Advisory Committee

233/11 **MOTION:** Shelley / Holden

That representation be reduced to one Councillor and Councillor Webb be appointed as the Council representative on the Noxious Weeds Control Advisory Committee.

AMENDMENT: Thompson / Martens

That Councillors Webb and Martens be appointed as Council representatives on the Noxious Weeds Control Advisory Committee.

The amendment was put and lost. The motion was put and carried.

19. Cudgegong Southbank Working Party

234/11 **MOTION:** Holden / Lang

That the Cudgegong Southbank Working Party be deleted as it is no longer required.

The motion was put and carried.

20. Showground Working Party

235/11 **MOTION:** Holden / Lang

That the Showground Working Party be deleted as it is no longer required.

The motion was put and carried.

21. Airport Working Party

236/11 **MOTION:** Holden / Lang

That the Airport Working Party be deleted as it is no longer required.

The motion was put and carried.

22. Kandos Centenary Committee

237/11

MOTION: Lang / Holden

That Councillor Martens be appointed as the Council representative on the Kandos Centenary Committee.

The motion was put and carried.

2.7 DELEGATES TO EXTERNAL COMMITTEES AND OTHER ORGANISATIONS

A0100052, a0110015

MOTION: Thompson / Martens

That the delegates to external committees or other organisations remain the same as last year noting that Councillor Webb should be the delegate to the Central West Catchment Management Authority.

238/11

AMENDMENT: Shelley / Holden

That Council deal with each individually.

The amendment was put and carried and on being put as the motion was again carried.

1. Bushfire Management Committee

239/11

MOTION: Holden / Martens

That Councillor Webb be appointed as Council's delegate to the Bushfire Management Committee.

The motion was put and carried.

2. Rural Fire Service District Liaison Committee

240/11

MOTION: Shelley / Walker

That Councillor Webb be appointed as Council's delegate to the Rural Fire Service District Liaison Committee.

The motion was put and carried.

3. Association of Mine Related Councils**MOTION:** Thompson / Martens

That Councillors Martens and Thompson be appointed as Council's delegates to the Association of Mine Related Councils.

241/11

AMENDMENT: Shelley / Holden

That Councillors Holden and Shelley be appointed as Council's delegates to the Association of Mine Related Councils.

The amendment was put and carried and on being put as the motion was again carried.

4. Central Ranges Natural Gas Working Group

Council did not appoint a delegate to this body but the Mayor would represent Council if needed.

5. Mudgee Region Tourism Inc

242/11 **MOTION:** Shelley / Holden

That Councillors Kennedy and Walker be appointed as Council's delegates to Mudgee Regional Tourism Inc.

The motion was put and carried.

6. Ulan Coal Mine Community Consultative Committee

243/11 **MOTION:** Kennedy / Lang

That Councillors Martens and Webb be appointed as Council's delegates to the Ulan Coal Mine Community Consultative Committee.

The motion was put and carried.

7. Wilpingjong Community Consultative Committee

244/11 **MOTION:** Kennedy / Lang

That Councillors Martens and Webb be appointed as Council's delegates to the Wilpinjong Community Consultative Committee.

The motion was put and carried.

8. Charbon Community Consultative Committee

245/11 **MOTION:** Kennedy / Lang

That Councillor Martens be appointed as Council's delegate to the Charbon Community Consultative Committee.

The motion was put and carried.

9. Moolarben Community Consultative Committee

246/11 **MOTION:** Kennedy / Lang

That Councillors Martens and Webb be appointed as Council's delegates to the Moolarben Community Consultative Committee.

The motion was put and carried.

10. Inglebrook Exploration Community Consultative Committee247/11 **MOTION:** Kennedy / Lang

That Councillor Webb be appointed as Council's delegate to the Inglebrook Exploration Community Consultative Committee with Councillor Holden as alternate.

The motion was put and carried.

11. Central West Catchment Management Authority248/11 **MOTION:** Weatherley / Lang

That Councillor Webb be appointed as Council's delegate to the Central West Catchment Management Authority.

The motion was put and carried.

12. Bells Line Expressway Group249/11 **MOTION:** Weatherley / Lang

That Councillor Thompson be appointed as Council's delegate to the Bells Line Expressway Group.

The motion was put and carried.

13. Macquarie Valley Weeds Advisory Committee250/11 **MOTION:** Shelley / Martens

That Councillor Webb be appointed as Council's delegate to the Macquarie Valley Weeds Advisory Committee.

The motion was put and carried.

14. Joint Regional Planning Panel251/11 **MOTION:** Webb / Holden

That Councillors Martens and Weatherley be appointed as Council's delegates to the joint Regional Planning Panel with Councillor Shelley as alternate.

The motion was put and carried.

15. Lachlan Regional Transport252/11 **MOTION:** Webb / Shelley

That Councillor Holden be appointed as Council's delegate to Lachlan Regional Transport.

The motion was put and carried.

Botobolar Community Committee

253/11 **MOTION:** Shelley / Martens

That Councillor Webb be appointed as Council's delegate to the Botobolar Community Committee.

The motion was put and carried.

Goolma Amenities Committee

254/11 **MOTION:** Kennedy / Lang

That Councillor Thompson be appointed as Council's delegate to the Goolma Amenities Committee.

The motion was put and carried.

ITEM 3: CONFIRMATION OF MINUTES

255/11 **MOTION:** Shelley / Walker

That the Minutes of the Ordinary Meeting held on 17 August 2011 (Minute Nos. 181/11 to 210/11) be taken as read and confirmed.

The motion was put and carried.

ITEM 4: DISCLOSURES OF INTEREST

Councillor Lang declared a pecuniary interest in Item 5.2 of the Planning and Development Committee Report as the Paragon Hotel advertises in his magazine and stated there would be no need to leave the room unless the matter was discussed.

Councillor Kennedy declared a pecuniary interest in Item 5.2 Planning and Development Committee Report as he owns a hotel in the area and stated there would be no need to leave the room unless the matter was discussed

ITEM 5: MAYORAL MINUTE

There was no Mayoral Minute.

ITEM 6: REPORTS FROM COMMITTEES

PLANNING AND DEVELOPMENT COMMITTEE

256/11 **MOTION:** Holden / Walker

That the matters resolved at the Planning and Development Committee meeting held on 7 September 2011 be received and confirmed.

The motion was put and carried.

5.4 DEVELOPMENT CONTROL PLAN TEMPORARY WORKERS
ACCOMMODATION

257/11 **MOTION:** Holden / Weatherley

That an Extraordinary Council Meeting be held at 5.00 pm on Tuesday 27 September 2011 to deal with this matter.

The motion was put and carried.

ASSETS COMMITTEE

258/11 **MOTION:** Holden / Lang

That the matters resolved at the Assets Committee meeting held on 7 September 2011 be received and confirmed.

The motion was put and carried.

CULTURAL AND COMMUNITY SERVICES COMMITTEE

259/11 **MOTION:** Lang / Martens

That the matters resolved at the Cultural and Community Services Committee meeting held on 7 September 2011 be received and confirmed.

The motion was put and carried.

FINANCE AND CORPORATE COMMITTEE

260/11 **MOTION:** Holden / Lang

That:

1. the matters resolved at the Finance and Corporate Committee meeting held on 7 September 2011 be received and confirmed.
2. the recommendations from the Finance and Corporate Committee meeting held on 7 September 2011 in respect of the following items be adopted.
 - Best Practice Water Pricing 2011/12 Charges
 - Christmas Event Sponsorship
 - Financial Assistance – Tier 1 Applications
 - Financial Assistance – Tier 2 Applications
 - Monthly Management Plan Reporting – July 2011

The motion was put and carried.

URGENT BUSINESS WITHOUT NOTICE

261/11

MOTION: Shelley / Walker

That the matters resolved in Urgent Business without Notice held on 7 September 2011 be received and confirmed.

The motion was put and carried.

ITEM 7: GENERAL BUSINESS

7.1 NOTICES OF MOTION

There were no notices of motion.

7.2 REPORTS TO COUNCIL

7.2.1 DA0352/2011 ATTACHED DUAL OCCUPANCY (REVISED) LOT 9
DP 1143747, 17 INVERNESS AVENUE MUDGEES

A0100052, P2037361- revision B

262/11

MOTION: Walker / Weatherley

A. That Council note the report of the Senior Statutory Planner regarding the proposed attached dual occupancy at Lot 9 DP 1143747, 17 Inverness Avenue Mudgee, Development Application 0352/2011

B. That Council approve Development Application 0352/2011 for an attached dual occupancy at Lot 9 DP 1143747, 17 Inverness Avenue Mudgee with the following conditions;

APPROVED PLANS

1. Development is to be carried out in accordance with stamped plans 3234_A01C to A07C dated May 2011 and prepared by Giselle Denley Drafting Services, forming part of the application received by Council on 03.06.2011, 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.

AMENDMENTS

2. Windows in the ensuite, WC and laundry of unit one, and in the bathroom and laundry of unit two are to consist of frosted, translucent glass; the purpose being to improve amenity and to prevent overlooking from the windows of the opposing unit.
3. Skylights are to be installed in the laundry and ensuite of unit one, and in the bathroom, laundry and kitchen of unit two, being a total of five (5) skylights in all; the purpose being to improve amenity and to compensate for the limited exposure to natural light from the windows of these rooms.

4. A "Lap and Cap" wooden fence, 1800mm high, is to be installed between the two units and private open spaces; the purpose being to improve amenity, prevent overlooking, and limit the potential for noise transmission from opposing units.
5. Privacy screens, totalling two (2) in number, and consisting of minimum 1800mm high lattice enclosures, or the like, are to be placed, one on the eastern elevation of the unit 1 alfresco dining area and one on the western elevation of the unit 2 alfresco dining area; the purpose being to improve amenity and to limit overlooking from the alfresco dining areas of opposing units.
6. A/C condensers are to be provided with noise attenuation screens; the purpose being to limit the potential for noise transmission to neighbouring properties.

HEALTH AND BUILDING

7. All plumbing and drainage work must be carried out by a licensed plumber and drainer and must comply with the requirements of AS 3500 (National Plumbing & Drainage Code) and the NSW Code of Practice - Plumbing & Drainage.
8. The selected plumber/drainer must provide Council with a drainage diagram detailing the location of the drainage system and the relevant connections.
9. All plumbing and drainage inspections must be carried out by Council prior to the covering of any trenches or wall/ceiling linings.
10. All building work must comply with the requirements of the National Construction Code 2011, Volume Two, together with the relevant Australian Standards and also the Environmental Planning and Assessment Act, 1979, as amended, and Regulations.
11. All mandatory inspections required by the Environmental Planning and Assessment Act and any other inspections deemed necessary by the Principal Certifying Authority being carried out during the relevant stages of construction.
12. Construction work noise that is audible at other premises is to be restricted to the following times.
 - Monday to Friday -- 7.00am to 6.00pm
 - Saturday -- 8.00am to 1.00pm
 - No construction work is permitted on Sundays and Public Holidays.
13. The site must be provided with a waste enclosure (minimum 1800mm x 1800mm x 1200mm high) that has a lid or secure covering for the duration of the construction works to ensure that all wastes are contained on site. The enclosure is to be emptied periodically to reduce the potential for rubbish to be blown from the site.

Council encourages the separation and recycling of suitable materials.

14. Prior to the occupation of a new building, an Occupation Certificate is to be obtained from the Principal Certifying Authority appointed for the erection of the building.
15. During construction temporary toilet facilities are to be provided at or in the vicinity of the nominated work site and for this purpose provide either a standard flushing toilet or an approved sewage management facility.
16. A sign must be erected in a prominent position on any work site on which the erection of a building is being carried out;
 - stating that unauthorised entry to the work site is prohibited, and
 - 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.
17. The strength of the concrete used for the reinforced concrete floor slab must be 25MPa (N25)
18. With the exception of work where there is in force an exemption under clause 187 or 188 of the Environmental Planning & Assessment Act 1979 all building work that involves residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, such a contract of insurance is to be in force. No work is to commence until a copy of a Home Owners Warranty or Owner/Builders Permit have been submitted to Council.
19. All stormwater is to discharge to the street water table by the use of non-flexible kerb adapters
20. Erosion and sediment control measures being implemented prior to the commencement of works and must be maintained during the period of construction to prevent sediment and other debris escaping from the site. Controls are not to be removed until the site is stable with all bare areas supporting an established vegetative cover.
21. Prior to the commencement of any construction works, the following provisions of the Environmental Planning and Assessment Act 1979 (the Act) are to be complied with:
22. Council is to given at least 2 days notice of the date intended for commencement of building works, in accordance with Section 81A(2)(c) of the Act.
23. Adequate yard drainage together with appropriately sized sumps must be provided for the collection and disposal of ground surface waters to prevent a nuisance from these waters being caused to the property and/or adjoining properties. The disposal of ground surface waters must discharge to the street gutter or

interallotment drainage easement. The ground water drainage system must be separate to the roofwater drainage system. Full details must be submitted with the Construction Certificate application.

24. A Registered Surveyors Certificate showing the boundaries of the site and the proposed buildings plotted there on being submitted to the Principal Certifying Authority prior to the commencement of construction.
25. The requirements of the submitted BASIX Certificate, number 379503S and 378809S issued on 15 June 2011 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 prior to the commencement of the alteration/s.
26. Prior to the occupation of the building a written statement must be submitted to the Council confirming the installation/completion of those commitments.

ENGINEERING

PRIOR TO ISSUE OF THE CONSTRUCTION CERTIFICATE

27. 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

Water Headworks	\$3715.00
Sewerage	\$1697.00
Headworks	
Total	\$5412.00
 - (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.
28. The applicant is to provide separate water and sewer reticulation services to each dwelling.
29. The developer is to extend and meet the full cost of water and sewerage reticulations to service the new lot 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.
30. The developer is to provide a water service and meter for each dwelling. This can be achieved by making a payment to Council of \$1,081.60 per lot to cover the cost of installing both the service and a 20mm meter on the water main.

TOTAL PAYABLE 1 x \$1,100 =\$1,100

Note: Council does not permit other bodies to insert new junctions into 'live' water mains.

31. Three metre wide easements, including associated Section 88B instruments, are to be created in favour of Council over any existing or newly constructed inter-allotment drainage, water, or sewerage reticulation components located within the subject property, or extended through adjoining private properties as a result of this subdivision.
32. Following completion of the subdivision works, one full set of work-as-executed plans, in pdf and dwg format, which is "Autocad compatible" is to be submitted on disk 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.

ENGINEERING CONSTRUCTION

33. 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.
34. Vehicular entrances and concrete footway crossings are to be provided at a suitable location to the development. These should be constructed in accordance with Aus-Spec #1 and the appropriate Council standard drawings including M524-Urban Access, M525-Rural Access, M526-Industrial Access, M594-Kerb & Gutter Layback.

Inspections - Concrete must not be poured until the excavation, formwork and reinforcing has been inspected by Council. The contractor/owner must arrange an inspection by contacting Council's Development Engineer between 8.00am and 4.00pm 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.

36. Council is to be supplied with:
 - A certificate from an energy provider indicating that satisfactory arrangements have been made for provision of electricity supply
 - A certificate from a communication provider indicating that satisfactory arrangements have been made for provision of telephone services

AMENDMENT: Holden / Martens

That development application 0352/2011 for an attached dual occupancy, Lot 9 DP1143747, 17 Inverness Avenue, Mudgee be refused due to non-compliance with Council's Residential Development DCP.

The amendment was put and lost with Councillors voting as follows

Councillors	Ayes	Nayes
Cr Holden	✓	
Cr Kennedy		✓
Cr Lang	✓	
Cr Martens	✓	
Cr Shelley		✓
Cr Thompson		✓
Cr Walker		✓
Cr Weatherley		✓
Cr Webb	✓	

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

Councillors	Ayes	Nayes
Cr Holden		✓
Cr Kennedy	✓	
Cr Lang		✓
Cr Martens		✓
Cr Shelley	✓	
Cr Thompson	✓	
Cr Walker	✓	
Cr Weatherley	✓	
Cr Webb		✓

**7.2.2 MONTHLY STATEMENT OF MID-WESTERN REGIONAL COUNCIL
BANK BALANCES AND INVESTMENTS AS AT 31 AUGUST 2011**

A0100052, A0140304

263/11

MOTION: Holden / Shelley

That the Investment Report as at 31 August 2011 by the Management Accountant be received and the certification by the Responsible Accounting Officer noted.

The motion was put and carried.

7.2.3 CHRISTMAS LIGHTS

A0100052, A0030019

264/11

MOTION: Holden / Martens

That:

1. the report by the General Manager on the erection of Christmas lights be received;
2. Council proceed with the purchase and annual installation of Christmas lights to the value of \$15,000 to be funded from Councils Strategic Initiatives Fund and the 2012/16 Management Plan be amended accordingly. The Council notes that this project is an initiative promoted by Council and should not be reflected in the General Managers Performance Review.

The motion was put and carried.

7.2.4 TENDER ASSESSMENT – DESIGN & CONSTRUCTION MORTIMER ST
RETAIL PREMISES 2011-07

A0100052, A0411107

265/11

MOTION: Holden / Weatherley

That:

1. The report of the Group Manager – Operations on the tender assessment for the Construction of the Mortimer Street Retail Premises be received,
2. Council awards the contract for the design and construction of the Council owned retail premises in Mortimer Street Mudgee (known as the Target premises extension) to CCA Projects t/as Club Constructions Australia for the tendered price of \$1,274,285 (GST exclusive), subject to the finalisation of the agreement to lease.
3. Council delegates to the General Manager authority to vary the contract up to the value of 5% of the tendered price.

The motion was put and carried.

7.2.5 TENDER 2011/06 BITUMEN SPRAY SEAL

A0100052, A0411106

266/11

MOTION: Holden / Walker

That:

1. the report by Business Manager Works on the Tender 2011/06 Bitumen Spray Seal be received;
2. Council accepts the tender from Downer Australia Pty Ltd for the provision of the bitumen spray seal (as per the schedule provided in the confidential section of this business paper) on Councils roads maintenance and construction program, for the contract period from 1 October 2011 until 30 September 2012 with optional yearly contract extensions to a maximum of three years total.

The motion was put and carried.

7.2.6 FINANCIAL ASSISTANCE – TIER 2 APPLICATION

A0100052, A0140201

267/11

MOTION: Shelley / Walker

That:

1. the report by the Finance Officer on the financial assistance be received;
2. Council provide financial assistance to the following applicant in accordance with the criteria and guidelines of the Financial Assistance Policy – Tier 2, subject to those requirements being met, with the funding from the general financial assistance vote:

St Matthews Catholic School K-10 Mudgee \$750.00

3. The following amounts be distributed from the Councillor discretionary votes:

St Mathhews Catholic School K-10 Mudgee	Cr Kennedy	\$200.00
	Cr Lang	\$250.00
Rylstone District Trainers Group - rates	Cr Walker	\$179.49

The motion was put and carried.

7.2.7 GLEN WILLOW REGIONAL SPORTS GROUND – ADDITIONAL FUNDING

A0100052,

268/11

MOTION: Holden / Weatherley

That:

1. the report by the General Manager on the Glen Willow Sports Ground – additional funding be received;
2. Council authorises the completion of the Glen Willow Regional Sports facility at an additional cost of \$340,000 to be funded from the Moolarben Voluntary Planning Agreement community infrastructure contribution.

The motion was put and carried.

7.2.8 GULGONG PARKS IRRIGATION SCHEME

A0100052, F0780133

269/11

MOTION: Martens / Lang

That:

1. the report by the Manager Water & Waste Strategies on the Gulgong Parks Irrigation Scheme Tenders be received;
2. Council accepts the tender of E.L.Civil Engineering P/L for the Gulgong Parks Irrigation Scheme – Supply Construction, Pressure Testing of Pipelines and Associated Works for a contract price of \$800,433.67 excluding GST;
3. the General Manager be authorised to approve variations of up to 5% of the Contract Price (i.e. \$40,021.68 excluding GST).

The motion was put and carried.

7.2.9 PUBLIC INTEREST DISCLOSURE INTERNAL REPORTING
POLICY

A0100052, A0100021

270/11

MOTION: Weatherley / Holden

That:

1. the report by the Manager Governance on the introduction of a revised policy to deal with protected disclosures be received;
2. the existing policy entitled Internal Reporting (Protected Disclosures) Act 1994 is deleted; and
3. Council adopt the attached revised policy entitled Public Interest Disclosure Internal Reporting.

The motion was put and carried.

7.2.10 2011 LOCAL GOVERNMENT ASSOCIATION CONFERENCE

A0100052, A0310010, A0110033

MOTION: Shelley / Holden

That:

1. the report by the General Manager on the Local Government Association Conference 2011 be received;
2. Council approves the Mayor (or his nominee) and General Manager to attend the Local Government Association Conference 2011.

AMENDMENT: Thompson / Martens

That:

1. the report by the General Manager on the Local Government Association Conference 2011 be received;
2. Council approves the attendance of at least three (3) Councillors to the Local Government Association Conference 2011.

The first amendment was put and lost.

271/11

AMENDMENT: Holden / Lang

That:

1. the report by the General Manager on the Local Government Association Conference 2011 be received;
2. Council approves the Mayor, Deputy Mayor and one other Councillor and General Manager to attend the Local Government Association Conference 2011.

The motion was withdrawn. The second amendment, now being the motion, was put and carried.

272/11

MOTION: Holden / Martens

That Councillor Thompson be authorised to attend the Local Government Association Conference 2011.

The motion was put and carried.

7.2.11 MUDGEE SEWERAGE AUGMENTATION

A0100052, F0740001

273/11

MOTION: Weatherley / Martens

That:

1. the report by the Manager Water & Waste Strategies on the Mudgee Sewerage Augmentation be received;
2. Council accepts an offer of financial additional assistance of \$3,602,915 towards the cost of the Mudgee Sewage Treatment Plant;
3. Council authorise the affixing of the Common Seal to the funding agreement.

The motion was put and carried.

ITEM 8: URGENT BUSINESS WITHOUT NOTICE

There was not Urgent Business Without Notice.

ITEM 9: CONFIDENTIAL SESSION

274/11

MOTION: Holden / Shelley

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 Manager Governance announced that the following matters would be considered in confidential session and the reason why they were being dealt with in this way.

Reports from Closed Committee Meeting held on 7 September 2011

Subject: 1. Water Consumption – Property Number 1979

The reason for dealing with this report confidentially is that it relates to the personal hardship of any resident or ratepayer in accordance with Section 10A(2)(b) of the Local Government Act, 1993.

Subject: 2. Purchase of Land for the Construction of a Roundabout at Pitts Lane

The reason for dealing with this report confidentially is that it relates to information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting business in accordance with Section 10A(2)(c) 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 valuation advice in respect of the subject properties.

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

The motion was put and carried.

5.1 WATER CONSUMPTION – PROPERTY NUMBER 1979

A0100052, P0197911, A0141202

275/11

MOTION: Walker / Lang

That:

1. the report by Group Manager Finance & Administration on the request for financial assistance for water consumption at Property Number 1979 be received;
2. Council write off the difference between the current bill and the previous bill, amounting to \$823.88, to be funded from Council grants and Donations budget
3. A report on a policy for Water Consumption Charges – Internal Leaks be prepared for Council's consideration.

AMENDMENT: Webb / Holden

That:

1. the report by Group Manager Finance & Administration on the request for financial assistance for water consumption at Property Number 1979 be received;
2. Council write off \$500.00, to be funded from Council grants and Donations budget
3. A report on a policy for Water Consumption Charges – Internal Leaks be prepared for Council's consideration.

The amendment was put and lost. The motion was put and carried.

5.2 PURCHASE OF LAND FOR THE CONSTRUCTION OF A
ROUNDBOUT AT PITTS LANE

A0100052, P0302311, R9208006, R4222001

275/11

MOTION: Weatherley / Lang

That:

1. the report by the General Manager on the purchase of land adjacent to Pitts Lane, Lue Road and Ulan Road for the construction of a roundabout be received;

2. Council proceed with the purchase of land required for the roundabout at the Pitts Lane, Lue Road and Ulan Road intersections being part Lot 3 DP 1124328 at a price of \$37,500 plus GST if any and part Lot 3 DP 580477 at a price of \$150,000 plus GST if any and the General Manager proceed with the necessary subdivision and processes to obtain ownership in Council's name as a road reserve;
3. If Council is unable to conclude the purchase of part Lot 3 DP 1124328 or part Lot 2 DP 580477 by negotiation, then the acquisition of this land proceeds through the compulsory process under the Land Acquisition (Just Terms Compensation) Act 1991;
4. Council provide appropriate screening to Lot 101 DP 873410; and
5. Council authorises the affixing of the Common Seal to all documents required for the acquisition of the two parcels of land referred to in paragraph 2 of this resolution.

The motion was put and carried.

ITEM 10: OPEN COUNCIL

The Manager Governance announced the matters decided in Confidential Session.

CLOSURE

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

ITEM 4: MATTERS IN PROGRESS

-SUBJECT	RESOLUTION NO. & DATE	RESOLUTION	ACTION
Telstra Licence, Flirtation Hill, Gulgong	Res. S.41/10 Strategic Mtg 2/6/10	That consideration of this matter be deferred for further negotiations with Telstra.	Continued follow up enquiries to Telstra have been sent regarding progress. No reply to date.
Rylstone/Kandos Sewerage Augmentation	S.85/10 Assets Mtg 1/12/10	That: 1..... 2. Council commence negotiations with the Department of Environment, Climate Change and Water to defer construction of a new Treatment Plant at Kandos until funds become available under the Country Town Water and Sewerage Scheme; 3. staff review options to stage the proposed works in this region to improve the affordability of the augmentation required to meet effluent discharge quality requirements.	The recent budget did not make for any further provision for funding of regional water and sewer schemes. We will continue to pursue this matter with our local MP's This is happening and will be reported back to Council later this year. The design is 75% complete
Glen Willow Entrance Options	Res. 25/11 Ord. Mtg 16/2/2011	That: 1. 2. Council approve Option 3 in principle subject to further investigation into drainage and flooding issues – a roundabout incorporating the Ulan Rd / Pitts Lane intersection and the Ulan Rd / Lue Rd intersection with an estimated budget of \$905,000.00 for the project noting the budgets are preliminary until the detailed designs and acquisition negotiations are complete.	Agreement has now been reached with adjacent landowners. The works are proposed for January/February next year. RECOMMEND COMPLETION

-SUBJECT	RESOLUTION NO. & DATE	RESOLUTION	ACTION
Road Naming, Mudgee	Res 171/11 Ord Mtg 20/7/2011	That: 1. 2. Council endorse the road name "Hennessy Place" for the cul-de-sac that runs south off Bellevue Road, Mudgee and further approach the Geographical Names Board with a view to getting them to agree to this request.	Letter written to the Geographical Names Board as per Council request
Rural Road Naming	Res 172/11 Ord Mtg 20/7/2011	That: 1. 2. consideration of the naming of the unnamed road accessed off Goolma Road at Two Mile Flat and running from the Goolma Road in a northerly direction to the Cudgegong River, be deferred to permit further discussions and negotiation with the Geographical Names Board.	Letter written to the Geographical Names Board as per Council request
Ulan Waste Transfer Station	Res. 140/11 Ord Mtg 20/7/2011	That: 1. Council proceed with the construction of a waste transfer station at Ulan; and 2. the General Manager negotiate with the EPA and the coal mines about the possibility of a waste facility being located on one of the mine properties.	Land for waste station proceeding into Council Ownership. However we are expecting a land claim on the subject land before transfer can be complete. The Managers of the mines have expressed difficulties with having waste facility amongst their operations. RECOMMEND COMPLETION of POINT 2

-SUBJECT	RESOLUTION NO. & DATE	RESOLUTION	ACTION
Riverside Memorial Walk	Res. 55/11 Ord. Mtg 16/3/2011	That: 1. ... 2. ... 3. Council includes in the development of the Lawson Park West Reserve in Short Street Mudgee a memorial and heritage pathway that has plaques installed in the walkway to remember past community people who have contributed positively to the growth and social infrastructure of this community. The concept of the memorial and heritage pathway be part of the public consultation process in the 2011/12 draft Management Plan; 4. Council consults with the Gulgong and Rylstone townships on suitable sites in those towns for similar memorial and heritage walkways to celebrate the contributions of people to those communities.	The walkway in the Lawson Park and the planning of the landscaping in the new part of Lawson Park is now well under way. When development complete we will arrange for plaques to be installed
Skate Parks in the Mid-Western Region	COM.61/11 Comm. Serv Mtg 7/9/2011	That: 1. 3. Council develop a capital works plan for skateparks; and 4. Council consider as a budget initiative an allocation of resources for a skateparks capital works program for the 2012/13 and 2013/14 financial years.	A capital works program will be developed for consideration by Council
Gulgong Skate Park	Min No. COR. 27/11 Fin & Cor Mtg 06/04/2011	That Council continue to work with the newly formed Gulgong skate park committee to expedite improvements to the Gulgong skate park.	Awaiting to hear on the success of the funding application to NSW Sport & Recreation.

-SUBJECT	RESOLUTION NO. & DATE	RESOLUTION	ACTION
Xstrata Coal Youth Services Officer Program	COM.62/11 Comm. Serv. Mtg 7/9/2011	That: 1. ... 2. ... 3. the Mayor and General Manager approach Xstrata Coal seeking a continuation of funding for the Youth Services Officer program.	First meeting has been held with Xstrata. The feedback was very positive.
Cost of Water – Mudgee Race Club Inc	Min No.254/09 Ord Mtg 18/11/09	That: 1. 2. the General Manager commence negotiations with the Mudgee Race Club to enter into an agreement with the supply of raw water and the repayment of infrastructural costs and report back to Council within six months; 3.	Solution has been finalised. Government funding for 50% of the project has been granted. The race club have now commenced with the planning of the physical works
Directional Signage	Res. 20/11 Ord. Mtg 16/2/2011	That Council erect appropriate directional signage to its “natural assets” including the Drip, Hands on Rock, Dunns Swamp etc and approach the National Parks and Wildlife Service for funding.	Issue discussed with NPWS. They have concerns about additional signage going up at this stage until they take total control of the area. Part of their management plan is to upgrade signage, walking track and parking. They would prefer Council to not do anything until this exchange occurs later this year.
Reciprocal Signage at key intersections	Res. 21/11 Ord. Mtg 16/2/2011	That Council enter into formal negotiations with its neighbouring Councils for reciprocal signage at the key intersections to our (and their) regions.	Currently identifying the locations and negotiating with neighbouring Council on process required including DA requirements
Temporary Signage	Res. 50/11 Ord. Mtg 16/3/2011	That Council undertake a review the signage policy as part of the formulation of the comprehensive DCP.	To be undertaken upon completion of the Comprehensive Local Environmental Plan.

-SUBJECT	RESOLUTION NO. & DATE	RESOLUTION	ACTION
Gulgong Hospital	Min No. COR.26/11 Fin & Cor Mtg 06/04/2011	That an immediate meeting be arranged with the new State Health Minister, the Federal Minister and federal independent to expedite a new hospital for Gulgong.	State Government has approved MPS funding. Now meeting with Federal Government to obtain extra funding RECOMMEND COMPLETION
NSW emergency services 2011-2012 budget estimates	Res 85/11 Ord Mtg 20/4/2011	That Council approach the new State Government about the better management of the balance of Rural Fire Service funding.	Response from Government did not address the issue so a further letter sent
Redbank Creek Dam	Res 146/11 Ord. Mtg 20/7/2011	That: 1. 2. Council re-affirms its determination that it does not consider itself the owner of Redbank Creek Dam; and 3. Council seeks urgent negotiations with the relevant State Government Minister to have the Council excluded as the owner of Redbank Creek Dam. Failing the correct action by the relevant Minister, Council delegates to the General Manager to take such legal action needed to achieve a determination that Council is not the owner.	Relevant letters sent. Meetings be arranged with Dam Safety Committee and National Parks
2012 Local Government Elections	Res 162/11 Ord Mtg 20/7/2011	That: 1..... 2. a report be presented to Council on the cost involved if Council conducted the election itself or used another service provider.	Information being collated. Meetings held with potential service providers.
Relocation of Mudgee Visitor's Centre	Res 170/11 Ord Mtg 20/7/2011	That: 1. 2. the relocation of the Mudgee Visitors Centre be further investigated at the appropriate time.	No action to date

-SUBJECT	RESOLUTION NO. & DATE	RESOLUTION	ACTION
Minimum rural lot size	Min No. 32/10 Ord Mtg 17/3/10	That: 1. Council gives an undertaking that the minimum rural lot size will be reviewed after completion of the comprehensive LEP and associate documents.... 2.	New project that will be commenced when the Comprehensive LEP and DCP is completed. It has been agreed that a brief will be developed by Council reviewing a number of issues including minimum rural lot size, building entitlements on existing lots and the location and size of opportunity areas.
Land Use Strategy – Council land off Madeira Road	Min No.74/10 Ord Mtg 21/4/10	That Council does not include this land in the Land Use Strategy but include in the gateway process at a later date after further public consultation	Noted, no action scheduled until after the completion of the Comprehensive LEP and DCP.
Land Use Strategy – 520 AHD in Mudgee	Min No. 75/10 Ord Mtg 21/4/10	That the Draft Land Use Strategy be amended to permit an investigation of land above the 520 AHD with a report to be submitted to Council at a later time.	Noted, investigation to be scheduled when resources permit.
Mudgee Motor Cross Track	Res. COR52/10 Corp Serv Mtg 5/5/10	That ... 1. Council receive a report on all Crown or community land available with a reasonable radius of Mudgee township (7km) suitable for the permanent location of the Mudgee motor cross track; 2. in the event suitable land is identified, Council assist the Mudgee Motor Cross Club to obtain a long term lease or any other suitable commercial arrangement to allow the establishment of a motor cross track; 3.	Agreement has been reached with the club on a site at Buckaroo. Awaiting the zone change in LEP to finalise agreement.
Old saleyards site	Min No. 313/10 Ord. Mtg 17/11/10	That Council undertakes the land capability study for the old saleyards site in conjunction with the adjoining land owner.	Council is working with a consortium who wish to develop this area

-SUBJECT	RESOLUTION NO. & DATE	RESOLUTION	ACTION
Request for Regional Development Authority in MWR	Min No. P69/10 P&D Mtg 7/12/10	That Council write to the Minister for Regional Australia, Regional Development and Local Government and Minister for the Arts, The Hon Simon Crean MP requesting that the a Regional Development Authority be established in Mid-Western having regard to expected level of growth expected to occur in this region.	Letter sent to Minister. Crean and reminder letters sent as no response to date. Meetings have been held with the Federal MP Mr Mark Coulton and the Orana RDA with the intent of having this community represented on the Orana Board
Cobbora Mine	Min No. 76/10 Ord Mtg 21/4/10	That: 1. Council rely on the expert assessment of the Department of Environment & Climate Change Water as we have done in the past to assess the hydrological impacts for the proposed Cobbora Mine once the Environmental assessment has been completed. 2. Council approach both Warrumbungle and Wellington Councils about joining forces regarding the provision of information and cost sharing to pursue this issue.	Awaiting the release of the Environmental assessment so that the Department can assess the base data..
Proposed Transfer of water associated with Cobbora Mine	Min No. P70/10 P&D Mtg 15/12/10	That Council write to the Mayor of Warren Council to facilitate a meeting between Mid-Western Regional Council, Warren Shire Council, Cudgegong Valley Water Users Group, Warren Water Users Group, and NSW Office of Water, to discuss the impact of the proposed transfer of water associated with the Cobbora Mine.	Letter sent on 22/12/2010. No response to date.
Return of Royalties	Min No. COR13/11 Fin & Cor Mtg 2/3/2011	That consideration of the Royalties in the Region be deferred until the Coalition policy is released.	The Mayor continues to advocate this position to the State Government Officials.

-SUBJECT	RESOLUTION NO. & DATE	RESOLUTION	ACTION
Cobbora Mine Development	Res. 19/11 Ord. Mtg 16/2/2011	That Council arrange a meeting with our neighbouring council areas who would be involved in the Cobbora Mine development.	The Updated Project Report has been submitted to the DoPI. When EA lodged a meeting will be organised
Cobbora Mine pEA	Min No. P.19/11 P&D Mtg 7/9/2011	That MWRC contact the Murray Darling Basin Association regarding assistance in preventing the movement of water extraction licences from the Macquarie into the Cudgegong River system.	Letters sent. No response to date.

ITEM 5: MAYORAL MINUTE (If Any)

(Insert Mayoral Minute (if any))

ITEM 6: GENERAL BUSINESS

6.1 NOTICES OF MOTION

Nil.

6.2 REPORTS

6.2.1 DA0036/2012 - GOLF CLUBHOUSE – LOT 182 DP 1125697, 21 ROBERTSON STREET, MUDGEE

REPORT BY SENIOR STATUTORY PLANNER
Mudgee Golf Clubhouse
A0100052, P2107861

RECOMMENDATION

- A. That the Report of the Senior Statutory Planner relating to the new clubhouse at Lot 182 DP 1125697, Mudgee Golf Club, 21 Robertson Street Mudgee be noted;
- B. That Development Application No. 0036/2012 for a new clubhouse at Lot 182 DP 1125697, Mudgee Golf Club, 21 Robertson Street Mudgee be approved in accordance with the following conditions:

APPROVED PLAN

1. Development is to be carried out in accordance with stamped Statement of Environmental Effects, including stamped plans DAD 1.00A to 1.04A, undated, prepared by Nicholas Associates Architects, forming part of application 0036/2012 received by Council 10.08.2011 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.

AMENDMENTS

2. The development is to be fully accessible and compliant with the standards of the Disability Discrimination Act, including an accessible path of travel and pedestrian crossing from the car park to the clubhouse.
3. A total of two (2) accessible car parking spaces, consistent with Council's Design for Accessibility DCP, are to be provided within the formalised car park.
4. Electric lighting and shade trees, consistent with Council's Car Parking DCP, are to be provided to the formalised car park, the purpose being to provide safe passage at night, sun control during the day and increased amenity at all times.

HEALTH AND BUILDING

5. All plumbing and drainage work must be carried out by a licensed plumber and drainer and must comply with the requirements of AS 3500 (National Plumbing & Drainage Code) and the NSW Code of Practice - Plumbing & Drainage.
 - The selected plumber/drainer must provide Council with a drainage diagram detailing the location of the drainage system and the relevant connections.
 - All plumbing and drainage inspections must be carried out by Council prior to the covering of any trenches or wall/ceiling linings.

6. All building work must comply with the requirements of the Building Code of Australia 2011, Volume One, together with the relevant Australian Standards and also the Environmental Planning and Assessment Act, 1979, as amended, and Regulations.
7. All mandatory inspections required by the Environmental Planning and Assessment Act and any other inspections deemed necessary by the Principal Certifying Authority must be carried out during the relevant stages of construction.
8. Construction work noise that is audible at other premises is to be restricted to the following times:
 - Monday to Friday -- 7.00am to 6.00pm
 - Saturday -- 8.00am to 1.00pm
 - No construction work is permitted on Sundays and Public Holidays.
9. The site must be provided with a waste enclosure (minimum 1800mm x 1800mm x 1200mm high) that has a lid or secure covering for the duration of the construction works to ensure that all wastes are contained on site. The enclosure is to be emptied periodically to reduce the potential for rubbish to be blown from the site.
10. Prior to the occupation of the new building, an Occupation Certificate must be obtained from the Principal Certifying Authority appointed for the erection of the building.
11. During construction temporary toilet facilities are to be provided at or in the vicinity of the nominated work site and for this purpose provide either a standard flushing toilet or an approved sewage management facility.
12. A sign must be erected in a prominent position on any work site on which the erection of a building is being carried out;
 - stating that unauthorised entry to the work site is prohibited, and
 - 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.
13. All building or site works or other written undertaking or obligation indicated in the submitted plans and supporting documentation or otherwise required under the terms of this consent being carried out or implemented prior to the occupation of the premises.
14. The building must be provided with access for persons with disabilities through the main public entrance and to and within all other areas normally used by the occupants in order to comply with Australian Standards 1428.1 – 2009, 1428.4 – 1992, the Building Code of Australia and the Disability Discrimination Act.
 - Full details must be provided with the required Construction Certificate.
 - In this regard, the applicant must submit a design detail which has been certified by a qualified Accredited Access Advisor* with the application for the Construction Certificate.

NOTE: 1) A qualified Access Advisor is a current member of
Association of Consultants in Access Aust Inc 326 Autumn Street, HERNE HILL, VIC. 3218
Ph (03) 5221 2820 www.access.asn.au

2) A qualified Access Advisor should carry current and relevant public liability and professional indemnity insurances for the practice of their profession.
15. The building must be provided with sanitary facilities for persons with disabilities in order to comply with Australian Standard 1428 (Design for access and mobility), the Building Code of Australia 2011 and the Commonwealth Disability Discrimination Act.

- Full details must be provided with the required Construction Certificate and in accordance with the requirements of condition 14 regarding an Access Advisor.
16. Adequate facilities are to be provided in a screened location within the premises for the storage of garbage, discarded or returnable packaging or other forms of trade wastes and arrangements made for the regular removal and disposal of same.
 17. The proposed method(s) of compliance with the Building Code of Australia are to be clarified by documentation to be submitted with the Construction Certificate Application. In this regard, it appears that the Development Application plans do not comply with the following deemed-to-satisfy provisions of the BCA.
 - Section F2.4 -Facilities for people with disabilities.
NOTE: Australian Standard 1428.1 – 2009 applies to this development.
 - Section E - in particular, E1 Firefighting equipment, specifically the provision of hydrant(s), fire hose reels, emergency lighting and exit signs and portable fire extinguishers. (see condition 14)
 - Australian Standard 2890.6 – 2009 Parking Facilities – Part 6: Off-street parking for people with disabilities.
 - Section D3.2 Access to buildings – number and location of accessways into the building for persons with a disability.
 - Section J – Energy Efficiency
 18. The Construction Certificate application for this development must include a list of fire safety measures proposed to be installed within the development and/or on the land.
 19. A copy of the Final Fire Safety Certificate is to be provided to the Commissioner of NSW Fire Brigades and a further copy of the Certificate is to be prominently displayed in the building.
 20. For every 12 month period after the issue of the Final Fire Safety Certificate the owner/agent of the building must provide the Council with a copy of an Annual Fire Safety Statement certifying that specified fire safety measure is capable of performing to its specification.
 21. Application may be made to Council or to an Accredited Certifier for the issue of a Construction Certificate and to be the Principal Certifying Authority monitoring compliance with the approval and issuing any relevant documentary evidence or certificate(s).
 22. Prior to the commencement of any construction works, the following provisions of the Environmental Planning and Assessment Act 1979 (the Act) are to be complied with:
 - Council is to given at least 2 days notice of the date intended for commencement of building works, in accordance with Section 81A(2)(c) of the Act.
 23. There being no interference with the amenity of the neighbourhood by reason of the emission of any " offensive noise", vibration, smell, fumes, smoke, vapour, steam, soot, ash or dust, or otherwise as a result of the proposed development.
 24. All areas not provided with natural ventilation in accordance with the provisions of the Building Code of Australia being provided with an approved mechanical ventilation and/or air conditioning system complying with Australian Standard 1668, Parts 1 and 2.

ENGINEERING REQUIREMENTS**PRIOR TO THE ISSUE OF CONSTRUCTION CERTIFICATE**

25. The developer shall obtain a Certificate of Compliance under the Water Management Act 2000. This will require:

a) Payment of a contribution for water and sewerage headworks:

Water Headworks	\$	2,229
Sewerage Headworks	\$	1,017
Total	\$	3,246

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.

26. Onsite water reticulation must be in compliance with the Australian Standards for onsite fire hydrant design AS3500.1 (metering requirements only) and AS2419.1:2005 – Fire Hydrant Installations which provides advice regarding onsite hydrant installation (i.e. not street hydrants) and details the requirements for plumbing installations for hydrant services.
27. In accordance with the provisions of section 94A of the Environmental Planning and Assessment Act 1979 and the Mid-Western Regional Council Section 94A Development Contributions Plan, a levy of 1% of the cost of carrying out the development shall be paid to Council in accordance with this condition for the purpose of:
Traffic Management, Road Works, Open Space, Community Facilities and Plan Administration.
The levy is: \$28,000 based on the estimated cost of development of \$2,800,000.
28. The following conditions must be complied with prior to the Principal Certifying Authority issuing a Construction Certificate.
- Approval for discharge of liquid trade waste to the sewer is required prior to the issue of a Construction Certificate. An application form is to be submitted for this purpose, including discharge rate and site plan details.
29. A security deposit of \$2000 shall be lodged with the Council prior to the submission of the Construction Certificate. The deposit shall be refunded where no damage has occurred.
30. 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 run off 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.
31. An Erosion and Sediment Control Plan for the development is to be prepared and implemented in accordance with the LANDCOM guidelines and requirements as outlined in the latest edition of “Soils and Construction – Managing Urban Stormwater”. Points to be considered include, but are not limited to:
- Saving available topsoil for reuse in the revegetation phase of the subdivision;

- Using erosion control measures to prevent on-site damage;
- Rehabilitating disturbed areas quickly;
- Maintenance of erosion and sediment control structures;

ENGINEERING CONSTRUCTION

32. 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.
33. The applicant shall repair any part of Council's property damaged during the course of this development in accordance with Aus-Sec #1 and any relevant Australian Standard.
34. The adjustment of any existing utility services or installation of new services is to be at the full cost of the developer.

GENERAL

35. All parking and maneuvering areas are to be sealed with a hard standing, all weather material prior to occupation of the development, and must be maintained in a satisfactory condition at all times.
36. All vehicles to enter and leave the site in a forward direction at all times.
37. All loading and unloading in connection with the premises shall be carried out wholly within the site.
38. All exterior lighting associated with the development shall be designed and installed so that no obtrusive light will be cast onto any adjoining property or roadways, in accordance with Australian Standard 4282 "Control of the Obtrusive Effects of Outdoor Lighting".

EXECUTIVE SUMMARY

The applicant proposes the construction of a new clubhouse to serve Mudgee Golf Club, incorporating bars, kitchen, lounge areas, club amenities and outdoor terraces.

The new clubhouse is proposed to be located upon the site, and largely within the footprint, of the former clubhouse, this having been recently demolished due to significant fire damage.

The application is recommended for approval, no submissions were received during the Exhibition period and the application is reported to Council as the value of the development exceeds Staff delegation.

DETAILED REPORT

ASSESSMENT

The application has been assessed in accordance with Section 79C(1) of the Environmental Planning & Assessment Act 1979. The main issues are addressed below as follows.

1. REQUIREMENTS OF REGULATIONS AND POLICIES:

(a) Provisions of any Environmental Planning Instrument and any draft EPI

Midwestern Regional Interim Local Environmental Plan 2008

The land is zoned Local Open Space-Private pursuant to MWR Interim Local Environmental Plan 2008. The Zone objectives are;

- *To enable land to be used for private open space, recreational and associated purposes.*
- *To enable development to be carried out for the recreational needs of the local community.*
- *To enable related uses that will encourage the enjoyment of the land for recreational purposes.*
- *To enhance, restore and protect the natural environment for recreational purposes.*

Comment: The proposal, being the replacement of a pre-existing recreational facility, fulfills each of the zone objectives. Recreation facilities and registered clubs are permitted with Council consent.

Draft Midwestern Regional Local Environmental Plan 2011

The Draft Plan has been placed on public exhibition and is a relevant consideration under Section 79C of the Act. A review of the Draft Plan indicates that the proposal would be permissible with consent.

(b) Provisions of any Development Control Plan or Council Policy

Development Control Plans of relevance to the proposal include;

Advertising Signs

The internally-lit, rooftop signage, although not entirely consistent with Council's DCP for advertising signs, is recommended for approval as being an integral design element of the proposed clubhouse. In consideration of the site's relative isolation, the potential negative impact upon neighbouring properties is minimal.

Car Parking

Council's Car parking DCP requirements relating to licensed areas prescribes an average of 1 space per 7m² to 4m² floor area, dependant on the type of licensed area. As the areas in question comprise 473m² (not including outdoor terraces), this would equate to the need for approximately 68 to 120 spaces. There is minimal change in floor area with the proposed development being only 30m² larger than the original clubhouse.

The proposed car parking, including overflow parking spaces, is consistent with that of the previous club house, being 16 formalised and 95-125 informal spaces. This is considered adequate for the needs of patrons and employees.

It is recommended that one additional accessible parking space be provided.

Design for Accessibility

The assessing officer has held discussions with the applicant regarding the need for Council to inform of current requirements under the Disability Discrimination Act. The applicant has assured Council that concerns regarding accessible parking, a clear path of access, entry, accessible toilet facilities and etc. have been considered during the design phase and will be further refined under the guidance of an accessibility consultant in the phase leading up to construction drawings.

2. IMPACT OF DEVELOPMENT

Context and Setting

The development is proposed to be located within a prime, landscaped setting and contained largely within the footprint of the previous clubhouse. Not only does its isolated location limit the potential for negative impact upon neighbouring properties, it presents an excellent opportunity for development.

Access, transport and traffic

The application does not propose anything significantly different in terms of land use to the previous clubhouse and therefore it is anticipated that the impacts will be largely similar to the previous clubhouse.

The number of parking spaces is consistent with the previous clubhouse. Approval will condition one additional disabled parking space, bringing the total to two, and a fully accessible path of travel to the main entrance.

Social impact in the locality

It is anticipated that the provision of enhanced facilities for the Mudgee Golf Club will have a positive social impact upon this publicly-accessible space.

Economic impact in the locality

The proposal may result in increased local employment opportunities and act as a drawcard for tourists to the township of Mudgee.

Site design and internal design

The proposal will be largely contained within the footprint of the previous clubhouse and optimised for views and solar access. The internal design, although lacking in some detail, has been developed to reflect the requirements of the Golf Club and its clientele.

Construction

Construction details are to be finalised at Construction Certificate stage.

3. SUITABILITY OF SITE FOR DEVELOPMENT

(a) Does the proposal fit in the locality and are the site attributes conducive to development?

The proposal is to replace a former clubhouse, the footprint of the proposed new building being largely consistent with that of the previous building. As the proposed location is considered to be at a suitable distance from neighbouring development, the opportunity exists for a standard of design free from many of the constraints, (with regard to scale, materials and colour), that would normally apply, had the clubhouse been located within the urban context.

4. SUBMISSIONS MADE IN ACCORDANCE WITH ACT OR REGULATIONS

(a) Public Submissions

The proposal was advertised for a period of 14 days. No submissions were received.

(b) Submissions from public authorities

None

5. THE PUBLIC INTEREST

The Community interest is served by the enhancement of a publicly-accessible facility, developed in compliance with Council's plans and policies.

6. CONSULTATIONS(a) Health & Building.

Recommendations listed under the conditions of consent

(b) Technical Services

Recommendations listed under the conditions of consent

7. POLITICAL DONATIONS

The applicant has made no political donations.

8. CONCLUSION

The proposal is in accordance with the LEP and applicable DCP's and is unlikely to have any significant impact in terms of the likely social, economic or environmental impacts.

On that basis, the application is recommended for conditioned approval.

OPTIONS

1. That Development Application 0036/2012 for a clubhouse at Lot 182 DP 1125697, Mudgee Golf Club, 21 Robertson Street Mudgee be approved subject to conditions included within the recommendation.
2. That approval for Development Application 0036/2012 for a clubhouse at Lot 182 DP 1125697, Mudgee Golf Club, 21 Robertson Street Mudgee be deferred pending further detailing of the proposal.

POLITICAL DECLARATION

Has there been a declaration of political donation in accordance with the Election Funding & Disclosures Act 1981

No political donations

GARY BRUCE
MANAGER - STATUTORY PLANNING

CATHERINE VAN LAEREN
GROUP MANAGER – DEVELOPMENT & COMMUNITY SERVICES

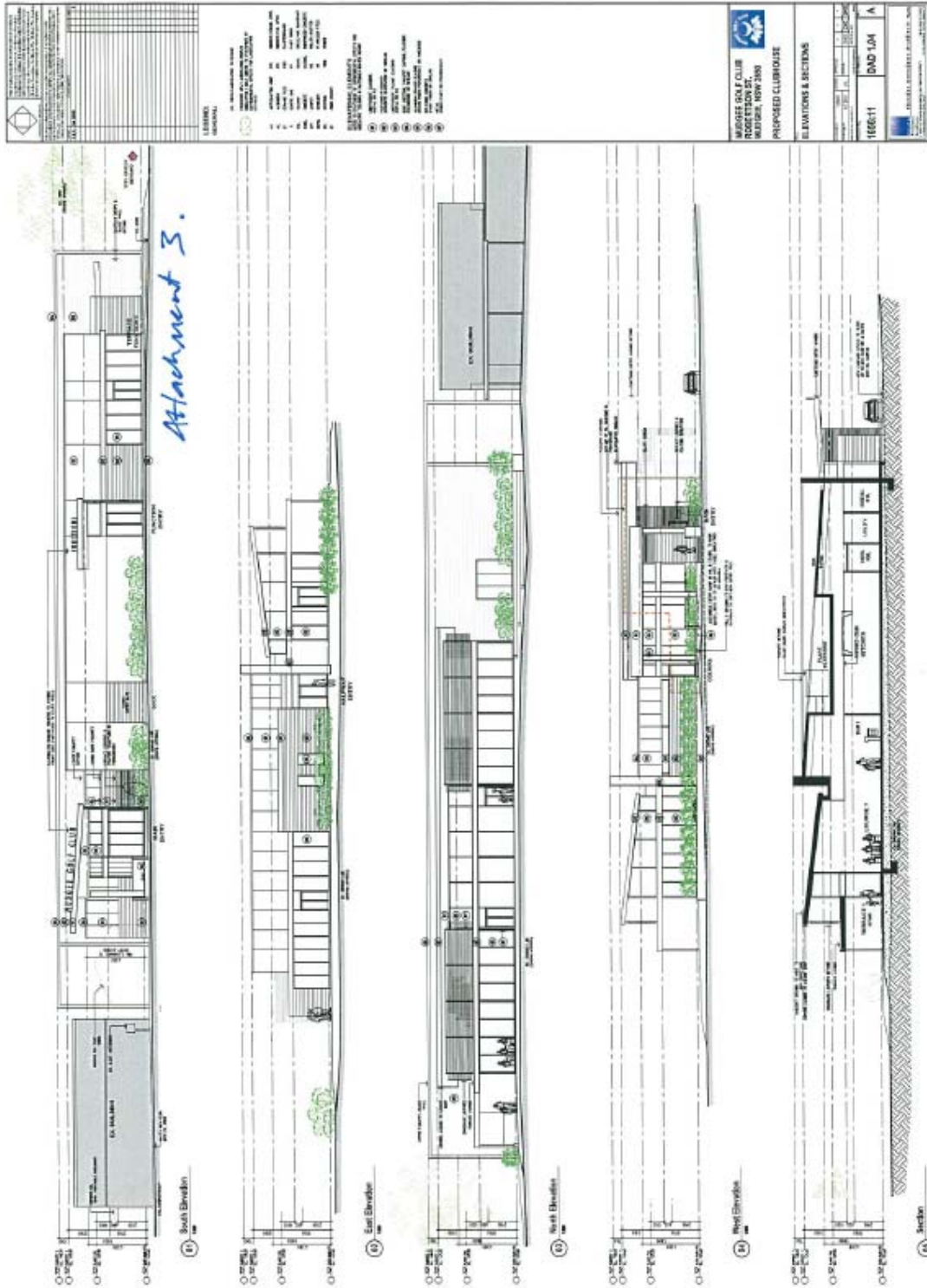
21 September 2011

Attachments:

1. Location Plan
2. Ground Plan
3. Elevations

APPROVED FOR SUBMISSION:

WARWICK BENNETT
GENERAL MANAGER:



6.2.2 DA0339/2011 - RURAL SUBDIVISION – LOT 341 DP 1094093, 27 ROBERT HODDLE GROVE, MUDGEE

REPORT BY ENVIRONMENTAL TOWN PLANNER
Development Application 0339-2011 27 Robert Hoddle Grove
A0100052, P1952761

RECOMMENDATION

- C. That the Report of the Environmental Town Planner relating to the proposed subdivision of Lot 341 DP 1094093, Mudgee be noted;
- D. That Development Application No. 0339/2011 for a two lot rural subdivision at Lot 341 DP 1094093, be approved in accordance with the following conditions:

APPROVED PLAN

- 1. Development is to be carried out in accordance with stamped plan Drawing No. H083MU, Dated 19/5/2011 and Statement of Environmental Effects, Dated 19 May 2011 amended 18 August 2011, prepared by Whelans Insites and forming part of the development application received by Council on 31.05.2011 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.

PRIOR TO THE ISSUE OF THE SUBDIVISION CERTIFICATE

- 2. A linen plan and two (2) copies are to be submitted to Council for approval and endorsement by the General Manager.
- 3. 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.
- 4. If the *Subdivision Certificate* is not issued, for any reason whatsoever, within twelve (12) months of the date of determination, then the charges and contributions contained in this consent, may be increased to the current rate at the time of payment.
- 5. A Restriction as to user is to be placed on the title of the new allotment in accordance with the Conveyancing Act which states that no dwelling house is permitted to be erected or remain within proposed lot 1. Council is to be a benefitting authority.

EXECUTIVE SUMMARY

The proposed development is comprised of a one into two lot subdivision pursuant to the provisions of State Environmental Planning Policy – Rural Lands. The subdivision intends to create a new parcel of approx. 10Ha for agricultural purposes leaving a residue that will be in the order of 29Ha. The proposed lot boundary will generally trace what is termed the Draft LEP boundary which is a reference to the Draft Mid-Western Regional Comprehensive Local Environmental Plan (the Draft Plan).

The proposed lots will derive access via an existing access handle to Robert Hoddle Groove which is to be divided equally between the lots and it is proposed that reciprocal rights of way established in favour of each lot effectively creating a 10m thoroughfare for access. It is noted that the access does currently exist and is utilised by Council as a means of access to an existing sewer pump station.

This application has been referred to Council for determination due to the number of unresolved objections.

DETAILED REPORT

ASSESSMENT

The application has been assessed in accordance with Section 79C(1) of the Environmental Planning & Assessment Act 1979. The main issues are addressed below as follows.

1. REQUIREMENTS OF REGULATIONS AND POLICIES:

(a) Provisions of any Environmental Planning Instrument and any draft EPI

The land is zoned Intensive Agriculture pursuant to the Mid-Western Regional Interim Local Environmental Plan 2008 (the LEP). Clause 12 of the LEP requires the consent authority to consider the zone objectives when determining a development application in respect of land within the subject zone.

The subject application achieves the objectives for the Intensive Agriculture zone, as follows:

- The subject DA will not permit any inappropriate development of land, and no additional dwelling entitlement is being sought on Lot 1;
- The land is protected from inefficiencies posed by excessive and non-productive improvements, fragmentation of holdings and conflict between land uses as the use of the land will remain unchanged as a result of the proposed subdivision; and
- The proposed subdivision will not create unreasonable or uneconomic demands for the provision or extension of public amenities and services.

Clause - 19 Minimum subdivision lot size

Clause 19 specifies a minimum lot size of 20Ha for the subject zone. The proposed development relies on the provision of Clause 9 of the SEPP – Rural Lands to set aside the minimum area of Clause 19 of the LEP.

Clause - 37 Subdivision of land within Agriculture, Intensive Agriculture, Rural Small Holdings and Investigation Zones—general requirements

The consent authority must not consent to the subdivision of any land within the Agriculture, Intensive Agriculture, Rural Small Holdings or Investigation Zone unless it has considered the purpose for which each allotment created by the subdivision is intended to be used.

Land within the Intensive Agriculture Zone can be utilised for agriculture, in accordance with the LEP. Agriculture is defined in the LEP as including the grazing of livestock. The subject site is currently utilised for cattle farming. The subject application does not propose to create an additional dwelling entitlement on Lot 1 and this existing use of the land will remain unchanged as a result of the subject DA.

Clause 38 - Subdivision of land within Agriculture Zone or Intensive Agriculture Zone for agricultural uses or dwellings

The relevant matters specified by Clause 38 have been considered below.

(a) the effect on the existing and potential capability of the land and adjacent land to produce food or fibre or to be used for any agricultural purposes,

Comment:

The proposal seeks to excise off a portion of the existing allotment that is subject to constraints from potential land use conflict. The subdivision will preserve the more productive portion of the site in a single large portion of land.

(b) whether legal and practical access to any proposed lot can be provided to an existing dedicated road reserve,

Comment:

The access is via an existing formed right of carriageway with access to Robert Hoddle Grove. An upgrade or modification of the access is not warranted.

(c) the effect of the proposed use on adjoining existing development,

Comment:

The proposed subdivision will result in the status quo in terms of land uses in the area however; the subdivision intends to hive off the part of the land that will subject to less conflict due to the location of zone boundaries which based on considering the CLUS and the Draft Plan is likely to become more entrenched over time not less.

(d) the effect of the proposed use on the natural environment, including water resources,

Comment:

The proposed subdivision will not change the current usage of the land and is not likely to create a situation where unreasonable impacts on the natural environment arise.

(e) the effect of the proposed development on vegetation, timber production, land capability (including soil resources and soil stability) and water resources (including the availability, quality and stability of watercourses and ground water storage and riparian rights),

Comment:

The proposed subdivision is not likely to have a detrimental impact on these matters.

(f) the protection of areas of significance for nature conservation or of high scenic or recreational value,

Comment:

The subject site is not identified as being of particular significance for nature conservation, scenic or recreation value. It is noted that this clause refers to items that would be of regional significance and it is recognised that the objectives of the zone seek to preserve areas of amenable rural

character, in this instance the proposed subdivision will not have a perceptible impact on the character of the locality.

(g) the potential for land use conflict with adjoining or adjacent uses where the new allotments, and any resulting potential future development, are likely to inhibit or give rise to complaints about normal farming practice (such as pesticide spraying, noxious weeds and feral animal control, bush fire hazard reduction work, noise, separation from noxious odours and the like).

Comment:

The purpose of the subdivision is to reduce land use conflict by separating the areas of the farm that are likely to be currently, and increasing subject to land use conflict over time.

State Environmental Planning Policy (Rural Lands) 2008 (SEPP – Rural Lands)

The relevant provisions of the SEPP – Rural Lands are generally contained within Clause 9 – Rural subdivision for agricultural purposes which have been included below for reference.

- 9(2) *Land in a rural zone may, with consent, be subdivided for the purpose of primary production to create a lot of a size that is less than the minimum size otherwise permitted for that land.*
- 9(3) *However, such a lot cannot be created if an existing dwelling would, as the result of the subdivision, be situated on the lot.*
- 9(4) *A dwelling cannot be erected on such a lot.*

The applicant has lodged the subdivision relying on the provisions of Clause 9(2) which allows the creation of an allotment that is otherwise below the minimum lot size. The subject site is vacant land and no dwellings are present which satisfies Clause 9(3). Clause 9(4) would be most appropriately addressed via the conditions of consent if the application were approved.

The objective of clause 9 is to provide flexibility in the application of standards for subdivision in order to allow a greater opportunity to achieve the objectives for development within the relevant zone. As stated above the proposal seeks to subdivide the part of the lot which is going to be increasingly unproductive due to the likelihood of increasing land use conflict and potential future zoning which does not permit agriculture.

Draft Midwestern Regional Local Environmental Plan 2011

The Draft Plan has been placed on public exhibition and is a relevant consideration under Section 79C of the Act. A review of the Draft Plan indicates that the proposal would be permissible with consent and it is noted that the draft zone boundaries reflect the Town structure Plan contained within the CLUS which if made would change the zone of proposed Lot 1 to Low Density Residential which does not permit agriculture.

(b) Provisions of any Development Control Plan or Council Policy

The proposal has been notified to adjoining owners in accordance with the Development Control Plan – Notifications.

2. IMPACT OF DEVELOPMENT

The proposed subdivision will have a negligible impact on the existing environmental condition. The subdivision is likely to facilitate the ongoing use of the land in accordance with the objectives of the zone.

3. SUITABILITY OF SITE FOR DEVELOPMENT

(a) Does the proposal fit in the locality

Yes

(b) Are the site attributes conducive to development

Yes

4. SUBMISSIONS MADE IN ACCORDANCE WITH ACT OR REGULATIONS

(a) Public Submissions

Eight public submissions were received in response to the notification of the proposal; all were objections to the proposal.

A number of consistent themes were present across the majority of the submissions which may be summarised as,

- *We were of the understanding that when we purchased our allotment that no further subdivision in the area would be permitted.*
- *Is the lot to be further subdivided?*
- *We are concerned that the development of the land for residential purposes will have a significant impact on the existing amenity of the neighbourhood. There will be significant visual impacts which would lead to properties being devalued.*

The proposed development seeks to create a single allotment that will not enjoy dwelling rights. The assessment indicates that the application is consistent with the SEPP – Rural Lands that prevail over the LEP notwithstanding, the proposal would not result in the types of impacts raised in the objections.

In this regard the subject subdivision proposal has little bearing on any future zoning or land use potential other than as stated above and therefore the objections are generally beyond the scope of the current application for subdivision.

5. THE PUBLIC INTEREST

(a) Federal, State and local government interests and community interests

The proposal is in keeping with the public interest.

6. POLITICAL DONATIONS

The applicant has made no political donations.

7. CONCLUSION

The proposal is in accordance with the LEP and SEPP – Rural Lands and is unlikely to be deleterious to the environment in terms of the likely social, economic or environmental impacts and therefore the public interest is best served through the application of the State's Environmental Planning Instruments and approval is recommended.

FINANCIAL IMPLICATIONS

Not applicable.

STRATEGIC OR POLICY IMPLICATIONS

Not applicable.

OPTIONS

1. The application be approved subject to conditions included within the recommendation.
2. The application be refused.

POLITICAL DECLARATION

Has there been a declaration of political donation in accordance with the Election Funding & Disclosures Act 1981

No

19 September 2011

Attachments: 1. Locality Plan
2. Subdivision Plan
3. Public Submissions

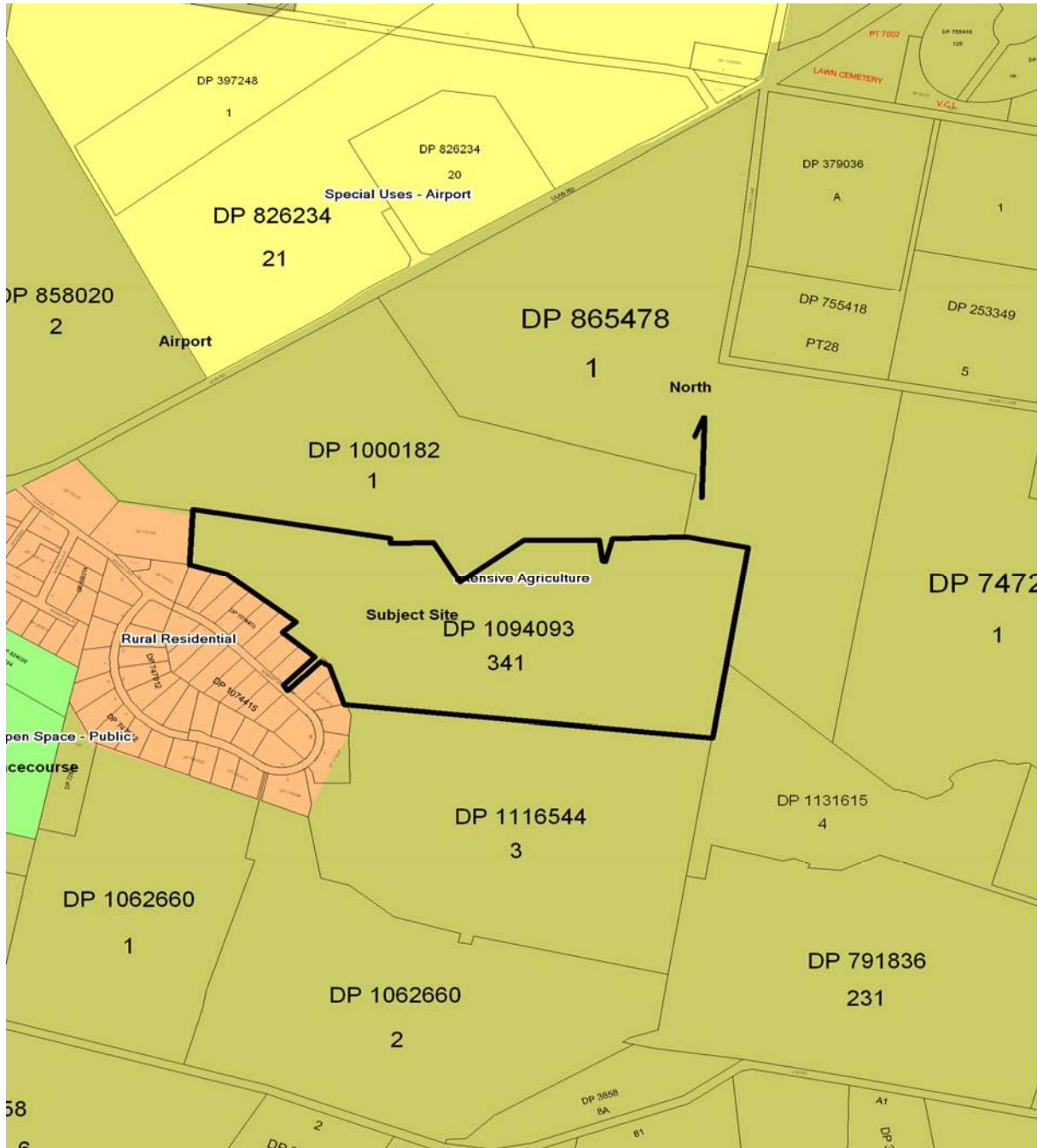
GARY BRUCE
MANAGER - STATUTORY PLANNING

CATHERINE VAN LAEREN
GROUP MANAGER – DEVELOPMENT & COMMUNITY SERVICES

APPROVED FOR SUBMISSION:

WARWICK BENNETT
GENERAL MANAGER

ATTACHMENT 1



ATTACHMENT 3

1. Penny

Please note that Amy and Justin Penney of 26 Robert Hoddle Grove would like to make an objection to DA application number 0339/2011 since we have previously been advised throughout the subdivision of Robert Hoddle Grove lots that this area was not to be zoned for sub division.

Regards

Amy Penney

2. Cox

"Tahamuna"
24 Robert Middle Lane
Mudgee 2850

Mid Western Regional Council
Attention: Nathan Burr

Dear Sir,
Reference DA 0339/2011
We Michael Geoffrey and
Elizabeth Bose strongly object
to the development application
(DA) Proposed subdivision
27 Robert Middle Lane Bombina

MC Bose mef Cox
E Bose
Elizabeth Bose

3. Hayes

30 Robert Hoddle Grove
Bombira NSW 2850

17th June, 2011

Re: Proposed New Sub-division
in area

When purchasing our land in Robert Hoddle Grove I was informed the land opposite would not be sub-divided in the future.

I would like to lodge a strong objection to this proposed new sub-division.

Murray D. Hayes

4. Sheridan

17/6/2011

Matthew Sheridan**45 Robert Hoddle Grove****Bombira 2850**

Dear General Manager,

Re; Development Application DA0339/2011 -Proposed subdivision -Torrens title 27 Robert Hoddle Grove Bombira NSW 2850 Lot 341 DP 1094093.

We are opposed to the proposed subdivision.

As residents of Robert Hoddle we are concerned about the impact it will have on our property value, we purchased this parcel of land in 2004 for the vista of the open country behind our block and the space our block provides us and our children.

We are concerned that the proposed subdivision will encroach on our peaceful lifestyle with the increased road and foot traffic that the proposed subdivision will bring and subsequently devalue our house and land value.

We are also not pleased with the approved subdivision between our block and that on the Cassilis Rd, as it will ruin our vista and land value as well.

Back in 2004 we paid an amount of \$170,000.00 for our block, which was unheard at the time for one acre, so as you can see we paid a high premium to have the peace and quiet and the open country with no dwellings behind us.

Yours Sincerely

Matthew Sheridan.

5. Edwards

Re: Objection to DA Reference 0339/2011 (Subdivision 27 Robert Hoddle Grove)

We CJB & CI Edwards wish to register our opposition to the proposed subdivision of 27 Robert Hoddle Grove, Mudgee.

We bought our house in Mudgee on the understanding that the flood plain beneath our house would not be built upon and advice we sought from Mr. Dalton was that 16 hectares (40 acres) would be the minimum subdivision size of the area in question. Our understanding of the proposed subdivision contravenes this as one lot would in fact be approximately 10.8 hectares.

Most importantly we regard the subdivision plan as totally irresponsible in light of recent flooding of the flood plain below us. The recent flooding of Brisbanein areas built on flood plains highlights the impact of negligent town planning.

We are prepared to take legal action on this matter.

Thank you for considering our objection.

Kind regards,

CJB & CI Edwards

6. Parker

Dear Sir,

I apologise for being late on this matter as I was on annual leave.

In regards to DA 0339 / 2011 and the Proposed Subdivision I would like to voice my concern regarding the subdivision that has been submitted to council. I have been notified by Nathan Burr today that this matter has not been finalised as yet.

I am the owner of Lot 16 / 43 Robert Hoddle Grove Bombira & the reason we purchased there was because i was told that the land behind my block would always remain zoned as agricultural only.

My concerns are :

- 1) If this Subdivision is approved, will there next be an application for residential land ?
- 2) Is this Subdivision going to contradict what other residents were led to believe would never happen ?
- 3) If so, will there be access given to two-way traffic along the current access road next to my property, which can only lead to de-value mine & other properties in the Grove, along with increased traffic flow ?

Kind Regards,

Steve Parker

7. Williamson

Dear Nathan

Re: DA 0339\2011 - Subdivision of Lot 27 Robert Hoddle Grove, Bombira

I would like to raise an objection to the proposed subdivision particularly as it indicates that more houses will be built outside the original development where all boundaries are on Robert Hoddle Grove.

I understand from the residents that I have spoken to on Robert Hoddle Grove that before purchasing their blocks they were assured, as we were before purchasing the block known as number 25 Robert Hoddle Grove, that there would be no further development in the immediate area and therefore no one could be built out or have their views obstructed in any way and the beautiful rural views that attracted us to Robert Hoddle Grove would be maintained.

It is very disturbing to hear that this application to subdivide number 27 has been lodged with Council for consideration as it contravenes the verbal pledges that it seems were made to all of the current residents and to holders of blocks of land on Robert Hoddle Grove who intend to build homes there.

In closing, I and my husband Ross Williamson, definitely oppose the subdivision of No. 27 Robert Hoddle Grove and urge that it does not get approval to proceed.

With thanks.

Yours sincerely

Robyn and Ross Williamson

8. Rowe

Dear Sir,

Our objection to the above development is admittedly one of self interest and I would assume one shared by affected neighbours. While the proposal as stated is at first impression basic, it is the end game which concerns us.

A basic subdivision of farm land into two smaller holdings begs two questions -

1. Are the smaller holdings going to be sold off?
2. Is the second/current owner going to apply for further subdivision i.e. residential development at a later date.

I have no concerns if the end result is two small farms, a very acceptable outcome and preserving the rural environment. Should the result be residential development then I have a major concern. The rural environment and picturesque rural views which we currently enjoy (and have paid for) will be severely compromised, possibly a view of colourbond fences and the view to the distant mountains obliterated. No thank you. This is not what living in Bombira is about.

We have no option but to register our objection in the strongest terms.

Yours truly,

Gerry and Marilyn Rowe

**6.2.3 DA0366/2011 - MULTI-UNIT DEVELOPMENT AND COMMUNITY TITLE SUBDIVISION -
LOT 2 DP 1121596, 20 BURRUNDULLA ROAD, MUDGEE**

REPORT BY SENIOR STATUTORY PLANNER
Multi-unit Development
A0100052, P1965561

RECOMMENDATION

- E. That the Report of the Senior Statutory Planner relating to the Multi Unit Housing development and subdivision at Lot 2 DP 1121596, 20 Burrundulla Avenue Mudgee be noted;**
- F. That Development Application No. 0366/2011 for a Multi unit Housing Development and community title subdivision at Lot 2 DP 1121596, 20 Burrundulla Road, Mudgee be approved in accordance with the following conditions:**

APPROVED PLAN

- 1. Development is to be carried out in accordance with stamped plans 0246-A01 rev.B and 0246-A02 to 0246-A19 rev.A, dated 9/11 and Mar. 11 respectively, prepared by Inline Design Solutions, forming part of application 0366/2011 received by Council 15.06.2011 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.**

BUILDING DESIGN

- 2. All ensuite, bathroom and WC windows are to consist of frosted, translucent glass; the purpose being to prevent overlooking from the windows of opposing units and public or communal spaces, thereby enabling compliance with Council's Residential Development Control Plan 5.7**
- 3. Skylights/skytubes or similar roof-mounted devices are to be installed above the laundry and WC of units 8 and 9, the laundry and kitchen of unit 10, and the kitchen of units 1, 3, 4, 5, 6, 8 & 9,- being a total of thirteen (13) devices in all; the purpose being to improve amenity, conserve energy and compensate for limited exposure to natural light, thereby enabling compliance with Council's Residential Development Control Plan 5.2**

FENCING AND GATES

- 4. As per the agreement reached between Council and the applicant during a meeting held 15.08.2011 and as indicated on site plan 0246-A01 rev.B, the fencing of Lochiel lane is to be of a total height no greater than 1500mm, the purpose being to improve the amenity, activation, and passive surveillance of Lochiel Lane, thereby enabling compliance with Council's Residential Development Control Plan 3.2. The fencing is to comprise 1500mm high rendered masonry columns joined by a 1200mm high rendered masonry wall topped by 300mm of horizontal timber slates, being a total height no greater than 1500mm.**

5. Fences adjoining communal spaces are to be of a total height no greater than 1500mm, as indicated on site plan 0246-A01 rev.B, the purpose being to improve the amenity, activation, and passive surveillance of communal space. The fencing is to comprise 1500mm high rendered masonry columns joined by a 1200mm high rendered masonry wall topped by 300mm of horizontal timber slates, being a total height no greater than 1500mm.
6. Fences between individual units are to be 1800mm in height, as indicated on site plan 0246-A01 rev.B, the purpose being to maintain the privacy of the individual units and enable compliance with Council's residential development control plan 5.7.
7. Gates, as indicated on site plan 0246-A01 rev.B and no greater in height than 1500mm, are to be provided to each unit, the purpose being to ease the transporting of waste containers from the yards of the individual units to collection points on Burrundulla Ave and Lochiel Lane, thereby enabling compliance with Council's Residential Development Control Plan 5.10.

LANDSCAPING AND LIGHTING

8. A detailed landscaping plan, consistent with section 5.4 of Council's Development Control Plan for Residential Development is to be prepared and approved by Council prior to the commencement of works, the objectives of Council landscaping policies being to reduce the impact of the development, provide a harmonious environment, and maintain privacy. The landscaping plan is to include electric lighting of the internal access way, pedestrian walkway and visitor car parks.

CLOTHES DRYING FACILITIES

9. Clothes drying facilities are to be wall or post mounted and placed in accordance with site plan 0246-A01 rev.B, the purpose being to screen from view of the public (as opposed to communal) space and main (as opposed to internal) frontage of the development, thereby enabling compliance with Council's Residential Development Control Plan 3.1 & 3.8.

MAIL BOXES

10. The multi-unit development is to be provided with a single structure for mail delivery, the purpose being compliance with the delivery requirements of Australia Post, thereby enabling compliance with Council's Residential Development Control Plan 3.8.

ENGINEERING REQUIREMENTS

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

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 run off 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.
12. Engineering plans of any mains extensions are to be submitted to and approved by Council prior to the issue of a *Construction Certificate*.

13. A detailed engineering design supported by plans, and an “Autocad compatible” Plan, (in dwg format including pen-map), material samples, test reports and specifications is to be prepared in accordance with AUS-SPEC #1 (as modified by Mid Western Regional Council) and the conditions of this development consent. The engineering design is to be submitted to and approved by Council or an Accredited Certifier prior to the issue of a Construction Certificate.
14. 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	\$50,156
Sewerage Headworks	\$24,432
Total Payable	\$74,588
 - (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.
15. Onsite water reticulation must be in compliance with the Australian Standards for onsite fire hydrant design AS3500.1 (metering requirements only) and AS2419.1:2005 – Fire Hydrant Installations which provides advice regarding onsite hydrant installation (i.e. not street hydrants) and details the requirements for plumbing installations for hydrant services.

ENGINEERING CONSTRUCTION

16. Interallotment drainage is to be provided to remove stormwater from any lots that cannot discharge to the street in accordance with AusSpec #1.
17. The developer is to upgrade Lochiel Lane for the full width of the road from Denison Street to the southern boundary of the development site. The upgrade is to include stormwater drainage and details are to be submitted to Council for approval with the Engineering Construction Certificate.
18. 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.
19. 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
 - Sewer line installation prior to backfilling
 - Interallotment drainage line installation prior to backfilling
 - Sewer line acceptance testing
 - Practical Completion

PRIOR TO THE ISSUE OF THE SUBDIVISION CERTIFICATE

20. A linen plan and two (2) copies are to be submitted to Council for approval and endorsement by the General Manager.

21. 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: Council's fee to issue a Subdivision Certificate is set out in Council's fees and charges and for this development is \$280 at the date of determination.

22. 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**

Mudgee Catchment 1-2

Transport Management	
Traffic Management	\$10,756.70
Open Space	
Local Open Space	\$16,910.90
District Open Space	\$22,959.90
Community Facilities	
Library Buildings	\$2,209.20
Library Resources	\$2,2656.30
Administration	
Plan Administration	\$5,154.80
Total Payable	\$60,647.80

23. If the *Subdivision Certificate* is not issued, for any reason whatsoever, within twelve (12) months of the date of determination, then the charges and contributions contained in this consent, may be increased to the current rate at the time of payment.
24. Prior to the issue of a *Subdivision Certificate*:
- 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.
25. The applicant is to provide separate water and sewer reticulation services to each lot.
26. The developer is to extend and meet the full cost of water and sewerage reticulations to service the new lot 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: Council will undertake connection of approved sewerage reticulations to the existing 'live' sewerage system at full cost to the developer. Upon issue of Construction Certificate, the applicant is advised to submit to Council a request to obtain quotation for the connection works to be undertaken by Council. Any request for quotation shall include a full set of approved construction plans and a proposed schedule of works.

27. 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 \$1,100.00 per lot to cover the cost of installing both the service and a 20mm meter on the water main.

TOTAL PAYABLE 12 x \$1,100.00 = \$13,200.00

Note: 1. Council does not permit other bodies to insert new junctions into ‘live’ water mains.
 2. Internal fire fighting reticulation systems must be separately metered at full cost to the developer.

28. Three metre wide easements, including associated Section 88B instruments, are to be created in favour of Council over any existing or newly constructed inter-allotment drainage, water, or sewerage reticulation components located within the subject property, or extended through adjoining private properties as a result of this subdivision.
29. Following completion of the subdivision works, one full set of work-as-executed plans, in pdf and dwg format, which is “Autocad compatible” is to be submitted on disk 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.
30. Prior to issue of the Subdivision Certificate, Council is to be supplied with:
- a) A certificate from an energy provider indicating that satisfactory arrangements have been made for provision of electricity supply to the subdivision.
 - b) A certificate from a communication provider indicating that satisfactory arrangements have been made for provision of telephone services to the subdivision.

HEALTH AND BUILDING

31. All plumbing and drainage work must be carried out by a licensed plumber and drainer and must comply with the requirements of AS 3500 (National Plumbing & Drainage Code) and the NSW Code of Practice - Plumbing & Drainage.
- The selected plumber/drainer must provide Council with a drainage diagram detailing the location of the drainage system and the relevant connections.
 - All plumbing and drainage inspections must be carried out by Council prior to the covering of any trenches or wall/ceiling linings.
32. Separate application must be made under Section 68 of the Local Government Act 1993, as amended, to Mid-Western Regional Council for all water supply, sewerage, and stormwater drainage work associated with the development.
- Full details must be submitted to the Council for approval prior to the issue of the Construction Certificate by the Principal certifying Authority.
33. All building work must comply with the requirements of the Building Code of Australia 2011, Volume One, together with the relevant Australian Standards and also the Environmental Planning and Assessment Act, 1979, as amended, and Regulations. Full details must be provided with the Construction Certificate application.
34. The proposed methods of compliance with the Building Code of Australia are to be clarified by documentation to be submitted with the Construction Certificate

application. In this regard the Development Application plans do not contain details of the following deemed-to-satisfy provisions of the BCA.

- a) Part 3.7.1 Fire Separation - separating walls between Class 1 buildings.
 - b) Part 3.8.6 Sound Insulation requirements for separating walls between Class 1 buildings.
35. The separating walls must have a fire resistance level of 60/60/60 in order to achieve compliance with the Building Code of Australia's requirements for fire separation between two class 1 buildings on the same lot and also achieve the required sound insulation requirements for separating walls.
 36. The requirements of the submitted BASIX Certificates must be installed and/or completed in accordance with the commitments contained in those Certificates. Any alteration to those commitments will require the submission of an amended BASIX certificate/s to the Council prior to the commencement of the alteration/s.
 37. All mandatory inspections required by the Environmental Planning and Assessment Act and any other inspections deemed necessary by the Principal Certifying Authority being carried out during the relevant stages of construction.
 38. The applicant complying with the requirements of clause 2.5 "Building in Saline Environments" contained in Council's Development Control Plan for Residential Development" 2008 relating to the measures that must be implemented for the construction of house slabs and footings.
 39. With the exception of work where there is in force an exemption under clause 187 or 188 of the Environmental Planning & Assessment Act 1979, all building work that involves residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, such a contract of insurance is to be in force.
 40. No work is to commence until a copy of a Home Owners Warranty or Owner/Builders Permit has been submitted to Council.
 41. Should the development require the site to be "cut or filled" to allow for the provision of a reinforced concrete floor slab, the cut and/or fill must not exceed 1000mm. Any cut or fill must be retained by a method approved by Council.
 42. Adequate yard drainage together with appropriately sized sumps must be provided for the collection and disposal of ground surface waters to prevent a nuisance being caused to the subject property and/or adjoining properties.
 43. The disposal of this water must discharge to the street gutter or interallotment drainage easement. The ground water drainage system must be separate to the roofwater drainage system. Full details must be submitted with the Construction Certificate application.
 44. Construction work noise that is audible at other premises is to be restricted to the following times.
Monday to Friday -- 7.00am to 6.00pm
Saturday -- 8.00am to 1.00pm
No construction work is permitted on Sundays and Public Holidays.

45. The site must be provided with a waste enclosure (minimum 1800mm x 1800mm x 1200mm high) that has a lid or secure covering for the duration of the construction works to ensure that all wastes are contained on site. The enclosure is to be emptied periodically to reduce the potential for rubbish to be blown from the site. The Council encourages the separation and recycling of suitable materials.
46. Prior to the occupation of a new building, an Occupation Certificate must be obtained from the Principal Certifying Authority appointed for the erection of the building.
47. During construction, temporary toilet facilities are to be provided at or in the vicinity of the nominated work site and for this purpose provide either a standard flushing toilet or an approved sewage management facility.
48. A sign must be erected in a prominent position on any work site on which the erection of a building is being 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.
49. Runoff and erosion controls must be installed prior to clearing the site and incorporate:
 - a) diversion of uncontaminated upslope runoff around cleared and/or disturbed areas and areas to be cleared and/or disturbed.
 - b) 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.
 - c) maintenance of all erosion control measures at maximum operational capacity until the land is effectively rehabilitated and stabilised beyond the completion of the development or particular stage of the development.
50. All building or site works or other written undertaking or obligation indicated in the submitted plans and supporting documentation or otherwise required under the terms of this consent being carried out or implemented prior to the occupation of the premises.
51. Adequate facilities being provided in a screened location within the development for the storage of garbage and arrangements being made for the regular removal and disposal of same. Full details are to be included in documentation for a Construction Certificate application.
52. A Registered Surveyors Certificate showing the boundaries of the site and the proposed development plotted thereon being submitted to the Principal Certifying Authority prior to commencement of construction.
53. Application may be made to Council or to an accredited certifier for the issue of a Construction Certificate and/or to be the Principal Certifying Authority monitoring compliance with the approval and issuing any relevant documentary evidence or certificate(s).
54. Prior to the commencement of any construction works, the following provisions of the Environmental Planning and Assessment Act 1979 (the Act) are to be complied with:

- a) A Construction Certificate is to be obtained in accordance with Section 81A(2)(a) of the Act.
 - b) A Principal Certifying Authority is to be appointed and Council is to be notified of the appointment in accordance with Section 81A(2)(b) of the Act.
 - c) Council is to be given at least 2 days notice of the date intended for commencement of building works, in accordance with Section 81A(2)(c) of the Act.
55. A Construction Certificate application must include working drawings of the structural elements of the proposed buildings within the development, prepared and certified by a practising Professional Structural Engineer. Full details being provided with the Construction Certificate application.
56. There being no interference with the amenity of the neighbourhood by reason of the emission of any "offensive noise", vibration, smell, fumes, smoke, vapour, steam, soot, ash or dust, or otherwise as a result of the proposed development.
57. All areas not provided with natural ventilation in accordance with the provisions of the Building Code of Australia being provided with an approved mechanical ventilation system complying with Australian Standard 1668, Parts 1 and 2. Full details being provided with the Construction Certificate application.
58. The placing of building materials or the carrying out of building operations upon or from Council's footway or roadway is prohibited unless prior consent in writing is obtained from Council.
-

EXECUTIVE SUMMARY

The applicant proposes a multi-unit development and community title subdivision at Lot 2 DP 1121596, 20 Burrundulla Avenue Mudgee.

The proposal consists of 11 units in a variety of spatial combinations ranging from 2 to 3 bedrooms and single to double garages. 9 of the 11 proposed units are in the form of detached villas, with the remaining 2 units being semi-detached.

The proposal is recommended for conditioned approval and is reported to Council due to the estimated development cost exceeding staff delegation and two submissions were received.

DETAILED REPORT

ASSESSMENT

The application has been assessed in accordance with Section 79C(1) of the Environmental Planning & Assessment Act 1979. The main issues are addressed below as follows.

1. REQUIREMENTS OF REGULATIONS AND POLICIES:

(a) Provisions of any Environmental Planning Instrument and any draft EPI

Midwestern Regional Interim Local Environmental Plan 2008

The land is zoned Medium Density Residential pursuant to MWR Interim Local Environmental Plan 2008. The zone objectives are;

- *To provide a variety of housing types.*

Comment: The provision of multi-unit development assists in fulfilling this objective.

- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

Comment: Not applicable in this instance

- *To identify land that can accommodate the future population growth of Mudgee and Gulgong in a manner that both optimises infrastructure planning and delivery and satisfactorily responds to environmental attributes.*

Comment: The provision of multi-unit development assists in fulfilling this objective by optimizing land use and service provision through increased density.

- *To protect and improve the amenity of residential neighbourhoods, particularly in terms of limiting the effects of noise, odour, overshadowing, overlooking and vehicular traffic.*

Comment: The proposed development assists in fulfilling this objective, by being consistent with the amenity of existing residential development. The location of the proposed development, having dual street frontages, is particularly advantageous and provides an opportunity to activate and enhance Lochiel Lane.

- *To permit development in residential neighbourhoods that is of a domestic scale and that preserves the character and visual amenity of those neighbourhoods.*

Comment: Domestic scale, local character and visual amenity are maintained by development that is adequately designed, visually pleasing and provides an acceptable degree of private open space, - given the site constraints.

- *To allow a limited range of non-residential land uses that are low scale and that are compatible with, and would not adversely affect the existing amenity of, urban residential neighbourhoods*

Comment: Not applicable in this instance

- *To facilitate the provision of a variety of housing types, forms and styles.*

Comment: The provision of multi-unit development assists in fulfilling this objective. The proposal consists of 11 units in a variety of spatial combinations ranging from 2 to 3 bedrooms and single to double garages. 9 of the 11 proposed units are in the form of detached villas, with the remaining 2 units being semi-detached.

- *To encourage the relocation of industrial and other incompatible uses out of residential areas.*

Comment: Not applicable in this instance

- *To promote development (including subdivision) that minimises the impacts of salinity on infrastructure, buildings and the landscape.*

Comment: To the extent possible, consideration has been given to this objective.

- *To promote the development of urban residential subdivisions that incorporate the principles of water-sensitive urban design, that maximise opportunities for energy efficiency, that create*

permeable access networks, and that provide for (where appropriate) sufficient areas of usable open space.

Comment: To the extent possible, consideration has been given to this objective.

Draft Midwestern Regional Local Environmental Plan 2011

The Draft Plan has been placed on public exhibition and is a relevant consideration under Section 79C of the Act. A review of the Draft Plan indicates that the proposal would be permissible with consent.

(b) Provisions of any Development Control Plan or Council Policy

Council's DCP for residential development contains a number of provisions with regard to setbacks, orientation, solar access, private open space, streetscape presentation, landscaping, parking, vehicular access, and etc. These provisions also relate specifically to multi-unit development. A number of revisions to the original design, (these forming conditions of consent,) have increased the level of compliance to an acceptable level while improving building design, pedestrian access, street presentation, visitor parking, landscaping and the placement of clothes drying facilities.

The proposal has been refined in consultation with Council's Planning Department to achieve compliance with Council's DCP for residential development, - Multi-unit development. Streetscape presentation, landscaping, fencing, access, car parking and clothes drying facilities have been conditioned to achieve DCP compliance.

Each unit complies with the required minimum private open space, being greater than 40m².

Setbacks are compliant with DCP requirements for dwellings facing a street; in this case, all have direct access to either the internal access street, Burrundulla Ave or Lochiel Lane, - which will be upgraded. Unit 7 does not comply with the minimum side setback of 2 metres and this is due to the location of a sewer easement. The setback is 0.9 metres and is considered acceptable in this instance due to only utility windows on this elevation. It should be noted that Council has required that all these windows be frosted.

Site coverage, excluding driveways, does not exceed the maximum 40% and the Development density of one unit per 450m² or greater has been achieved (1 per 480m²).

2. IMPACT OF DEVELOPMENT

Context and Setting

The site is relatively flat and almost totally devoid of significant vegetation. A few small sheds, clustered in the south east corner of the subject lot, are the only form of existing development. Surrounding development is varied, consisting of single dwellings, a dual occupancy, multi-unit developments, a motor dealership, and a number of vacant lots.

Access, transport and traffic

The location of the proposed development, having dual street frontages, is particularly advantageous. Six of the eleven proposed units access Burrundulla Avenue via a single, gated entry. One proposed unit is provided with individual and direct access to Burrundulla Avenue. The remaining four proposed units are each provided with individual and direct access to Lochiel Lane. The expected increase in traffic generation will necessitate the sealing, kerbing and guttering of Lochiel Lane.

Public domain

To satisfy the provisions of Council's DCP for residential development, clothes lines have been positioned so that, to the extent possible, they are not visible from the public domain and main frontages of the development,- these being Burrundulla Avenue and Lochiel Lane. Likewise, internal pedestrian access ways, landscaping and fencing have been revised to increase amenity, the activation of communal space, and passive surveillance.

Waste

Fencing design has been revised, by the addition of gates, to ease the transporting of waste containers from the yards of the individual units to collection points on Burrundulla Ave and Lochiel Lane.

Safety, security and crime prevention

Gated entry from Burrundulla Ave restricts unauthorised vehicular access to the development. There is, however, relatively open pedestrian access from Lochiel Lane. To improve security, by way of passive surveillance, the electric lighting of communal space, including visitor car parking and pedestrian walkways has been conditioned, and the height of fencing fronting communal and public spaces has been limited to 1500mm.

Social impact in the locality

The conditioning of control measures, such as the provision of lighting and maximum fence heights enable the passive surveillance of communal and public space, thereby reducing the potential for negative social impact within the locality

Site design and internal design

Although the site has not been designed to take full advantage of its potential, Council's planning department has participated in revising the initial design to achieve an increased level of compliance. This participation applies, in particular, to the design of the individual units, where it has been necessary to condition improvements relating to privacy, solar access, fencing and clothes drying facilities.

3. SUITABILITY OF SITE FOR DEVELOPMENT

(a) Does the proposal fit in the locality

Multi-unit development is permissible, with Council consent, within the medium density residential zone. Surrounding development is varied, consisting of single dwellings, a dual occupancy, multi-unit developments, a motor dealership, and a number of vacant lots.

(b) Are the site attributes conducive to development

The site is eminently suited to multi-unit development, being a sizeable 'greenfield' site, flat and largely devoid of vegetation. The availability of dual access is particularly advantageous in that regard.

4. SUBMISSIONS MADE IN ACCORDANCE WITH ACT OR REGULATIONS

(a) Public Submissions

The proposal was advertised for a period of 14 days.

Two submissions were received (Attachments 4a & 4b), raising concerns relating to;

- drainage,
- parking,
- increased traffic flow, and
- the potential negative impact upon property values.

Comment:

- *Drainage.* Council's Development Engineer has been referred the current application. Conditions have been included to require On Site Detention for the site and the Lochiel Lane.
- *Parking* is compliant with Council's DCP for residential development- multi-unit housing.
- *Increased traffic flow* will trigger the upgrade of Lochiel Lane from Denison Street to the development site. The wider traffic network is considered more than capable of dealing with the proposed increase in traffic generation.
- Finally, with regard to the *potential for devalued property* as a result of development approval for the proposed multi-unit housing, this is not a matter of consideration under Section 79C of the Environmental Planning and Assessment Act 1979.

5. THE PUBLIC INTEREST

The public interest is served by development consistent with Council's plans and policies and of a standard with the potential to establish a template for quality multi-unit development within the Mid-Western Regional LGA.

6. POLITICAL DONATIONS

The applicant has made no political donations.

7. CONSULTATIONS

(a) Health & Building.

Conditions attached

(b) Technical Services

Conditions attached

7. CONCLUSION

The proposal is in accordance with the LEP and applicable DCP's and is unlikely to have any significant impact in terms of the likely social, economic or environmental impacts.

On that basis, the application is recommended for conditioned approval.

OPTIONS

1. That Development Application 0366/2011 for a multi-unit development and community title subdivision at Lot 2 DP 1121596, 20 Burrundulla Avenue Mudgee be approved subject to the conditions included within the recommendation.

2. That approval for Development Application 0366/2011 for a multi-unit development and community title subdivision at Lot 2 DP 1121596, 20 Burrundulla Avenue Mudgee be deferred pending further detailing of the proposal.

19 September 2011

GARY BRUCE
MANAGER - STATUTORY PLANNING

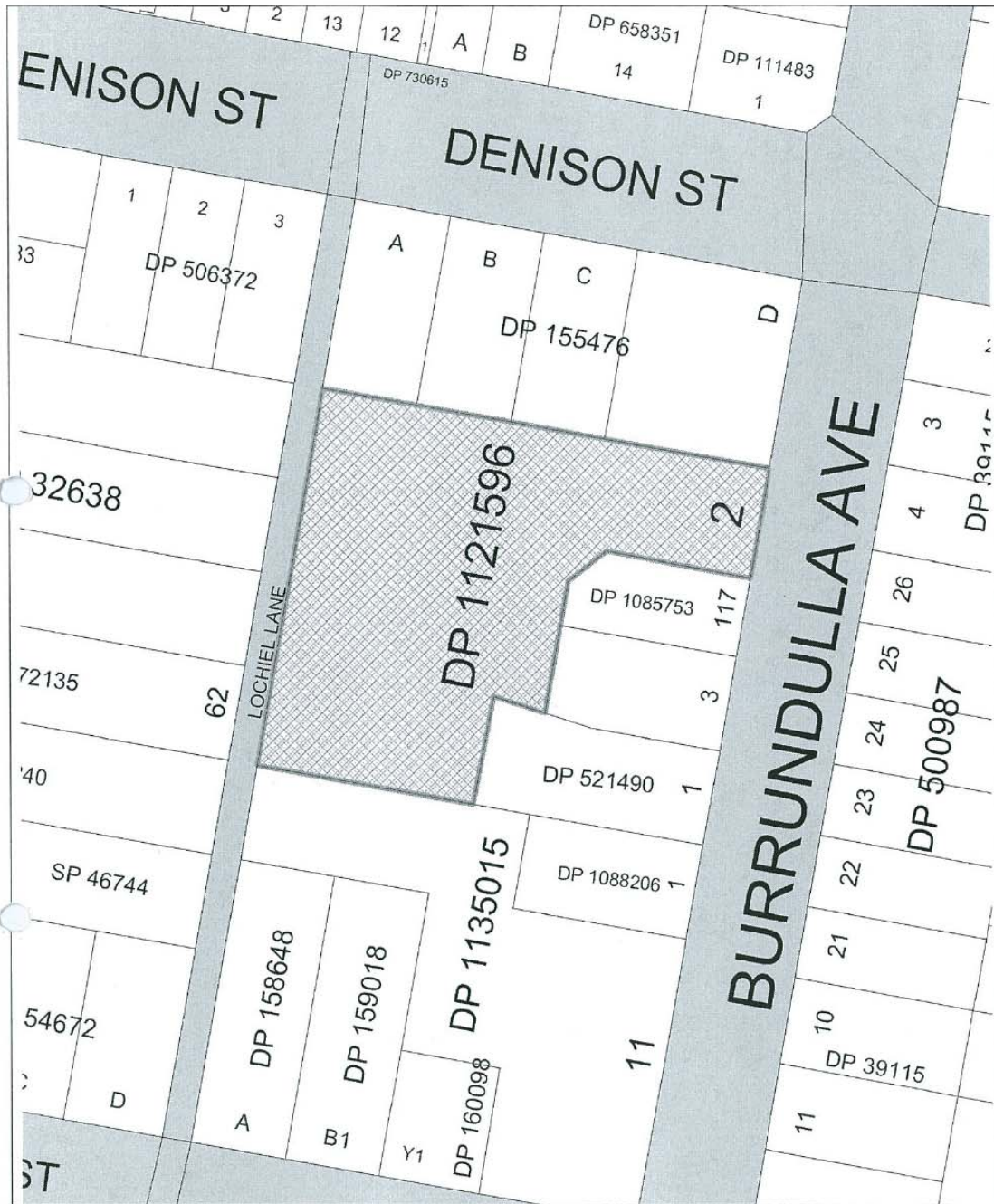
CATHERINE VAN LAEREN
GROUP MANAGER – DEVELOPMENT
& COMMUNITY SERVICES

- Attachments:
1. Street Plan and Site plan
 2. Unit Elevations
 3. Site aerial perspective and 3D unit elevations
 4. Submissions

APPROVED FOR SUBMISSION:

WARWICK BENNETT
GENERAL MANAGER

Attachment 1A.












Map Scale: 1:1,119

Disclaimer

This map has been created for the purpose of showing basic locality information over Mid-Western Regional Council. Property boundary line network data is supplied by Department of Lands.

This map is a representation of the information currently held by Mid-Western Regional Council. While every effort has been made to ensure the accuracy of the product, Council accepts no responsibility for any errors or omissions.

Legend

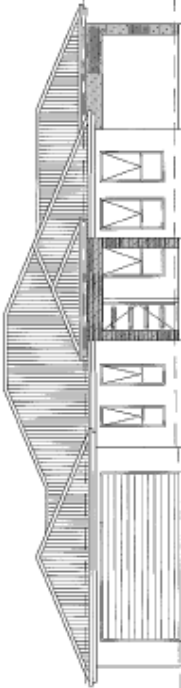
-  Parcel
-  Crown Land
-  Railway
-  Parish
-  Localities
-  LGA Boundary
-  Road
-  State Forest
-  Waterway

NORTH

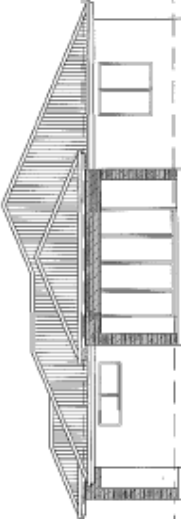


Printed on Wednesday, 15 June 2011

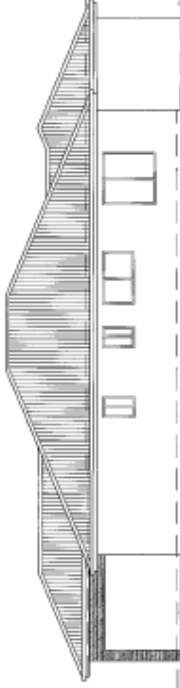
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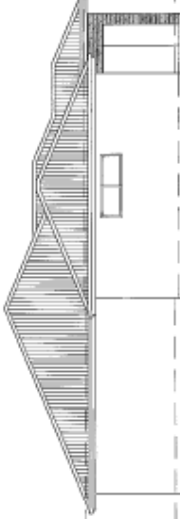
EAST ELEVATION



NORTH ELEVATION



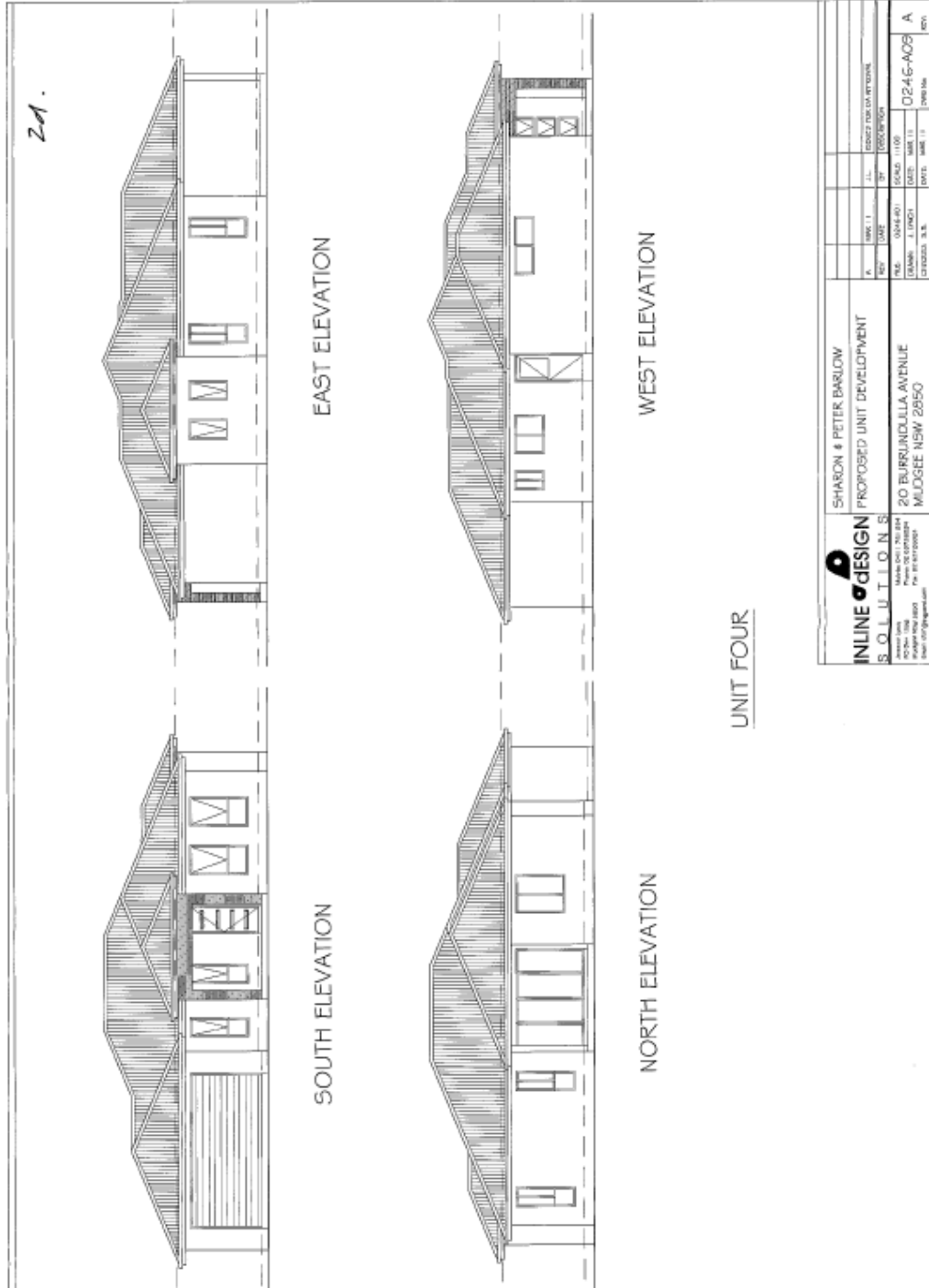
WEST ELEVATION



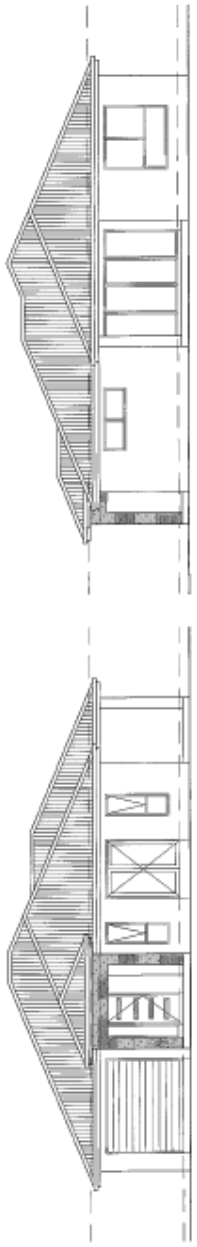
SOUTH ELEVATION

UNIT THREE

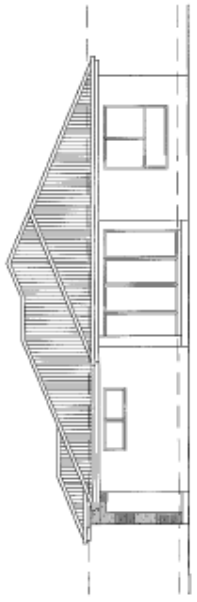
SHARON & PETER BARLOW		PROPOSED UNIT DEVELOPMENT	
INLINE DESIGN SOLUTIONS			
100 Main Street Suite 100 Phone: 07 432 2244 Fax: 08 937 1800 Email: info@inlinedesign.com.au			
DATE: 11/03/11	SCALE: 1:100	DRAWN BY: J. EYRE	CHECKED BY: J. EYRE
REV: 01	DATE: 11/03/11	REV: 01	DATE: 11/03/11
PROJECT: 20 BURRUMULLA AVENUE MILDEREE NSW 2850		JOB NO: 0246-AD7 A	



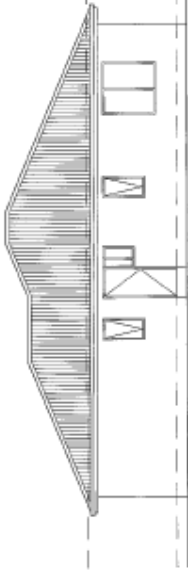
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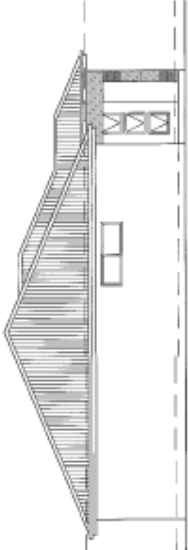
EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION

UNIT SIX

		SHARON & PETER BARLOW PROPOSED UNIT DEVELOPMENT	
Project Title: 20 BURRINDJILLA AVENUE MUDGEE NSW 2850 Date: 02/04/2011	Made: 04/11/2011 Drawn: 04/11/2011 Project No: 0246-A13	Scale: 1:100 1:100 1:100	Project No: 0246-A13 Date: 04/11/2011
ONLINE DESIGN SOLUTIONS 20 BURRINDJILLA AVENUE MUDGEE NSW 2850		PROJECT FOR APPROVAL 0246-A13 DATE: 04/11/2011	

29.

WEST ELEVATION

SOUTH ELEVATION

EAST ELEVATION

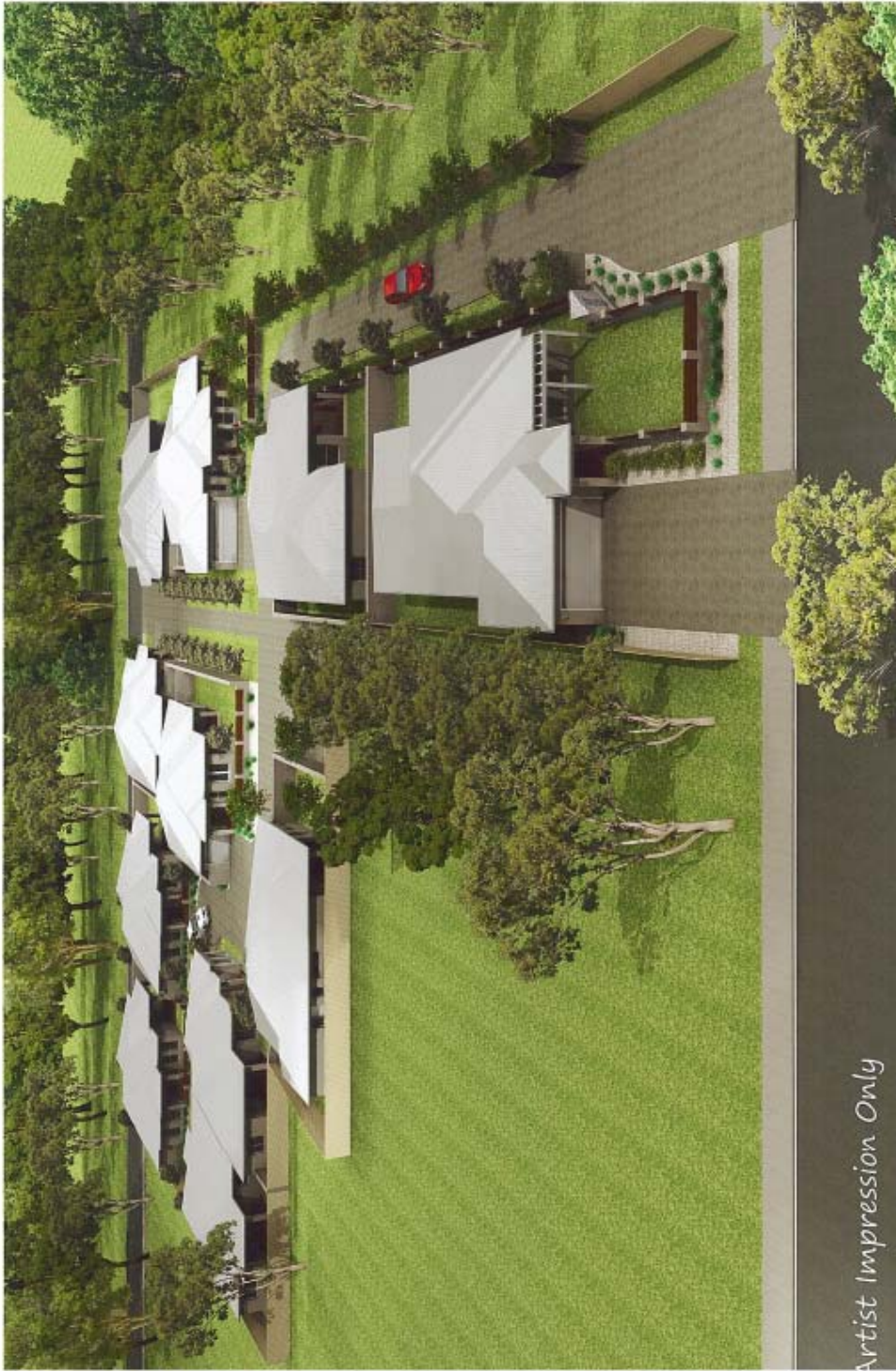
NORTH ELEVATION

UNIT SEVEN

SHARON & PETER BARLOW PROPOSED UNIT DEVELOPMENT 20 BURBUNDULLA AVENUE MUDGEE NSW 2850		FILE NO. 0246-A15 DRAWN BY J. JONES CHECKED BY M. JONES DATE: 02/04/15
INLINE DESIGN SOLUTIONS 12/24-25/05 10/24-25/05 10/24-25/05 10/24-25/05	SHARON & PETER BARLOW PROPOSED UNIT DEVELOPMENT 20 BURBUNDULLA AVENUE MUDGEE NSW 2850	MARK 11 DATE: 02/04/15 DESCRIPTION:

ATTACHMENT 3

Attachment 3a.



Artist Impression Only

Attachment 3b.



Artist Impression Only

Attachment 3c.



Artist Impression Only

ATTACHMENT 4

Attachment 4a.

The General Manager
Mid-Western Regional Council
PO Box 156
MUDGEES NSW 2850



1ST July 2011

Dear Sir

Re: Development Application **DA0366/2011**
20 Burrundulla Ave – Lot 2 DP 1121596

While we have no objection to the above development, after viewing the plans, we do have concerns regarding water run-off and drainage.

We need to be assured that any development will not result in water entering our property, which is located directly below the site.

Adequate drainage to divert the large volume of run-off water, which will be created by developing this area, is of major concern to us, and we trust you will address this issue when assessing the application.

Yours sincerely

M. Hyland
& Nola Hyland

Gordon and Nola Hyland
7 Denison St
Mudgee NSW 2850

G. Hyland



PER

Attachment 4b

Zbigniew and Helen Dziura
9 Denison Street
Mudgee NSW 2850

Mid-Western Regional Council
PO Box 156
Mudgee 2850
30th June 2011



Attention Graeme King: ne:P1965561

To Mudgee Council

Regarding DA0366/2011 @ 20 Burrundulla Avenue Mudgee NSW 2850

In response:

We are residents of 9 Denison Street which adjoins the proposed development and also Lochiel Lane. We have a number of concerns that we feel need to be addressed:

Firstly, we are concerned that there is no drainage plan in this development. We have had problems with run-off into our yard in the past and would like this drainage problem addressed. We would like the developer to specify where the run-off will be.

Secondly, we are concerned with the new surfacing of Lochiel Lane, as we have had drainage problems here too, with water flowing into our yard from the lane. We would expect proper engineering standards of drainage, especially LOWERING THE LEVEL OF THE LANE BEFORE IT IS TARRED TO AVOID RUNOFF INTO OUR PROPERTY. (The lane was raised about 30cm by Council a number of years ago and we have asked council to remedy this without success. See DR0110/2011)

We also seek a guarantee that Lochiel Lane is tarred with appropriate concrete kerbing and guttering.

Furthermore, Lochiel Lane itself is narrow and we are concerned about the increasing level of traffic that the development will bring about. Our concerns would also be about the increased speed, the increased noise and for the safety of our children.

The development does not provide adequate parking. Many households have more than one car. The type of development proposed lends itself to shared rentals which could increase the number of cars above this level. This will encourage on street parking causing problems in Lochiel Lane.

Finally, we are concerned about the feasibility of this development and the ability of the developer to carry it through to completion. We are afraid of having a half completed eyesore in our backyard that will devalue our property. Has the council any guarantee that this developer is in a sound financial position?

We would appreciate feedback on how Council plans to address these issues.

Yours sincerely, Zbigniew and Helen Dziura

6.2.4 NON-CLAIMANT NATIVE TITLE DETERMINATION

REPORT BY SENIOR ENVIRONMENT OFFICER
Insert Name the report has been saved under
A0100052, A0420218, P1920111

RECOMMENDATION

That:

- 1. the report by Senior Environment Officer on the matter of the Non-Claimant Native Title Determination be received;**
- 2. the lodging of the 'Notice of Intention to become a Party to an Application' with the National Native Title Tribunal be endorsed;**

EXECUTIVE SUMMARY

Council has been advised by the National Native Title Tribunal that a Non-Claimant Native Title Determination Application has been lodged by the Mudgee Local Aboriginal Land Council (LALC) over Lot 7003 DP1020312 Hill End Road Caerleon.

DETAILED REPORT

The land the subject of the application is a parcel of unallocated crown land adjoining and adjacent to the Mudgee Waste & Recycling Depot and the future Mudgee Sewer Treatment Plant and the access to both these facilities. Mudgee LALC have been negotiating with the Crown for some considerable time to either purchase the land outright or take out a long term lease over the subject lot.

Councillors may recall that the Wellington Valley Wiridjuri Aboriginal Corporation lodged a Native Title Claim in June 2010 with their claim covering an extensive area of the Mid-Western Regional Council area. This Native Title claim has put in jeopardy all of the negotiations already undertaken by the Mudgee LALC.

In order to continue to negotiate the Mudgee LALC under the Aboriginal Land Rights Act has applied to the Federal Court to make a determination that would essential extinguish Native Title on the subject land. This would then exclude this parcel of Crown land from the Native Title Claim made by the Wellington Valley Wirudjuri Aboriginal Corporation. The aim of the Mudgee LALC is to be able to negotiate with the Crown in respect to this land as if it were a Torres Title parcel with all of the subsequent dealing rights that such a Title would allow.

Councillors may also recall that as part of the Native Title Claim process, Council was given an opportunity to register its interest with the Federal Court (NSW) to be a Party to the Application. This was lodged on 16 August 2010 and will ensure that Council is not only kept informed of the progress of the application but that Council will also retain rights over Crown land that has existing public uses or is being retained for future public uses.

Native Title claims essentially only apply to unallocated or surplus Crown land that has not previously had Native Title extinguished due to either pre-existing uses (generally European) or by a determination made by the Federal Court.

As with the Native Title Claim, Council has been given an opportunity to become a Party to the Non-Claimant proceedings. However, in this instance because the matter is already with the Tribunal the time-frame to lodge was considerable shorter. Accordingly, to ensure that Council's interests are fully protected the appropriate paper work has already been lodged with the Federal Native Title Tribunal.

FINANCIAL IMPLICATIONS

Not applicable.

STRATEGIC OR POLICY IMPLICATIONS

Not applicable.

LINDA SHREEVE
SENIOR ENVIRONMENT OFFICER

CATHERINE VAN LAEREN
GROUP MANAGER – DEVELOPMENT &
COMMUNITY SERVICES

15 September 2011

Attachments: Nil.

APPROVED FOR SUBMISSION:

WARWICK BENNETT
GENERAL MANAGER

6.2.5 RYLSTONE KANDOS AND VILLAGES SEWERAGE AUGMENTATION

REPORT BY MANAGER WATER & WASTE STRATEGIES Kandos Sewerage A0100052, F0780048

RECOMMENDATION**That:**

- 1. the report by the Manager Water & Waste Strategies on the Rylstone Kandos and Villages Sewerage Augmentation be received;**
- 2. Council approves a variation to vary the design of the Kandos Sewage Treatment Plant Disinfection System for the sum of \$21,000.00 plus GST.**

DETAILED REPORT

At the 16 June 2010 Council meeting, Council resolved to “accept the tender of NSW Water Solutions for the Rylstone Kandos and Villages Sewerage Augmentation - Preparation of Conceptual Design, Environmental Assessment, Detailed Design & Documentation of a new Sewage Treatment Plant, Pumping Stations, Rising Mains, Gravity Sewers & Associated Works for a lump sum fee of \$958,889 inc GST”. Council also resolved to authorise the General Manager to approve variations of up to 5% of the Contract Price (being \$43,630 plus GST).

To date variations have been approved for the following:

Variation #1 – Aboriginal Assessment Fees \$5,782.50. Aboriginal Community Groups were invited to accompany the archaeologist during field inspections, in accordance with legislation. The variation was to reimburse the Contractor for fees paid to the Aboriginal groups, in accordance with the contract.

Variation #2 – Investigate Separate Sewage Treatment Plants \$7,778.18 plus GST. Following completion of a Strategy Options Study in 2007, Council resolved to adopt a “Regional Scheme” as the preferred strategy for upgrading the sewerage systems at Rylstone and Kandos and providing sewerage services to Charbon and Clandulla. Following the completion of a concept design for the scheme, it was determined that the cost of constructing a Regional Scheme would be significantly greater than previously identified. The Contractor was then asked to confirm that a Regional Scheme is still the preferred strategy, by comparing the cost of constructing separate sewage treatment plants at Rylstone and Kandos with the cost of transferring Rylstone Sewage to a larger Kandos plant.

Variation #3 – Additional Heritage Assessment \$19,909.45 plus GST. Following Aboriginal Heritage Assessment of the proposed construction sites, sites of Potential Archaeological Deposits (PAD) were identified at Clandulla (sewer reticulation) and Kandos (Kandos STP). A small section of the proposed Clandulla Sewerage was realigned to avoid the Clandulla PAD. Additional Heritage assessment (archaeological dig) at the Kandos STP site were undertaken to confirm the sensitivity of the site.

Variation #4 – Additional Survey \$2,300.00. Following completion of the concept design, the Contractor was asked to carry out additional survey to enable the design to be modified and a pumping station at Charbon to be removed.

Design work has progressed to approximately 90% of detailed design. Following review of the Contractor's 75% design submission Council staff have identified cost savings of approximately \$100,000 if the disinfection system were modified. The Contractor has demonstrated that the system as designed will work and has requested a variation of \$32,000.00 plus GST for the cost of redesign. Following negotiations, the Contractor has reduced the quotation to \$21,000.00 plus GST.

It is recommended that Council approves varying the Contract by an additional \$21,000 plus GST to redesign the disinfection system.

FINANCIAL IMPLICATIONS

An additional \$21,000 (plus GST) of expenditure during the design phase will save Council approximately \$100,000 (plus GST) in construction costs.

**BRETT CORVEN
MANAGER WATER & WASTE STRATEGIES**

**BRAD CAM
GROUP MANAGER OPERATIONS**

12 September 2011

Attachments: Nil.

APPROVED FOR SUBMISSION:

**WARWICK BENNETT
GENERAL MANAGER**

6.2.6 NAMING OF KAURI LANE EXTENSION

REPORT BY MANAGER GOVERNANCE Street Naming – Unnamed section of Kauri Lane A0100052, R0790141

RECOMMENDATION**That:**

- 1. the report by the Manager Governance about the naming of an un-named lane between Kauri Lane and Church Street Mudgee be received;**
- 2. Council proposes to name the unnamed lane between Kauri Lane and Church Street as shown on the attached map as Kauri Lane;**
- 3. the proposal be advertised in the Community News and notices of the proposal be served on the relevant statutory authorities inviting submissions in writing within 21 days; and**
- 4. a further report be presented to Council at the expiration of that period.**

EXECUTIVE SUMMARY

Council as the roads authority is charged with the responsibility to name new or unnamed roads. The purpose of this report is to name the extension of an existing lane in Mudgee as Kauri Lane.

DETAILED REPORT

The process for the naming of this road was commenced prior to the adoption of the policy on the naming of roads in August 2011 so the process being followed in this cases is not strictly in accordance with the policy but is being continued as far as practicable in line with the adopted policy in order to bring this matter to conclusion.

In 2009 Council named the lane in off Meares Street Mudgee between Church and Atkinson Streets as Kauri Lane. This is shown on the attached map.

Since that time, a request was received to name the unnamed section of lane from Kauri Lane to Church Street, as shown on that map as Kauri Lane as well.

At this stage, there have been no approaches to local residents about this proposal but advice has been received from the Geographical Names Board that no objection would be raised to the proposal.

FINANCIAL IMPLICATIONS

Cost of extra sign for Church Street entrance - \$250 (approximately)

STRATEGIC OR POLICY IMPLICATIONS

Council's policy on road naming applies.

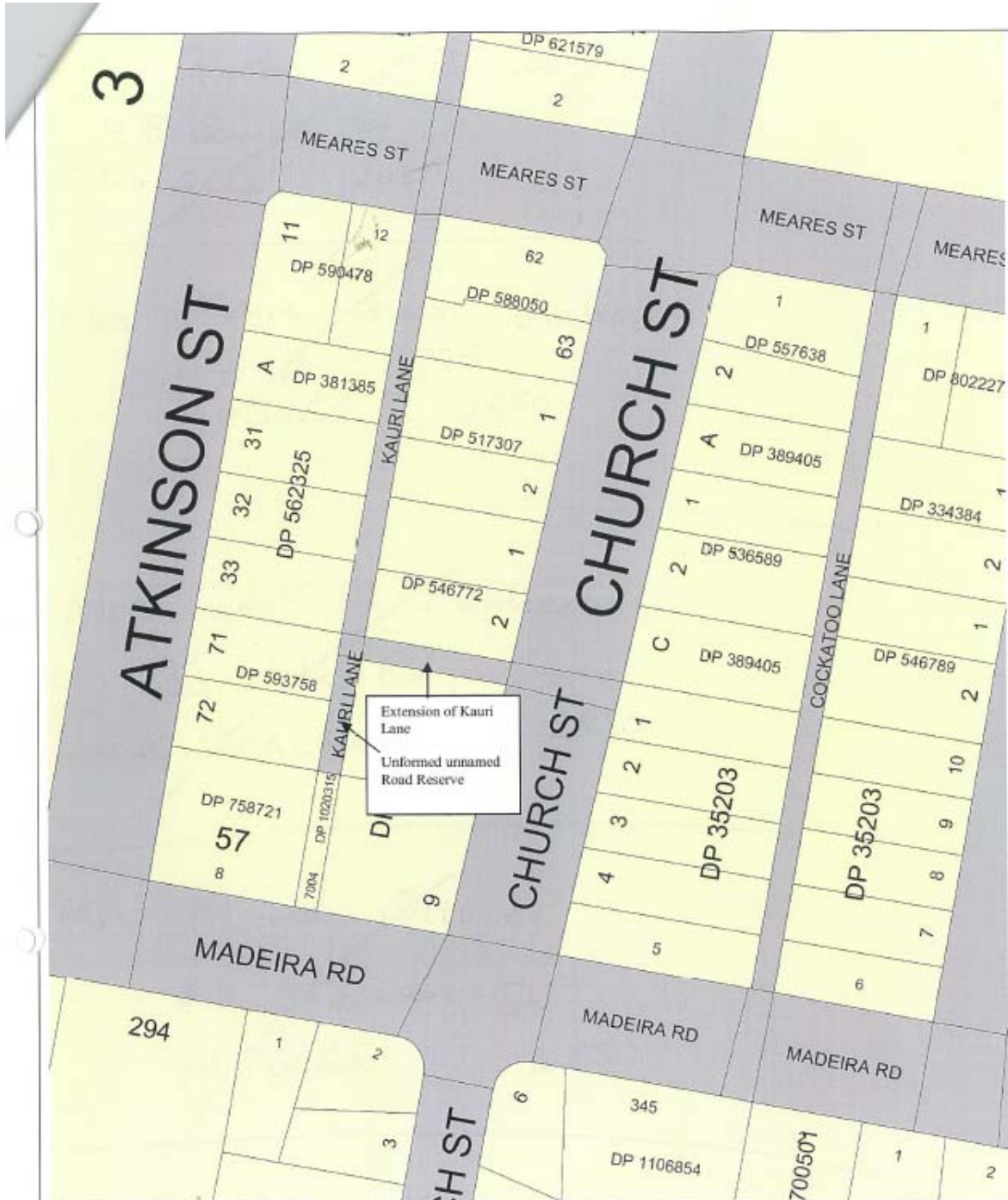
IAN ROBERTS
MANAGER GOVERNANCE

8 September 2011

Attachments: Map showing proposed extension of Kauri Lane

APPROVED FOR SUBMISSION

WARWICK BENNETT
GENERAL MANAGER







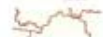


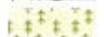

Map Scale: 1:1,430

Disclaimer

This map has been created for the purpose of showing basic locality information over Mid-Western Regional Council. Property boundary line network data is supplied by Department of Lands.

This map is a representation of the information currently held by Mid-Western Regional Council. While every effort has been made to ensure the accuracy of the product, Council accepts no responsibility for any errors or omissions.

Legend

-  Parcel
-  Crown Land
-  Railway
-  Parish
-  Localities
-  LGA Boundary
-  Road
-  State Forest
-  Waterway

NORTH



Printed on Monday, 30 May 2011

6.2.7 NAMING OF BEDES LANE AND PARISH LANE, WOLLAR

REPORT BY MANAGER GVERNANCE
Street Naming – Unnamed Lanes – Bedes Lane & Parish Lane
A0100052, R0790141

RECOMMENDATION

That:

- 1. the report by the Manager Governance about the naming of two un-named lanes in Wollar be received;**
- 2. Council proposes to name the, as yet unnamed lanes in Wollar as depicted on the attached map as Bedes Lane & Parish Lane;**
- 3. notices of the proposal be served on the relevant statutory authorities inviting submissions in writing within 21 days; and**
- 4. a further report be presented to Council at the expiration of that period.**

EXECUTIVE SUMMARY

Council as the roads authority is charged with the responsibility to name new or unnamed roads. This report seeks to name two as yet unnamed lanes in Wollar.

DETAILED REPORT

The process for the naming of these roads was commenced prior to the adoption of the policy on the naming of roads in August 2011 so the process being followed in this case is not strictly in accordance with the policy but is being continued as far as practicable in line with the adopted policy in order to bring this matter to conclusion.

As a result of a public meeting in Wollar in 2009 it was suggested that these two un-named lanes be named with Bedes Lane and School Lane is being suggested. As the Geographic Names Board would not approve the name "School Lane" the only resident was contated and suggested Parish Lane.

Submissions suggesting naming the unnamed lanes in Wollar, shown on the attached map, as Bedes Lane and Parish Lane were invited in the Community News on 27 May 2011 with submissions being accepted up to Monday 18 July 2011. No submissions were received.

Advice has been received from the Geographical Names Board that no objection would be raised to these names.

FINANCIAL IMPLICATIONS

Cost of extra sign for both Parish & Bedes Lane - \$1,000 (approximately)

STRATEGIC OR POLICY IMPLICATIONS

Council's policy on road naming applies.

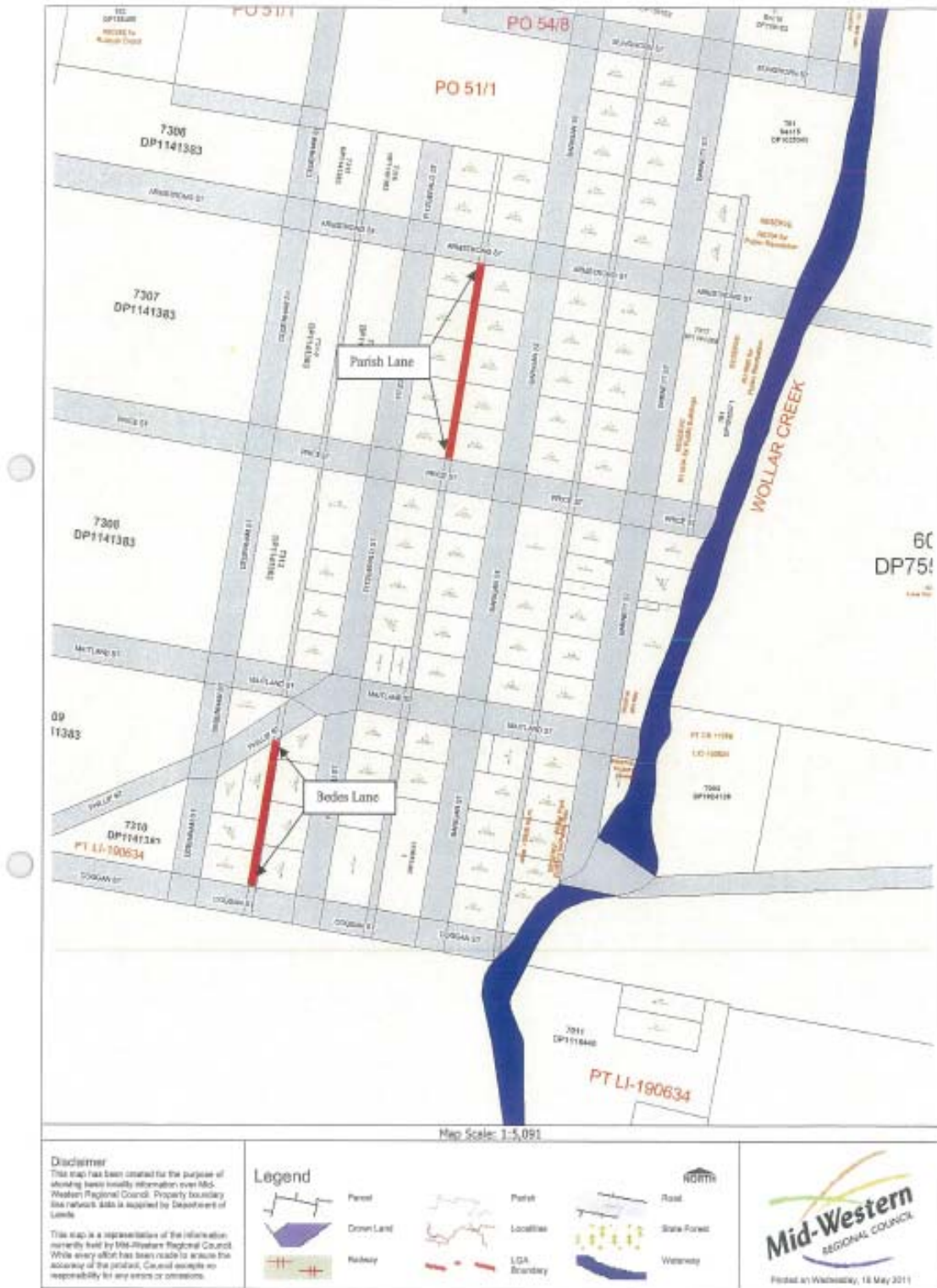
IAN ROBERTS
MANAGER GOVERNANCE

8 September 2011

Attachments: Map showing subject lanes

APPROVED FOR SUBMISSION

WARWICK BENNETT
GENERAL MANAGER



6.2.8 COUNCIL LAND – LION'S DRIVE AND DEPOT ROAD, MUDGEE

REPORT BY GENERAL MANAGER

Council land
A0100052, A0010006**RECOMMENDATION**

That:

1. the report by the General Manager on Council land at Lion's Drive and Depot Road, Mudgee be received;
2. That Council amends the sale prices on the Depot Road and Lions Drive subdivision to the following:-

Lot Number	Recommended Price
2	\$120,000
3	\$120,000
4	\$120,000
5	\$120,000
6	\$120,000
7	\$120,000
8	\$110,000
9	\$110,000
10	\$110,000
14	\$195,000
15	\$195,000
16	\$240,000
17	\$240,000
18	\$195,000
19	\$215,000

3. If Council receives no sales of these lands prior to February 2012 then the General Manager be authorised to advertise for tender a design and construct package for residential lots 2, 3 and 4 and report the tender prices back to Council for acceptance including how such package will be best funded.
4. The General Manager be authorised to discuss with developers any house/land packages or commercial building/land packages and report back to Council

DETAILED REPORT

Council owns a number of properties on Lions Drive (residential) and Depot Road (industrial) which are currently being marketed for sale. A copy of the plans of the allotments for sale is attached for Councillors information.

The properties are not selling in a timeframe that corresponds with budget estimates and our general expectations. The feedback we are having from the listed real estate agents is that the

price is too high and the vacant land on its own is not always what potential home owners are looking for.

Council should give consideration to one or a combination of different strategies. Lowering the asking prices; building on the land (say three houses at a time); or offering the properties with house packages which are ready to go with designs and approvals.

Some of the difficulties currently being experienced in the local market is that it can take up to three years from the time of securing a builder to having your house completed because of the amount of work in the region. Also, new residents to our region may be more likely to buy an established house rather than going through the stress of building whilst relocating to a new town.

The other difficulty with the residential lots along Lions Drive is the trees on the site. We are currently getting prices to have all those trees removed.

This report is recommending that Council lower the asking price for the properties in Lions Drive and Depot Road.

1. Lions Drive – this was an 11 lot residential subdivision and to date two lots have been sold. One private and the other to Wollongong University. The sale to Wollongong was part of an agreement with Council and other partners to develop medical student accommodation. The other 9 lots have not been sold and little interest has been demonstrated. This report is recommending to Council the following prices for these unsold lots

Lot Number and area – m ²	Valuation Dated Oct 2010	Current Price	Recommended
2 1036	\$148,500	\$154,500	\$120,000
3 1033	\$148,500	\$154,500	\$120,000
4 1030	\$148,500	\$154,500	\$120,000
5 1028	\$148,500	\$154,500	\$120,000
6 1025	\$148,500	\$154,500	\$120,000
7 1022	\$148,500	\$154,500	\$120,000
8 1019	\$148,500	\$148,500	\$110,000
9 1016	\$137,500	\$143,000	\$110,000
10 1014	\$137,500	\$143,000	\$110,000

These recommended original sale prices were based on the valuation and advice from real estate agents. The agents have recently amended their recommended sale price. The feedback from real estate agents at the time of writing this report is that these recommended prices are more realistic.

2. Depot Road – Industrial Land- this was an 8 lot industrial subdivision which only 1 lot has been sold, and another dedicated for use by the SES. Lot 13 was sold for a price of \$255,000 including GST. Lot 12 was dedicated for use as the SES headquarters. Council retains title to this lot.

Lot Number and area – m ²	Valuation	Current Price	Recommended Price
14 2004	\$247,500	\$255,000	\$195,000
15 2970	\$247,500	\$294,000	\$195,000
16 5349	\$286,000	\$335,000	\$240,000
17 3621	\$324,500	\$310,000	\$240,000
18 2703	\$264,000	\$315,700	\$195,000
19 3261	\$308,000	\$315,700	\$215,000

We have also received advice from real estate agents that a commercial building/land package might also be a strategy to consider for assisting the marketing of these properties. This is currently being discussed and forms part of the recommendation. The focus on this would be to design a residence or commercial building for a particular site, gain all the approvals and be ready to build once the property is sold.

We have also made contact with a number of the developers that recently visited the region as part of the developer's tour to seek their interest in building on these Council owned properties.

Part of the recommendation contained in this report is to proceed with a design and construct tender in early 2012 if no progress is made on the residential sales. That would be advertised state wide seeking expressions of interest from any developers the opportunity to build on say lots 2,3 and 4 in the first instance, as an alternative to vacant land sales. The advice that we are receiving is that bare land is difficult to sell because of the shortage of builders.

FINANCIAL IMPLICATIONS

These properties have cost Council to date \$1,741,766 which includes \$508,080 for the historical cost of the land. Sales to date have realised \$487,000 excluding GST. If these lot prices are reduced as per the recommendation in this report then a further \$2,118,000 in sale proceeds excluding GST is anticipated. Should the recommended sale prices be achieved, then overall Council would be recording an estimated profit on disposal for the entire Lions Drive/Depot Road venture of \$994,000.

STRATEGIC OR POLICY IMPLICATIONS

This report sets out a new strategy for the sale of this land.

WARWICK BENNETT
GENERAL MANAGER

14 September 2011

Attachments: Valuations on the land dated October 2010.



PERRAM VALUATIONS

"MAYFIELD", LIONS DRIVE,
MUDGEE, N.S.W. 2850
TEL: (02) 6372 1792

UPDATED VALUATION REPORT

(CERTIFICATE ONLY)

OF

Lots 14-19

Mid-Western Regional Council

Subdivision of Industrial Blocks

Depot Road, Mudgee.

Under Instructions From:

Mid Western Regional Council
P.O. Box 156
Mudgee

Ref: M/s Lea Marheine
Property Services Dept.

Purpose of Update Assessment:

To UPDATE and determine a fair value for Lots 14-19 Depot Road, Mudgee, for Sale usage.

NOTE

This updated assessment should be read in conjunction with the original report dated December 2009.

Associate Australian Property Institute
Building Society, Co-Operation Valuer
Bank/Financial Institution Valuer
Registered Valuer NSW-Unlimited

Tel/Fax 0263721792
Mobile 0427721792
Email:
perram@hwy.com.au

CERTIFIED PRACTISING VALUER



PERRAM VALUATIONS

"MAYFIELD", LIONS DRIVE,
MUDGEE, N.S.W. 2850
TEL: (02) 6372 1792

Comments:

In determining these updated values I have discussed with Local Agents current market trends in Industrial Land and analysed any relevant sales. It is noted that Lot 13 (vacant land) has sold (GST inclusive) for \$255,000. 21 Industrial Road recently sold for \$400,000. This block is larger and included a large colorbond steel shed (2 large roller doors) and security fencing with all services connected. Apart from these and those mentioned in the previous report there are no other sales of Industrial Lands that I am aware of. Research indicates little to no movement in Industrial sales in Mudgee over the past 2-3 years. It is my opinion that values as given in the previous report ex GST are still appropriate.

VALUATION ASSESSMENT

- Lot 14 \$225,000
- Lot 15 \$225,000
- Lot 16 \$260,000
- Lot 17 \$295,000
- Lot 18 \$240,000
- Lot 19 \$280,000

(All Lots ex-GST)

Dated this 14th of October 2010

Allen P. PERRAM JP
AAPI (Val), BSCV, CPV
Registered Valuer No. 2225

Associate Australian Property Institute	Tel/Fax 0263721792
Building Society, Co-Operation Valuer	Mobile 0427721792
Bank/Financial Institution Valuer	Email:
Registered Valuer NSW-Unlimited	perram@hvw.com.au

CERTIFIED PRACTISING VALUER



PERRAM VALUATIONS

"MAYFIELD", LIONS DRIVE,
MUDGEES, N.S.W. 2850
TEL: (02) 6372 1792

VALUATION REPORT

OF

Vacant Lands

Mid-Western Regional Council-

SUBDIVISION- Lots 1-10 Lions Drive, MUDGEES NSW

Under Instructions From:

Mid Western Regional Council
P.O. Box 156
Mudgees NSW 2850

Ref: M/s Lea Marheine
Property Services Dept.

Purpose of Report:

To determine a fair freehold value for Lots 1-10 in Lions Drive, having regard to the land, location, services and current market conditions, for sale usage.

Associate Australian Property Institute
Building Society, Co-Operation Valuer
Bank/Financial Institution Valuer
Registered Valuer NSW-Unlimited
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Email:
perram@hwy.com.au
CERTIFIED PRACTISING VALUER



PERRAM VALUATIONS

"MAYFIELD", LIONS DRIVE,
MUDGEE, N.S.W. 2850
TEL: (02) 6372 1792

Title Particulars:

Title particulars being Lots 1-10 in unregistered Plan, being part of Lot 1 in Deposited Plan No. 151185 in the Local Government Area of Mid-Western Regional Council, Parish and Township of Mudgee, County of Wellington, State of New South Wales.

- Title search has not been undertaken and it is assumed that normal Conditions and Restrictions in favour of the Crown apply and there are covenants or other which may greatly affect the value of the Lots.
- Council advises of restrictions on usage to the Acoustic Mound.
- Easements exist along the rear for Acoustic Barrier for Drainage and Sewerage.

Location /Services:

The subdivision lands are located along Lions Drive which is a main thoroughfare from Sydney Road to the southern, mainly residential, areas. It is located close to the Mudgee Golf Course with residential homes and a Child Care Centre opposite, Residential subdivision lands of "Fairways Estate" joining to the western end and 'Yallambee Estate" to the south/east with Council subdivision of Industrial Lands joining (Acoustic Barrier) to the North. It is approximately 3km from the main CBD. All services will be available for connection.

Lands

Subject lands are located on the northern side of Lions Drive. At date of inspection most drainage and sewerage works had been completed, Lions Drive road-works and gutters undertaken with some small bitumen sealing to be completed. Clearing of trees and removal was in progress. All Lots have an Acoustic Barrier with drainage and sewerage easements and have frontages to Lions Drive.

Lot 1 : Area of 1,657m²

This is an irregular shaped block having a frontage of some 51.31m, rear boundary of 22.39m and side boundaries of 44.88/53.62m² respectively. It is flat in terrain.

Lot 2 : Area of 1,036m²

This is a rectangular shaped block with frontage/ rear boundaries of 23.12m and side boundaries of 44.88m/44.76m respectively. It is flat in terrain.

Lot 3 : Area of 1,033m²

This is a rectangular shaped block with a frontage/rear boundary of 23.12m and side boundaries of 44.76/44.64m respectively. It is flat in terrain.

Lot 4 : Area of 1,030m²

This is a rectangular shaped block with a frontage/rear boundary of 23.12m and side boundaries of 44.64m/44.52m respectively. It is flat in terrain.

Lot 5 : Area of 1,028m²

This is rectangular in shape with a frontage/rear boundary of 23.12m and side boundaries of 44.52m/44.4m respectively. It is flat in terrain.



PERRAM VALUATIONS

"MAYFIELD", LIONS DRIVE,
MUDGEE, N.S.W. 2850
TEL: (02) 6372 1792

Lands (Cont)

Lot 6 : Area of 1,025m²

This is a rectangular shaped block with a frontage/rear boundary of 23.12m and side boundaries of 44.4m/44.27m respectively. It is flat in terrain with a slight slope from mid to street level.

Lot 7 : Area of 1,022m²

This is a rectangular shaped block with a frontage/rear boundary of 23.12m and side boundaries of 44.27m/44.15m respectively. This has a slight slope from mid to street level.

Lot 8 : Area of 1,019m²

This is a rectangular shaped block having a frontage/rear boundary of 23.12m and side boundaries of 44.15m/44.03m respectively. This has a slight slope from mid to street level and left to right. Either excavation or fill will be required for building site.

Lot 9 : Area of 1,016m²

This is a rectangular shaped block having a frontage/rear boundary of 23.12m and side boundaries of 44.13m/43.91m respectively. There is a slope from mid to street level and left to right. Excavation or fill will be required for building site.

Lot 10 : Area of 1,014m²

This is a rectangular shaped block having a frontage/rear boundary of 23/12m and side boundaries of 43.91m/43.79m respectively. There is a slope from mid to street level and left to right. Excavation or fill will be required for building site.

Note

The areas as stated of Lots 1-10 are exclusive of the Acoustic Barrier (easement to maintain the Acoustic Barrier -see Plan), with drainage and sewerage easements along the rear section.

Valuers Certification:

- a) That I have inspected and identified the blocks to be valued
- b) That I have no past, present or future contemplated interest in the subject lands

Underlying Assumptions/Disclaimers:

- a) That the land is freehold and title particulars/registration will be undertaken prior to settlement.
- b) There are no covenants/restrictions unknown to the Valuer which may greatly affect the value of the Lots.
- c) Valuation is for the use of Mid-Western Regional Council only. No responsibility is accepted by the Valuer to any third party who may use or rely on part or whole of its contents without the written permission of the Valuer concerned.
- d) There are no soil contamination on the Lots
- e) The plans given by Council and those to be registered are the same which includes all areas and measurements as supplied.
- f) The Valuation is current at date of valuation only. Values may change significantly or unexpectedly over a relatively short period of time (due to factors relating to market conditions/movements or global economy). I do not accept any liability for any losses.



PERRAM VALUATIONS

"MAYFIELD", LIONS DRIVE,
MUDGEE, N.S.W. 2850
TEL: (02) 6372 1792

Comments/Approach to Report:

Council staff have advised that the blocks will be cleared although a number of larger trees will remain and it will be at the purchasers costs to remove any additional trees. In determining the value of the subject Lots I have analysed any relevant sales of vacant lands in the area and compared these to the subject Lots. Whilst these Lots are located close to "Yallambee Estate" and "Fairways Estate" I feel these are "less attractive" especially with regards to Fairways Estate, which has views/located on, the Golf Course. Lots in Yallambee Estate are mainly less in land area, however I feel are in a better location being off Lions Drive (busy road). I also feel a purchaser may be hesitant with noise from the Industrial lands behind although the noise/acoustic barrier has been constructed. The Lots are of a good area, that is 1,014m2 to 1,036m2,(apart from Lot 1 which has an area of 1,657m2). Sales show that blocks in Yallambee Estate have sold between \$130,000- to 148,000 with the majority around \$135,000. One sale in Southside Residential Estate (Oporto Road) sold for \$145,000 with sales in Fairways Estate ranging from \$151,500 to 165,000. Sales in all these Estates are relatively slow and this subdivision has to compete with Bellevue Hill Estate and others in Mudgee. It should also be mentioned that there is an abundance of Residential Lands available in Mudgee at present.

VALUATION ASSESSMENTS

It is my opinion that a fair value for Lots 1-10 in Mid Western Regional Council subdivision in Lions Drive, having regard to the land, location/services and amount of residential Lots available in Mudgee at the present time, plus comments made within this report, is estimated at—(To nearest \$500)

Lot 1	\$150,000
Lot 2	135,000
Lot 3	135,000
Lot 4	135,000
Lot 5	135,000
Lot 6	135,000
Lot 7	135,000
Lot 8	130,000
Lot 9	125,000
Lot 10	125,000

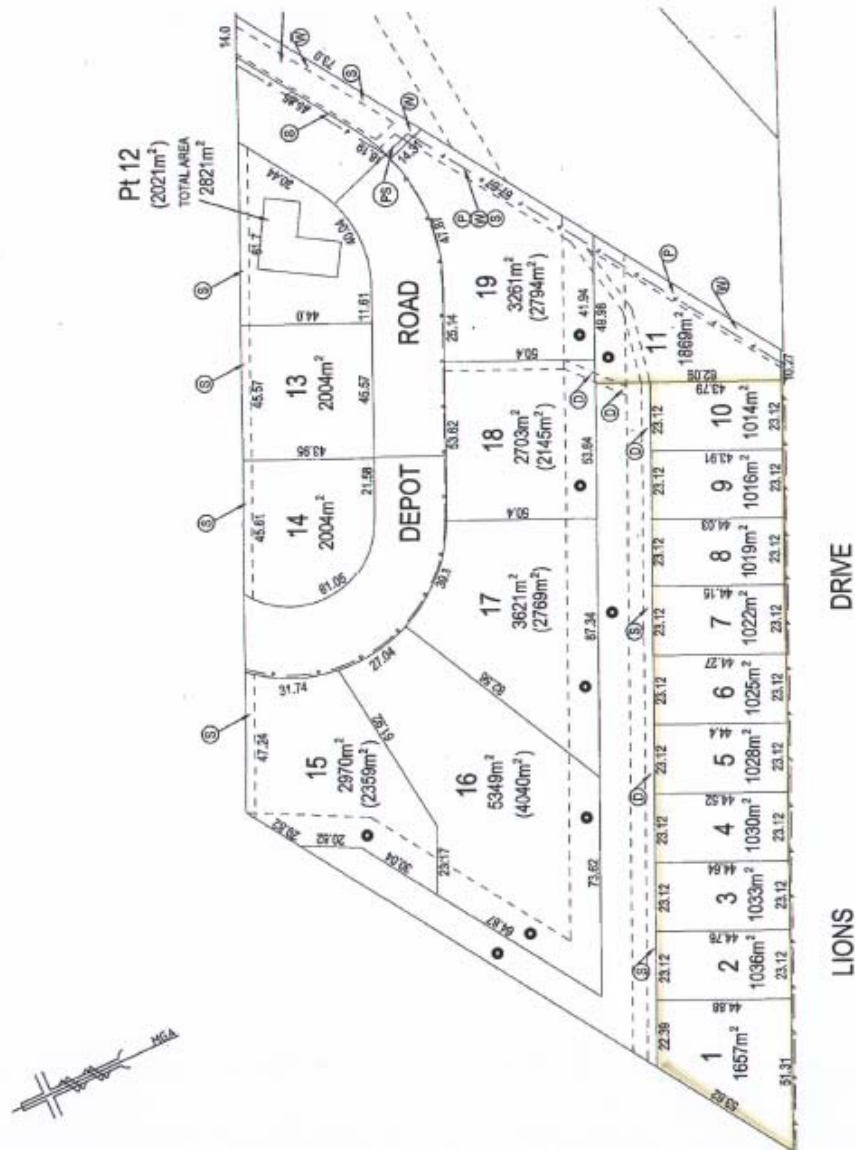

Allen P. PERRAM JP
AAPI (Val), BSCV, CPV.
Registered Valuer No. 2225

Dated this 14th of October 2010

Associate Australian Property Institute
Building Society, Co-Operation Valuer
Bank/Financial Institution Valuer
Registered Valuer NSW-Unlimited

Tel/Fax 0263721792
Mobile 0427721792
Email:
perram@hwv.com.au

CERTIFIED PRACTISING VALUER



PERRAM VALUATIONS



Lot 1



Lot 2



Lot 3



Lot 4



Lot 5



Lot 6

Lots 1-6 Lions Drive, Mudgee

PERRAM VALUATIONS



Lot 7



Lot 8



Lot 9



Lot10

Lots 7-10 Lions Drive Mudgee

PERRAM VALUATIONS



View-Lot 1 down Lions Drive



View- towards Acoustic Barrier



View-Acoustic Barrier-rear of Lots



View Acoustic Barrier-rear of Lots

General views of Lots 1-10 Lions Drive Mudgee

6.2.9 LOCAL TRAFFIC COMMITTEE MINUTES 13 SEPTEMBER 2011

REPORT BY TRAFFIC ENGINEER
LTC REPORT TO ASSET MEETING 13 SEPTEMBER.DOCX
A0100052, R0790060

RECOMMENDATION

That:

1. the minutes for the Traffic Advisory Committee meeting held on 13 September 2011 are noted;
2. That parking is altered for approximately 45 metres in front of ADA Cottage, 93-95 Angus Ave, Kandos from parallel to reverse angle parking with an allocation of a reverse angle disabled parking space and 6m of 2 hour parking spaces closest to the facilities driveway.
3. That a “Disabled Parking” space and associated signage be installed at the Mudgee Public School, to the west side of the vehicle access in Denison St, as well as a disabled car space at Mudgee High School on the Southern side of the road 32m East of Douro St at the pedestrian entrance to Mudgee High School.
4. That the event – “A Day on the Green” at Robert Oatley Vineyards, 5 November 2011” – be classified as a Class 2 Event under the “Guide to Traffic and Transport Management for Special Events Version 3.4” and proceeds 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 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. A Traffic Control Plan (TCP), certified by a person with a "Worksite Traffic Control 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 is 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 2 weeks prior to the date; and

- m. The organiser is to have a debrief with Council and Police with all traffic control documentation and controls tabled for review.
 - n. The event organiser apply to the RTA for a direction to restrict the speed limit as proposed.
 - o. A copy of the TMP including the TCP be forwarded to the Traffic Operations Manager at the Regional RTA Office in Parkes, for information.
5. That the event – “Rylstone Street Feast”, 19 November 2011 – be classified as a Class 2 Event under the “Guide to Traffic and Transport Management for Special Events Version 3.4” and proceeds 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 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. A Traffic Control Plan (TCP), certified by a person with a "Worksite Traffic Control 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 is 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 2 weeks prior to the date; and
 - m. The organiser is to have a debrief with Council and Police with all traffic control documentation and controls tabled for review.
 - n. A copy of the TMP including the TCP be forwarded to the Traffic Operations Manager at the Regional RTA Office in Parkes, for information.
6. That Abattoirs Rd Mudgee from the Castlereagh Highway for its entire length of 1km be approved for Higher Mass Limits.

EXECUTIVE SUMMARY

The purpose of this report is to advise Council of the considerations and recommendations of the Local Traffic Committee (LTC) meeting held on 13 September 2011.

DETAILED REPORT

The detailed reports, minutes and discussion notes attached provide comment on the recommendations above.

The NSW Police were unable to provide a representative on the day of the meeting. The requirements of the Local Traffic Committee state that the concurrence of the RTA and the NSW Police is required. Hence, the minutes and discussion notes from the meeting were forwarded to the NSW Police who have indicated their concurrence.

FINANCIAL IMPLICATIONS

Recommendations 2 and 3 can be accommodated utilising existing maintenance budgets, the remainder of the recommendations do not require a budget.

STRATEGIC OR POLICY IMPLICATIONS

The Australian Standards AS 2890.5 & 6 -1993

The RTA "Guide to Traffic and Transport Management for Special Events 3.4".

ANDREW KEARINS
MANAGER TECHNICAL SUPPORT

CATHERINE VAN LAERAN
GROUP MANAGER PLANNING & DEVELOPMENT

15 September 2011

Attachments:

1. Minutes and Discussion Notes of the Traffic Committee Meeting held 13 September 2011
2. reports from Traffic Committee Meeting 13 September 2011 (attachments to these reports available on request)

APPROVED FOR SUBMISSION:

WARWICK BENNETT
GENERAL MANAGER

**MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING
HELD ON TUESDAY 13 SEPTEMBER 2011**

Present: Andrew Kearins (Chairperson - MWRC), Cllr Esme Martens (MWRC), Richard Dunbar (RTA), Malcolm Petrie (MP nominee), Ahmed Albanna (Development/Traffic Engineer – MWRC) and Nicole Cassidy (MWRC).

Apologies: Inspector Greg Spinks (NSW Police)

The LTC meeting commenced at 9:45am and concluded at 11.20am

The Traffic Committee wishes Bob Walker (RTA) well in his retirement.

Minutes of the previous meeting held on 8 March 2011 after in depth discussion regarding numerous items contained within the minutes, were accepted as a true and accurate record - **moved by Malcolm Petrie, seconded by Cllr Esme Martens.**

11/16 MATTERS IN PROGRESS

ITEM	ACTION
1. Review of speed zone on Carwell Street, Rylstone	TAC Agenda item – 08/41 Approved for review by RTA Letter to RTA Traffic Counters are currently recording speed data on request of RTA. Council to forward details to the RTA.
2. Speed Warning Device – CVPS P&C	Letter to RTA requesting consideration – 29/10/10 Response from RTA advising matter being considered by Centre for Road Safety – 22/11/10 Phone call to Sharon Grierson, matter still with Centre for Road Safety, no decision has been made at this time – 31/1/11 Andrew Kearins has spoken with Sharon 6/9/11 and she is still waiting on a response from Centre for Road Safety. Andrew will forward original request to Sharon for her to follow up.

11/17 SPECIAL EVENT DEBRIEF – nil to report

11/18 ALTERATION OF PARKING FROM PARRALLEL TO ANGLE PARKING, ANGUS AVE, KANDOS

The recommendation in the report was moved by Cllr Esme Martens, seconded by Mal Petrie, and carried as a recommendation to Council.

11/19 DISABLED PARKING SPACE, DENISON STREET MUDGEES

The recommendation in the report was moved by Cllr Esme Martens, seconded by Richard Dunbar, and carried as a recommendation to Council.

11/20 DAY ON THE GREEN MUDGEES, SATURDAY 5 NOVEMBER 2011

The recommendation in the report was amended as follows and moved by Richard Dunbar, seconded by Malcolm Petrie, and carried as a recommendation to Council.

- 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 is indemnified against any possible action as the result of the event;**
- o. A copy of the TMP including the TCP be forwarded to the Traffic Operations Manager at the Regional RTA Office in Parkes, for information.**

11/21 RYLSTONE STREET FEAST, 19 NOVEMBER 2011

The recommendation in the report was amended to include the following and moved by Richard Dunbar, seconded by Mal Petrie, and carried as a recommendation to Council.

- 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 is indemnified against any possible action as the result of the event;**
- n. A copy of the TMP including the TCP be forwarded to the Traffic Operations Manager at the Regional RTA Office in Parkes, for information.**

11/22 HIGHER MASS LIMIT APPROVAL ON ABATTOIRS ROAD

The recommendation in the report was moved by Cllr Esme Martens, seconded by Richard Dunbar, and carried as a recommendation to Council:

DISCUSSION NOTES FROM THE LOCAL TRAFFIC COMMITTEE MEETING
HELD ON TUESDAY, 13 SEPTEMBER 2011

Any items **not** listed in the discussion notes generally had minor discussions prior to the recommendation to the report being resolved by the Committee. In all those cases the items were relatively straight forward and the Committee agreed with the content of the reports.

Prior to minutes from previous meeting being accepted, discussion took place regarding Pitts Lane, Lue Rd, Ulan Rd roundabout concept. The RTA have informally been agreeable to the concept but this concept now needs to be submitted to the RTA for further formal endorsement.

Gulgong CBD traffic flow was also brought up by Clr Esme Martens at the request of Gulgong Pensioners and Superannuants Association. This is being put out for community consultation and Councils Traffic Engineer Ahmed Albanna will begin the implementation of this.

The Committee also requested the special event debriefs to be followed up with event organisers and note to them that this is a requirement of their approval.

11/20 DAY ON THE GREEN MUDGE, SATURDAY 5 NOVEMBER 2011

The Committee noted that the Public Liability Insurance be altered in condition (i) from \$10 million to \$20 million which is the current standard, and that a condition (o) be added stating that a copy of the Traffic Management Plan be forwarded to Paul Maloney – Traffic Operation Manager –RTA Parkes.

11/21 RYLSTONE STREET FEAST, 19 NOVEMBER 2011

The Committee noted that the Public Liability Insurance be altered in condition (i) from \$10 million to \$20 million which is the current standard, and that a condition (o) be added stating that a copy of the Traffic Management Plan be forwarded to Paul Maloney – Traffic Operation Manager –RTA Parkes.

11/22 HIGHER MASS LIMIT APPROVAL ON ABATTOIRS ROAD

Andrew Kearins explained that bridges along the road are the main problem to consider when approving roads for Higher Mass Limits (HML). As Abattoir Rd has no bridges Andrew suggested the road should be approved as requested through the RTA's "last Mile" program which involves approving small sections of local roads to major transport focal points off already approved state highways. Richard Dunbar explained that there is a monitoring system where the vehicles that join HML are tracked if they go off route.

The Committee agreed with the recommendation in the report.

Next Meeting

10.00am, 11 October 2011

Meeting Closed 11:20am

AGENDA

WelcomeApologiesMinutes from Previous MeetingGeneral Business

11/16	MATTERS IN PROGRESS	2
11/17	SPECIAL EVENT DEBRIEF	2
11/18	ALTERATION OF PARKING FROM PARALLEL TO ANGLE PARKING, ANGUS AVENUE, KANDOS	3
11/19	DISABLED PARKING SPACE, DENISON STREET MUDGEE	7
11/20	DAY ON THE GREEN MUDGEE, SATURDAY 5 NOVEMBER 2011	9
11/21	RYLSTONE STREET FEAST, 19 NOVEMBER 2011	12
11/22	HIGHER MASS LIMIT APPROVAL ON ABATTOIRS ROAD	15

REPORTS

11/16 MATTERS IN PROGRESS

ITEM	ACTION
1. Review of speed zone on Carwell Street, Rylstone	TAC Agenda item – 08/41 Approved for review by RTA Letter to RTA Awaiting response from RTA.
2. Speed Warning Device – CVPS P&C	Letter to RTA requesting consideration – 29/10/10 Response from RTA advising matter being considered by Centre for Road Safety – 22/11/10 Phone call to Sharon Grierson, matter still with Centre for Road Safety, no decision has been made at this time – 31/1/11 and 6/9/11 Action: Council to follow up with Sharon Grierson of RTA

11/17 SPECIAL EVENT DEBRIEF

Nil to report

11/18 ALTERATION OF PARKING FROM PARALLEL TO ANGLE PARKING, ANGUS AVENUE, KANDOS

REPORT BY MANAGER TECHNICAL SERVICES
ALTERATION OF PARKING FROM PARALLEL TO ANGLE PARKING - ANGUS AVENUE -
REPORT.DOC
A0060008, A0100009

RECOMMENDATION

That parking is altered for approximately 45 metres in front of ADA Cottage, 93-95 Angus Ave, Kandos from parallel to reverse angle parking with an allocation of a reverse angle disabled parking space and 6m of 2 hour parking spaces closest to the facilities driveway.

EXECUTIVE SUMMARY

Council has received a letter from ADA Cottage Kandos requesting consideration be made to altering the parking from parallel to angle parking for approximately 45 metres in front of the facility with an allocation of 2 hour parking in the closest two parks to the facility driveway.

This report supports the alteration as well as recommends the installation of a disabled parking space.

DETAILED REPORT

Angus Avenue at this location is 19m wide, providing ample room to provide angle parking at this location. Given the number of visitors to the centre the request is reasonable. The request for some 2hr spaces and some un-timed spaces is also reasonable. Council suggested the addition of a disable space to ADA and they agreed with the concept.

FINANCIAL IMPLICATIONS

The works will be programmed when maintenance budgets permit.

STRATEGIC OR POLICY IMPLICATIONS

The Australian Standards AS 2890.5 & 6 -1993

ANDREW KEARINS
MANAGER – TECHNICAL SUPPORT

24 August 2011

Attachments:

1. Site photo No.1
2. Street map view
3. Letter from ADA Cottage Kandos

11/19 DISABLED PARKING SPACE, DENISON STREET MUDGEE

REPORT BY MANAGER TECHNICAL SERVICES
DISABLED PARKING SPACE - DENISON ST - REPORT.DOC
A0060008, A0100009

RECOMMENDATION

That a “Disabled Parking” space and associated signage be installed at the Mudgee Public School, to the west side of the vehicle access in Denison St, as well as a disabled car space at Mudgee High School on the Southern side of the road 32m East of Douro St at the pedestrian entrance to Mudgee High School.

EXECUTIVE SUMMARY

Council has received a letter from Mudgee and Gulgong Access Committee requesting consideration of the placement of these disabled parking spaces both to the west side of the vehicle access of Mudgee Public School, in Denison St, as well as a disabled car space at Mudgee High School on the Southern side of the road near Douro St.

This report supports the installation of both disabled parking spaces in Denison Street .

DETAILED REPORT

The Australian Standard 2890.6 states that parking facilities, whether public or private, shall provide the number of car parking spaces for people with disabilities as specified below:

PROVISION OF ACCESSIBLE CAR PARKING SPACES

Total Number of Car Spaces	Number of accessible car spaces
1 – 20	Not less than 1
21 – 50	Not less than 2
For every additional 50 car spaces or part thereof	Not less than 1

The nearest existing disabled parking spaces to the requested location are in Douro St at the front entrance to Mudgee High School.

There is over 100 spaces in Denison St between Perry and Douro Sts, hence 2 disabled spaces are warranted based on space numbers, and given the request, there is a real need, hence it is considered appropriate to support this request.

FINANCIAL IMPLICATIONS

The works will be programmed when maintenance budgets permit.

STRATEGIC OR POLICY IMPLICATIONS

The parking spaces will be installed in accordance with Australian Standards AS 2890.5 1993 & AS 2890.6 -2009

11/20 DAY ON THE GREEN MUDGEE, SATURDAY 5 NOVEMBER 2011

REPORT BY MANAGER TECHNICAL SERVICES
DAY ON THE GREEN REPORT.DOC
R0790009

RECOMMENDATION

That the event – “A Day on the Green” at Robert Oatley Vineyards, 5 November 2011” – be classified as a Class 2 Event under the “Guide to Traffic and Transport Management for Special Events Version 3.4” and proceeds 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 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. A Traffic Control Plan (TCP), certified by a person with a "Worksite Traffic Control 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 \$10 million. Such a policy is to note that Council is 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 2 weeks prior to the date; and
- m. The organiser is to have a debrief with Council and Police with all traffic control documentation and controls tabled for review.
- n. The event organiser apply to the RTA for a direction to restrict the speed limit as proposed.

EXECUTIVE SUMMARY

A Day on the Green is a concert event which has been successfully held in Mudgee at Robert Oatley Vineyards on Craigmoor Road for a number of years. The event is expected to attract 5500 people and will be serviced by coaches operating services in and out of town, coaches on private charter, taxis and private vehicles. This report recommends approval of this event.

DETAILED REPORT

Council has received a comprehensive Traffic Management Plan (TMP) from Deploy Management Solutions Pty Ltd who are responsible for all traffic management relating to this event. Deploy Management will be working closely with NSW Police and Roundhouse Entertainment before and during the event. They have noted the importance of ensuring that the TMP is implemented correctly and completely to ensure that the event participants and other event personnel are subjected to the safest possible environment during the event and other road users are not adversely affected.

Deploy Management have requested the closure of the west bound lane of Eurunderee Lane from its intersection with Henry Lawson Drive to its intersection with Craigmoor Road from 10am on the day of the event, and also the closure of the southbound lane of Craigmoor Road from its intersection of Eurunderee Lane to its intersection with Henry Lawson Drive for the ingress and egress phases of the event.

The detours are considered appropriate because;

- Craigmoor Road is classified a minor local road and has a 7 metre seal, however the shoulders are very narrow or non existent meaning with high volumes of traffic there are safety concerns, particularly at night.
- In previous years, pedestrian traffic leaving the event walked on Craigmoor Road. The road has no lighting and this was considered to be quite dangerous amongst traffic. While this issue is being addressed through improvements to the public transport operations, it is a consideration for having one way traffic.
- The intersection of Henry Lawson Drive and Craigmoor road is less than the desirable standard 70 degrees and while it functions OK under low average traffic volumes, the high volumes of traffic for this event would be better serviced through the intersection of Eurunderee Lane and Henry Lawson Drive for the departing traffic.
- The general circulation of traffic as proposed is considered to be not only safer but more efficient.

Deploy Management have requested the following speed reduction:

- Craigmoor Road, from its intersection with Eurunderee Lane to Robert Oatley Winery – reduction in speed from 80kph to 40kph – *The speed reduction is to be applied due to the expected pedestrians crossing the road within the section of road from the staff car park to the rear of the event parking areas.*

The following points of interest were also noted in the TMP:

- Event traffic management implementation will commence from 7am. All equipment will be in place by 9.30am with the road closure of Eurunderee Road taking full effect from 10am.
- Traffic controllers will be in location and have radio contact to monitor traffic and adjust signage as required at the intersections deemed to be of greater risk.
- The event traffic management removal time is scheduled for 1.00am, at the latest, after the event.
- The process of normal traffic conditions restoration will be undertaken in an expedient and efficient manner when all on road infrastructure has been removed from the road.

STRATEGIC OR POLICY IMPLICATIONS

The RTA “Guide to Traffic and Transport Management for Special Events 3.4”.

ANDREW KEARINS
MANAGER TECHNICAL SERVICES
30 August 2011

11/21 RYLSTONE STREET FEAST, 19 NOVEMBER 2011

REPORT BY MANAGER TECHNICAL SERVICES
RYLSTONE STREET FEAST REPORT.DOC
R0790009

RECOMMENDATION

That the event – “Rylstone Street Feast”, 19 November 2011 – be classified as a Class 2 Event under the “Guide to Traffic and Transport Management for Special Events Version 3.4” and proceeds 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 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. A Traffic Control Plan (TCP), certified by a person with a "Worksite Traffic Control 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 \$10 million. Such a policy is to note that Council is 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 2 weeks prior to the date; and
- m. The organiser is to have a debrief with Council and Police with all traffic control documentation and controls tabled for review.

EXECUTIVE SUMMARY

Rylstone StreetFeast Inc have requested permission to close a section of Louee Street, between Cudgegong Street and Dabee Road, on Saturday 19 November 2011 between 9.00am and 6pm for the 10th Annual StreetFeast event.

This report recommends approval of the Rylstone Street Feast 2011.

DETAILED REPORT

This event is an outdoor luncheon that has been successfully held in Louee Street Rylstone for the past 9 years. It includes market stalls and entertainment.

The area proposed to be closed within Louee Street is indicated on the map attached. This closure is designed to allow vehicles to park in close proximity to the event and adequate parking space.

The organiser has provided the following risk assessment details:

- The street closure will be affected in accordance with the traffic plan.
- Fire, Ambulance and Police services have been notified in writing.
- There will be a designated aid area for minor accident treatment.
- In the event of wet weather the event will be moved indoors therefore negating any need for road closure.
- A clear 4 meter lane will be kept clear for emergency vehicle access to the enclosed area.
- Volunteers will be briefed on how and who to report any accident or emergency to.
- Two of the committee in attendance hold senior first aid certificates.
- All Committee members will be in possession of a mobile phone.

FINANCIAL IMPLICATIONS

Not Applicable

STRATEGIC OR POLICY IMPLICATIONS

The RTA Guide to Traffic and Transport Management for Special Events 3.4.

ANDREW KEARINS
MANAGER TECHNICAL SERVICES

30 August 2011

Attachments:

- 1 Plan of proposed road closure

11/22 HIGHER MASS LIMIT APPROVAL ON ABATTOIRS ROAD

REPORT BY MANAGER TECHNICAL SERVICES
HML ACCESS TO MUDGEES SALEYARD VIA ABATTOIRS RD - REPORT.DOCX
A0100009, A0040001

RECOMMENDATION

That Abattoirs Rd Mudgee from the Castlereagh Highway for its entire length of 1km be approved for Higher Mass Limits.

EXECUTIVE SUMMARY

Council has received a letter and information pack from the RTA explaining the Higher Mass Limits (HML) access restrictions for Heavy Vehicles attached. This report supports the approval of Abattoirs Rd Mudgee for HML use in accordance with the RTA's "Last Mile" proposal.

DETAILED REPORT

The RTA have approved the Castlereagh Hwy for use by vehicles registered for HML access along with many other Highways throughout Australia. A problem as described in the attached information from the RTA is that the route approval cannot be utilised in some cases unless a local road to particular destinations is also approved. In the region, the Mudgee Regional Saleyard on Abattoirs Road is a probable destination for HML vehicles, but Abattoirs Rd is not currently approved for HML access.

The RTA are encouraging Councils to consider and assess particular local roads that inhibit full utilisation of HML access to locations like saleyards under a program referred to as "Last Mile". Approving short lengths of local roads can sometimes mean HML can be utilised to reduce freight costs as well as utilising more modern trucks with better fuel efficiency and enhanced safety features. Full details of HML can be found in the attached RTA information sheets, including full details of the benefits of HML.

In considering a route for HML access, if already B-Double approved, the only further consideration is a structural assessment of any bridges on the route. Abattoirs Rd has no bridges along its length, so can be approved for HML access.

FINANCIAL IMPLICATIONS

There will be no real financial impact for Council; however there may be savings for local producers in reduced freight costs.

STRATEGIC OR POLICY IMPLICATIONS

RTA is encouraging approvals under the "Last Mile" program to improve freight efficiency across NSW.

ANDREW KEARINS
MANAGER – TECHNICAL SUPPORT

6 September 2011

Attachments:

1. RTA letter and information sheets

6.2.10 MUDGEES SHOWGROUND MANAGEMENT COMMITTEE – JUNE 2011

REPORT BY GROUP MANAGER OPERATIONS
Mudgee Showground Management Committee June Meeting
A0100052, P0210911, A0100012

RECOMMENDATION

That:

- 1. the report by Group Manager Operations on the Mudgee Showground Management Committee Meeting be received;**
- 2. the minutes for the Mudgee Showground Management Committee ordinary monthly meeting held on 7 June 2011 be noted.**

EXECUTIVE SUMMARY

The purpose of this report is to advise Council of the considerations and recommendations of the Mudgee Showground Management Committee ordinary monthly meeting held on 7 June 2011. The Showground Management Committee receives an updated Works Request and Matters in Progress report together with updated financial details each month prior to their meeting. A copy of the Works Requests and Matters in Progress are attached for Council information.

There are no matters arising that require consideration by Council at this time, noting that specific requests/recommendations are forwarded to Council under separate cover providing detailed information on requirements. Operational matters raised will be dealt with in due course when staff receives additional information.

FINANCIAL IMPLICATIONS

Not Applicable.

STRATEGIC OR POLICY IMPLICATIONS

Not Applicable.

APPROVED FOR SUBMISSION:

BRAD CAM
GROUP MANAGER OPERATIONS

WARWICK BENNETT
GENERAL MANAGER

20 September 2011

Attachments: 1. Minutes of the Mudgee Showground Management Committee ordinary monthly meeting 7 June 2011
2. Updated Works Request and Matter in Progress List

MUDGEES SHOWGROUND MANAGEMENT COMMITTEE

MEETING — 7 June 2011

Meeting Opened: 6.05pm

Present: Clr John Webb, Gwendy Cooper, Renee Bridger, Malcolm Swords, Clr Russell Holden, Brian Smith

Apologies: Brad Cam, Jim Gilby
Moved: Clr Holden
2nd: Malcolm Swords

Minutes of February Meeting - Accepted

Moved: Gwendy Cooper
2nd: Malcolm Swords

Matters in Progress

- The Reece quote for supply of Colorbond roofing for the kiosk was accepted.
Moved: Malcom Swords
2nd: Brian Smith
- Committee would like Pony Club approached again with regard to compensation for damage sustained on the main arena. Brad/Nicole will follow this up.

Correspondence In

- Renee had concerns in regard to the draft for revised Stable Hirer Term and Conditions. Renee was concerned that if it is stated that vacant stables are not to be used for storage by hirers that there will be nowhere to store their tack etc. Renee stated that there would not be enough room in the breezeway for storage boxes. Clr Holden suggested that the wording in the Terms and Conditions needs to remain so that it has weight if users do abuse the privilege. Renee is also opposed to having the term added that only one horse is to be stabled per stable, except with foal. Committee will speak further about this at its next meeting.
- Malcolm voiced concern over the letter from Mid-Western Working Horse association with regard to the assets they hold at the Showground. Malcolm feels that if they are on the Showground property it is at their own risk and should be their responsibility. Both Clr Holden and Clr Webb agreed with this. Brad/Nicole will draft a reply letter to this effect.
- The email from Kylie McDonnell with regard to campers being locked in the Showground overnight for events held there was discussed. Committee agreed that for events such as these it is up to the event organizer to either have security to keep the gate open, or have set lock up times etc. Brad/Nicole will draft a letter to this effect.
- Committee agreed that the old marshalling yards need pulling down and Brad/Nicole will go ahead and get a quote from Troy Kurtz on leveling and speak further with Joe Best about the working bee to pull it out.

Financial Report

- Copy of report was given out for Committee's information.

General Business

- It was reported that a man called Ian Francis is still running coaching clinics for profit under the Mid-Western Working Horse Assoc. The Committee will look at making a recommendation in regard to this when the business plan is looked at.
- Gwendy had a query on Marion Moore's behalf with regard to children under 16 years of age not being supervised while riding. Brad/Nicole will call Marion and speak to her further about this matter.

Meeting closed at: 7:30pm

Next meeting to be held 14 June 2011

MATTERS IN PROGRESS

ITEM	SUBJECT	MEETING DATE	ACTION	WHOM	PROGRESS	WORKS REQUEST
1	Main Pavilion	4.3.11	Contractor has been appointed – CCA Projects. Will be starting 20.3.11.	B Cam	In Progress	
2	Look into altering bond terms and conditions for building hire.	1.2.11		B Cam/ N Cassidy	In Progress	
3	Quotes for Kiosk Roofing including gutter and screws.	1.2.11		B Cam/ N Cassidy	Completed	
4	Stable conditions of hire.	1.3.11		B Cam/N Cassidy	Finalised for Committee approval	
5	Opening & Closing hours	1.3.11	Possible revision of open & close times	All		
6	Notice board	1.3.11	Write to Moolarben Coal to request commitment to sponsorship of notice board.	All	In Progress	
7	Gates to be re-powder coated	19.5.11		B Cam/ N Cassidy	In Progress	
8	Storage Shed	1.3.11	Look into feasibility of building shed & possibility of utilizing steel off old main pavilion.	All		

6.2.11 GULGONG MEMORIAL HALL COMMITTEE MEETING – SEPTEMBER 2011

REPORT BY ADMINISTRATION & BUILDING MAINTENANCE COORDINATOR
Gulgong Hall Committee
A0100052, P0453311

RECOMMENDATION**That:**

- 1. the report by the Administration and Building Maintenance Coordinator on the Gulgong Memorial Hall Committee Meeting be received;**
- 2. the minutes of the Gulgong Memorial Hall Committee held on the 13 September 2011 be received.**

EXECUTIVE SUMMARY

The purpose of this report is to advise Council of the considerations and recommendations of the Gulgong Memorial Hall Committee Meeting held on 13 September 2011.

FINANCIAL IMPLICATIONS

Not applicable.

STRATEGIC OR POLICY IMPLICATIONS

Not applicable.

KRISTIE WARD
ADMINISTRATION & BUILDING
MAINTENANCE COORDINATOR

BRAD CAM
GROUP MANAGER OPERATIONS

26 September 2011

Attachments: Gulgong Memorial Hall Committee meeting minutes

APPROVED FOR SUBMISSION:

WARWICK BENNETT
GENERAL MANAGER

Gulgong Memorial Hall Meeting 13/9/2011

Meeting opened: 15.05 pm

Attendance: Maureen Trgo, Peter Willis, Alan McSweyn, Michael Moxon, Bill Clifford, Richard Wilson, Charles Vassel, Cheryl Vassel, Kristie Ward

Apologies: Percy Thompson, Chris and Pauline Hannaford

Meeting opened 4.05 pm

Previous minutes Correct: Charles Vassel, Bill Clifford

Correspondence In: Nil

Correspondence Out: Nil

General business:

Matters Arising:

Kristie: Curtain tracks cleaned with graphite, so curtains working again, but perhaps not for long. If wet lubricant used, this attracts dust which stops curtains working. A silicone spray can work well. Kristie in process of working out 30 year maintenance plan – one of the things is upgrading curtains and tracks. \$500 a very low price unsure if acceptable, perhaps can go halves with Eisteddfod committee. Tender happening with Mudgee Library, so they may be able to look at other halls while they are here, needs to be done properly so warranty not voided.

Hessian needs to be rehung to stop sound reverberating. Kristie will talk to Mark Harris/Roger about this.

Signage – has Chamber heard from Council? Peter/Kristie will check.

Trotting club wants to put on a fancy dress Celebration in early October to raise funds for a meeting in March next year.

Combining of Men's Shed and Lapidary Club. Council will be looking at this again now staff is back at work after sick leave. Lapidary Club has just paid for another 12 months lease. Lease can be transferred as necessary to Men's Shed.

Issued raised that mice have returned and need more baits – Kristie will organise this.

Spotlight system needs further investigation as to whether it is placed on a stand, or hang from the roof so they don't shine in people's eyes that are on the stage.

Kristie will find out about funding is distributed for the MRTI and how much of Council's funding is allocated to the Gulgong area.

Back wall of stage needs repainting – became marked after recent events. Kristie will provide paint if Men's Shed can do painting.

Kristie contacted Ian Roberts at Council re insurance for Christmas Celebration and is committee covered under Council's liability, confirmation that yes this is covered. Kristie will get Allan Talbot (OHS Coordinator) to help us do a risk assessment, Bill Clifford will take care of this and Peter will talk to Circus and other exhibitors about providing copies of their insurances.

Meeting closed 4.40pm

Next meeting Tuesday 11/10/2011, 3.30

6.2.12 GULGONG SPORTS COUNCIL MINUTES – AUGUST 2011

REPORT BY GROUP MANAGER MID-WESTERN OPERATIONS Gulgong Sports August A0100052, A0360003

RECOMMENDATION**That:**

- 1. the report by Group Manager Operations on the Gulgong Sports Council minutes be received;**
- 2. the minutes for the Gulgong Sports Council ordinary monthly meeting held on 10 August 2011 be noted.**

EXECUTIVE SUMMARY

The purpose of this report is to advise Council of the considerations and recommendations of the Gulgong Sports Council Meeting held on 10 August 2011. The Sports Council receives an updated Works Request and Matters in Progress report together with updated financial details each month prior to their meeting.

There are no further matters arising that require consideration by Council at this time, noting that specific requests/recommendations are forwarded to Council under separate cover providing detailed information on requirements. Operational matters raised will be dealt with in due course when staff receives additional information.

ALL CONSIDERATIONS WERE REVIEWED AND DEEMED NOT APPLICABLE

BRAD CAM
GROUP MANAGER MID-WESTERN OPERATIONS

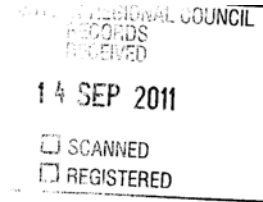
19 September 2011

Attachments: Minutes of the Gulgong Sports Council Ordinary Meeting 10 August 2011

APPROVED FOR SUBMISSION:

WARWICK BENNETT
GENERAL MANAGER

Gulgong Sports Council
Monthly Meeting held Gulgong High School
Wednesday 10th August, 2011



Meeting Opened: 7:10pm

President: Craig Holden

Apologies:

Present: C. Holden - President, B. Gudgeon - Senior Cricket, B. Rae - Dog Obedience, C. Rae - Volunteer, N. Barnes - Miniature Horse & Gulgong Pony Club, C. Rissler - Gulgong Public School, B. Murphy – Dog Obedience, C. Warwicker – Gulgong Junior League, L.Hawkins – Passive Parks, D Seis, P.Thompson - MWRC

Motion 1 – “That the apologies be accepted”

Moved: C. Rissler

Seconded: N. Barnes

All in favour – motion moved and carried.

Motion 2 – “That the minutes be accepted as read”

Moved: B. Rae

Seconded: B. Murphy

All in favour – motion moved and carried.

Council Business:

1. The Synthetic mats for Billy Dunn oval need replacing urgently and this needs to be done before the cricket season starts in October as it could become a safety issue otherwise. Jenny Neely is looking into this and is now under way.
2. Work request – still waiting for sprinkler system to be fixed at Victoria Park.
3. Electrician needed at Victoria Park to check all power points – need full inspection as keep tripping.

3. Suggestion was made that the money we raised from the Race Day be donated to the Development Fund to support the two scholarships. Brian to chase up money.
4. It will be our AGM next month and we will start the meeting at 6:30pm. Nomination forms will be available at Gulgong Council. Wendy to advertise in the Gulgong Gossip that it is our AGM and starting early.
5. MWRC will be having another meeting in about 3 to 4 week's time to discuss responses to the fees and charges proposal.
6. Was discussed to leave in the monthly awards for junior person, senior person and or/team.

General Business Clubs Reports

1. Dave Newell is writing to Council regarding increase of fees. Junior League has also been onto the minister of Health regarding Obesity etc and the Minister of Sport & Recreation for advice. They have put out a petition and so far have over 500 signatures on the petition.
2. Junior League have said they would have to increase costs to \$160 a child to cover MWRC proposed fees hike and that would be too much and they would probably end up moving to Dunedoo. There are no proper facilities such as disable facilities, no change rooms separate for girls etc so they are not willing to pay for the increase in costs.

Meeting closed: 8.35

Craig Holden _____ President

6.2.13 KANDOS BICENTENNIAL MUSEUM COMMITTEE - AUGUST 2011

REPORT BY MANAGER COMMUNITY DEVELOPMENT
KANDOS BICENTENNIAL INDUSTRIAL MUSEUM MEETING AUGUST 2011
A0100052, A0060123

RECOMMENDATION

That:

- 1. the report by the Manager Community Development on the Kandos Museum Committee be received;**
- 2. Council note the minutes of the Kandos Bicentennial Industrial Museum meeting held on 18 August 2011;**
- 3. Council endorse the Kandos Bicentennial Museum Collection Policy.**

EXECUTIVE SUMMARY

The Committee meets to highlight and promote the operation of Kandos Bicentennial Museum. The next Committee meeting is to be held on 13 October 2011.

DETAILED REPORT

Changes to the Museum Collection Policy are recommended at the request of the Committee to include reference to no photographs being taken at the Museum without permission and the exclusion of back packs and large bags from the museum and the need for handbags to be presented for inspection before leaving the museum. A draft policy is attached for Council's consideration.

The Committee discussed the Kandos Centenary and the members were advised that an advertisement had been placed in the Community News asking for expressions of interest to be involved with the Committee. The Committee carried a motion that they write to the General Manager of Council expressing interest in having Kandos Bicentennial Museum representatives on the Committee.

The Powerhouse Museum Workshop is to be held on Saturday 17 September 2011 and all volunteers were encouraged to attend.

The Committee discussed which items they would like donated from Kandos Cement. Items which will be requested are the ambulance, audio visual gear such as white boards, photocopier, table, sheds, fossils and calcites.

A number of other issues were discussed and these are included in the minutes.

FINANCIAL IMPLICATIONS

Not applicable.

STRATEGIC OR POLICY IMPLICATIONS

A draft of the updated Kandos Bicentennial Museum Collection Policy is included for endorsement by Council. The changes are the inclusion of clauses on Photography and Bags.

SIMON JONES
MANAGER COMMUNITY DEVELOPMENT

CATHERINE VAN LAEREN
GROUP MANAGER DEVELOPMENT
AND COMMUNITY SERVICES

16 September 2011

Attachments:

1. Minutes of the Kandos Bicentennial Industrial Museum Meeting held on 18 August 2011.
2. Draft KBIM Collection Policy

APPROVED FOR SUBMISSION:

WARWICK BENNETT
GENERAL MANAGER

**MINUTES OF MEETING OF THE
KANDOS BICENTENNIAL INDUSTRIAL MUSEUM
HELD ON THURSDAY 18th August 2011
MEETING AT THE MUSEUM AT 2PM.**

Present: Esme Martens (Chair), Noel Costello, Ivy Tomlinson, Bob Tomlinson, Marie Ford,
Lesley Pennell, Virginia Handmer, Simon Jones.

1. **WELCOME:** – Cr Martens opened the meeting at 2.02pm and welcomed everyone.

2. **APOLOGIES:** Pam O'Connor, Sue Gould

Moved: Ivy Tomlinson Seconded: Marie Ford **Apologies Accepted**

3. **ADOPTION OF PREVIOUS MINUTES OF 14th APRIL 2011**

Moved: Ivy Tomlinson Seconded: Marie Ford **Minutes Accepted**

With the following amendment - the minutes of the June meeting have 9th of May rather than June at the top.

4. **MATTERS ARISING FROM THE MINUTES**

- Upgrade works in progress; will be discussed in greater detail in General Business
- Museum Collection Policy amendment; Virginia Handmer tabled a draft that includes reference to no photographing and exclusion of back packs and large bags from the museum and handbags to be presented for inspection before leaving the museum.

Motion: That the amendments to the Collection Policy be accepted

Moved: Bob Tomlinson, Seconded: Marie Ford **Motion Carried**

- Noel Costello told the meeting that John Immig from the State Library had come into the Museum and took photos. He said he will provide a disc of them for the use of the KBM.
- Kandos Centenary; an advertisement has been in the Community News asking for expressions of interest in being on the committee.

Motion; that the KBM write to MWRC General Manager expressing interest in having a KBM rep on the committee.

Moved: Peg Butler Seconded: Noel Costello **Motion Carried**

Motion: The Committee nominated Marie Ford with an alternate member being Peg Butler for the Kandos Centenary Committee.

Moved: Noel Costello Seconded: Ivy Tomlinson **Motion Carried**

Motion: That there be further nominations for Cr Esme Martens and Bruce Fleming.

Moved: Bob Tomlinson Seconded: Noel Costello **Motion Carried**

- Power House Museum Workshops; Trevor Pascoe has let the committee know that the workshop is on Sat 17 September from 9.30 am to 3.30pm at KBM. There is mention of morning tea and lunch being provided for an extra cost of \$15 (VH to contact John Broadley regarding whether the KBM is providing this or another caterer). Simon Jones encouraged everyone to attend this meeting including volunteers involved in managing the collection and that lunch and morning tea would be covered for Museum volunteers and Committee members. So far the following committee members are attending the workshop; Noel Costello, Bob Tomlinson, Ivy Tomlinson, Peg Butler, Esme Martens and Marie Ford.

5. CORRESPONDENCE

5.1 CORRESPONDENCE IN

- Central Tablelands Chapter Museums AGM minutes, info on the Annual Project Day and a letter from the president.
- Lithgow City Council Tourism Strategy workshop at Glen Davis Hall on Sat 20th August
- Rylstone & District Historical Society
 - Notice of meeting and AGM
 - presidents Report to the AGM,
 - AGM minutes
 - Letter regarding identifying people in a photo from 1934
 - Membership renewal (\$22)
 Motion to pay put by Noel Costello, seconded by Ivy Tomlinson Carried
- Museum matters publication
- Memorial piece on John Wassall for KBM collection

5.2 CORRESPONDENCE OUT - Nil

6. TREASURUER'S REPORT

A copy of the report is included with the minutes of the meeting.

Moved: Bob Tomlinson Seconded: Marie Ford **Report Accepted**

7. GENERAL BUSINESS

7.1 Donations from Kandos Cement

A meeting has been set up on Thursday the 15th of September with Kandos cement to discuss what items the KBM would like donated to the museum.

Please forward ideas to Virginia on 63575010 or virginia.handmer@midwestern.nsw.gov.au

Bruce Fleming has spoken to the Kandos Cement accountant who suggested the committee write to them on KBM letterhead requesting for specific items as the request has to go to the main office at Gladstone and then back to David Cusack.

In discussion the following items were listed;

- The ambulance
- Audio visual gear such as white boards, photo copier, and a table
- Removal and re erection of suitable sheds
- Fossils, calcite
- The large photo from the main entry
- Blacksmithing tools

7.2 Looking Forward Looking Back

Rev Leigh Williams and Rev Graeme Gardiner are hosting a session on Sat 10th of September at 5pm for the Kandos community at the Kandos hall.

Motion: That display items from the museum be offered for this event

Moved: Peg Butler Seconded: Bob Tomlinson **Motion Carried**

7.3 Museum Upgrade

Simon Jones reported that he has spoken to Colin Jones who is in the middle of moving out of his workplace but will be back the week after next to give the work a real push. It will be looking very good by the workshop and book launch.

7.4 Other Items

Peg Butler reported that 2011 is the year of women and of volunteers making it a good time to acknowledge Pat Studdy-Clift and her work on the Lady Bushranger in this regard at the book launch.

She also suggested that a display showing what women were doing before, during and after the Depression be a good idea.

Discussion re the volunteers afternoon tea being the same day as the book launch. Marie will call Pat and see if she can change her launch until Sunday the 27th (*Note: post meeting the book launch and volunteers afternoon tea are both now on Sat 3 Dec*).

Members of the committee think that volunteers, where possible, should have a committee member with them when they are on duty.


Nola Lees Banks- history of Kandos called ½ Dozen Please has disappeared.

8. ACTION LIST

Item	Responsibility
Contact John Broadley re who is providing morning tea and lunch on sat 17 September workshop	Virginia Handmer
List compiled for donation from Kandos Cement	Everyone to Virginia Handmer

There being no further business the meeting closed at 3.30pm.

Next meeting: Thursday 13th October, 2011 at 2pm at the Kandos Museum.

	POLICY	ADOPTED C/M Minute No. XXX / XX
	KANDOS BICENTENNIAL INDUSTRIAL MUSEUM COLLECTION POLICY	REF: KBM REV: A0060123 FILE No. A0060123

OBJECTIVE

The objective of this policy is to assist in the development of a community-based Museum that celebrates the history and character of the Kandos area. The policy provides an outline of the procedures for the collection, maintenance and storage of the Museum collection and provides some guidance for the management Committee for the provision of these services.

Introduction:

Under the terms of the Local Government Act, the Kandos Bicentennial Industrial Museum Committee is recognised as a Section 355 Committee of Council by Mid-Western Regional Council. The Committee is therefore charged with responsibility for the operation of the Museum on behalf of Council.

For the purposes of this policy, “Committee” refers to the Kandos Bicentennial Industrial Museum Committee.

From time to time, the Museum receives donations, from local organisations or individuals. As it is important that such donations are of a standard suitable for Museum display, it is advisable to obtain an informed opinion on the appropriateness and quality of the proposed collection item.

Collection / Selection processes:

The selection of works for the Museum collection is to be determined by a Selection Forum, as appointed by the Committee. The Selection Forum may request assist from specialists or Council for particular items or tasks. The Forum shall meet as required.

Principles of Selection

- The underlying principle for selection is that the item has some relevance to the history of the Kandos region, with particular reference to the industrial history of the area.
- Each item should have clear and valid title, preferably but not necessarily including copyright;
- Each item shall be documented upon acquisition. This registry should be a permanent record kept both electronically and in hard copy.
- Each item collected shall be capable of being displayed in a setting which is accessible to the public;
- No item which breaches common law shall be accepted eg copyright law, import restrictions, unlawful acquisition by donor;

- Items which have restrictions on their usage deemed unreasonable by the Committee will not, as a general rule, be accepted but if accepted, such restrictions will be honoured.
- Donors shall be supplied with a receipt for their donation. Records will be kept so that items can be returned as required.
- Indigenous cultural property shall be acquired only after consultation and agreement with indigenous groups.

Maintenance

The maintenance of the works in the collection is completed by the Committee members as required, in accordance with maintenance principles.

Loans to Others

Items can be loaned to other organisations or museums but only after the Committee has agreed and this is recorded at a Committee meeting.

Photography

Members of the public are not allowed to take photos in the museum but some provision will be made to either provide images of requested items (at a cost) and/or postcards with photographs of popular items will be available for sale in the kiosk.

Bags

Back packs and other large bags are not allowed into the museum for security reasons; however handbags are exempt but must be presented for inspection when leaving the museum.

Forms

A number of forms are maintained by the Museum, including:

- Deed of Gift
- Object Record Sheet
- Gift Acknowledgment Form
- Outgoing Loan Form
- Incoming Loan Form

Statement on Firearms

The Museum has a small collection of firearms. Under the application for a Firearms Museum Permit, the Museum will commit for the safe and secure storage of any firearms on the premises of the Museum. Any firearms on site will be displayed for education purposes only and will conform to the collection policy.

De-accessioning

Removal of items from the collection should also take place under the guidance of the Selection Forum.

Location

Unless otherwise stated, the location of the collection items will be determined by the Kandos Bicentennial Industrial Museum Committee on behalf of Mid-Western Regional Council. It is expected that items will be housed at the Museum or in appropriate storage.

6.2.14 KANDOS CENTENARY COMMITTEE

REPORT BY MANAGER COMMUNITY DEVELOPMENT
KANDOS CENTENARY COMMITTEE
A0100052, A0310010

RECOMMENDATION

That:

- 1. the report by the Manager, Community Development on the Kandos Centennial Working Party be received;**
- 2. Council accept the nominations of Pam O'Connor, Leanne Wicks, Marie Ford, Peg Butler and Bruce Fleming to be members of the Kandos Centenary Working Party.**

EXECUTIVE SUMMARY

At the meeting of 6 April 2011, Council determined to form a Kandos Centenary Working Party to be involved in the organisation and coordination of the Kandos centenary celebrations in 2014. This report seeks the approval of Council to appoint members of the community to that Working Party.

DETAILED REPORT

Following the decision of Council to form a Kandos Centenary Working Party, expressions of interest were sought from community members who were interested in being involved. At this point, nominations have been received from Pam O'Connor, Leanne Wicks, Marie Ford, Peg Butler, Bruce Fleming and Cr Esme Martens. Council appointed Cr Martens at the last meeting. The majority of these nominations have come from the Kandos Museum Committee who will understandably have a role to play in the celebrations. However, it is important to note that this Kandos Centenary Working Party would exist separately to the Museum Committee.

All of the nominations have expressed and demonstrated an interest in Kandos and its history. While only six nominations have been received, this does not preclude additional people who may be interested from joining at a later stage.

It is recommended that a Working Party be formed, not a 355 Committee as it has a fixed term for its role.

It is proposed to hold a meeting of this Working Party prior to the end of 2011 to begin to generate ideas and to form a Terms of Reference for the Working party.

FINANCIAL IMPLICATIONS

Not applicable.

STRATEGIC OR POLICY IMPLICATIONS

Not applicable.

SIMON JONES
MANAGER COMMUNITY DEVELOPMENT

CATHERINE VAN LAEREN
GROUP MANAGER DEVELOPMENT
AND COMMUNITY SERVICES

19 September 2011

Attachments:

3. Letter from Leanne Wicks dated 1 September 2011.
4. Letter from Simon Jones to MWRC General Manager dated 2 September 2011.
5. Email from Pam O'Connor dated 8 November 2011.

APPROVED FOR SUBMISSION:

WARWICK BENNETT
GENERAL MANAGER

ATTACHMENT 1

Leanne Wicks
PO Box 90
Kandos NSW 2848

01.09.2011

General Manager
Mid-Western Regional Council
PO Box 156
Mudgee NSW 2850

Re: Kandos Centenary Committee

Dear Sir/Madam,

I would like to express my interest at being involved with the Kandos Centenary Committee.

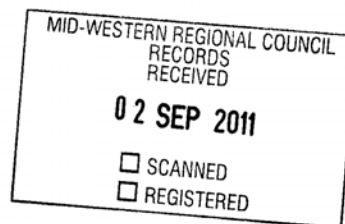
A resident of Kandos since 2002, I would like to positively contribute to my community and have a passion for education and history. I am a representative for the homeschoolers in the area, have volunteered at the Kandos Bicentennial Industrial Museum for the past year and am currently studying Certificate IV in Museum Studies in order to affirm my love of history and develop relationships with the community.

I have recently designed the Kandos Writers' Group Inaugural Anthology "Kandos Moments" which also included some of my poems. I am currently the Poet in Residence at Café on Louee for a six month residency for Australian Poetry.

I would like to use my passion for history, education, writing and Kandos to help with plans for events in 2014.

Yours Faithfully,

Leanne



ACK



SJ:A0060123

ATTACHMENT 2

PO BOX 156
MUDGEE NSW 285086 Market Street MUDGEE
109 Herbert Street GULGONG
77 Louee Street RYLSTONE

Ph: 1300 765 002 or (02) 6378 2850

Fax: (02) 6378 2815

email: council@midwestern.nsw.gov.au

2 September 2011

The General Manager
Mid-Western Regional Council
PO Box 156
MUDGEE NSW 2850

Dear Warwick,

I am writing on behalf of the Kandos Bicentennial Museum Committee. At the most recent meeting of the Committee on the 18th August, the matter of representation on the Kandos Centenary Committee was discussed.

A motion was supported at that meeting for the Museum to have representation on the Centenary Committee, with Marie Ford and Peg Butler being put forward as the Museum recommendations. Marie and Peg are long standing members of the Museum Committee and have been involved in the recording and display of Kandos history for many years.

Furthermore, the Committee would also like to recommend that Cr Esme Martens and Bruce Fleming be nominated to be on the Centenary Committee. Bruce is the author of "A History of Kandos" and is recognised as having substantial knowledge of Kandos and its history.

All four of the individuals nominated have made significant contributions to Kandos and the region and their interest in being part of this Committee is welcomed.

Yours faithfully

SIMON JONES
MANAGER LIBRARY AND COMMUNITY SERVICES

Fw: 100 year celebration

Simon Jones to: Katherine Uhila

14/09/2011 04:38 PM

----- Forwarded by Simon Jones/Council on 09/14/2011 04:37 PM -----

100 year celebration

kayandos to: virginia

08/11/2011 09:12 AM

G'Day Virginia and Simon,

Could I please be included on the committee for this auspicious occasion of Kandos being 100 years old. This would be in the capacity of my role as

President of the Kandos Writers FAW Group. I am presently producing a book titled 'Unity of Rocky.

Thank you for your time. Cheers Pam

6.2.15 MID-WESTERN REGIONAL YOUTH COUNCIL – SEPTEMBER 2011

REPORT BY MANAGER COMMUNITY DEVELOPMENT
MID-WESTERN REGIONAL YOUTH COUNCIL SEPTEMBER 2011
A0100052, A0060048

RECOMMENDATION

That:

1. **the report by the Manager Community Development on the Youth Council Meeting be received;**
2. **Council note the minutes of the Mid-Western Regional Youth Council held on 6th September 2011.**

EXECUTIVE SUMMARY

The Youth Council provides an opportunity for the young people in the region to have a voice in helping to determine Council's priorities and highlight issues that need addressing, particularly in relation to service and programs of particular interest to youth. The next Youth Council meeting is due to be held in Mudgee on Tuesday 18 October 2011.

DETAILED REPORT

Cathy Leisfield advised the Councillors that she had attended the Youth Week Local Government Awards in Sydney where Council was finalists in two of the four award categories: Best Small Council with the Most Outstanding Youth Week Program and Best Ongoing commitment to Local Youth Week Programs. Unfortunately Council did not win the Award.

The Youth Mayor attended the Community Safety Committee and gave an update advising that the meeting particularly focused on youth crime, such as vandalism, graffiti and theft from motor vehicles. There was a request from the Police Superintendent for more young people to attend the next meeting.

School holiday program was distributed which includes games days, pizza night, oztag, cupcake decorating, family fun day and Newtown's Nation at Mudgee Skate Park. All Youth Councillors were encouraged to attend where possible.

Nominations to be involved in the next Youth are due on 30 September 2011.

FINANCIAL IMPLICATIONS

Not applicable.

STRATEGIC OR POLICY IMPLICATIONS

Not applicable.

SIMON JONES
MANAGER COMMUNITY DEVELOPMENT

CATHERINE VAN LAEREN
GROUP MANAGER DEVELOPMENT &
COMMUNITY SERVICES

16 September 2011

Attachments: Minutes of the Meeting of the Mid-Western Regional Youth Council held on 6 September 2011

APPROVED FOR SUBMISSION:

WARWICK BENNETT
GENERAL MANAGER

**MINUTES OF THE MEETING OF THE MID-WESTERN
REGIONAL YOUTH COUNCIL HELD ON TUESDAY
6 SEPTEMBER 2011, AT 4.30PM AT GULGONG HIGH SCHOOL**

PRESENT:

Youth Councillors: Henry Van Laeren, Kristy Kimber, Mary Sparkes, Jessica MacLennan, Jaimee Lawson

Council Staff: Virginia Handmer (Youth & Community Development Officer), Cathy Leisfield (Youth Services Officer)

Chair: Mary Sparkes

Minutes: Cathy Leisfield

1. WELCOME

Mary Sparkes opened the meeting at 4.35pm and welcomed those in attendance.

2. APOLOGIES: John Weatherley, Alana Drury

Motion: That the apologies be accepted.

Moved: Henry Van Laeren

Seconded: Mary Sparkes

Accepted

3. MINUTES FROM THE PREVIOUS MEETING

Motion: That the minutes of the previous meeting held on 14 June 2011 be accepted.

Moved: Henry Van Laeren

Seconded: Kristy Kimber

Minutes Accepted

4. Correspondence

Nil

5. BUSINESS ARISING FROM THE MINUTES**5.1 Youth Week Local Government Awards**

- Although Mid-Western Regional Council did not win an award, we were nominated as finalists in two of the four award categories: Best Small Council with the Most Outstanding Youth Week Program and Best Ongoing Commitment to Local Youth Week Programs.

5.2 Video Gaming Classification Submission

- Virginia submitted a letter of support, but unfortunately the letter was returned as the incorrect mailing details were listed on the website. Submissions have now closed. The NSW Attorney General has given his in principle support to an R18+ games rating system, which means all States are now supportive and classification guidelines can start to be discussed.

5.3 Gulgong Skate Park Working Party Update

- Nothing to report – the outcome of the grant submission has not been announced, although it was due at the end of August. Once this is known, the Working Party will meet to continue progression of the upgrade.

5.4 Skate Park Issues Paper

- This was submitted to Council accompanied by a letter from Mary Sparkes. There was some coverage in the media supporting the call to maintain the region's skate parks.

5.5 Gulgong Drop In Centre

- Jessica reported she has had several approaches from older people in the community who have also mentioned they may have a venue available for a Centre. Jessica is to ask Chris Gill to contact Cathy to further discussions.

5.6 Community Safety Committee

- Mary gave an update on the first meeting of the Committee which discussed crime in the region. The meeting particularly focused on youth crime, such as vandalism, graffiti and theft from motor vehicles. There was a request from the Police Superintendent for more young people to attend the next meeting. The next meeting is scheduled to occur sometime after the appointment of a new officer at the PCYC (the position is currently being advertised).
- Jessica mentioned the Mother Duck mentoring program which has previously run at Gulgong High. Mary was interested in something like this running at Mudgee High and will ask the Principal about former/current peer support programs.

5.7 Youth Council Alumni

- Mary will set up a group on facebook and notify Youth Councillors.

6. GENERAL BUSINESS

6.1 Sept/Oct School Holiday Program

- Cathy distributed information on the school holiday program which includes games days, pizza night, oztag, cupcake decorating, family fun day and Newton's Nation at Mudgee Skate Park. All Youth Councillors were encouraged to attend where possible.

6.2 Youth Council Elections/Nominations

- Forms were distributed to current Youth Councillors for renomination and Virginia asked for them to be passed on to anyone who may be interested in joining. Nominations are due on 30 September 2011.
- Virginia thanked the outgoing Youth Council for a great year. Jessica thanked Virginia and Cathy for their guidance over the last four years that she has been part of Youth Council.

Next Youth Council Meeting: Tuesday 18 October, 4pm, Mudgee Council Chambers

Meeting closed at 5.30pm

6.2.16 MUDGEE AND GULGONG ACCESS COMMITTEE – AUGUST AND SEPTEMBER 2011

REPORT BY MANAGER COMMUNITY DEVELOPMENT
MUDGEE AND GULGONG ACCESS COMMITTEE MEETING AUGUST & SEPTEMBER 2011
A0100052, A006008

RECOMMENDATION

That:

- 1. the report by the Manager Community Development on the Mudgee and Gulgong Access Committee be received;**
- 2. Council note the minutes of the Mudgee and Gulgong Access Committee meetings held on 2 August 2011 and 6 September 2011.**

EXECUTIVE SUMMARY

The Mudgee and Gulgong Access Committee meets monthly to highlight and promote accessibility issues in the region. The next meeting is to be held on 4 October 2011.

DETAILED REPORT

A number of matters arose at the meeting as well as discussion related to ongoing issues. These are included in the minutes.

The Development Application for the Mudgee Golf Club was discussed and a letter will be drafted and forwarded setting out information on behalf of the Committee..

Mary spoke to Grovener High Valley Cheeses about accessible car parking space. Accessible toilets at Victoria Park and Billy Dunn Over at Gulgong will require further inspection.

A couple of members of the committee were to attend the Western Regional Access Meeting which was held on 16th September 2011.

FINANCIAL IMPLICATIONS

Not applicable.

STRATEGIC OR POLICY IMPLICATIONS

Not applicable.

SIMON JONES
MANAGER COMMUNITY DEVELOPMENT

CATHERINE VAN LAEREN
GROUP MANAGER DEVELOPMENT
AND COMMUNITY SERVICES

19 September 2011

Attachments:

1. Minutes of the meeting of the Mudgee and Gulgong Access Committee held on 2 August 2011.
2. Minutes of the meeting of the Mudgee and Gulgong Access Committee held on 6 September 2011

APPROVED FOR SUBMISSION:

WARWICK BENNETT
GENERAL MANAGER

ATTACHMENT 1

**MINUTES OF THE ORDINARY MEETING OF THE MUDGEES AND GULGONG ACCESS
COMMITTEE HELD ON TUESDAY, 2 AUGUST, 2011
COMMENCING 1.00PM IN THE STABLES MEETING ROOM, MUDGEES.**

PRESENT: Access Committee members: Mary Lovett, Les Leighton, Cr Percy Thompson, Judy Hickey and Victoria Barrett.

Council Staff: Kate Riach, Tim O'Reilly, and Judy Blackman.

1. **APOLOGIES:** Rodger Barnes and Jenny Skinner.

2. **CONFIRMATION OF PREVIOUS MINUTES**

Minutes of the meeting held 6.7.11 confirmed as distributed with the addition of J. Hickey and R. Barnes to the apologies list.

Moved: V. Barrett

Seconded: L. Leighton

3. **MATTERS ARISING FROM MINUTES:**

3.1 Recommendation to Traffic Committee regarding disabled car parking space outside the Library – this will be done by Kate when the D.A. is submitted.

3.2 Re 179 Tinja Lane – Tim advised that the winery has been inspected and the work has been done. The car parking space has been installed and the toilet concerns addressed. Final Certificate has been issued.

3.3 Letter regarding the adult change table was sent to the Aboriginal Reference Group.

3.4 Les has inspected the temporary Golf Club House and identified the following key areas to be included in a letter to the manager along with his contact details:

- a) Temporary accessible car parking space
- b) Remove trip hazard and improve access on to the ramp
- c) Hand rails to both sides of the ramp
- d) Remove the trip hazard into the toilets.

3.5 Letter has been sent to the Mudgees Medical Centre

3.6 Issue of telephone contact is on the Agenda

3.7 Time of Access meetings is on the Agenda.

4 **CORRESPONDENCE**

- Inward : Nil

- Outward

- 4.1 Catherine Van Laeren, Aboriginal Reference Group re change table
- 4.2 Colleen Best, Manager Mudgee Medical Centre

5. DEVELOPMENT APPLICATIONS

Nil.

6. GENERAL BUSINESS

6.1 Mary spoke about people being isolated because of the lack of telephone contact numbers on many websites. She will get details of people to contact regarding the matter.

6.2 The commencement time of the Access meeting is to be moved to 2.00pm.

Moved: M. Lovett

Seconded: V. Barrett

6.3 Letter of support for the National Disability Insurance Scheme to be sent to the Hon. Jenny Macklin.

Moved: M. Lovett

Seconded: P. Thompson

6.4 Letter to be written to Brad Cam, MWRC, requesting that an accessible toilet be installed at Jubilee Oval noting that there is currently a person attending regular sporting functions there who needs to carry out self-catheterization.

Moved: J. Hickey

Seconded: M. Lovett

6.5 Due to concerns raised by R. Barnes regarding the footpath outside the PCYC Les agreed to make and inspection.

6.6 Judy advised that she, John McRae and Kate Riach will be attending training for Council staff on Access to the Built Environment.

6.7 It was agreed that Judy speak to Simon Jones about the need for temporary increased accessible parking spaces outside The Stables when it is used during the Library upgrade.

6.8 Victoria raised the issue of hand towels at Outside the Square. Tim advised that Outside the Square's practice of using hand towels is compliant with health regulations and that no further action needs to be taken.

6.9 In response to a query regarding the National Public Toilet Map, Judy Hickey agreed to check whether Mudgee toilets were on the map.

6.10 Letter to be sent to Sally Mullinger, MWRC, in regard to the disabled car parking spaces in Market Street using information supplied by Judy Hickey.

Moved: J. Hickey

Seconded: M. Lovett

6.11 Letter to Sally Mullinger to include a request for tactile hazard indicators in Mortimer Street near the wall telephone outside the Mudgee Bookcase.

Moved: V. Barrett

Seconded: M. Lovett

Meeting closed at 2.10pm.

Next meeting to be held on Tuesday, 6 September commencing 2.00pm

Agreed Actions:

1.	Recommendation to Traffic Committee regarding disabled car parking space outside Library when D.A. submitted.	Kate
2.	Letter Mudgee Golf Club	Mary
3.	Contact details regarding issue of telephone numbers on websites	Mary
4.	Letter to Hon. Jenny Macklin re NDIS	Mary
5.	Letter to Brad Cam re accessible toilet at Jubilee Oval	Mary
6.	Inspect footpath outside PCYC	Les
7.	Speak to Simon Jones re temporary parking space at Stables	Judy B
8.	Check National Public Toilet Map	Judy H
9.	Letter to Sally Mullinger re car parking in Market St. and hazard indicators in Mortimer Street	Mary

ATTACHMENT 2

**MINUTES OF THE ORDINARY MEETING OF THE MUDGEE AND GULGONG ACCESS
COMMITTEE HELD ON TUESDAY, 6 SEPTEMBER, 2011
COMMENCING 2.00PM IN THE STABLES MEETING ROOM, MUDGEE.**

PRESENT: Access Committee members: Mary Lovett, Rodger Barnes, Victoria Barrett, Les Leighton, Cr Percy Thompson, Jenny Skinner and Judy Hickey.

Council Staff: Kate Riach, Tim O'Reilly, and Judy Blackman.

1. APOLOGIES: Nil.

2. CONFIRMATION OF PREVIOUS MINUTES

Minutes of the meeting held 2.8.11 confirmed as distributed.

Moved: P. Thompson

Seconded: V. Barrett

3. MATTERS ARISING FROM MINUTES:

- Recommendation to Traffic Committee regarding disabled car parking space outside the Library – this will be done by Kate when the D.A. is submitted.
- Letter has been sent to Mudgee Golf Club re access to the temporary Club House.
- Mary has followed up the issue of telephone numbers on websites and been advised that by 2014 this will no longer be an issue.
- The letter to Hon. Jenny Macklin re NDIS was not sent as the proposed Legislation was passed and it was no longer relevant.
- Letter has been sent to Brad Cam re an accessible toilet for Jubilee Oval.
- Les inspected the footpath outside the PCYC and reported that the problem has been addressed.
- Judy has spoken to Simon Jones about the issue of a temporary disabled car parking space at The Stables when the Library is there. He is following it up.
- Judy Hickey tabled copies from the National Public Toilet map relating to Mudgee. She will check it to see what is listed for Kandos, Rylstone and Gulgong.
- Letter sent to Sally Mullinger re hazard indicators in Mortimer Street. Kate is advising Sally as to the placement. The issue of the accessible car parking space was not included in the letter after consultation with Judy Hickey and Mary Lovett.

4 CORRESPONDENCE

- Inward :

4.1 Mudgee Medical Centre – acknowledgement of Access letter

4.2 Mudgee High School – advising concerns have all been addressed.

- Outward:

4.3 Mudgee Golf Club re access to temporary Club House

4.4 Brad Cam re toilets at Jubilee Oval

4.5 Sally Mullinger re tactile tiles near Mudgee Bookcase

5. DEVELOPMENT APPLICATIONS

5.1 DAO036/2012 Mudgee Golf Club – Les has provided comments.

Kate is to follow up the process with Gary Bruce as regards Access Committee comments on DA's.

6. GENERAL BUSINESS

6.1 Council's Website – information received that this is being up-graded. Kate will follow up and advise that all PDF files placed on the website should also be in Rich text. Vision Australia and HREOC have good guidelines as regards access to websites.

6.2 Mary reported that she had received a telephone call from Grovener Francis at High Valley Cheeses in response to a letter about an accessible car parking space. She was able to tell him how a prospective purchaser had been unable to visit the factory due to the lack of an accessible car parking space.

6.3 Percy raised the issue of accessible toilets at Victoria Park and Billy Dunn Oval at Gulgong. He will investigate.

6.4 Tim reported on the training of Council staff conducted by the Institute of Access Training Australia which staff had found very good.

6.5 Victoria raised the issue of a recently installed air-freshener in the toilets at the Tourist Office. Kate will follow up.

6.6. Mary spoke about the AIDER Program which is available to assist frail aged or people with a disability who may require assistance to remove fire hazards.

6.7 The Western Region Access Committee meeting is to be held on Friday 16th September. Mary and Les will be attending.

Meeting closed at 3.30pm

Next meeting to be held on Tuesday, 4 October commencing 2.00pm

Agreed Actions:

1.	Recommendation to Traffic Committee regarding disabled car parking space outside Library when D.A. submitted.	Kate
2.	Check National Public Toilet Map as regards Gulgong, Rylstone/Kandos	Judy Hickey
3.	Follow up process re Access comments on DA's	Kate
4.	Provide input re access to website up-grade	Kate
5.	Inspect toilets at Victoria Park and Billy Dun Oval Gulgong	Percy
6.	Follow up installation of air-freshener at Tourist Office toilets	Kate

6.2.17 FINANCIAL ASSISTANCE – TIER 1 APPLICATIONS

REPORT BY FINANCIAL ACCOUNTANT
Financial Assistance – Tier 1
A0100052, A0140201

RECOMMENDATION

That:

1. the report by the Financial Accountant on financial assistance applications be received;
2. Council provide financial assistance to the following applicants in accordance with the criteria and guidelines of the Financial Assistance Policy – Tier 1, subject to those requirements being met, with the funding from the general financial assistance vote:

Mudgee Show Society Inc.	\$2,000
Hill Top Arts Exhibition	\$1,000
3. the application from Mudgee Gulgong FM be considered as a budget initiative for the during the 2012/13 budgeting process;
4. Council underwrite the Gulgong Folk Festival for up to a further \$3,000 that Council will pay only, if the at the end of the event, the financial records indicate that the event ran at a loss. Council will pay only that amount of the loss up to a value of \$3,000.

EXECUTIVE SUMMARY

This report considers requests for financial assistance under the Council's Financial Assistance Policy – Tier 1.

DETAILED REPORT

Provision is made in Council's Financial Assistance Policy – Tier 1 (Large Grants) for organisations, group and individuals to make application for financial assistance in excess of \$1,000.

Mudgee Show Society Inc.

Mudgee Show Society Inc. is requesting sponsorship of \$2,000 towards the running of the 2012 Mudgee Show. Last financial year, Council contributed sponsorship of \$3,000 to the 2011 Mudgee Show.

Mudgee Gulgong FM

Mudgee Gulgong FM is seeking funding of \$20,000 to assist the start up of Gulgong Community Radio Station Inc, to be run from the Scout Hall at Cooyal Street Gulgong. The funding has been requested to support the following expenditure:

- Renovation of the Gulgong Scout Hall premises;
- Lease fees for the Magpie Hill Transmitter site;
- Equipment setup; and
- Acquisition of music library.

There are very limited funds available in the financial assistance program for 2011/12. Given the amount of money being requested, and its intended use for a start-up community organisation, it is recommended that this be considered as a new budget initiative during the 2012/13 budgeting process.

Gulgong Folk Festival

Council has received a further request from the organisers of the Gulgong Folk Festival, for additional financial assistance between \$10,000 to \$15,000. Efforts to gain sponsorship have so far yielded \$3,000, \$2,000 of which has already been provided by Council under the Event Management Assistance budget. The organisers have advised that local businesses are declining to sponsor the event due to current financial pressures. The request for additional financial assistance states that the organisers are confident of selling at least 400 tickets which will then make the event breakeven financially. It is recommended that Council underwrite this event to the value of \$3,000. This means that Council will fund this amount of money once the event is complete and all financial records are finalised. If the event has not achieved the ticket sales that are expected, ie 400, then Council will contribute up to a further \$3,000 from the financial assistance grant budget.

Hill Top Arts Exhibition

The Hill Top Arts Exhibition has become an annual event in Rylstone and is run in conjunction with Street Feast. The Anglican Parish of Rylstone-Kandos is seeking financial assistance from Council to sponsor the major prize of the Art Exhibition. It is recommended in this report that \$1,000 be granted. Councillors have been invited to attend the exhibition, in particular the opening night.

FINANCIAL IMPLICATIONS

Funding of \$95,000 is provided in the Management Plan for Tier 1 applications (Large Grants) and \$87,630.85 has been allocated to date, leaving a balance of \$7,369.15. Should Council approve the donations in accordance with the recommendation, a balance of \$1,369.15 will remain.

The Councillor's Discretionary vote for 2011/12 is \$2,000 per Councillor. The balances are detailed below:

Cr Thompson	\$1,800.00
Cr Shelley	\$300.00
Cr Walker	\$1,620.51
Cr Webb	\$1,700.00
Cr Holden	\$2,000.00
Cr Martens	\$1,900.00
Cr Lang	\$1,250.00
Cr Kennedy	\$1,600.00
Cr Weatherley	\$2,000.00

STRATEGIC OR POLICY IMPLICATIONS

Council's Financial Assistance Policy applies.

NEIL BUNGATE
FINANCIAL ACCOUNTANT

CLARE PHELAN
GROUP MANAGER FINANCE &
ADMINISTRATION

19 September 2011

Attachments: Letters of Request for Financial Assistance

APPROVED FOR SUBMISSION:

WARWICK BENNETT
GENERAL MANAGER



Mudgee Show Society

PO Box 199, Mudgee NSW 2850 – Phone: 02 63724 099 – Fax: 02 63 724 088

Email: Secretary@mudgeeshow.org.au

PRESIDENT: Dean Rheinberger – TREASURER: Hunter White – SECRETARY: Allison Beer

TAX INVOICE
ABN 43 081 690 052

Invoice Number: 1133

Sponsorship Invoice

26th August 2011

Invoice To:

Mid Western Regional Council
Attention: Finance Department
Po Box 156
Mudgee NSW 2850

Being For:

Sponsorship for our 2012 Annual Show.



Amount Due:

\$2000.00

For Direct Deposit our Bank Details are:

BSB 082 726

A/C 691314649

*Please send receipt for your transaction to fax 63724088 or email secretary@mudgeeshow.org.au

Please make cheques payable to Mudgee Show Society inc. and post to PO Box 199, Mudgee NSW 2850.

Please ensure Gift Vouchers are ready for Collection on or before Feb 1st 2011

Thank you for your support



Mudgee Gulgong FM
Gulgong Community Radio Station Inc
PO Box 340
Gulgong NSW 2852
0447036783
INC9892063

Mid Western Council
Market st
Mudgee 2850

31 August 2011

General Manager
Mr W Bennett

Re Mudgee Gulgong FM
Funding Request for Set Up of Community Radio Station

Mr Warwick Bennett,

This is a written request seeking funding for the purpose of assistance in the start up of Gulgong Community Radio Station Inc. OPERATING AS MUDGEE GULGONG FM

The intended use for Mudgee Gulgong FM is to transmit via radio and streaming on the world wide web, community radio, music and announcements on a nominal 24 hour basis from the stated premises being the Scout Hall at Cooyal Street Gulgong.

We envisage bringing Mudgee into the group in a big way!!

The funding initially requested by Mudgee Gulgong FM is a start up of \$20,000 which will go into

1. Renovation .of Gulgong Scout Hall premises which are being leased through Red Hill Environment Centre

2. Magpie Hill Transmitter site lease fee..up to \$5000.00 per year

3. Equipment set up, Computers/Microphones/Desk/Power Amps...being researched for pricing.

4. Acquisition of music library

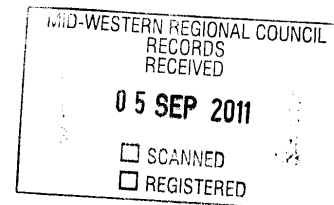
Mudgee Gulgong FM acknowledges the requirement to have the appropriate Public Liability Insurance.

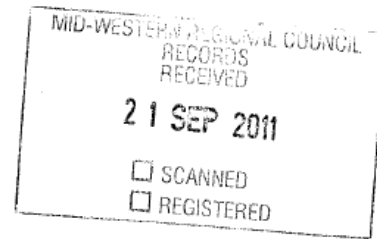
The radio station will be an invaluable tool for local community groups/forums/information and a vital locally wholly independent voice for the Mudgee/Gulgong Region

We are committed to gaining sponsors for radio advertising and running huge fundraisers using all local talent

Looking forward to your assistance and participation in this community venture.

President
Richard Lawson
Mble: 0447 036 783





ANGLICAN DIOCESE OF BATHURST PARISH OF RYLSTONE-KANDOS

Priest Rev'd Leigh Williams
Secretary Margaret Squire
Treasurer Mary Wainwright

PO Box 2
RYLSTONE NSW 2849
Telephone 02 63791049
wollemianglican@bigpond.com

Mr Warwick Bennett
The General Manager
Mid Western Regional Council

16 September 2011

Dear Mr Bennett

Re: Hill Top Arts Exhibition and the opportunity to become the Major Sponsor

As you are aware the Hill Top Arts Exhibition has become an annual event in Rylstone and is run in conjunction with Street Feast. We see it as an opportunity to both attract visitors to our region, as well as provide an opportunity for a variety of artworks, both local and not so local, to be seen here.

This year has presented some obstacles with both the announced closure of Kandos Cement, and the need at quite short notice, to move both Street Feast and Hill Top Arts to alternative dates due to the clash with "A Day on the Green".

We are grateful for Council's support in the past and are hopeful that you would again consider supporting us. Due to the downturn in the local economy, with many businesses suffering due to the Cement Works closure, we are hesitant to seek financial support from local businesses. We have therefore decided to only offer one major prize and we would be very grateful if Council would be able to provide that prize. This would also be another way of showing Council's support for the Rylstone-Kandos community which would be made evident in our presentation and any associated media coverage.

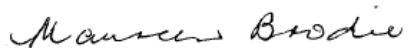
We see the Hill Top Arts Exhibition as a "win-win" situation. It's also great for artists, potters, weavers and sculptors too as they are able to view other's efforts and have the possibility of selling their works. This important event is the primary fund raiser for our church's Community services program in the Rylstone-Kandos regional area. You may be aware that we are offering and providing as much support to the community as we are able at this time including organising the event "Looking Forward Looking

Back”.

Thank you for your consideration of our request. We would be grateful for your response by 30 September 2011 or sooner if you are able. Donations should be made payable to Rylstone Kandos Anglican Parish and be addressed to Hill Top Arts Committee,
PO Box 2 Rylstone NSW 2849.

The Art Exhibition will have its opening night on Friday 13th November and will be open for public exhibition over the entire weekend, and the weekend of 21-22 November. We would welcome your attendance at any time but particularly the opening night. Please advise us of your intention to attend.

Yours truly,



Maureen Brodie
Hill Top Arts Committee
On behalf of Rev'd Leigh Williams

CC Peter Shelley



Gulgong Folk Festival Inc
PO Box 340
Gulgong NSW 2852
0447036783
ABN 88373635870

Re Mid Eastern Regional Council
Warwick Bennett
Special consideration for funding
Sept 14 2011

This is a request from the Gulgong Folk Club Inc seeking special consideration for extra funding to successfully run the Gulgong Folk Festival 2012.

Basically we are asking Council to grant us extra funds of between \$10—\$15,000 to ensure artist payments for the upcoming Folk Festival.

When I returned to Mudgee/Gulgong I was besieged by requests to take over the defunct festival, being told by many business people and Mudgee Tourism that it left a gaping hole in the town that greatly affected it. So I took over the festival in March 2011 but it was already too late to apply for arts grants through the various arts programs and bodies run statewide and nationally. We are able to apply for 2013 funding but that leaves a gap for the 2012 event.

Efforts to gain sponsorship have given us \$3000 of which \$2000 has come from Council. I have contacted upwards of 20 businesses locally and all have declined due to current financial pressures. These have included Wineries/Car Dealerships/Mines/Cafes/Retail and other businesses

Frankly I was hoping for more from a lot of these businesses but understand their dilemma. Efforts are still underway in this regard

The Gulgong Folk Festival this year has secured some very exciting performers including Anne Kirkpatrick and Bill Chambers and everyone is applauding the extensive line up and program of artists.

I have a program into the next 5 years to firmly re establish the festival as "The Biggest little festival" in Australia and to put the town well and truly on the map in a big way and am trying my damndest in this regard in my capacity and experience from years of promotion and touring in the Music Industry

We are basically asking council to provisionally underwrite the festival to the requested amount in the event ticket sales are not what we hope for. We are selling 600 tickets at a total turnover of \$54,000. We need currently 400 to break even on existing costs.

Im sure if the program of events plays out as it should the reputation of the festival will take a dramatic boost and ensure a prosperous event for years to come...effectively increasing its size by 8 times and putting it somewhere between "A day on the Green" and "Huntington Music Festival" in profile size on the National Music map

I wont dwell on the negatives..

Thanks for your time and hopefully look forward to your assistance
Cheers
Richard Lawson
Festival Organiser
Gulgong Folk Club Vice President and Public Officer

Gulgong Folk Club Inc. presents

GULGONG FOLK FESTIVAL

**Anne Kirkpatrick/ Daniel
Champagne/ Bill Chambers
Allan Caswell / Big Erle
Wheelers and Dealers/The Yearlings
Brendan Gallagher/Genevieve Chadwick
April Maze/Spooky Mens Chorale
The Lurkers/Pat Drummond**

**Sophie Hutchings/Hussy Hicks/Caitlin Harnett/Karen Waters/Senor
Cabrales/Scopella/Matt Southon/Markus Holden and Fiddlers Feast/
Blowflies/Jackie Pledge/Tangled Weed/Cletis Carr/Blue Ruins/Robyn
Bink/Richard Lawson/Bryan Estepa/Des Kelly/Terry Serio/Gerard Gi-
lat/Shane Flew/Southerly Change/Brothers 3/PLUS MORE TBA.....**

**Poets Breakfasts/WORKSHOPS/ELO/Instrument making/
StreetDANCES /"Golden Fingers"/Markets/BLACKBOARD
SESSIONS/Street theatre/IRISH DANCERS/PRIZES + more**

**Festival Tix \$90 3 day pass all areas
Available Sept @ Moshtix & Mudgee Regional Tourism**

**www.gulgongfolkfestival.com.au www.facebook.com/gulgongfolkfestival
Info: Richard 0447036783**

①

Friday 6 Jan 2012

MAIN STAGE @ MEMORIAL HALL

3.00pm	ALL PERFORMANCES APPROX 1 HOUR
3.30pm	
4.00pm	
4.30pm	
5.00pm	Racz and Waters
5.30pm	
6.00pm	Jess Holland
6.30pm	
7.00pm	The Blue Ruins
7.30pm	
8.00pm	Caitlin Harnett
8.30pm	
9.00pm	April Maze
9.30pm	
10.00pm	Hussy Hicks

Saturday 7 Jan 2012

8.00am	
9.00am	
10.00am	
10.30am	
11.00am	
11.30am	
12.00pm	
12.30pm	
1.00pm	
1.30pm	
2.00pm	
2.30pm	
3.00pm	
3.30pm	
4.00pm	Luke Watts
4.30pm	
5.00pm	Summerland Kings
5.30pm	
6.00pm	Big Erle
6.30pm	
7.00pm	Genevieve Chadwick
7.30pm	
8.00pm	Daniel Champagne
8.30pm	
9.00pm	Bill Chambers
9.30pm	
10.00pm	Anne Kirkpatrick

2

Sunday 8 Jan 2012

8.00am	
9.00am	
10.00am	
10.30am	
11.00am	
11.30am	
12.00pm	Brothers 3
12.30pm	
1.00pm	Terry Serio
1.30pm	
2.00pm	Brendan Gallagher
2.30pm	
3.00pm	Bryan Estepa
3.30pm	
4.00pm	Brothers of Matt
4.30pm	
5.00pm	Southerly Change
5.30pm	
6.00pm	Faye Blais [Canada]
6.30pm	
7.00pm	FINISH
8.00pm	
9.00pm	
10.00pm	

Venue Contact

Venue Contact
David Miles 0263734363
davidnalison@gmail.com

③

TRAD STAGE @ OPERA HOUSE

3-3.45pm Robbin Binks

3.45-4.30pm Nigel Wearne

4.30-5.15pm Spike Flynn

5.15-6.00pm Des Kelly

6.00-6.45pm Shane Flew

6.45-7.30pm Allan Caswell

7.30-8.15pm Jack Pledge

8.15-9.00pm The Yearlings

9.00-9.45pm Pat Drummond

9.45pm-10.30pm Cletis Carr

Unplugged @ Centennial Hotel

ALL PERFORMANCES STRICTLY
25 MINUTES

tba

tba

tba

tba

Spike Flynn

Brothers 3

Senor Cabrales

RAPT

tba

tba

Workshops on the hour till 4pm

Senor Cabrales "Celtic Legacy"

April Maze & Lurkers "Cello and Double Bass"

Tinker & ?? "Piano Accordion Jokes"

Matt Southon and Big Erle "Dem Blues"

Mike Kerrin and Marcus and Emma "Fiddlin"

Workshop tba

tba

Jack Pledge

Des Kelly

Ross, Judy and Don

Sugarfoot

Jess Holland

April Maze

Blowflyz

Hussy Hicks

TBA

Allan Caswell

Caitlin Harnett

Brendan Gallagher

The Blue Ruins

5.00-5.45pm Tangleweed

5.45-6.30pm Stringy Bark Bush Band

6.30-7.15pm Senor Cabrales

7.15-8.00pm Marcus Holden

8.00-8.45pm Ged, Tinker, Mike and Michael

8.45-9.30pm Martinn Doherty and Leigh Burkett

9.30-10.15pm The Lurkers

10.15-11.00pm The Blowflyz

(4)

Workshops on the hour till 4pm	
Brendan Gallagher Open Tuning	Kay Binnes Curtis Gentle
Cletis Carr/Richard Lawson Online MARKETING	David Knight Nick Wall
Daniel Champagne "Guitar Percussion"	Jimmy Westwood Luke Watts
Anne + Bill "Story in song"	Nigel Wearne Racz and Waters tba tba
3.00-3.45PM Sophie Hutchings	tba
3.45 - 4.30pm RAPT	tba
4.30-5.00PM Ecopella	tba
"Golden Fingers" acoustic shredding Competition. Prize is Gilet Guitar	tba
5.30-6.30pm "ELO SECTION"	
Various versions of ELO curated by Brendan G.	

Venue Contact
Michaelley O'Brien

Venue Contact
431283270 Ray Loughlin

421247458



Fun @ Mayne St Craft @ CWA Rooms New Stage @ Bowling Club

tba

Fin and Gen

Richard Lawson [Electronic]

DJ David Cox [Piperene]

Farmers Market
Coronation Park
8am till 12pm

Bushcraft and
Instrument making
Workshops
10am till 3pm
Ironwork, Tea Chest
Bass, Gourd Drums
Wool Spinning

tba

Circus Acts
thru the day
Gulgong and Mudgee
Schools
Jumping Castle and
Food Stalls

Shes Taken Empires

tba

3pm Bush Dance and
Street Closure

Grandmaster Monk

McGee

Blind Date

DJ Ben Alexander Cox

6

Circus Acts thru the day
Gulgong and Mudgee
Schools
Jumping Castle and
Food Stalls
3pm Bush Dance and
Street Closure

Bushcraft and
Instrument making
Workshops
10am till 3pm
Quick sculptures,
Washboards and
Lagerphones

Contact David Cox
458726692

Contact
Ross Kurtz
263735266
mail@stonycreekstudio.com.au

7

Commercial Hotel

Muse Brasserie

RSL Club

Blackboard sessions
Contact Richard [Muse]
0415 168435

Blackboard Sessions

all night

Irish Dancing all day

Julie Bishop

Curator

295240247

jlsbish@ozemail.com.au

Poets Breakfast
w Arch Bishop
and Tomas Hamilton

Blackboard sessions

all day

Informal sessions
all day



Informal sessions
all day

Poets Breakfast
w Arch Bishop
and Tomas Hamilton

Blackboard sessions
all day

6.2.18 FINANCIAL ASSISTANCE – TIER 2 APPLICATIONS

REPORT BY FINANCIAL ACCOUNTANT Financial Assistance – Tier 2 Applications A0100052, A0140201

RECOMMENDATION**That:**

1. the report by Financial Accountant on the financial assistance be received;
2. Council provide financial assistance to the following applicants in accordance with the criteria and guidelines of the Financial Assistance Policy – Tier 2, subject to those requirements being met, with the funding from the general financial assistance vote:

Mudgee Mental Health Team	\$500 per annum for a period of three years
Gulgong High School	\$100
Gulgong Golf Club Inc.	\$841

EXECUTIVE SUMMARY

This report canvasses requests for financial assistance under the Council's Financial Assistance Policy – Tier 2.

DETAILED REPORT

Provision is made in Council's Financial Assistance Policy – Tier 2 (Small Grants) for organisations, group and individuals to make application for financial assistance upwards to \$1,000.

The policy provides that Council will consider applications from community based not for profit groups or organisations which:

- demonstrate a broad community benefit
- may be new projects
- demonstrate that they support the aims and objectives of Council.

In addition, the policy states that Council will consider applications from not for profit organisations and individuals on the following basis:

	Maximum funding levels available annually per application
Regional/State representation	Individual - \$100 Group - \$200
National/International representation	Individual - \$250 Group - \$750
Prize Giving	\$100

Mudgee Mental Health Team

Mudgee Mental Health Team is establishing a community garden for Mental Health Consumers at the rear of the Uniting Church property in Mortimer Street Mudgee. They are requesting financial assistance to subsidise the water usage. It is recommended that an amount be donated of \$500 per annum for a period of three years, which would help establish the garden and make it viable.

Gulgong High School

Gulgong High School is requesting a donation towards their annual Presentation Day on 14 December 2011. The amount recommended is \$100.

Gulgong Golf Club Inc.

Gulgong Golf Club Inc. is requesting full reimbursement of rates paid for 2010/2011 of \$841. It is worth noting that no general rate is not applicable to the property at Tallawang Road Gulgong. Should Council choose to grant financial assistance it would be for annual charges of water, sewer and waste management.

FINANCIAL IMPLICATIONS

Funding of \$22,000 is provided in the Management Plan for Tier 2 Applications (Small Grants) and \$5,855.97 has been allocated to date leaving a balance of \$16,144.03. Should Council approve the donations in accordance with the recommendation, a balance of \$14,703.03 will remain.

The Councillor's Discretionary vote for 2011/2012 is \$2,000 per Councillor. The balances are detailed below:

Cr Thompson	\$1,800.00
Cr Shelley	\$300.00
Cr Walker	\$1,620.51
Cr Webb	\$1,700.00
Cr Holden	\$2,000.00
Cr Martens	\$1,900.00
Cr Lang	\$1,250.00
Cr Kennedy	\$1,600.00
Cr Weatherley	\$2,000.00

STRATEGIC OR POLICY IMPLICATIONS

Council's Financial Assistance policy applies.

NEIL BUNGATE
FINANCIAL ACCOUNTANT

19 September 2011

CLARE PHELAN
GROUP MANAGER FINANCE &
ADMINISTRATION

Attachments: Letters of request for financial assistance.

APPROVED FOR SUBMISSION:

WARWICK BENNETT
GENERAL MANAGER



30/08/11

Julian Geddes

Midwestern Regional Council

Market Street

MUDGEE NSW 2850

Dear Julian,

Mudgee Mental Health Team, in conjunction with the Mudgee branch of the Benevolent Society and Mudgee Uniting Church are establishing a community garden for Mental Health Consumers in the rear of the Uniting Church property in Mortimer Street.

Could you please progress this letter to the 'Council' as a request for financial assistance to subsidise the provision of water to the garden. The Uniting Church has supported the project and we don't wish to impose a financial burden on them for their metered water.

This project has been established to promote a healthy lifestyle amongst Mental Health consumers who are often affected by medications which can lead to weight gain and an unhealthy lifestyle. The project is aimed at increasing the exercise, lifestyle interests, cooking skills and promoting the benefits of fresh food amongst this target group who generally make poor choices in relation to their health and diet as a result of low income and, at times, social isolation.

All parties involved are 'Not for Profit' organisations and have limited fund raising capabilities – hence our request for financial assistance to subsidise the water usage in the garden (which will be as environmentally friendly as possible).

It is also hoped we will be able to work alongside the other Council supported programs such as 'Mudgee Recycling' and 'Ironed Out' facilities for sourcing of seedlings and mulch to promote a low-water use garden amongst our clients as we hope they will be encouraged to have their own gardens at home if possible.

Any support we can receive would be greatly appreciated.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Eamonn Corvan', written over a white background.

Eamonn Corvan

Nursing Unit Manager

Community Mental Health Team

Mob. 0409 906 149.

email: EAMONN.CORVAN@gwahs.health.nsw.gov.au

Western NSW Local Health District
ABN 88 0186 92002

Mudgee Health Service
Cnr Meares and Church St
PO Box 29 Mudgee NSW 2850
Tel 02 6378 6222 Fax 02 6372 3587
Community Health Service
Tel 02 6378 6236 Fax 02 63727341
www.gwahs.nsw.gov.au



GULGONG HIGH SCHOOL

P.O. Box 504
Belmore Street
Gulgong NSW 2852



Telephone: 63741201

Fax: 6374 2360

E-mail: gulgong-h.school@det.nsw.edu.au

Principal: Mr Rob O'Connor

Deputy Principal: Mr Daniel Wilson

5 September 2011

Mid-Western Regional Council
86 Market Street
GULGONG NSW 2850



Dear Sir / Madam

Gulgong High School is conducting its annual Presentation Day on Wednesday 14th December, 2011.

Your generous support in the past has been most appreciated. We would be pleased if you would consider making a donation towards our Presentation Day this year. All donations go directly toward scholarships and rewards for students in recognition of their efforts academically, toward school spirit and for their involvement in the larger Gulgong community.

Your generosity will be recognised in the Presentation Day Program, the Gulgong Gossip and the school Newsletter.

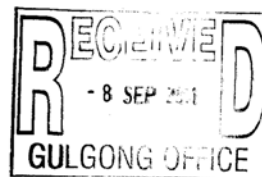
All donations over \$20.00 will be acknowledged by receipt.

If you are personally available, or have a representative who would like to attend on the day to present a specific award, please complete the appropriate details on the section below.

In order to finalise our program for the ceremony we would appreciate your response by remittance of the details below by Friday 9th November, 2011.

Yours sincerely

Ms Kellie Read
Presentation Day Coordinator



Mid-Western Regional Council

Donation: \$ _____

Able to attend and present an award on the day: YES NO

Name of person attending: _____

Award or scholarship to be presented: _____

QUALITY TEACHING, LEARNING AND ACHIEVING IN A SAFE, CARING ENVIRONMENT

Gulgong Golf Club Inc.

A.B.N. 80 371 646 026
PO Box 220 Gulgong NSW 2852
Phone: (02) 63741571
Email: gulgonggolfclub@australiaonline.net.au

Hon Secretary: Jim Johnston,
Mobile; 0458233550
Email: jerico@australiaonline.net.au

29 August 2011

The Manager Governance

Mid-Western Regional Council
86 market St.
Mudgee NSW 2850

Dear Sir/Madam,

In previous years Council has been able to provide Gulgong Golf Club with a full reimbursement of rates paid.

I am once again seeking your assistance to progress the application which is attached to this letter and thank you in anticipation of receiving your support.

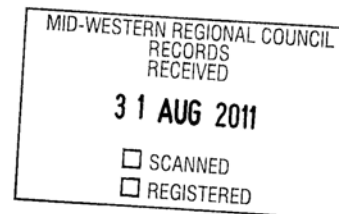
Should this application be successful I advise that Council is in receipt of the clubs banking details for the purpose of direct deposit.

Thank you once again.

Yours sincerely,



Jim Johnston
Hon Secretary




APPLICATION FOR REIMBURSEMENT OF RATES

Name of Organisation	Gulgong Golf Club Inc.
Address	PO Box 220 Gulgong NSW 2852
Contact person	Jim Johnston M: 0458233550 F: 63741571 E: jerico@australiaonline.net.au
Type of organisation	Not for profit sporting body
ABN	80 371 646 026
Insurance details	Elders Insurance Policy No 20.BPK.0983330
Bank details	Westpac Mudgee BSB 032-650 A/C No. 430332
Purpose of Funding	Assistance to maintain the sporting Facility
Funding Required	\$841
Community Benefits	Provision of a sporting facility at a minimal cost to council
Supporting Documents	Receipt for payment of final rate instalment for 2010/11

Gulgong Golf Club would be most willing to acknowledge Council's contribution to enable this club, which is operated and maintained on a purely voluntary basis, to continue to provide this sporting facility which is available for use by all members of the community.

By providing this assistance Council would be enabling the money to be spent on maintaining the course which in turn creates a very presentable approach to the town and the region when arriving in the area from the northern approach of the Castlereagh Highway.

I, James Nedby Johnston, Honorary Secretary and Public Officer of the Gulgong Golf Club Inc., declare the information contained in this application to be true. Dated this 29th day of August, 2011.


(J. Johnston)

RATES

**RATES & CHARGES NOTICE
FOURTH INSTALMENT 10/11**

ABN 96 149 391 332
TAX INVOICE

Notice is given that the below mentioned rates & charges have been made and levied on the land described hereunder by virtue of S546 of the Local Government Act 1993.

020
Gulgong Golf Club Incorporated &
Trustees Gulgong Golf Club
PO Box 220
GULGONG NSW 2852



PO Box 156, Mudgee NSW 2850
Ph: (02) 6378 2850 • 1300 765 002
Fax: (02) 6378 2815

Email: council@midwestern.nsw.gov.au
Website: www.midwestern.nsw.gov.au

4029318-Runt1-B-ASA001-006701

Property Location and Description

Gulgong Golf Club, Tallawang Road GULGONG NSW 2852
Lot 80 DP 40733

Property Number
10909

Valuation Base Date Interest Rate
01/07/2007 9%p.a.

Issue Date Due Date
8/04/2011 31/05/2011

Fourth Instalment Amount Due 31/05/11

\$210.20
\$0.00

OS. 11
2404

Mid-Western Regional Council

ABN: 96 149 391 332
PO BOX 156
MUDGEES NSW 2850

RECEIPT/TAX INVOICE

4/05/2011 Receipt No: 242760

To Gulgong Golf Club
Incorporated & Trustees
Gulgong Golf Club
PO Box 220
GULGONG NSW 2852

Please deduct any payments since	TOTAL AMOUNT DUE	\$210.20
31/03/2011		

Applic Reference	Amount
Rates	
Property No 10909	\$99.98
SewerFacs due 31/05/11	
Property No 10909	\$35.74
WaterAccs due 31/05/11	
Property No 10909	\$38.74
WaterGeneral due 31/05/11	
Property No 10909	\$35.74
WaterSid due 31/05/11	
To Rates:Tallawang Road GULGONG NSW 2852	
Total Amount:	\$210.20
Amounts Tendered	
Cheque	\$210.20
Total	\$210.20
Rounding	\$0.00
Change	\$0.00
Nett	\$210.20

**RATES
CREDIT**

Date / /

Proceeds of cheques, whilst credited to the account, refer to your account terms and conditions for details.

BRANCH	TRAN-CODE
USER CODE 60183	831
REGIONAL COUNCIL	

FREE OF TRANSFER FEE AT ANY C.B.A. BRANCH	CASH		
	AMOUNT OF CHEQUES		

Total \$

6.2.19 REGISTER OF RETURNS DISCLOSING INTERESTS OF COUNCILLORS AND DESIGNATED PERSONS

REPORT BY MANAGER GOVERNANCE

Returns
A0100052, A0110004

RECOMMENDATION

That:

- 1. the report by Manager Governance on the completion and lodgement of Returns disclosing interests of councillors and designated persons be received;**
- 2. the Register of Returns disclosing interests of councillors and designated persons be tabled and it be noted that with the exception of Mr Andrew Drummond, who is presently incapacitated, all Returns were submitted by the return date.**

EXECUTIVE SUMMARY

This report considers the Register of Returns which is required to be tabled.

DETAILED REPORT

The Local Government Act 1993 provides that councillors and designated persons must periodically lodge returns disclosing certain interests. A specific return is required to be lodged within 3 months of becoming a councillor or designated person. In addition, a councillor or designated person, holding that position at 30 June in any year must similarly lodge a return in respect of the previous 12 months within 3 months after that date.

The Act also provides that the General Manager must keep a Register of Returns and that this register must be tabled at the first meeting of the Council after the last day for lodgement of these returns. In this regard, the returns from councillors and designated persons required to lodge returns for the period July 2010 to June 2011 were required to be lodged by 30 September 2011.

The Register will be laid on the table at the Council Meeting on 5 October 2011.

Councillors should note that, with the exception of Mr Andrew Drummond, who is presently incapacitated, all returns were lodged with the General Manager by the due date.

FINANCIAL IMPLICATIONS

Not applicable.

STRATEGIC OR POLICY IMPLICATIONS

The Local Government Act applies.

IAN ROBERTS
MANAGER GOVERNANCE

30 September 2011

APPROVED FOR SUBMISSION:

WARWICK BENNETT
GENERAL MANAGER

6.2.20 INTERNAL AUDIT COMMITTEE

REPORT BY MANAGER GOVERNANCE
Internal Audit Committee
A0100052, A0100048

RECOMMENDATION

That:

- 1. the report by the Manager Governance on the Central Tablelands Alliance Internal Audit Committee be received;**
- 2. Council note the minutes of the meeting of the Central Tablelands Alliance Internal Audit Committee held on Friday 2 September 2011; and**
- 3. Council note the report on the Mid-Western Regional Council Review of Development Assessment, Section 64 and Section 94 Revenue and Expenditure by IAB Services and that all recommendations of the Audit have been actioned.**

EXECUTIVE SUMMARY

This report considers the most recent report of Council's Internal Auditors into Council's Internal Audit Plan.

DETAILED REPORT

In 2010, Council established an Internal Audit committee in conjunction with Lithgow and Oberon Councils. In accordance with the Internal Audit Plan the appointed auditors, IAB Services, completed a review of Mid-Western Regional Council's Development Assessment, Section 64 and Section 94 Revenue and Expenditure.

The final report and consolidated review of the the three councils was presented to the Internal Audit Committee for discussion at its meeting on Friday 2 September 2011.

The objectives of this review was to review compliance with legislation; an assessment of controls and risks over DA/CC/OC processing; reviewing the reported performance levels of the assessment process; reviewing the accuracy and completeness of the Developer Contributions Register; and review of expenditure of developer contributions.

IAB were on site during the week commencing 13 June 2011.

As a result of the Review eight (8) items were identifies by the Auditors forming an Action Plan for implementation of the report recommendations. Each of these items has been assessed by IAB as being of moderate to low risk. Management has responded to each of those recommendations nominating responsible managers and target implementation dates.

The results of the review of each of the Councils were discussed at the meeting of the Central Tablelands Alliance Internal Audit Committee held on 2 September 2011. A copy of the minutes of this meeting is attached.

A copy of the report of the Review into MWRC is also attached. It will be noted that the report reflects positively on the processes in place at Mid-Western as evidenced by the risk rating attached to each of the matters identified in the Action Plan.

The next review of Council's operations will be held during October with a focus on Asset Management including:

- Civil asset maintenance, renewal and replacement strategies, policies, programmes and systems;
- Construction and/or project management of new civil assets, including processes in relation to capital project estimates, business case development, procurement plans and accounting/recording of work-in-progress capital accounts; and
- Administrative and supervisory controls, including compliance with accounting policies and procedures for asset approvals, acquisition, recording, valuation and disposals.

FINANCIAL IMPLICATIONS

Not applicable.

STRATEGIC OR POLICY IMPLICATIONS

Not applicable.

IAN ROBERTS
MANAGER GOVERNANCE

16 September 2011

Attachments:

1. Minutes of Internal Audit Committee meeting held on 2 September 2011
2. IAB Services/MWRC Review of Development Assessment, Section 64 and Section 94 Revenue and Expenditure

APPROVED FOR SUBMISSION:

WARWICK BENNETT
GENERAL MANAGER

**CENTRAL TABLELANDS STRATEGIC ALLIANCE INTERNAL
AUDIT COMMITTEE**

Page 1 of 2

Committee Members Present: Cllr Keith Sullivan, Mayor Oberon Council (in the chair); Councillor Esme Martens, Mid-Western Regional Council.

Councillor Wayne Marshall, (alternate delegate) Lithgow City Council.

Observers Present: General Manager, Oberon Council, Leanne Mash; Director of Corporate Services, Oberon Council, John Chapman; Internal Services Manager, Lithgow City Council, Carol Farnsworth; Group Manager, Lithgow City Council, Suzanne Lollback; General Manager Mid-Western Regional Council, Warwick Bennett; Manager Governance, Mid-Western Regional Council, Ian Roberts and Steve Woods, IAB Services

1. APOLOGIES

Apologies were received and noted from Councillor Grahame Danaher, Lithgow City Council.

2. CONFIRMATION OF MINUTES

Minutes of the Internal Audit Committee Meeting held on 27 April 2011 were received and accepted. (Martens/Marshall)

3. BUSINESS ARISING FROM THE PREVIOUS MEETING

Steve Woods advised the suggested dates for the next Internal Audit Committee Meetings are as follows:

11 November 2011
30 March 2012
29 June 2012
31 August 2012

The Chair advised that the dates would be circulated to all Councils for their endorsement.

Steve Woods advised that IAB had undertaken a restructure and Steve Kent is no longer employed by IAB. A new Director has been appointed and will commence the first week of October 2011.

Minutes of the Meeting of the Central Tablelands Strategic Alliance Internal Audit Committee held at the Lithgow City Council Chambers on Friday 2 September 2011, commencing at 10.00am.

**CENTRAL TABLELANDS STRATEGIC ALLIANCE INTERNAL
AUDIT COMMITTEE**

Page 2 of 2

4. REVIEW OF DEVELOPMENT ASSESSMENT AUDIT

Steve Woods conducted the Review of Development Assessment, Section 64 and Section 94 Revenue and Expenditure Audit held at Mid-Western Council. Ian Melville conducted the review at Oberon and Lithgow Councils.

Both Mid-Western and Oberon Council's Audits are complete and Lithgow has provided a draft response. There are a couple of matters that need further review before finalising the Lithgow audit.

The individual findings of the audits were discussed to the satisfaction of the committee.

Councillor Martens asked if a reconciliation of the various registers was carried out as part of the Audit. As each of the member Councils have been part of an amalgamation did the Audit ensure that there was a carry-over from the former shires?

Steve Woods advised that this had been addressed as part of the Audit. Lithgow City Council confirmed that there is one carry over plan still in place for their Council. Mid-Western Council also confirmed that this had been addressed.

5. DRAFT SCOPE FOR NEXT AUDIT

The committee agreed that the scope for the next Internal Audit will be Asset Management Plans. The Audit will be conducted by Steve Woods and Ian Melville and will be completed prior to the November meeting.

6. GENERAL BUSINESS

Nil

7. DATE FOR NEXT MEETING

The next meeting is scheduled to be held on 11 November 2011, commencing at 10.00am. Councils are requested to confirm the suitability of this date.

This concluded the business and the meeting rose at 10.30am.

Councillor Keith Sullivan
Chairperson

Minutes of the Meeting of the Central Tablelands Strategic Alliance Internal Audit Committee held at the Lithgow City Council Chambers on Friday 2 September 2011, commencing at 10.00am.



**MID-WESTERN REGIONAL
COUNCIL (MWRC)**

Review of

**DEVELOPMENT ASSESSMENT,
SECTION 64 AND SECTION 94
REVENUE AND EXPENDITURE**

IAB Job No. MIDCOU11001

**DRAFT
FINAL**

**JUNE 2011
JULY 2011**

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Executive Summary

INTRODUCTION

This review was commenced by the Central Tablelands Alliance Internal Audit Committee in March 2011 as part of the approved 2011 Internal Audit Plan.

In the period July 2010 - May 2011 Mid-Western Regional Council determined 357 DAs/CCs valued at \$35.7M. Total CDCs approved were 98 valued at \$14.9M. At May 2011, there were 49 DAs reported as being in progress/outstanding. Processing times for May 2011 were an average and a median time of 32 days.

In April 2010, the ICAC issued a Development Assessment Internal Audit Tool for use by councils in managing their exposure to corruption risks in development approval processes. We have used this tool during this review.

OBJECTIVE

The overall objective of this assignment was to review the adequacy and effectiveness of internal control and administrative arrangements relating to the determination of Development Applications (DAs), Construction Certificates (CCs), Complying Development Certificates (CDCs), Occupation Certificates (OCs), the levying of Section 64 (S64) and Section 94/94A (S94/94A) developer contributions, collection and accounting of revenue and ensuring that related expenditure is consistent with the agreed Contribution Plans.

METHODOLOGY AND scope

The methodology used was risk-based which included:

- Discussions with Planning and Development, Finance and Administration, Customer Service and Operations staff.
- Examination of system control documentation to assess the efficiency and effectiveness of procedures, and to determine the extent to which they comply with relevant policy and procedures.
- A review of administrative practices to identify improvements and reduce any potential financial risks that could result from current processes and procedures.

The scope of the review included:

- Compliance with legislation including the Environment Planning and Assessment Act 1979 (EP&A Act) and regulations, Local Government Act 1993 (LG Act) and regulations, Water

Management Act 2000 (WM Act), Local Environment Plan (LEP), Development Control Plans (DCPs), S64 and S94/94A Plans and Council policies and procedures.

- Review of the risks/internal controls over the receiving, assessing and processing of DAs, CCs, CDCs and OCs including compliance issues and breaches.
- Assessing reported performance levels against pre-determined target performance levels developed by Council.
- Reviewing a random representative sample of DAs to determine the effectiveness and compliance within the steps leading to the issue of a Final Notice of Determination including calculation and receipt of all relevant fees and any S64 and S94/94A levies.
- Assessing the accuracy and completeness of the Contributions Registers including controls over the monitoring of contributions due.
- Review of expenditure of these contributions by Council towards the provision or improvement of amenities or services
- Assessing the accuracy and completeness of S64 and S94/94A project reporting against planned expenditure.

The ICAC Development Assessment Internal Audit Tool was also completed.

REVIEW SUMMARY

Overall controls were assessed as **ADEQUATE**.

Planning and Development Management has been proactive in flowcharting and reviewing processes and monitoring the status of outstanding applications.

Scanning of hardcopy documents into BluePoint is well established and avoids the over-reliance on manual files that was a big risk area for councils identified as a result of the disaster at Liverpool Council last year.

A sample of completed DA/CC/CDC files for 2010-2011 were reviewed and checked for completeness and accuracy in processing and compliance with policy and procedures and legislation. In general, controls were assessed as adequate.

However, the following matters were identified where controls and processes could be improved:

- Review of S94 developer contribution calculations noted that Council had been undercharging by \$140 for each DA during 2011 eg. DA 0188/2011 had been determined with levies of \$5925 instead of \$6065. This matter was discussed with Planning and Development staff who indicated that it was due to the incorrect occupancy rate of 2.57 being used instead of 2.63 as per *the Section 94 Development Contributions Plan 2005-2021*.

This error in reading section 1.16 of the above Plan has since been corrected in Proclaim.

A review of S94 Contributions Registers noted that all payments received in 2011 were also incorrect (including those amounts for DAs determined in previous years but paid in 2011).

Discussions with management indicated that it may not be good business practice to try and retrieve these additional payments of \$140 from applicants but we have recommended that management should review any options to obtain the undercharged S94 amounts, wherever practicable eg. An applicant seeking a modification (MA) to the original DA may present an opportunity to recover funds.

- Development of procedures for completion of Meeting Notes for pre-lodgement advice. The meeting notes for DA 0253/2011 were considered to be insufficient and had to be supplemented by a post-memo as this DA went to Council. Discussions indicated that new Meeting Notes forms have been introduced; and
- Risk management for Health and Building (H & B) Surveyors who can solely take applications, prepare Assessment reports, approve consents, issue CCs and undertake inspections. Discussions with management indicated that Assessment reports for Planning

staff are now signed-off by supervisors/managers but this does not happen with H & B. We have recommended that management should consider that this also apply to H & B staff.

The above matters and others listed in the Detailed Report have been discussed with Council Management and it was agreed that they would be actioned, as soon as practicable.

We attach as **Attachment A**, an *Action Plan* that can be used to record Council Management Responses to the recommendations made and to track progress in implementation.

We attach as **Attachment B** a completed ICAC Development Assessment Internal Audit Tool – to be issued separately.

ACKNOWLEDGEMENT

The co-operation of MWRC Staff and Management in providing information to enable this review to be undertaken and completed is acknowledged with thanks.

Accountability and responsibility

IAB Services takes responsibility for this report, which is prepared on the basis of the limitations set out below.

The matters raised in this report are only those that came to our attention during the course of our review and are not necessarily a comprehensive statement of all the weaknesses that exist or all improvements that might be made. Mid Western Regional Council should assess recommendations for improvements for their full commercial and operational impact before they are implemented.

This report is confidential, has been prepared solely for the use of Mid Western Regional Council and ownership of the report and any attachments lies with your organisation. It is the responsibility of your organisation to determine if you wish to release this report, in whole or in part. However, this should not occur without our prior written consent. Costs of information requests under any Freedom of Information legislation such as the NSW Government Information (Public access) Act 2009 or the Commonwealth Freedom of Information Act 1982 or Subpoenas arising from actions taken by individuals or groups as a result of this report will be passed on to your organisation.

No responsibility to any third party is accepted as the report has not been prepared, and is not intended, for any other purpose.

Contact Persons	Telephone Number	Title
Steve Kent	9261 9107	Director Risk Management & Consulting Services
Steve Woods		Senior Business Consultant

Detailed Report of findings

RISK RATING

We have given each finding in this report a risk (significance) rating on the following basis.

- Extreme** Extreme risk, immediate action required.
- High** High risk, urgent management attention is needed.
- Medium** Medium risk, management responsibility must be specified.
- Low** Low risk, manage by routine procedures.

DEVELOPMENT APPLICATION CHECKLIST

FINDINGS

Discussions were held with management and staff and a sample of completed DA/CC/CDC files for 2010-2011 were reviewed and checked for completeness and accuracy in processing and compliance with policy and procedures and legislation. In general, controls were assessed as adequate.

Our review noted that hardcopy files did not always contain a *Development Application Cover Checklist – All Applications* (on MWRC website) signed by the Applicant which has a column for “Office Use”.

Duty Planners receiving DAs at the counter instead complete the bottom half of the *Development Application Cover Sheet* (Blue form) but this does not contain all the submission requirements for DAs, is not always signed and therefore a risk exists that the application received is not complete.

Some applications reviewed did not have development cost estimates (DA 0180/2011 and 0188/2011) and one dual occupancy application (DA 188/2011) was initially delayed due to information missing on the SEE and Landscape Plan.

Discussions with Planning and Development management indicated that the Blue form should be signed by the Duty Planner and that the check of application requirements should be complete.

However, there may be benefit in reviewing and possibly expanding the Blue form, where necessary to ensure applications are complete.

RISK RATING

LOW/MEDIUM

RISK/IMPLICATION

- DA/CC/CDC applications received may not be complete.

RECOMMENDATION

- 1.1 Management should consider reviewing and possibly expanding the Development Application Cover Sheet (Blue form), where necessary to ensure applications are complete.

VERIFYING AN APPLICANT'S DA/CC COST ESTIMATE

FINDINGS

Discussions with Planning and Development noted that currently there is no process in place to verify an applicant's DA/CC cost estimate and that management consider it an unnecessary cost.

It may be good management practice to develop a protocol for an internal reasonableness check.

Discussions indicated that the cost estimate should be discussed at DCU and noted on the DCU sheet (Purple form).

RISK RATING LOW/MEDIUM

RISK/IMPLICATION

- Unreasonably low value applicant cost estimates reducing fees for Council.

RECOMMENDATION

- 2.1 DA/CC cost estimates should be reviewed at DCU to determine their reasonableness.

COMPLYING DEVELOPMENT AND S94A

FINDINGS

Complying Development legislation has increased risks with identifying and collecting any S94A payments from private certifiers. Management may need to consider introducing a local requirement for developers to notify council of all new approved Complying Developments commencements so that S94A levies can be collected.

Discussions indicated that management may consider adding an "event" to Proclaim.

RISK RATING LOW/MEDIUM

RISKS/IMPLICATION

- S94A levies applicable to CDCs but not paid to Council.

RECOMMENDATION

- 3.1 Management should consider adding an "event" to Proclaim to ensure that any applicable S94A fees are collected.

POLITICAL DONATION REPORTING

FINDINGS

Discussions with Planning and Development management indicated that Council has never needed to record a political donation by an applicant/developer as none have been received by Councillors.

However, for future consideration, there may be value, from a risk management perspective, in noting any political donations made by applicants in Final Assessments and also on any reports to the Planning and Development Committee/Council to enhance transparency for any major development that has a significant number of objectors, in lieu of Council not having an IHAP.

RISK RATING LOW

RISK/IMPLICATION

- Potential for perception of a lack of full transparency in Council decision making where an applicant/developer has made significant political donations and there are a significant number of unresolved objections.

RECOMMENDATION

- 4.1 Planning and Development Management should consider noting any political donations made by applicants in Final Assessment reports and also any reports to the Planning & Development Committee/Council.

COUNCIL IN-HOUSE CAPITAL PROJECTS**FINDINGS**

There may be value in Planning and Development management participating in any formal Post Implementation Reviews (PIRs) of major council in-house approved capital projects to ensure that any planning lessons learnt are carried forward to future developments.

Discussions with management indicated that these matters were normally taken-up at EMT.

RISK RATING LOW**RISK/IMPLICATION**

- The potential for planning and development lessons learnt not carried forward to future developments.

RECOMMENDATION

Planning and development staff should participate in any formal Post Implementation Reviews (PIRs) of major council in-house approved capital projects.

POLICY AND PROCEDURES**FINDINGS**

Planning and Development management has been proactive in flowcharting and reviewing processes and monitoring the status of outstanding applications.

Scanning of hardcopy documents into BluePoint is well established and avoids the over-reliance on manual files that was a big risk area for councils identified as a result of the disaster at Liverpool Council last year.

Several DAs were noted in our sample where the applications did not fully comply with Council's published development standards eg. DA 0152/2011 for a shed with a size that was excess to the requirements of the Residential DCP and DA 0253/2011 that was unsuitable for a dual occupancy under the same DCP. However, review of the assessment and determination processes involved noted that these DAs had been called-up to Council and been approved with additional conditions to address the initial non-compliances.

A review of policy and procedures for processing DAs, CCs and OCs was completed and discussions held with Planning and Development management and staff. In general, controls were assessed as adequate.

However, it would be good business practice to develop policy and/or procedures for the following:

- Old outstanding DAs eg. DA 144/2006 & DA 1124/2006 with a status of "FurthInf" to determine the extent of follow-up action. Discussions indicated that a program reviewing these old DAs is planned.
- Completion of Meeting Notes for pre-lodgement advice. The meeting notes for DA 0253/2011 were considered to be insufficient and had to be supplemented by a post-memo as this DA went to Council. Discussions indicated that new Meeting Notes forms have been introduced.
- Checking that all conditions added to DAs by Council where Council is not the PCA are complied with prior to and during construction. It may be good business practice to add an event to Proclaim that the construction be reviewed, depending on resources available, to ensure that any breach of DA conditions is addressed on a timely basis;
- OC generation trigger in Proclaim after Final inspections. Discussions with management indicated that it may be possible to add an "event".
- Risk management for Health and Building (H & B) Surveyors who can solely take applications, prepare Assessment reports, approve consents, issue CCs and undertake inspections. Discussions with management indicated that Assessment reports for Planning

staff are now signed-off by supervisors/managers but this does not happen with H & B. Of concern was DA 0256/2011 where the Assessment report says that the application for a dwelling was initially for “2 flats” until an amended plan was submitted. Construction of “2 flats” may have warranted the levying of S94/94A contributions.

RISK RATING MEDIUM /LOW

RISKS/IMPLICATIONS

- Inconsistent practices employed causing potential inefficiencies and control weaknesses.
- The status of old outstanding DAs not followed-up on a regular basis.
- DA conditions not complied with where Council is not the PCA.

RECOMMENDATION

- 1.1 Management should develop policy and/or procedures to address old outstanding DAs, ensure Meeting Notes are completed, wherever applicable, conditions added to DAs approved by Council are complied with, OCs are generated automatically after Final inspections and that adequate supervisory controls are in place for H & B staff working solo, as soon as practicable.

S94/94A AND S64 PROCESSES

FINDINGS

A review of S94/94A and S64 receiving, calculation and recording processes was completed and discussions held with Development Planning, Customer Service and Finance and Administration management and staff. In general, controls were assessed as adequate.

Review of S94 developer contribution calculations noted that Council had been undercharging by \$140 for each DA during 2011 eg. DA 0188/2011 had been determined with levies of \$5925 instead of \$6065. This matter was discussed with Planning and Development staff who indicated that it was due to the incorrect occupancy rate of 2.57 being used instead of 2.63 as per *the Section 94 Development Contributions Plan 2005-2021*.

This error in reading section 1.16 of the above Plan has since been corrected in Proclaim.

However, review of S94 Contributions Registers noted that all payments received in 2011 were also incorrect (including those amounts for DAs determined in previous years but paid in 2011).

Discussions with management indicated that it may not be good business practice to try and retrieve these additional payments of \$140 from applicants.

A review of S64 contribution registers noted several amounts which had S94 in the “Notes” section which need to be reviewed, and if found to be relevant to S94, transferred before FYE, as well as DA details lacking in several cases.

Review of the S94 Civic Improvements Contributions register noted one amount which may be for District Open Space category (DA 0457/2008). This should also be reviewed.

These matters were discussed with Customer Service management who indicated that a new *Section 64 & 94 contributions* form (Orange form) has recently been introduced which will address the above issues and ensure that amounts are correctly GL coded and the full DA details in the “Notes” section.

RISK RATING MEDIUM

RISKS/IMPLICATIONS

- All S94 payments received to date in 2011 undercharged by \$140 per DA.
- Missing DA details in the Contribution Register “Notes” section and potential GL coding errors, necessitating follow-up review by Finance staff.

RECOMMENDATIONS

- 1.2** Management should review any options to obtain the undercharged S94 amounts, wherever practicable eg. An applicant seeking a modification (MA) to the original DA may present an opportunity to recover funds.

- 1.3** Finance and Customer Service management should jointly address the potential errors and missing details on the Contribution Registers, as soon as possible.


END OF REPORT

ATTACHMENT A – action plan for implementation of report recommendations

ATTACHMENTS

ATTACHMENT A – ACTION PLAN FOR IMPLEMENTATION OF REPORT RECOMMENDATIONS

No	Summary of Recommendation(s)	Risk Rating	Management Response(s)	Responsible Manager(s)	Target Implementation Date(s)
1 DEVELOPMENT APPLICATION CHECKLIST					
1.1	Management should consider reviewing and possibly expanding the Development Application Cover Sheet (Blue form), where necessary to ensure applications are complete.	Low/Medium	Review completed and new form implemented.	Manager of Statutory Planning	Completed
2 VERIFYING AN APPLICANT'S DA/CC COST ESTIMATE					
2.1	DA/CC cost estimates should be reviewed at DCU to determine their reasonableness.	Low/Medium	Review conducted at DCU and notated on blue form.	Manager of Statutory Planning	Completed
3 COMPLYING DEVELOPMENT AND S94A					
3.1	Management should consider adding an "event" to Proclaim to ensure that any applicable S94A fees are collected.	Low/Medium	S94A only applies to CDCs for buildings other than Class 1 and 10 buildings. The event has been added to the relevant CDCs	Manager of Statutory Planning	Completed
4 POLITICAL DONATION REPORTING					
4.1	Planning and Development management should consider noting any political donations made by applicants in Final Assessment reports and also any reports to the Planning & Development Committee/Council.	Low	Report templates for minor, major and Council Reports amended to include notation.	Manager of Statutory Planning	Completed
5 COUNCIL IN-HOUSE CAPITAL PROJECTS					
5.1	Planning and Development staff should participate in any formal Post Implementation Reviews (PIRs) of major council in-house approved capital projects.	Low	EMT advised to include relevant planning staff in any Post Implementation Review conducted of major Council in-house approved capital projects.	Group Development Manager and Community Services	Completed

ATTACHMENTS

No	Summary of Recommendation(s)	Risk Rating	Management Response(s)	Responsible Manager(s)	Target Implementation Date(s)
6	POLICIES AND PROCEDURES				
6.1	<p>Management should develop policy and/or procedures to address old outstanding DAs, ensure Meeting Notes are completed, wherever applicable, conditions added to DAs approved by Council are compiled with OCGs are generated automatically after Final inspections and that adequate supervisory controls are in place for H & B staff working solo, as soon as practicable.</p>	Medium/Low	<ul style="list-style-type: none"> Outstanding development applications appearing in proclams – Review being undertaken by system administration officer Meeting Notes – staff advised to provide greater detail in meeting notes. To be monitored by the Manager of Statutory Planning when determining DA. Compliance with Conditions of Consent. – Where Council is not the PCA it is the responsibility of the Private Certifier to require compliance. Where the certifier fails to seek compliance then the compliance is reported to the Building Professional Board for investigation. It is not Council's role to monitor the performance of Private Certifiers. Occupation Certificates – Events will need to be reformatting with fees charged for occupation certificate at the lodgement of Construction Certificate. Health and Building – Health and Building applications are generally lower value applications consisting of mainly dwellings, sheds and swimming pools. The standards that are applicable are generally more prescriptive and therefore less open to interpretation. All Health and Building development applications are processed by DCU and changes to status of applications in proclams are undertaken by administration staff. 	Manager of Statutory Planning	<ul style="list-style-type: none"> Outstanding DAs - 21 August 2011 Meeting Notes – Completed Condition – No action to be undertaken. Occupation Certificate 21 August 2011 Health and Building – No action to be undertaken.

ATTACHMENTS

No	Summary of Recommendation(s)	Risk Rating	Management Response(s)	Responsible Manager(s)	Target Implementation Date(s)
7 S94/94A AND S64 PROCESSES					
7.1	Management should review any options to obtain the undercharged S94 amounts, wherever practicable eg An applicant seeking a modification (MA) to the original DA may present an opportunity to recover funds.	Medium	Separation of determining and assessment functions would dramatically increase processing times or require the employment of additional staff. It is considered there are adequate checks in place have regard to the consequence of risk.	Group Development Community Services Manager and	No action to be undertaken
7.2	Finance and Customer Service management should jointly address the potential errors and missing details on the Contribution Registers, as soon as possible.	Medium	In most cases these developments have been finalised. Notwithstanding the status of the development, the developer has complied with the condition of consent as imposed by Council and it is considered there is no further avenue to seek further contributions. As stated in the report a new system has been implemented that should correct these problems. In addition Finance runs regular reports to identify anomalies.	Manager of Customer Services	Completed

ATTACHMENT B – THE ICAC DEVELOPMENT ASSESSMENT INTERNAL AUDIT TOOL

The audit process for each category is divided into two parts.

Part A focuses on the general control framework that the council has in place for that category. It involves the reviewer rating a council's compliance with key internal and external controls.

Part B focuses on the application of the control framework to specific development approvals. This involves the reviewer rating the degree to which a selected development approval complies with these controls and other procedural requirements.

The ICAC recommends that compliance with the statements contained in both Parts A and B is assessed using the following matrix:

RATINGS			
No issues with compliance (1)	Minor issues with compliance (2)	Insufficient compliance (3)	Significant lack of compliance (4)

High ratings are indicative of areas where a council should review its control framework and/or compliance with it.

Category: Pre-lodgement advice

Part A: General control framework	Rating (1-4)	Evidence/ comments
Council has a policy setting out the nature of and limitations on the pre-lodgement advice that it provides.	1	Website Meeting Notes sheet
Council has in place procedures for managing and recording the pre-lodgement advice that it provides.	1	Duplicate of Meeting Notes sheet is input into BluePoint
Council has a standard process in place to record the payment of pre-lodgement fees.	N/A	No charge for pre-lodgement meeting.
Council can demonstrate a consistent approach to communicating to the community the information required for pre-lodgement discussions.	N/A	Council willing to hold pre-lodgement meetings regardless of status of information.
Council communicates to the community the types of requests for pre-lodgement advice that it considers appropriate.	N/A	As per above.
Council communicates to the community the limitations on the pre-lodgement advice that it provides.	1	Website Meeting Notes sheet

Part B: Sample development approval	Rating (1-4)	Evidence/comments
Council fee associated with pre-lodgement advice paid.	N/A	
Request for pre-lodgement advice retained as a council record.	1	Compliant
Appropriate records kept of pre-lodgement meeting(s) that record the advice provided to potential applicants or their representatives.	2	One DA that went to Council where records not kept – Meeting Notes sheet introduced to reduce associated risks.
Written record of pre-lodgement advice provided to potential applicant.	1	Duplicate given to applicant
Documents including pre-lodgement meeting minutes and written advice kept on appropriate file relating to the proposed development.	1	On BluePoint/hardcopy files
Pre-lodgement advice does not contain assurances on compliance with LEP, DCP etc or on merit assessment outcomes.	1	Compliant

Category: Lodgement

Part A: General control framework	Rating (1-4)	Evidence/ comments
Council has a schedule or equivalent of all applicable fees for different categories of development applications (e.g. lodgement fees, bonds, development application advertising fees).	1	Fees & Charges on website
Council has in place procedures for verifying an applicant's cost estimates for building and associated works. ¹	2	Not in place – to be reviewed at DCU
Council has developed a standard internal checklist to ensure all relevant information is lodged with a development application and fees are paid.	2	Blue form not a complete checklist – should be enhanced

Part B: Sample development approval	Rating (1-4)	Evidence/comments
Evidence on relevant property file that all required development fees paid in full.	1	Compliant
Council has obtained adequate verification of applicant's cost estimates for building and associated works (verification methodology will depend upon council's internal processes in this regard.)	2	Two DA/CCs noted without cost estimate initially supplied. Council considers unnecessary cost – to be reviewed by DCU
Standard checklist completed in relation to submitted application form and any required additional documentation provided.	2	Two DAs noted where not complete. Blue form – should be enhanced

Category: Assessment

Part A: General control framework	Rating (1-4)	Evidence/ comments
Council has developed a policy (or equivalent) detailing the statutory and Council policy requirements regarding the advertising of specific categories of development. ²	1	Notification policy
Council has developed a policy (or equivalent) detailing the statutory and Council policy requirements regarding the notification of specific categories of development.	1	Notifications policy
When advertising or notifying development applications, Council discloses whether the application is accompanied by a SEPP 1 (or equivalent) objection.	2	Very few applications received (2). Not a statutory requirement.
Council provides information on development assessment	1	Compliant

¹ Examples include requesting copies of all quotations from the applicant, requesting an independent report from a quantity surveyor verifying the applicant's cost estimates and checking against published estimates. It is appropriate for more scrutiny to be applied to developments that have a significant cost compared to smaller developments.

² Please note that some LEPs contain notification/advertising requirements for development.

processes with notification letters.		
Council has developed a policy or equivalent detailing the circumstances (including legislative) in which external referrals will be required for specific categories of development.	1	Yes and identified on DA form
Council has developed a policy or equivalent detailing the circumstances in which internal referrals for specific categories of development will be required.	2	Managed through DCU.
Council has business rules in place to ensure that all development applications that are lodged are allocated for assessment.	1	Managed through DCU and Proclaim
Internal business rules are established regarding the allocation of development applications to council officers for assessment without reference to the wishes of the applicant.	1	Managed through DCU and Proclaim/Code of Conduct/ Ethics training
The above internal business rules ensure that conflicts of interest are considered during the application process.	1	Managed through DCU and Proclaim/Code of Conduct.
Council has a policy or equivalent setting out the situations in which on-site meetings are required.	N/A	
Council has a standard format for completing development assessment reports for determinations by Council and determinations under delegated authority.	1	Standard report templates
Council has clear criteria for determining which matters are referred to its IHAP, relevant subcommittee or community consultation body (if applicable).	/A	No IHAP in place – Planning and Development Committee considers any Das with objections
Council communicates to the community the statutory requirements in relation to submitting amended development applications prior to determination. ³	1	Case by case – standard letter in place.
Council has procedures in place for the internal review of development assessment reports and recommendations in specified circumstances, including developments relying on significant SEPP 1 objections or equivalent.	1	Reviewed by Manager or Senior Planner.

Part B: Sample development approval	Rating (1-4)	Evidence/comments
Copy of advertisement placed on the relevant property file.	1	Compliant
Advertisement incorporates all required statutory and Council policy information.	1	Compliant
Sample notification letter and a record of all addressees placed on relevant file.	1	Compliant
Notification letter incorporates all statutory and Council policy requirements.	1	Compliant
External expert advice has been requested in accordance with Council policy	1	Compliant
Development assessment report addresses external expert advice.	1	Compliant
All external expert advice received placed on the property file.	1	Compliant via BluePoint
Internal expert advice requested in accordance with Council policy.	1	Compliant re DCU
Development assessment report addresses internal expert advice.	1	Compliant
All internal expert advice received placed on the relevant file.	1	Compliant re BluePoint
Development allocated for assessment in accordance with internal business rules (including consideration of conflicts of interest).	1	Compliant
On-site review conducted (if required).	1	Compliant
Outcomes of on-site meeting recorded and placed on relevant file.	1	Compliant
Development assessment report completed in standard format	1	Compliant re BluePoint

³ See clause 55 of the EP&A Regulation 2000.

and placed on relevant property file.		
Development assessment report addresses relevant submissions.	1	Compliant
All submissions received placed on the relevant file.	1	Compliant re BluePoint
Application determined after closing date for submissions.	1	Compliant
Development assessment report considers: <ul style="list-style-type: none"> • Statutory compliance • Merit considerations under section 79C of the EP&A Act • Consideration under any other relevant Acts or legislation. 	1	Compliant re templates
Outcomes of all substantive meetings including applicant meetings/mediation meetings are documented and placed on the relevant file.	1	Compliant but limited meetings held
Development referred to IHAP, relevant subcommittee and/or community consultation body (if applicable) in accordance with pre-established criteria.	1	No IHAP but Planning and Development Committee/ Council.
Outcome of IHAP proceedings, subcommittee and/or community consultation body meetings are recorded on relevant file.	N/A	
Development assessment report addresses outcome of IHAP proceedings, subcommittee and/or community consultation body meetings.	N/A	
Amended development application has annexed to it written particulars sufficient to indicate the nature of the changed development (if applicable).	1	Rare occurrences only
Amended development application was assessed to determine whether additional advertising, notifications and referrals were required (if applicable).	1	Compliant
Further advertising, notification and referrals undertaken in accordance with council policy and statutory requirements (if required).	1	Compliant
Amended development application was assessed to determine whether a new development application was required (if applicable).	1	Merit Assessment
Development assessment report reviewed by manager in accordance with Council's procedures.	1	Compliant

Category: Determination

Part A: General control framework	Rating (1-4)	Evidence/ comments
Council has a delegations policy clearly setting out delegations.	1	Compliant
Delegations are reviewed and confirmed by management after a specified time period ⁴ .	1	Compliant
Council's delegations policy clearly requires all development applications where there has been a variation greater than 10% in standards under SEPP 1 (or equivalent) to be determined by full Council ⁵ .	1	Compliant
Council has a policy that clearly sets out the circumstances in which developments can be 'called up' to Council.	2	Circulation memo
Council has a public register that can be accessed from its website of development applications determined with variations in standards under SEPP 1 (or equivalent).	2	Very few applications received (2). Not a statutory requirement.
Council's SEPP 1 (or equivalent) register includes:	1	Compliant

⁴ See also section 380 of the *Local Government Act 1993*.

⁵ Please note that the Director-General of the NSW Department of Planning has granted a number of councils an interim variation on the requirement that all DAs where there has been a variation greater than 10% in standards under SEPP 1 be determined by full council.

<ul style="list-style-type: none"> the reasons for the proposed variation the extent of the variation (e.g. expressed as a percentage variation) reasons for Council's determination information as to whether Department of Planning concurrence was required. 		
Council completes quarterly returns on variations to development standards using SEPP 1 (or equivalent).	2	Very few returns. Not all returns submitted.
Council submits the quarterly returns to the Department of Planning within four weeks of the end of a calendar quarter.	2	As per above
Council keeps a register containing the names of councillors who supported the decision and those that opposed the decision for each planning decision made at a Council or committee meeting.	1	Compliant
Council has a register of development applications and consents.	1	Compliant
Council planning staff provide a report to Council on the development applications determined where there had been a variation in standards under SEPP 1 (or equivalent).	2	Monthly reports

Part B: Sample development approval	Rating (1-4)	Evidence/comments
Determination made in accordance with Council's delegations policy.	1	Compliant
Determination made by full Council where there has been a variation greater than 10% in standards under SEPP 1 (or equivalent) ⁶ .	1	Compliant
Determination made in accordance with Council's 'call up' provisions.	1	Several DAs "called-up and approved with additional conditions"
Development entered onto Council's SEPP 1 register (if relevant).	1	Event in Proclaim
Councillors' voting pattern in relation to the development is recorded on a register (if relevant).	1	Compliant
Notice of determination placed on property file.	1	Compliant
Council register of planning determinations updated.	1	Compliant

⁶ Please note that the Director-General of the NSW Department of Planning has granted a number of councils an interim variation on the requirement that all DAs where there has been a variation greater than 10% in standards under SEPP 1 be determined by full council.

Category: Determination and provision of direct and indirect contributions⁷

Part A: General control framework	Rating (1-4)	Evidence/comments
Council has a direct contributions plan (or plans) authorising contributions and specifying contribution rates.	1	Compliant – S94 Plan in place
Council's direct contributions plan (or plans) is based on specific methodologies for calculating contributions.	1	Compliant
Council has a plan (or plans) for indirect (fixed development consent levies) authorising of contributions and levies.	1	Compliant – S94A Plan in place
Council's contributions plans comply with relevant section 94E directions issued by the Minister for Planning.	1	Compliant
Council's contributions plans comply with any individual determinations issued by the Minister for Planning to Council.	1	Compliant
Council's contributions plans have regard to the key considerations for development contributions listed under section 116D of the EP&A Act.	N/A	
Council's contributions plans provide that contributions for community infrastructure relate to: <ul style="list-style-type: none"> • “key community infrastructure” (being community infrastructure prescribed by the Environmental Planning and Assessment Regulation 2000), or • “additional community infrastructure” that has been approved by the Minister for Planning. 	1	Compliant
Council's contributions plans are supported by a schedule of works that contain an estimate of the cost and staging of identified community infrastructure.	1	Compliant
Council's contributions plans and supporting documentation are freely accessible to the public in a format that can easily be understood.	1	Compliant
Council has a standard procedure and criteria that it uses to assess proposals for works in kind or the dedication of land in lieu of payment of direct financial contributions.	1	Compliant
Council has a requirement that the value of proposals for works in kind or the dedication of land in lieu of direct financial contributions are assessed independently of the applicant.	1	Very little works in kind
Council has a requirement that all works in kind provided under a direct contributions scheme are subject to a legal agreement between Council and the applicant.	1	As per above
Council has a requirement that all legal agreements pertaining to works in kind include: <ul style="list-style-type: none"> • works to be undertaken • the timing of the works 	1	As per above

⁷ Please note: some of the questions in this section incorporate parts of Schedule 3 of the *Environmental Planning and Assessment Amendment Act 2008* which had not commenced at the time of publication.

<ul style="list-style-type: none"> the quality of the works the costs of the works the applicant's rights and responsibilities Council's rights and responsibilities. 		
Council does not issue credits to applicants for works in kind which are provided in excess of the approved condition outside of a standard procedure involving approval by Council.	1	Compliant
Council's contributions plans specify when contributions are due.	1	Compliant
Council's contributions plans only permit the uniform deferral, waiver or discounting of contributions when certain conditions are met and do not allow this on a case-by-case basis.	1	No delegation to do so
Council's contributions plans do not allow the deferral, waiver or discounting of contributions on a case-by-case basis.	1	Compliant
Council has procedures in place for assessing and processing requests for the deferral, waiver or discounting of a contribution prior to the issuing of a consent.	1	Council resolution
Council policy only permits the deferral, waiver or discounting of contributions with the explicit approval of a senior manager or Council via a standard agreement.	1	Compliant
Contributions amended by section 96 of the EP&A Act are only dealt with via the delegation of a senior manager or Council.	1	Compliant
Council has a contributions register(s) that records: <ul style="list-style-type: none"> development consents for which contribution conditions of consent have been imposed the nature and extend of all contributions received the contribution plan under which each contribution condition was imposed the dates on which contributions were received. 	1	Compliant
Council has processes in place to ensure contributions are paid at the time specified in conditions of consent.	1	Compliant
Council has processes in place to follow up unpaid contributions.	1	Compliant
Council has indexing provisions for contributions.	1	Average CPI
Council has developed a checklist of conditions that should be met prior to the release of linen (subdivision) plans that includes the payment of contributions.	1	Compliant

Part B: Sample development approval	Rating (1-4)	Evidence/comments
Contributions authorised by a contributions plan.	2	Undercharge of \$140 per S94 calculations during 2011
Financial contributions have been paid as per the consent condition.	2	As per above
Financial contributions were paid at the time specified in the conditions of consent.	1	Compliant

Contributions-owing information updated as appropriate. ⁸	1	Compliant
Contributions determined in accordance with Council's contribution plan and relevant section 94E directions executed by the Minister for Planning.	1	Compliant
Contributions register has been updated.	1	Compliant
Any works in kind or dedication of land in lieu of payment of direct contributions were assessed in accordance with Council's standard procedure and criteria.	N/A	
Works in kind or dedication of land in lieu of payment of direct contributions were assessed independently of the applicant.	N/A	
Any works in kind negotiated in lieu of financial contributions were subject to a legal agreement covering: <ul style="list-style-type: none"> • works to be undertaken • the timing of works • the quality of the works • the costs of the works • the applicant's rights and responsibilities • Council's rights and responsibilities. 	N/A	
Any deferral, waiver or discount of contributions was in compliance with Council policies and procedures.	N/A	

Category: Planning agreements⁹

Part A: General control framework	Rating (1-4)	Evidence/ comments
Council has a planning agreements policy.	2	cedures but no policy
Council's planning agreements policy sets out the processes it will follow in relation to negotiating and preparing planning agreements.	2	As per above
Council's planning agreements policy stipulates the circumstances in which Council would ordinarily consider entering into a planning agreement.	2	As per above
Council's planning agreements policy stipulates that planning agreements are to be negotiated independently of the development assessment and determination processes.	2	As per above
Council's planning agreements policy provides for the assessment of the value of each public benefit provided against objective criteria.	2	As per above
Council's planning agreements policy has regard to the key considerations for development contributions listed in section 116D of the EP&A Act.	N/A	
Council's planning agreements policy has regard to the specification that any infrastructure provided under an agreement is:	2	Procedures but no policy

⁸ This is intended to deal with contributions not immediately paid and due in a later time period – as may occur in staged development.

⁹ Please note that some of the questions in this section incorporate parts of Schedule 3 of the *Environmental Planning and Assessment Amendment Act 2008* which had not commenced at the time of publication.

<ul style="list-style-type: none"> “key community infrastructure” (being community infrastructure prescribed by the Environmental Planning and Assessment Regulation 2000), or public infrastructure that has been approved by the Minister for Planning. 		
Council’s planning agreements policy incorporates any relevant directions made by the Minister for Planning.	2	As per above
Council’s planning agreements policy covers the circumstances in which refunds may be given.	2	As per above
Council’s planning agreements policy covers procedures for the review and modification of planning agreements.	2	As per above
Council’s planning agreements policy is publicly available and easily accessible.	2	As per above
Council reports on its use of planning agreements in its annual report.	1	Compliant
Council maintains a publicly available planning agreements register.	1	Compliant
The register includes a short description of any planning agreement that applies to the area of the Council (including the date the agreement was entered into, the names of the parties and the land to which it applies).	1	Compliant

Part B: Sample development approval	Rating (1-4)	Evidence/ comments
Council has prepared a written statement (known as an explanatory note) that summarises the objectives, nature and effect of the proposed planning agreement.	1	Compliant
The planning agreement was assessed against the key considerations for development contributions established by section 116D of the EP&A Act.	N/A	
The explanatory note contains an assessment of the merits of the proposed agreement.	1	Compliant
The explanatory note identifies how the agreement promotes the public interest and one or more of the objectives of the EP&A Act.	1	Compliant
The explanatory note identifies how the agreement promotes one or more of the elements of Council’s charter.	1	Compliant
The planning agreement provides a description of the land to which the agreement applies.	1	Compliant
The planning agreement includes a description of: <ul style="list-style-type: none"> the change to or the making or revocation of the environmental planning instrument, or the development to which the agreement applies. 	1	Compliant
The planning agreement specifies the nature and extent of the provision to be made by the developer under the agreement.	1	Compliant
The planning agreement specifies the time or times by which the provisions are to be made.	1	Compliant
The planning agreement specifies the manner by which the provision is to be made.	1	Compliant
The planning agreement provides for the enforcement of the agreement by a suitable means, such as the provision of a bond or guarantee, in the event of a breach of the agreement by the developer.	N/A	

The planning agreement does not impose an obligation on Council to grant a development consent.	1	Compliant
The planning agreement does not impose an obligation on Council to exercise any function under the EP&A Act in relation to a change to or the making or revocation of an environmental planning instrument.	1	Compliant
File notes were made of discussions between the developer and Council during the negotiation of the planning agreement and placed on the relevant file.	1	Compliant
Council has included in its annual report particulars of compliance with and the effect of the planning agreement whilst it remains in force.	1	Compliant
Council gave public notice of the proposed planning agreement. ¹⁰	1	Compliant
Council made the explanatory note available for public inspection for a period of not less than 28 days.	1	Compliant
The public notice of the proposed planning agreement specified the arrangements relating to inspection by the public of the explanatory note for the proposed agreement.	1	Compliant
The planning agreement was endorsed by Council.	1	Compliant
Council provided a copy of the planning agreement to the Minister for Planning within 14 days of the agreement being entered into (in cases where the Minister is not a party to the agreement).	1	Compliant
Council provided a copy of any amendments to the planning agreement to the Minister for Planning within 14 days after the amendment was made (in cases where the Minister is not a party to the agreement).	1	Compliant

¹⁰ Clause 25D of the Environment Planning and Assessment Regulation 2000 deals with the public notification of planning agreements.

6.2.21 MONTHLY MANAGEMENT PLAN REPORTING – AUGUST 2011

REPORT BY MANAGEMENT ACCOUNTANT Monthly Reporting Council Report A0100052, A0149935

RECOMMENDATION**That:**

- 1. the Management Plan 2011/12 reports by the Management Accountant for the month ended 31 August 2011 be received;**
- 2. the variations as listed in the August 2011 Monthly Reporting be adopted.**

EXECUTIVE SUMMARY

During this year's Management Planning period, Council went through an extensive planning process to determine which projects and initiatives would be undertaken in 2011/2012. The reports that will be presented to Council each month are designed to keep Council informed on the progress of each of these Management Plan objectives, capital works projects and budget initiatives.

DETAILED REPORT

Included with the business paper is the Management Plan 2011/12 reporting package for the month ended 31 August 2011, including:

- An Executive Summary and a Financial Summary
- Summary of Management Plan Activities budget vs. actuals
- Detailed reporting on capital works projects
- Proposed budget variations
- A schedule of key indicators
- Development Application Process Review

For those months corresponding to Quarterly Reviews (September, December, March and June), the following reports are added to the standard monthly package:

- A financial commentary, including updates on Cash Budgets, Reserves and Developer Contributions;
- Consolidated financial statements including an Income Statement, Balance Sheet and Cash Flow Statement;
- A review of contracts, and legal and consultative expenditure;
- A schedule of key financial performance indicators;
- An investment portfolio review; and
- A summary of councillor expenses for the year to date

FINANCIAL IMPLICATIONS

Management Plan variations recommended for this month include:

August Monthly Business Review			
Management Plan Activity	Variation	Amount	
GENERAL FUND			
Contra Variations			
Parks & Reserves Capital	Insurance receivable Westend Complex- fire damage claim	(88,820)	C
Parks & Reserves Capital	Repairs to Westend Complex - fire damage	88,820	C
Regional Roads	Natural Disaster Flood Repairs - RTA contribution	192,098	C
Regional Roads	Natural Disaster Flood Repairs - works required	(192,098)	C
Council Roads	Natural Disaster Flood Repairs - RTA contribution	1,821,421	C
Council Roads	Natural Disaster Flood Repairs - works required	(1,821,421)	C
State Roads	Natural Disaster Flood Repairs - RTA contribution	135,791	C
State Roads	Natural Disaster Flood Repairs - works required	(135,791)	C
Total Contra Variations		0	
TOTAL GENERAL FUND		0	

STRATEGIC OR POLICY IMPLICATIONS

Not Applicable



LEONIE JOHNSON
MANAGEMENT ACCOUNTANT

CLARE PHELAN
GROUP MANAGER FINANCE
& ADMINISTRATION

16 September 2011

Attachments: Monthly Management Plan 2011/2012 Reports - August 2011 – following at the end of the business paper.

APPROVED FOR SUBMISSION:

WARWICK BENNETT
GENERAL MANAGER

URGENT BUSINESS WITHOUT NOTICE

As provided by Clauses 19 & 20 of Council's Code of Meeting Practice (Clause 14 LGMR).

GIVING NOTICE OF BUSINESS

19. (1) The Council must not transact business at a meeting of the Council:
- (a) unless a Councillor has given notice of the business in writing at least two (2) days prior to the day on which the agenda and business paper is prepared and delivered to Councillors; and
 - (b) unless notice of the business has been sent to the Councillors in accordance with Clause 6 of this Code. *(see Section 367 LGA & Clause 14(1) LGMR)*
- (2) Subclause (1) does not apply to the consideration of business at a meeting if the business:
- (a) is already before, or directly relates to a matter that is already before the Council *(see Clause 14(2)(a) LGMR)*; or
 - (b) is the election of a chairperson to preside at the meeting as provided by Clause 12(1) *(see Clause 14(2)(b) LGMR)*; or
 - (c) is a matter or topic put to the meeting by the chairperson in accordance with Clause 21 *(see Clause 14(2)(c) LGMR)*; or
 - (d) is a motion for the adoption of recommendations of a committee of the Council; *(see Clause 14(2)(d) LGMR)*; or
 - (e) relates to reports from officers, which in the opinion of the Chairperson or the General Manager are urgent;
 - (f) relates to reports from officers placed on the business paper pursuant to a decision of a committee that additional information be provided to the Council in relation to a matter before the Committee; and
 - (g) relates to urgent administrative or procedural matters that are raised by the Mayor or General Manager.

BUSINESS WITHOUT NOTICE

20. (1) Despite Clause 19 of this Code, business may be transacted at a meeting of the Council even though due notice of the business has not been given to the Councillors. However, this can happen only if:
- (a) a motion is passed to have the business transacted at the meeting; and
 - (b) the business proposed to be brought forward is ruled by the Chairperson to be of great urgency.
- Such a motion can be moved without notice. *(see Clause 14(3) LGMR)*
- (2) Despite Clause 30 of this Code, only the mover of a motion referred to in subclause (1) can speak to the motion before it is put. *(see Clause 14(4) LGMR)*

ITEM 7: URGENT BUSINESS WITHOUT NOTICE