



ORDINARY MEETING



Wednesday 21 March 2012





PO BOX 156
MUDGEE NSW 2850

86 Market Street MUDGEE
109 Herbert Street GULGONG
77 Louee Street RYLSTONE

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14 March 2012

Dear Councillor

MEETING NOTICE
Ordinary Meeting

Wednesday 21 March 2012

Open Day at 5.30pm

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 L Bennett".

WARWICK L BENNETT
GENERAL MANAGER

AGENDA

Item 1:	Apologies.....	4
Item 2:	Disclosure of Interest.....	4
Item 3:	Confirmation of Minutes.....	4
	3.1 Minutes of Ordinary Meeting held on 7 March 2012	4
Item 4:	Matters in Progress	21
Item 5:	Mayoral Minute.....	28
Item 6:	General Business	29
	6.1 Notices of Motion	29
	6.1.1 Adopt a Street	29
	6.1.2 Parking for Workers	29
	6.1.3 NSW Association of Mining Related Councils Inc.	30
	6.2 Reports	37
	6.2.1 MA0032_2012_Library modifications	37
	6.2.2 Access Committee	51
	6.2.3 Monthly statement of Mid-Western Regional Council bank balances and investments as at 29 February 2012	54
	6.2.4 Rotary Club of Mudgee Sunrise – funding request for Carols in Mudgee	59
	6.2.5 Heritage Grant Reallocation	61
	6.2.6 Mid-Western Regional Youth Council	67
	6.2.7 Mt Penny Coal Project – Revised Director General’s Requirements	71
	6.2.8 Mudgee Sewerage Update	73
	6.2.9 Mudgee Town Hall Progress Report - February	80
	6.2.10 Target Country Progress Report – February 2012	88
	6.2.11 Variation to rural local roads program	96
	6.2.12 Section 96 Application to vary Restriction as to User relating to DA M382/99 - 6 Bellevue Road Mudgee - Mountain View Estate	98
	6.2.13 Skate Park Improvements	116
	6.2.14 Naming of New Road off George Campbell Drive	122
	6.2.15 Road naming - Bedes Lane and Parish Lane, Wollar	129
	6.2.16 Naming of Cul-De-Sac off Melton Road – Chappell Close	133
	6.2.17 Road Naming - Correction to Section of Road	137

6.2.18	Naming of Sports Fields at Goolma	140
6.2.19	7A Henry Bayly Drive	170
6.2.20	Kandos Bicentennial Museum Committee	179
Item 7:	Urgent Business Without Notice	185

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 7 March 2012

COUNCIL DECISION:

That the Minutes of the Ordinary Meeting held on 7 March 2012, Minute Nos 67/12 to 98/12 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 7 March 2012, commencing at 6.23 pm and concluding at 7.40 pm

PRESENT	Cr D Kennedy (Mayor), Cr R Holden, Cr E Lang, Cr PA Shelley, Cr JP Thompson, Cr MB Walker, Cr JK Weatherley, Cr JR Webb.
IN ATTENDANCE	General Manager (W L Bennett), Acting Group Manager Mid-Western Operations (J Geddes), Group Manager Development and Community Services (C Van Laeren), Acting Group Manager Finance and Administration (L Johnson).
MEDIA REPRESENTATIVES	Mudgee Guardian / The Weekly (R Murray), Radio 2MG (M Rock).

Item 1: Apologies

An apology was received for the absence of Cr Martens.

67/12

MOTION: Holden/Thompson

That the apology for the absence of Cr Martens be accepted, and leave of absence be granted.

The motion was put and carried.

Item 2: Disclosure of Interest

Cr Walker declared a pecuniary conflict of interest in item 8.1.2 as he was the tenant for one of the subject properties.

Cr Walker declared a significant non pecuniary conflict of interest in item 6.1.2 in regard to a Levy Bank on Lawson Creek as he was the Chairman of the sports trust of the racecourse which is referred to in the report.

Cr Weatherley declared a significant non pecuniary conflict of interest in item 6.1.2 in regard to a Levy Bank on Lawson Creek as he was a member of the Sports Trust of the racecourse which is referred to in the report.

Cr Webb declared a pecuniary conflict of interest in item 6.2.19 as one of the persons mentioned in this report was known to him.

Item 3: Confirmation of Minutes

68/12

MOTION: Shelley/Walker

That the Minutes of the Ordinary Meeting held on 15 February 2012 (Minute Nos. 41/12 to 66/12) be taken as read and confirmed.

The motion was put and carried.

Item 4: Matters in Progress

69/12

MOTION: Weatherley /Lang

That item 514/11 be noted as completed.

The motion was put and carried.

Item 5: Mayoral Minutes

There was no Mayoral Minute.

Item 6: General Business

6.1 NOTICES OF MOTION

6.1.1 ALLOCATION OF COUNCIL DISCRETIONARY FUNDS

A0100035, A0100055

70/12

MOTION: Thompson /Lang

That Councillor Thompson's discretionary funds be allocated as follows:

- **\$100 to U3A**
- **\$100 to CanAssist**
- **\$100 to the Gulgong Sports Council**
- **\$100 Redhill Environment Centre**
- **\$100 Gulgong Museum**
- **\$100 Gulgong Junior League**

The motion was put and carried.

6.1.2 INVESTIGATION OF FLOOD LEVY BANKS ALONG
LAWSON CREEK

Cr Walker declared a non pecuniary conflict of interest in item 6.1.2 in regard to a Levy Bank on Lawson Creek as he was the Chairman of the sports trust of the racecourse which is referred to in the report and left the meeting at 6:27pm and took no part in the debate or the decision on this matter.

Cr Weatherley declared a non pecuniary conflict of interest in item 6.1.2 in regard to a Levy Bank on Lawson Creek as he was a member of the Sports Trust of the racecourse which is referred to in the report and left the meeting at 6:27pm and took no part in the debate or the decision on this matter.

A0100035, A0100055

MOVED: Thompson / Webb

That Council investigate if flood mitigation money is available for the possibility of creating flood levy banks along Lawson Creek to protect Glen Willow and the Mudgee Racecourse area.

The motion was put and lost.

Councillors Weatherley and Walker returned to the meeting at 6.39pm.

6.2 REPORTS TO COUNCIL

6.2.1 DA0214/2012 - PROPOSED 2 LOT RURAL SUBDIVISION COXS CREEK ROAD
RYLSTONE

A0100055, P1462261

71/12

MOTION: Thompson / Walker**That:**

- 1. the report by Environmental Town Planner on the DA0214/2012 - Proposed 2 Lot Rural Subdivision Coxs Creek Road Rylstone be received;**
- 2. Lot 125 DP 755426 and Lots 5, 6 and 7 DP 40991 374 Coxs Creek Road Rylstone be determined not to be Prime Crop and Pasture land under the terms of the Rylstone Local Environmental Plan 1996 and that Council Staff determine the development application in accordance with the Environmental Planning and Assessment Act 1979.**

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

Councillors	Ayes	Nayes
<i>Cr Holden</i>	✓	
<i>Cr Kennedy</i>	✓	
<i>Cr Lang</i>	✓	
<i>Cr Shelley</i>	✓	
<i>Cr Thompson</i>	✓	
<i>Cr Walker</i>	✓	
<i>Cr Weatherley</i>	✓	
<i>Cr Webb</i>		✓

6.2.2 VOLUNTARY PLANNING AGREEMENT – CENTENNIAL COAL

A0100055, P1436011

72/12

MOTION: Walker / Weatherley

That:

1. the report by Group Manager Development and Community Services on the Charbon Voluntary Planning Agreement 2 be received;
2. in accordance with the Environment and Planning Act Council adopt the Voluntary Planning Agreement with Centennial Coal – Charbon Coal and require staff to implement the actions within the Voluntary Planning Agreement.
3. Authority be granted to the Mayor and General Manager to execute the Voluntary Planning Agreement and all necessary documentation under the common seal of Council.

The motion was put and carried.

6.2.3 ABORIGINAL LAND CLAIM - WINDEYER

A0100055, P1068411, A0420218

73/12

MOTION: Weatherley / Shelley

That:

1. the report by the Senior Environment Officer on the current Aboriginal Land Claim over land in Windeyer be received;
2. the Minister for Lands be advised that when the claim was lodged Council's records indicated that other parties other than the crown had an interest in the claimed land;
3. the Minister for Lands be advised that when the claim was lodged the claimed land is not needed or likely to be needed for residential purposes and is not needed or likely to be needed for an essential public purpose.

The motion was put and carried.

6.2.4 MOOLARBEN COAL PROJECT – STAGE 2 ASSESSMENT REPORT

A0100055, A0420176

74/12

MOTION: Holden / Lang**That:**

1. the report by Senior Environment Officer on the Moolarben Coal Project – Stage 2 Assessment Report be received;
2. Council make a written submission to the Moolarben Stage 2 application (as amended by the Preferred Project Report) based on the detail as outlined in attachment 1 to this report – noting that the current Voluntary Planning Agreement (VPA) for community facilities be extended to \$2.5 million;
3. the Director General and Minister for Planning be requested to extend the time period for Council comment on all future mining and significant infrastructure applications to a minimum of eight (8) weeks.

The motion was put and carried.

75/12

MOTION: Webb / Holden

That the Director General and Minister for Planning be requested to undertake a review of the State 'Biodiversity Offsets Policy' with a view to changing the Policy to address in particular the following issues:

- Loss of primary industries as land is taken out of production for environmental purposes;
- The decline in population of rural communities as such properties cease to be productive farming enterprises with owner occupiers;
- Reduction of rate base through reclassification of offsets to non rateable land;
- Allocation of offsets to other Local Government areas with transfer of rate loss burden to that locality
- Changes to management regimes that frequently result in spread of weeds and pests to neighbouring properties;
- Change in management regimes that frequently lead to increased fire hazard levels with the burden for managing those levels and any fires falling on the local community.

The motion was put and carried.

76/12

MOTION: Shelley/Lang**That:**

1. Council requests the Department of Lands to supply to Council as soon as possible maps identifying all lot boundaries containing and surrounding The Drip;
2. Council requests from the Department of Lands a certified survey to support the mapping requested by Council in paragraph 1 above.

The motion was put and carried.

6.2.5 WINDFARM GUIDELINES – COMMUNITY SUBMISSIONS

A0100055, A0420225

77/12

MOTION: Holden / Shelley

That:

1. the report by Senior Environment officer on the Draft NSW Planning Guidelines – Wind Farms be received;
2. Council make a written submission to the Draft NSW Planning Guidelines – Wind Farms as detailed in attachment 1 to this report;
3. a Development Control Plan – Wind Farms be developed as part of the review of the Comprehensive Development Control Plan, subject to the failure of the State to satisfactorily amend the Draft NSW Planning Guidelines – Wind Farms in respect to specific provisions for local and regional development; and
4. staff be congratulated on the preparation of this submission.

The motion was put and carried.

6.2.6 MUDGEE CBD STREET TREE REPORT

A0100055, A0360003

78/12

MOTION: Weatherley / Shelley

That:

1. the report by Group Manager Operations on the Mudgee CBD Street Trees be received;
2. the report be placed on public exhibition for 28 days; and
3. Council consider in the 2012/13 budget initiatives, the replacement of Street Trees at \$40,000 per annum, over 4 years.

The motion was put and carried.

6.2.7 RFS BUDGET

A0100055, A0060009

79/12

MOTION: Webb/Thompson

That:

1. the report by the General Manager on the RFS Budget be received; and
2. Council approves the 2012/2013 Rural Fire Fighting Fund estimates as requested by the District Liaison Committee being to a maximum of \$329,169.

AMENDMENT: Shelley / Holden

That:

1. the report by the General Manager on the RFS Budget be received; and

2. **Council approves the 2012/2013 Rural Fire Fighting Fund estimates to reflect the Council contribution at an increase of 3.5% being to a maximum of \$272,677.**

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

6.2.8 TENDER ASSESSMENT – COUNCIL PLANT AND EQUIPMENT

A0100055, A0411115

MOTION: Walker/Weatherley

1. Council accepts Westrac Pty Limited for tender 2011/15 for the provision of a Caterpillar D8T for class 30 dozer for the tendered price of \$746,000 (Excl GST) and that Council enter into a contract with Westrac Pty Limited in accordance with clause 178 of the Local Government (General) Regulation 2005.
2. Council accepts Westrac Pty Limited for tender 2011/15 for the trade in of one Caterpillar D7 dozer for the tendered price of \$150,000 (Excl GST) and that Council enter into a contract with Westrac Pty Limited in accordance with clause 178 of the Local Government (General) Regulation 2005.
3. Council authorises the General Manager to finalise and execute the contract on behalf of Council with Westrac Pty Limited for the provision of one Caterpillar D8T class 30 dozer and the trade in of Councils Caterpillar D7.
4. Council approves the General Manager to authorise variations up to 5% of the contract value.
5. The unsuccessful tenderer(s) be notified that their tenders were unsuccessful.

80/12

AMENDMENT: Shelley / Webb

1. **Council accepts Liebherr Australia Pty Ltd for tender 2011/15 for the provision of one Liebherr PR754 CCF class 30 dozer for the tendered price of \$640,000 (Excl GST) and that Council enter into a contract with Liebherr Australia Pty Ltd in accordance with clause 178 of the Local Government (General) Regulation 2005.**
2. **Council accepts Liebherr Australia Pty Ltd for tender 2011/15 for the trade in of one Caterpillar D7 dozer for the tendered price of \$220,000 (Excl GST) and that Council enter into a contract with Liebherr Australia Pty Ltd in accordance with clause 178 of the Local Government (General) Regulation 2005.**
3. **Council authorises the General Manager to finalise and execute the contract on behalf of Council with Liebherr Australia Pty Ltd for the provision of one CCF class 30 dozer and the trade in of Councils Caterpillar D7.**
4. **Council approves the General Manager to authorise variations up to 5% of the contract value.**
5. **The unsuccessful tenderer(s) be notified that their tenders were unsuccessful.**

The amendment was put and carried on the Mayor's casting vote and on being put as the motion was again carried on the Mayor's casting vote.

6.2.9 MUDGEE SALEYARDS MANAGEMENT COMMITTEE

A0100055, A0100047, F0720036

81/12

MOTION: Webb / Walker

That:

1. the report by Group Manager Operations on the Mudgee Saleyards Management Committee be received; and
2. the minutes for the Mudgee Saleyards Management Committee ordinary monthly meeting held on 16 February 2012 be noted.

The motion was put and carried.

6.2.10 LOCAL TRAFFIC COMMITTEE MINUTES - 14 FEBRUARY 2012

A0100055, R0790060

82/12

MOTION: Lang / Thompson

That:

1. the report by the Development Engineer on the Local Traffic Committee Minutes – 14 February 2012 be received;
2. the event – “Mudgee Wings Wheels & Wine Air Show” Sunday, 15 April 2012 – 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 3.3 and submitted to and approved by Council prior to the event;
 - b. Events are to be undertaken in accordance with the requirements of the NSW Police Force with their approval documentation forwarded to Council for notation;
 - c. Controlling noise as required by the Protection Of The Environment Operations (Noise Control) Regulation 2000;
 - d. Reimbursing Council for the cost of damage repairs;
 - e. Complying with any of Council's Law Enforcement Officers' reasonable directives;
 - f. Maintain areas in a clean and tidy condition. No obstructions are to be left on the roadways or footpaths;
 - g. A Traffic Control Plan (TCP) certified by a person with a 'Select & Modify or a Design & Audit Certificate' be included in the TMP;
 - h. Any person directing traffic on a public road is required to possess an appropriate traffic controller's certificate;
 - i. Council must be provided with a copy of a current 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 consult with all affected businesses and residents adjacent to the proposed closure, in writing, indicating the period during which their accesses will be affected.
- k. Maintain a four-metre wide emergency vehicle lane;
- l. Advertise the proposed event in local newspapers with relevant information at least two weeks prior to the date;
- m. The applicant apply to the RMS for a “Direction to restrict the Speed Limit” to 40kph on George Campbell Drive, and 80kph on Ulan Road from the existing 80km zone near Moggs Lane to 300 metres north of the George Campbell Drive/Ulan Road intersection; and
- n. The organiser to have a debrief with Council and Police with all traffic control documentation and controls tabled for review.

3 the event – “Country v City Origin Match” Sunday, 22 April 2012 – 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 any of Council’s Law Enforcement Officers’ reasonable directives;
- f. Maintain areas in a clean and tidy condition. No obstructions are to be left on the roadways or footpaths;
- g. A Traffic Control Plan (TCP) certified by a person with a ‘Select & Modify or a Design & Audit Certificate’ be included in the TMP;
- h. Any person directing traffic on a public road is required to possess an appropriate traffic controller’s certificate;
- i. Council must be provided with a copy of a current 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 consult with all affected businesses and residents adjacent to the proposed closure, in writing, indicating the period during which their accesses will be affected;
- k. Maintain a four-metre wide emergency vehicle lane;
- l. Advertise the proposed event in local newspapers with relevant information at least two weeks prior to the date;
- m. The organiser is to have a debrief with Council and Police with all traffic control documentation and controls tabled for review.

And the following special conditions:

- n. On day of event when parking area between netball courts and stadium reaches capacity, Pitts Lane will be closed to all traffic other than those displaying parking pass, buses/coaches and disabled patrons. Vehicles will then be directed to racecourse parking;
 - o. Traffic management personnel will be in place at the Pitts Lane/Ulan Road/Lue Road round-a-bout;
 - p. Traffic management personnel will be in place along Lue Road, on the approach to the round-a-bout to instruct drivers where to park;
 - q. Signage to be installed at the intersection of the Castlereagh Highway and Rocky Waterhole Road, advising an alternate route to the venue;
 - r. Rocky Waterhole Road to be restricted to north bound traffic only between 10:30am to 4:30pm on 22 April 2012;
 - s. Rocky Waterhole Road to be restricted to south bound traffic only between 4:30pm and 7:00pm on 22 April 2012;
 - t. No access to Rocky Waterhole Road from Burrundulla Road or Melrose Road between 10:30am to 7:00pm on 22 April 2012;
 - u. Traffic management personnel will be at the intersection of Rocky Waterhole Road and the Castlereagh Highway from 6:00pm to allow right-of-way cars turning right out of Rocky Waterhole Road;
 - v. Ulan Road will be closed to south bound traffic from 5pm until 7pm between Henry Lawson Drive and the Pitts Lane/Ulan Road/Lue Road roundabout. Vehicles will be diverted along Henry Lawson Drive, Putta Bucca Road and on to Market Street.
- 4 approval for the extension of the Gulgong school bus service to include Slaughter Yard Lane into Thompson Lane, around Fisher Street into Wyaldra Street and turning around at the top ie at the end of the seal, and returning on Wyaldra Street.

- 5 “Give Way” signs be installed on Lower Piambong Road on the west side approach to McDonalds Creek.
- 6 the Committee notes the report for information on the RTA Speed Zone Assessment.
- 7 a. the existing “Stop” sign on Mayne Street Gulgong, at its intersection with Herbert Street, be removed;
- b. a “Stop” sign and associated hold line be installed on Herbert Street at its intersection with Mayne Street, Gulgong; and
- c. advance advisory signage associated with the priority of the intersection be amended to reflect the revised priority.

The motion was put and carried.

6.2.11 FEES AND CHARGES - SPORTING FACILITIES

A0100055, A0140341

83/12

MOTION: Lang / Holden

That:

1. the report by the General Manager on the Fees and Charges – Sporting Facilities be received;
2. Council approve the phased in sporting fees as set out in the table below:

Sporting Fees phased in Structure		
Item	Current	2012/2013
Junior player	\$9.00	\$12.00
Senior player	\$25.00	\$30.00
1st team	\$1,700.00	\$2,000.00
2nd team	\$1,300.00	\$1,500.00
3rd team	\$431.00	\$500.00

3. Council approves the fees and charges for the grandstand and main field at Glen Willow for a 12 month trial period, as listed below, noting that clubs that choose to play their home games at Glen Willow main field must play all their home games at Glen Willow. The club will then pay the per game day fee and will not be required to pay normal team fees as per the fees and charges:

All Clubs

1. Hire of seating, kiosk, BBQ, 2 or 4 change rooms, public toilets, referees room, first aid room, broadcasters room and coach rooms.

Cost \$700 per game day plus GST.

- 2. Hire of corporate room 1, kitchen and second floor toilets
Cost \$300 per game day plus GST.**
- 3. Hire of corporate room 2, kitchen, and second floor toilets
Cost \$150 per game day plus GST.**
- 4. Hire of media Room, kitchen and second floor toilets
Cost \$50 per game day plus GST.**

The corporate and media rooms will be hired directly through Council. The hirer will be charged \$200 plus GST cleaning fee, per game day, per room, additional to the hire fee.

- 4. Council approve charging sporting clubs 50% usage of electricity for the lighting towers once the illuminators are installed, at each field for a 12 month period.**
- 5. Council approve that all bookings for Glen Willow will be through Council's customer service department and all other bookings of sporting fields through their respective Sports Councils.**
- 6. There will be no charge for schools to use sporting facilities with the exception of the main field and grandstand at Glen Willow where normal charges will be made and Council will also charge a user charge for the use of lights if used.**
- 7. Council approve that \$3.00 for junior players and \$10.00 for senior player be paid to the respective Sports Councils where the player is registered from the sporting fees collected.**
- 8. Council delegates to the General Manager the authority to negotiate fees for all events at the Glen Willow Regional Sports Facility that are non-sports related.**
- 9. Council will require all facilities to be left in a clean and tidy condition. If a club does not leave the facility in such a clean and tidy condition then Council will charge a cleaning bond of \$1,000 for that Club which must be paid prior to them using any Council facilities again.**

The motion was put and carried.

6.2.12 FINANCIAL ASSISTANCE – TIER 2 APPLICATIONS

A0100055, A0140201

84/12

MOTION: Walker / Shelley**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 2, subject to those requirements being met, with the funding from the general financial assistance vote:

Can Assist – Cancer Assistance Network	\$1000
Rotary Club of Mudgee Sunrise	\$250
3. Council decline the financial assistance application from the Mudgee Golf Club as the application does not satisfy the Financial Assistance policy criteria.

The motion was put and carried.

6.2.13 KANDOS LOOKOUT

A0100055, P1681411

85/12

MOTION: Weatherley / Walker**That:**

1. the report by the General Manager on the Kandos Lookout be received; and
2. Council notifies the land owner of the former Kandos Lookout that Council no longer requires the land for a public lookout.

The motion was put and carried.

86/12

MOTION: Thompson / Shelley

That Council notifies groups in Kandos and Rylstone that Council will not be taking responsibility for the Kandos Lookout and seek if any groups in Kandos would be willing to maintain this lookout.

The motion was put and carried.

6.2.14 KINGSGATE BOWDEN'S PROJECT

A0100055, A0420055

87/12

MOTION: Shelley / Walker**That:**

1. the report by General Manager on the Kingsgate Bowden's Project– Community Liaison Group be received; and
2. Council defer this matter pending discussion with the proponent of the Bowden Project in regard to the community liaison group and the ongoing consultative group.

The motion was put and carried.

6.2.15 LAND CLASSIFICATION

A0100055, P1003511, R0790175

88/12

MOTION: Walker / Lang

That:

- 1. the report by the Manager Revenue and Property on the classification of land as operational be received;**
- 2. Council classify Lot 1 DP 1156749 known as 35 Bent Street Ulan as Operational land**

The motion was put and carried.

6.2.16 MONTHLY MANAGEMENT PLAN REPORTING

A0100055, A0149935

89/12

MOTION: Lang / Walker

That the Management Plan 2011/12 reports for the month ended 31 January 2012 be received.

The motion was put and carried.

6.2.17 MUDGEE SHOWGROUND MANAGEMENT COMMITTEE MEETING -
DECEMBER 2011

A0100055, P0210911, A0100012

90/12

MOTION: Walker / Holden

That:

- 1. the report by Group Manager Operations on the Mudgee Showground Management Committee meeting – December 2011 be received; and**
- 2. the minutes for the Mudgee Showground Management Committee ordinary monthly meeting held on 6 December 2011 be noted.**

The motion was put and carried.

6.2.18 SHOWGROUNDS FURNITURE AND FITTINGS

A0100055, F0650007, A0830001

91/12

MOTION: Webb / Holden

That:

- 1. the report by General Manager on the Showground's Furniture and fittings be received; and**
- 2. Council proceeds with the installation of acoustic material at the Mudgee Showground's pavilion at a cost of \$39,000 to be funded from the capital reserve fund.**

The motion was put and carried.

6.2.19 SUMMARY OF DEBTS WRITTEN OFF UNDER DELEGATION FOR THE PERIOD
14 MAY 2011 TO 20 FEBRUARY 2012

Cr Webb declared a pecuniary conflict of interest in item 6.2.19 as one of the persons mentioned in this report was known to him, left the room at 7:23pm and took no part in the debate or the decision on this matter.

A0100055, A0140197, A0340005

92/12

MOTION: Lang / Shelley**That the report by the Manager Revenue & Property on the summary of debts written off under delegation for the period 14 May 2011 to 20 February 2012 be received and noted.**

The motion was put and carried.

Councillor Webb returned to the meeting at 7:24pm.

6.2.20 COMMUNITY CAPERS REQUEST FOR FUNDING

A0100055, A0140201

93/12

MOTION: Shelley / Thompson**That:**

1. **the report by General Manager on the Community Capers request for funding be received; and**
2. **Council refer the subsidy/funding of \$10,000 for the Community Capers paper for Rylstone and Kandos to the 2012/13 budget process.**

The motion was put and carried.

Item 8: **Confidential Session**
94/12 **MOTION:** Thompson / Lang

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

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

Subject: ***Airport land for sale***
 Council land for sale

The reason for dealing with these reports confidentially is that they relate to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business in accordance with Section 10A(2) (c) of the Local Government Act, 1993.

Discussion of these matters in an open meeting would be, on balance, contrary to the public interest as they involve discussion of the reserve price for the subject parcels of land, the early release of which would prejudice the Council's position in any negotiations on the sale of this land.

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

The motion was put and carried.

8.1.1 Airport land for sale

A0100055, A0010006

95/12 **MOTION:** Walker / Thompson
That:

1. the report by General Manager on the Airport land for sale be received;
2. Council delegates to the Mayor and the General Manager authority to negotiate and complete the sale of lots 3, 4 and 5 at the Airport subdivision to R&M Aircraft Pty Ltd at the best possible price that the Mayor and General Manager can negotiate at a minimum price of \$247,921 plus GST; and
3. Council delegates to the Mayor and General Manager the authority to affix the Common Seal of the Council to all documents that are required to be signed to finalise the sale to R&M Aircraft Pty Ltd for lots 3, 4 and 5 at the Airport subdivision.

The motion was put and carried.

8.1.2 Council land for sale

A0100055, A0010006

96/12

MOTION: Shelley / Holden

That Council separates part 2 of the recommendation of the General Manager for the Council land sale and deals with this matter separately.

The motion was put and carried.

100 Saleyards Lane, Mudgee

97/12

MOTION: Walker / Thompson**That:**

1. the report by the General Manager on the Council land for sale be received;
2. Council seek a report from staff on the cost of undertaking all the land capability work and other works required to allow this property known as the saleyard site and SES building to be ready for a development application to be lodged; and
3. Council continue with negotiations with any interested parties in regard to the potential sale of this property at a price which reflects the property having a development application ready to be lodged.

The motion was put and carried.

45 Fairydale Lane

Cr Walker declared a pecuniary conflict of interest in 45 Fairydale Lane as he is the tenant of this property, left the meeting at 7:35pm and took no part in the debate and decision on this matter.

The motion was put and carried.

98/12

MOTION: Lang / Shelley

That Council markets for sale the property at 45 Fairydale Lane with all Real estate Agents in the region at the price of \$190,000. The General Manager be given the delegated authority to negotiate the sale price within the limits set out in the report to Council on this matter.

The motion was put and carried.

Councillor Walker did not return to the meeting.

Item 9: Open Council

The General Manager announced the decisions taken in Confidential Session.

Closure

There being no further business the meeting concluded at 7:40 pm.

Item 4: Matters in Progress

SUBJECT	RESOLUTION NO. & DATE	RESOLUTION	ACTION
Rylstone/ Kandos Sewerage Augmentation	S.85/10 Assets Mtg 1/12/10	That: 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 State Government 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 when complete. The design is 90% complete
Riverside Memorial Walk	Res. 55/11 Ord. Mtg 16/3/2011	That: 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

SUBJECT	RESOLUTION NO. & DATE	RESOLUTION	ACTION
Skate Parks in the Mid-Western Region	COM.61/11 Comm. Serv Mtg 7/9/2011	That: 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.	Report included in this Business Paper
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.	Report included in this Business Paper
Xstrata Coal Youth Services Officer Program	COM.62/11 Comm. Serv. Mtg 7/9/2011	That: 3.the Mayor and General Manager approach Xstrata Coal seeking a continuation of funding for the Youth Services Officer program.	Requests to date for sponsorship have been declined. There is an options to have this position funded in the future by VPA. The Council Officer has found alternative employment. RECOMMEND COMPLETION
Cost of Water – Mudgee Race Club Inc	Min No.254/09 Ord Mtg 18/11/09	That: 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	Expected to be complete in next few weeks.
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.	Signs have now been ordered and will be installed within the month. It was considered that the signage to Dunns Swamp was sufficient.

SUBJECT	RESOLUTION NO. & DATE	RESOLUTION	ACTION
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.
Redbank Creek Dam	Res 146/11 Ord. Mtg 20/7/2011	That: 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.	Meeting was held on 23RD November with NSW Office of water, Dam Safety Committee and National Parks. Further information has been supplied and we are awaiting response.
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.	New project that will be commenced when the Comprehensive LEP and DCP is completed.
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, no action scheduled until after the completion of the Comprehensive LEP and DCP.

SUBJECT	RESOLUTION NO. & DATE	RESOLUTION	ACTION
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;	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 has resolved to undertake work up to DA stage. RECOMMEND COMPLETION
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.
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.	Meeting being arranged with the Minister of Regional Development and the Minister of Local Government on 29th March.

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
Building Strategic Plan	Res 319/11 Ord. Mtg 19/10/2011	4. that Council seek sale valuations for the following properties BL00173 - Old Depot Fairydale Lane, Mudgee BL - Old Saleyards Site – Mortimer Street Mudgee BL00219 – Old Headquarters, SES/VRA, Mortimer Street, Mudgee BL00184 - Pool Cottage, Saville Row, Kandos	Report to last meeting RECOMMEND COMPLETION
Status of Ulan and Cope Roads	Res 332/11 Ord Mtg 09/10/2011	That Council approach the Minister for Roads and the RTA seeking an upgrade of the status of the Ulan and Cope Road to that of a State Road.	Submissions are being prepared to accompany request. Also obtaining support from Upper Hunter Shire
Planning Proposal – Temporary Workers Accommodation	Res. 487/11 Ord. Mtg 7/12/2011	That: 2. Council prepare a Planning Proposal under section 55 of the Environmental Planning and Assessment Act the purpose of which is to insert a local clause in Mid-Western Regional Interim Local Environmental Plan 2008 and Draft Mid-Western Regional Local Environmental Plan 2011 for Temporary Workers Accommodation.	Planning proposal has been forwarded to the Department of Planning.
Fees and Charges – Sporting Facilities	Res. 514/11 Ord Mtg 7/12/2011	That these new fees and charges be placed on public exhibition until Friday 20 January 2012	Report included in last business paper. RECOMMEND COMPLETION

SUBJECT	RESOLUTION NO. & DATE	RESOLUTION	ACTION
Tourist Regional Signage	Res 545/11 Ord Mtg 21/12/2011	That: 3. Council request the RTA to erect more effective direction signage at major intersections to the region.	Letter written to request new signage. Awaiting response.
VPA Centennial Coal	Res. 526/11 Ord. Mtg 21/12/2011	That: 2. the draft VPA be placed on exhibition in accordance with the requirements of the Environmental Planning and Assessment Act.	Report to last meeting RECOMMEND COMPLETION
Boundary Change – Burrendong Dam	Res. 49/12 Ordinary Mtg 15/2/2012	That: 2. Council write to Wellington Council seeking its consent to this boundary change.	Meeting to be organised when their new General Manager is appointed
Regional Tourism Signage	Res. 58/12 Ordinary Mtg 15/2/2012	That: 3. Council provide Mudgee Region Tourism Incorporated (MRTI) with the two signage proposals from Ooh Media for consultation and advice.	Correspondence been sent to MRTI. No response as yet
Quarry Road – Kandos	Res. 64/12 Ordinary Mtg 15/2/2012	That consideration of this matter be deferred until discussions with Cement Australia have been completed.	Meeting held with Cement Australia. No determination as yet.
Moolarben Coal Project – Stage 2 Assessment	Res. 76/12 Ordinary Mtg 7/3/2012	That: 1. Council requests the Department of Lands to supply to Council as soon as possible maps identifying all lot boundaries containing and surrounding The Drip; 2. Council requests from the Department of Lands a certified survey to support the mapping requested by Council in paragraph 1 above.	Discussions with the Department of Lands have occurred and they are undertaking a full on site survey on the week beginning 12th March 2012.
Mudgee CBD Street Tree Report	Res. 78/12 Ordinary Mtg 7/3/2012	That: 2. the report be placed on public exhibition for 28 days	The consultation commenced on Friday 16th March

SUBJECT	RESOLUTION NO. & DATE	RESOLUTION	ACTION
100 Saleyards Lane, Mudgee	Res. 97/12 Ordinary Mtg 7/3/2012	That: 2. Council seek a report from staff on the cost of undertaking all the land capability work and other works required to allow this property known as the saleyard site and SES building to be ready for a development application to be lodged; and 3. Council continue with negotiations with any interested parties in regard to the potential sale of this property at a price which reflects the property having a development application ready to be lodged.	Report being prepared and will be put on an agenda in the near future.

Item 5: Mayoral Minute

Nil.

Item 6: General Business

6.1 Notices of Motion

6.1.1 Adopt a Street

A0100035, A0100055

Listed by Cllr Percy Thompson

MOTION **That we encourage residents or groups to adopt a street or a roadway to beautify it and keep it clean.**

BACKGROUND In some other council areas this has proved to be very successful. We have a lot of rubbish around the region and we need to keep our Council area as clean as possible. Volunteers are important people in our Shire and I am sure that we will have volunteers willing to help.

COMMENTS BY GENERAL MANAGER – Although staff is supportive of this action we do need to be aware that new Work Health and Safety laws places considerable emphasis and liabilities on individual staff for the safety of the volunteers. Such work by volunteers can not occur until approved traffic management plans are developed and suitable training for the volunteers undertaken.

6.1.2 Parking for Workers

A0100035, A0100055

Listed by Cllr Percy Thompson

MOTION **That council select an appropriate area for workers to leave their vehicles so they can travel by bus to their worksites.**

BACKGROUND Due to the increase in traffic on our roads, in particular the roads that lead to the mines, we need to have a drop off point where workers can leave their vehicles so they can be picked up by bus to travel to their work sites, where possible.

COMMENTS BY GENERAL MANAGER

We have been in discussions with the mine Managers for some time on this issue and have reached the agreement that they park vehicles on the Short Street carparks at the rear of the Council Chambers and Stables. This is now happening and we are appreciative of the Mines proactive stance on this matter. Some mine related workers are still parking on Short Street at the rear of the Library and Big W buildings. If this is becoming a concern to Council and or the community then we should investigate parking time restrictions in that area. A time limit of 4 hours would be appropriate. Management don't believe that the parking on Short Street is a problem at this time but this may become an issue when the Lawson Park extension is developed.

6.1.3 NSW Association of Mining Related Councils Inc.

A0100035, A0100055

Listed by Clr Peter Shelley

MOTION**That Council resigns from the NSW Association of Mining Related Councils Inc effective immediately.****BACKGROUND**

Membership to this Council has cost Ratepayers approx \$12,000 per year. Approx \$9000 for membership fees, and approx \$3000 in costs and expense claims per year for the previous Council Representatives to attend.

In September 2011 myself and Cr. Holden were appointed as representatives on the **NSW Association of Mining Related Councils Inc.**

I along with Cr. Holden attended our first meeting on the 10th Feb 2012 in Coonabarabran. The program for this meeting included dinner and excursions for partners etc starting on the 9th Feb which is paid for by our ratepayers if attended.

Both myself and Cr. Holden did not attend these functions and only travelled up and arrived for the meeting on the 10th February and returned the same day.

This Council needs to decide whether our rate payers are getting value for money by belonging to this organisation. I would argue that we don't. Though I found the presentations interesting from the invited speakers, it is nothing that as a Council we have not heard before.

I raised the issue of Royalties for Regions and asked respectfully whether the Mines Related Councils are a toothless tiger with regards to this issue due to the lack of progress to date. They promptly elected a sub-committee to once again lobby State and Federal Governments.

I believe this Council should only attend committees, conferences etc where the rate payers can expect a benefit on the money spent and cannot be construed in any way as a holiday at ratepayer's expense. I can see no substantial benefit or indeed any historic benefit in belonging to the **NSW Association of Mining Related Councils Inc.**

Please find attached the minutes of the meeting of 10th February 2012



CR. PETER SHELLEY

Please find attached the minutes for the Mines related Council attended by myself and Cr. Holden in Coonabarabran on the 10th February 2012.

No further report is necessary as the minutes state the course of discussions except for the points raised by myself and Cr. Holden. These seem to be omitted.

Further recommendation to Council is in the business papers for Councils deliberation.



Cr. Peter Shelley

**Minutes of
NSW Association of Mining Related Councils Inc.
Meeting
February 10 2012
At Poplars Motel Coonabarabran**

The meeting commenced at 10 00am

Attendance

Cr Colleen Fuller	Gunnedah Shire Council (Chair)
Cr Lilliane Brady OAM	Cobar Shire Council (Deputy Chair)
Cr Neville Castle	Lithgow Council (Deputy Chair)
Cr Russell Holden	Mid Western Regional Council
Cr Ken Bates	Narrabri Shire Council
Cr Peter Shelley	Mid Western Regional Council
Cr Hans Allgayer	Gunnedah Shire Council
Mr Gary Woodman G M	Cobar Shire Council
Cr Lea Carter	Upper Hunter Shire Council
Cr John Martin	Singleton Shire Council
Cr Chris Connor	Wollongong City Council
Cr Peter Shinton	Warrumbungle Shire Council
Mr Steve Loane G M	Warrumbungle Shire Council
Mr Greg Lamont G M	Narramine Shire Council
Mr Tony Jones	Honorary Life Member
Cr Col Mitchell	Wollondilly Shire Council
Cr John Magill	Parkes Shire Council
Mr David Henry	Campbell town Council
Mr Glenn Wilcox G M	Blayney Shire Council
Cr Bruce Kingdom	Blayney Shire Council
Cr John Clements	Narrabri Shire Council
Mr Don Tydd	Executive Officer

Guest Speakers

Mr Rick Wilkinson	Chief Operating Officer, Eastern Australia, Australian Petroleum Production & Exploration Association
Mr James Marshall	Company Director, Lantz Marshall

Apologies

Cr Geoff Slack	Gloucester Shire Council
Cr Neville Gasmier	Broken Hill City Council
Cr Bob Algate	Broken Hill City Council
Mr Frank Zaknich	Broken Hill City Council
Cr Niel Pokoney	Bland Shire Council
Cr Howard Mangledorf	Bland Shire Council
Mr Ray Smith	Bland Shire Council
Cr Brad Luke	Newcastle City Council
Cr Jeff Whitton	Orange City Council
Cr John Davis	Orange City Council
Ms Heather Nicholls	Cabonne Shire Council
Cr Sharron Wilcox	Cabonne Shire Council
Cr Gordon Bradbery OAM	Wollongong City Council

1. Welcome

Councillor Colleen Fuller (Chair) welcomed delegates and guests to the meeting and thanked Cr. Peter Shinton (Mayor – Coonabarabran Shire Council) for organising the Association's visit and meeting in Coonabarabran.

The Chair acknowledged and congratulated Councillor Lilliane Brady on being awarded the Order of Australia Medal (OAM) in the New Year's Honours list. She was duly presented with a bouquet of flowers in recognition of her achievement. Cr Brady in her response said she did not really believe in such awards however was honoured to have received it.

The Chair also introduced the guest speakers James Marshall and Rick Wilkinson.

2. Apologies

A list of apologies was tabled.

1/1012 Resolved that apologies be received and noted.

3. Disclosure of Pecuniary or Conflicts of Interest

There were no disclosures from delegates

4. Confirmation of Minutes of the Annual General Meeting

2/1012 Resolved that minutes of the Annual General meeting held in Cobar 11 November 2011 be adopted.

5. Matters Arising

Cr. John Clements raised the matter of the NSW Government Treasury's model and where developments were up to. The Executive Officer is to check on this matter and report back to the next meeting.

5. Guest Speakers

James Marshall- Lantz Marshall

James outlined his background explaining his company provided advice on community consultation to the public and private sectors.

He provided a power point presentation to assist with the following matters:

- Stakeholders will wish to be involved and to be heard.
- Consultation should be both information gathering and information seeking.
- The facilitator must have a genuine interest in the community's concerns and interests. It is one of the opportunities for the community to be heard.
- The importance of community engagement through new letters and brochures
- Engagement with the community must be in good faith.
- The community was often limited in its capacity to influence the process.
- The information received through the consultation is important and must be reflected in the development decision process.
- While it was essential that environmental issues were identified in assessing developments it was also important to involve the community in consultation on social issues and impacts created by the development.
- In identifying the key definitions, the consultant was never the expert- the responses must come from the community.
- The process of community consultation should be valued by all concerned.
- Social impact assessment guided by Section 79C (1b) EP& A Act- allows a consistent approach.

James explained the purpose of social economic impact assessment and answered delegate's questions and comments throughout his address.

Rick Wilkinson

Rick during his presentation, highlighted the following issues:

- Community consultation is important and must involve all community members.
- How the consultation is carried out is very important and at times will be difficult.
- The background to coal seam gas.
- The key steps in exploration for the gas including pilot wells and core samples.

In response to a question on the issue of excess water from drilling Rick explained there were several options. Reverse Synopsis for saline water was very expensive. Some water could be returned to drinkable quality. Some could be returned to a lower aquifer, stored in weirs and/or used for irrigation.

With brine water there were two options:

1. Transfer the water to an aquifer with similar salinity
2. Treat the product in a commercial operation to produce solid salt which was very expensive.

Rick was questioned on the Piliga Forest problem where there had been drilling for coal seam gas and provided his opinion on the issues.

He answered several questions from delegates and explained the process of field development planning for coal seam gas.

Steve Loane (General Manger, Warrumbungle Shire Council) questioned Rick on the consultation process giving Councils experience in the Mullaley area.

Cr. John Clements (Narrabri Shire Council) expressed his and his Council's concerns that the exploration process was not being policed. He highlighted the Piliga problem where he believed the regulator was not investigation the problems.

Cr. Lea Carter (Upper Hunter Shire Council) spoke on the differences between the scope of operations and the communities expectations.

Rick spoke on the regulator's role.

Cr. Ken Bates (Narrabri Shire Council) spoke on the issue of contamination of the ponds and monitoring which was not happening in the Shire area.

Cr Clements spoke on the lack of "value adding" for local industry in producing products required by exploration companies.

Rick advised it was "early days" for the gas industry in the Gunnedah and Narrabri areas. Around Roma and Chinchilla in Queensland where the industry was more mature, there had been some gains for the local communities and their retail and service industries.

Cr. Ken Bates advised he supported the need for "value adding" in the communities where exploration was taking place.

David Henry (Campbelltown City Council) commented on the water studies that had taken place in the Campbelltown and Camden areas.

Glen Wilcox (Blayney Shire Council) advised that the Association had information available which could be presented to organisations in relation to coal seam gas.

C. Clements made comment on the need for the companies to take advantage of the services available in the local areas when basic equipment was required. This would grow local businesses.

6. Reports and Recommendations from the Executive Committee Meeting held prior to the ordinary meeting at 9 00 am.

3/1012 Resolved the Association:

- 1. Endorse the action by the Chair, Deputy Chairs, Executive Officer and Gunnedah Shire Council's Senior Staff to introduce a new financial system and related governance procedures for the Association. Further, an honorarium up to \$1,500 be paid to the person appointed to administer the Association's MYOB system.**
- 2. Approve any two of the following people to be signatories for its future bank accounts and any other related banking procedures:**
 - a. Councillor Colleen Fuller- Chairperson**
 - b. Councillor Lillian Brady – Deputy Chairperson**
 - c. Councillor Neville Castle- Deputy Chairperson**
 - d. Donald Tydd- Executive Officer**
- 3. Give approval for the establishment of a credit card facility for the Executive Officer Donald Tydd to a limit of \$5,000.**
- 4. Note Campbelltown City Council's comments in relation to the Association's submission to the State Government Parliamentary Inquiry into coal seam gas.**
- 5. Not renew its subscription to the Hunter Valley Coal Report at a cost of \$1,200.**

6. **Approve the upgrade of its web site at a cost of \$2,000.**

7. **Approve :**

- the payment of all annual leave and long service leave entitlements to the former Executive Officer Margaret McDonald- Hill,
- the sale of the former Association motor vehicle to her at a cost of \$28,000 and;
- seek legal advice (up to a maximum cost of \$2,000) on the outstanding issue of sick leave entitlements.

7. **General Business**

1. **Accommodation Singleton Meeting May 2012**

4/1012 Endorse the action of Cr. John Martin OAM in securing bookings for accommodation in relation to the Singleton Meeting in August 2012.

2. **Mining Royalties**

Cr. John Magill questioned why some of the mining royalties are not invested so that after mines close, the affected communities have funds to move onto the next stage of development.

Cr. Lilliane Brady commented that the proposed "Royalties for Regions" is 60% for the regions in NSW with 40% to go to the cities/towns where mining is taking place. The State government appears to be stalling on the issue.

5/1012 Resolved the Association write to the NSW State Government requesting advice as to when and how mining royalties will be introduced. This is in terms of an election promise when the government parties were in opposition.

Tony Jones referred to the 2011 meeting in Parliament House Sydney, when this matter was discussed with the then opposition National Party leader, the Honourable Andrew Stoner MP. He quoted from a letter of reply where he (Mr Stoner) had promised when in government, the royalties scheme would be introduced.

Cr Lilliane Brady questioned whether a similar scheme in Western Australia was working.

Cr John Clements expressed the view the West Australian scheme was working and that the Association had previously established a Sub Committee to investigate this matter but it had not continued to operate. He believed there was a need to reform this Committee, for it to meet and bring back recommendations to the Association. There should also be a deputation to the Deputy Premier, the Honourable Andrew Stoner by the Chair and the Executive Officer.

Glen Wilcox commented that submissions had been sent to both sides of Parliament prior to the 2011 state election. The documents should be resubmitted to all parliamentarians.

Cr Neville Castle advised that he believed the royalty's scheme was a current policy of the State Government.

Cr John Clements further commented in his opinion, the formula for royalties under the present State government was not the one the Association had developed. He believed a letter should be sent to Andrew Stoner MP, Deputy Premier, requesting the State government carry out its commitment to the royalty's scheme as was given by the parties when in opposition. Also, a deputation should be arranged for the Chair and Executive Officer to meet Mr Stoner to discuss the previous proposed scheme and inform the Deputy Premier this is the model the Association expects the State government to adopt.

Cr Russell Howard commented that his council would be supportive of this action as it was looking to the Association to provide such approaches to government and thereby ensure his Council's commitment to the organisation.

It was generally agreed that a strategy should be developed and mention was made of the Honourable Duncan Gay's commitment to the scheme when in opposition.

Gary Woodman spoke in support of the letter to Andrew Stoner MP and to other members of Parliament with an interest in this matter. He believed the Sub Committee should be reformed and a strategy developed with strategists appointed if necessary.

Glen Wilcox spoke in support of the Association taking action on this matter. Prior to the Association being formed, Councils had competed with each on this issue and undermined the cause. The Association allows the "big picture" approach in dealing with the NSW Treasury position.

6/1012 Resolved that in relation to the Royalties For Regions Scheme the Association:

1. **Forward a letter to the Premier and Deputy Premier raising the Association's concerns with the present position of the government in relation to the scheme.**
2. **A deputation be arranged to the Premier and Deputy Premier consisting of the Chair and Executive Officer.**
3. **Reconstitute the Royalties For Regions Sub Committee to manage the development and implementation of a lobbying strategy to ensure commencement of an appropriate "Royalties For Regions" scheme by the NSW government. The Committee consist of the Chair, Deputy Chairs, Executive Officer and three (3) others.**
- 4.

Following the calling for nominations for the three positions, it was

7/1012 Resolved that Glen Wilcox, Cr John Clements and Cr John Magill be appointed to the Sub Committee.

3. Dust Monitoring

Cr John Clements raised this matter and the fact it was an issue in the Namoi Valley area where mining was occurring. Following discussion of this matter, it was:

8/1012 Resolved the matter of dust monitoring be placed on a future meeting's agenda for discussion.

4. Doctors for the Environment

Cr John Clements advised he had received an e mail from the organisation advising representatives were interested in attending a future meeting of the Association to discuss health issues relating to mining and coal seam gas.

Cr Neville Castle advised a lot of work on this matter had been completed in the Hunter Valley.

The Executive Officer is to arrange for the group to address a future meeting of the Association.

5. Gunnedah Shire Council- Administration of the Association's Finances

Delegates spoke on the need to recognise the efforts of Mr Eric Groth and other Gunnedah Shire Council staff in their attention to recent issues relating to the Association's administration.

8/1012 Resolved a letter be forwarded to Mr Eric Groth, thanking him and other Council staff for their recent effort and commitment in managing the transfer of the Association's financial affairs and administration from Orange City Council and arranging the settlement of outstanding issues relating to the employment of the former Executive Officer.

There being no further business the meeting closed at 12 30pm.

6.2 Reports

6.2.1 MA0032_2012_Library modifications

REPORT BY MANAGER STATUTORY PLANNING

MA0032_2012_Library modifications

A0100055, P0159964

RECOMMENDATION

That:

- A. That the report by Manager Statutory Planning on Section 96 Application MA0032/2012 for the restoration, renovation and extension of Mudgee Library (former Town Hall building) at Lot 5 Section 55 DP 758721, 64 Market Street Mudgee be received;
- B. That Council approve Section 96 Application MA0032/2012 for restoration, renovation and extension of Mudgee Library (former Town Hall building) at Lot 5 Section 55 DP 758721, 64 Market Street Mudgee with the following conditions;

APPROVED PLANS

1. Development is to be carried out in accordance with stamped plans 2011/26 to 31 dated 28 April 2011 and statement of environmental effects dated 03 May 2011, both prepared by BJ Hickson as lodged with the application received by Council on 29.04.2011, 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.

AMENDMENT

- 1a. The approved plans noting the replacement of the existing fence on the western boundary is to be amended to note the retention of the fence and the relocation of the western wall to be 40mm off the boundary.

PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

The following conditions must be complied with prior to the issue of a Construction Certificate by Council or Private Certifier.

2. Prior to the issue of the Construction Certificate, the Principal Certifying Authority (PCA) is to be supplied with certificates from Telstra and Country Energy stating that suitable arrangements have been made for provision of underground telephone and electricity supplies for the proposed development.
3. The Principal Certifying Authority (PCA) is to be provided with details regarding the provision of essential fire safety services in accordance with the BCA and relevant Australian Standards.

4. If the *Construction 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 site supervisor is to be nominated by the applicant prior to issue of the *Construction Certificate*.
6. A Traffic Control Plan (TCP) completed by a "Certified Person" for implementation during works is to be submitted to Mid Western Regional Council prior to any work commencing. Contractor's insurance cover for a minimum of \$10,000,000 (Ten million dollars) is to be sighted and to be shown to Mid Western Regional Council as an interested party.
7. The applicant shall provide details of compliance with Part J (Energy Efficiency) of the BCA with the application for Construction Certificate.

PRIOR TO THE COMMENCEMENT OF WORKS

These conditions are provided to ensure that the construction site is maintained in a suitable manner and in the accordance with the relevant requirements

8. Building materials shall not be placed on Council's footpaths or grass verges and a suitable sign to this effect shall be erected adjacent to the street alignment.
9. A builder's toilet shall be provided on site prior to the commencement of any building work, a WC pan fitted and a suitable shed enclosure provided.
10. The site shall be provided with a waste enclosure that has a lid or secure covering for the duration of the construction works to ensure that all waste is contained on the site. The receptacle is to be emptied to reduce the potential for rubbish to become a nuisance. Council encourages the separation and recycling of suitable materials wherever possible.
11. A construction management plan is to be prepared for the development that has considered the impact of the construction phase of the project on adjoining properties. The plan shall include but not be limited to disturbances to adjoining properties from vibration.
12. A sign shall be erected in a prominent position on the premises on which the erection or demolition of a building is being carried out showing:
 - (a) the name, address and telephone number of the principal certifying authority for the work, and
 - (b) stating that unauthorised entry to the premises is prohibited, and
 - (c) showing the name of the builder or other person in control of the premises and a telephone number at which the builder or other person may be contacted outside working hours. The sign shall be removed when the erection or demolition of the building has been completed
13. 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.**
14. **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.**

DEMOLITION WORKS

15. **Any demolition works involving asbestos cement are to be carried out in accordance with the Work Cover NSW "Guidelines for Practises Involving asbestos Cement in Buildings".**
16. **Prior to demolition works commencing, the applicant shall provide Council with a Waste Management Plan that details:**
- **Type of demolition waste**
 - **Location of disposal**
 - **Estimated quantities**
17. **The demolition is to occur in such a manner so as to encourage the recycling and reuse of salvageable materials.**

BUILDING CONSTRUCTION

The following conditions are provided to ensure compliance with the Building Code of Australia and the relevant Australian Standards.

18. **All building work must comply with the requirements of the National Construction Code 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.**
19. **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 that is audible shall be undertaken on Sundays or public holidays.**
20. **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.**
21. **The strength of the concrete used for the reinforced concrete floor slab must be 25MPa (N25).**

22. 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.
23. Any liquid wastes from the premises, being discharged to the sewers under control of Mid-Western Regional Council is done so in accordance with Council's requirements.
24. 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.
25. Guttering and down piping shall be provided and roof water discharged in a manner that does not affect adjoining properties.
26. Runoff and erosion controls must be installed prior to clearing the site and incorporate:
 - a. diversion of uncontaminated upsite 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.
27. 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.

ENGINEERING CONSTRUCTION

28. Storm water runoff from all impervious areas on the site are to be collected and conveyed to an approved drainage location in a manner consistent with Aus-Spec #1, Australian Standard 3500 and the approved drainage report.

OCCUPATION CERTIFICATE

The following conditions are to be completed prior to occupation of the building.

29. The building shall not be used or occupied until either an occupation certificate or an interim occupation certificate has been issued by the principal certifying authority.
30. 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.

GENERAL CONDITIONS

The following conditions have been applied to ensure that the use of the land and/or building is carried out in a manner that is consistent with the aims and objectives of the environmental planning instrument affecting the land.

31. All air conditioning plant and ducting shall be located on the complex in such a manner as to ensure it would not be visible from any public place.
32. 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.
33. 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.
34. Approval from the NSW Heritage Office under Section 60 of the Heritage act 1977 is to be obtained prior to the commencement of any works onsite. Should the approval be conditional, the applicant should ensure that the development approval is consistent with the approval obtained from the NSW Heritage Office. Any amendment may require a Section 96 application.

Executive summary

Council approved a development application for the restoration, renovation and extension of the existing, State heritage listed Mudgee Library (former Town Hall building) in August 2011.

The approved plans provided for a fence to future detail and the Construction Certificate drawings detailed a brick fence of 1.72m in height.

During the construction stage of the project, there have been some issues regarding access to the proposed works that were to occur on the western boundary. It has been necessary to revise the project so that all works can occur within the boundaries of the subject allotment.

It is therefore proposed to amend the site plan such that;

- the existing fence will be retained; and
- the proposed wall to be constructed on part of the western boundary will now be constructed of 'Benex' block instead of traditional brickwork and be relocated to 40mm off the boundary (to enable retention of the existing fence).
- Painting of the 'Benex' block during construction and as the wall is erected.

The application was notified to the adjoining owner and a submission was received stating that they had no objection to Council constructing the brickwork fence at full cost to Council.

The application is reported to Council because the original application was determined by Council and also because the applicant is Council.

It is considered that the proposed amendments are minor in nature and would not have a significant impact on the heritage significance of the building. It is therefore recommended that the proposed section 96 application be approved.

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 Commercial Core pursuant to the Mid-Western Regional Interim Local Environmental Plan 2008. The proposed development is an enhancement of an existing land use and is considered to be consistent with the objectives of the zone for the following reasons:

- *The development, being located in the commercial core zone helps to promote the town centre as the major focus for retail, services and commercial activity.*
- *The proposal will provide an enhanced level of community service for the townspeople of Mudgee and the Mid-Western region.*
- *The development seeks to protect and enhance the historic nature of the area by restoring a prominent, heritage listed building and by constructing an addition and public space that is complimentary to the streetscape and character of the Mudgee heritage conservation area.*
- *The proposed development is not considered to impact negatively on the existing traffic network and it has been demonstrated that the development would utilise a traffic network and parking that has the capacity to cope with the proposed development.*

Overall, it can be considered that the proposed development is compatible with the objectives of the zone and is considered to be a desirable development that will impact positively upon central Mudgee.

Clause 20 – Height of Buildings

A 5 metre height limit applies within the Heritage Conservation area of Mudgee.

The current proposal involves an existing building in excess of 13 metres in height and a three-storey addition to that building that is proposed to be constructed to a ridge height of ca. 13 metres. This is consistent with the existing character of this portion of the Mudgee Heritage Conservation area where a number of other buildings within the vicinity are of similar or greater height, including those to the immediate east and west of the subject site. As an important heritage grouping, these three buildings characterise and define the heritage streetscape of central Mudgee.

It is considered that the proposal to provide a new three-storey addition to the existing former town hall, prominently located within the commercial core and the Mudgee Heritage Conservation area, is consistent with the heritage character of the town centre and would not compromise the heritage objectives of the LEP.

Clause 21- Variation of Development Standards

The proposal seeks to vary the building height standard prescribed by LEP clause 20.

The variation is considered acceptable and is supported for the following reasons:

- *The height limit is prescribed by the Heritage Conservation area to ensure that development is not obtrusive when compared to the existing buildings in the area. It is considered that the proposed new addition is sympathetic to the existing building and does not diminish its heritage significance.*
- *The proposed new addition does not detract from the existing heritage streetscape and there are numerous existing buildings within the immediate vicinity of the commercial core that exceed the Heritage Conservation area height limit.*
- *The proposed new addition does not significantly overshadow or create privacy concerns that would be of detriment to the surrounding properties.*
- *The proposed new addition is complementary in scale and style and its use of materials is sympathetic to the existing.*

Clause 32 – Heritage Conservation

The proposed development is within the heritage conservation area of Mudgee and is an individually listed heritage item. There are a number of significant heritage items within the immediate vicinity of the subject site.

The potential impact of the application has been reviewed and assessed with regard to the submitted statement of environmental effects and the Mudgee Town Hall (former) Conservation Management Plan of 2009. In all aspects, it is considered that the proposal has satisfactorily addressed issues of heritage impact and streetscape presentation.

The proposed amendment in terms of the use of 'Benex' block instead of traditional brickwork is not considered to have any significant impact. The larger style 'Benex' blockwork is more characteristic of commercial projects but is unlikely to cause any significant streetscape issues as it will be painted during construction.

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

Car Parking DCP

Not applicable to the proposed development.

Advertising Signs DCP

No changes are proposed to the existing signage.

Design for Accessibility DCP

Not applicable to the proposed development.

Section 94A Development Contributions Plan

Section 94 Contributions are not applicable for public infrastructure as the proposal is considered to be a community facility. Contributions may be applicable for car parking and have been discussed elsewhere in this report.

DSP for Water and Sewerage

Contributions for community facilities are not required as part of the DSP.

2. IMPACT OF DEVELOPMENT

Context and Setting

The site of the proposed development is located within the Mudgee Heritage Conservation area and commercial core, and is surrounded by significant heritage buildings. The proposed enhancement of an existing use considered to be compatible and complimentary to its surroundings and permissible with Council consent.

The proposed works would not have any more impact on the locality or adjoining properties than what was originally approved.

The proposal provides for an enhancement of the public domain, being the landscaped walkway and public space to the immediate east of the site, linking Market Street with the car park to the north of the site, leading off Short Street.

The proposed restoration works would be beneficial to the Mudgee heritage streetscape and are considered to be complimentary to the locality.

3. SUITABILITY OF SITE FOR DEVELOPMENT

(a) Does the proposal fit in the locality

Yes, as detailed previously

(b) Are the site attributes conducive to development

Yes, as detailed previously

4. SUBMISSIONS MADE IN ACCORDANCE WITH ACT OR REGULATIONS

(a) Public Submissions

The proposal was notified to the affected adjoining owner for a period of seven (7) days. One submission was received that stated that they had no objection to the construction of the brick fence subject to it being carried out at full cost to the Council. It is considered that this is not an objection to the proposed amendment but merely a statement of their preferred outcome.

(b) Submissions from public authorities

Not applicable.

5. THE PUBLIC INTEREST

The town of Mudgee and the Mid-Western Local Government area will be well served by improved library and performing arts facilities and enhanced public space.

Disclosure for Reportable Political Donation or Gifts.

The applicant has stated, as part of the development application, that they have made no political donation to a political party, elected member, group or candidate or provided a gift to a local councillor or council employee exceeding the value of \$1,000 in the past two years. This declaration is a requirement of the Election Funding and Disclosures Act 1981.

6. CONSULTATIONS

(a) Health & Building.

Conditions provided to ensure compliance with BCA.

(b) Technical Services

Conditions attached.

(c) Heritage Advisor

The proposal has prepared in consultation with Council's Heritage Advisor and the consultant Heritage Architect involved in the project.

7. CONCLUSION

The proposed development relates to a minor amendment to the construction method used for a portion of the building.

It is considered that the proposal has satisfactorily addressed issues of heritage impact and streetscape presentation.

The proposed development is recommended for approval subject to the conditions of consent contained within the recommendation.

OPTIONS

1. The application be approved, subject to alternate conditions.
2. The application be refused with reasons.


Financial implications

The financial implications of the proposed amendment will be reported to Council under separate cover.

Strategic or policy implications

Not applicable.

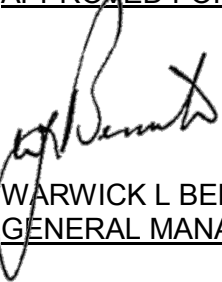
GARY BRUCE
MANAGER STATUTORY PLANNING


CATHERINE VAN LAEREN
GROUP MANAGER - DEVELOPMENT &
COMMUNITY SERVICES

8 March 2012

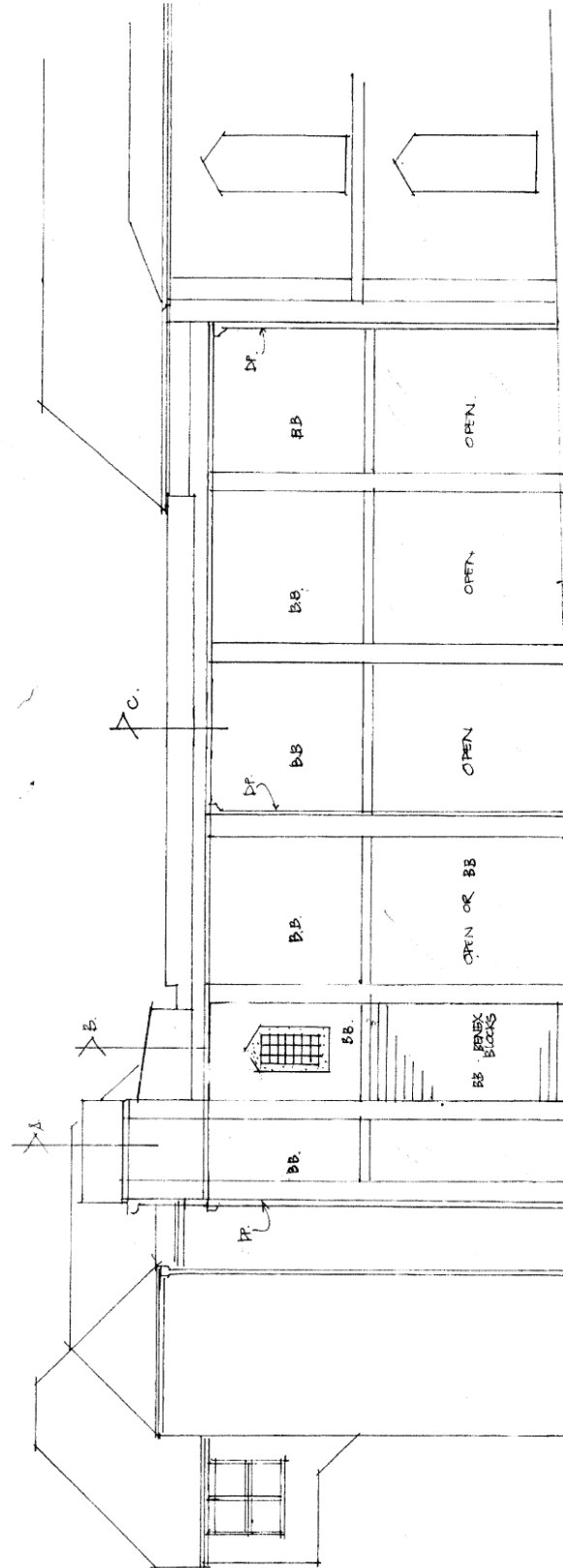
- Attachments:*
1. Locality Plan
 2. Plans
 3. Submission

APPROVED FOR SUBMISSION:



WARWICK L BENNETT
GENERAL MANAGER





WEST SIDE ELEVATION, 1:100

AMENDED WEST SIDE ELEVATION
TOWN HALL MUDGEE B/jn 29 Feb 2012

8 March 2012

Mr Gary Bruce
Mid-Western Regional Council
MUDGEES NSW 2850



Dear Sir

RE: TOWN HALL BUILDING EXTENSIONS

We refer to your letter of 2 March 2012 – copy attached.

We are and have always been agreeable for replacement of boundary fence as part of Council's renovations to the Town Hall Building. Please see Barbara Hickson's letter of 3 May 2011 attached. This has been confirmed with Simon Jones, the General Manager and the Mayor.

We did, however, have objections to encroachment on our property for construction of the actual extensions due to disruptions to our tenants, particularly the Stables building.

We write this letter to confirm that we, as neighbours, remain agreeable to the fence being replaced at Council's cost should you wish to do so under the original terms reached in May 2011 with Barbara Hickson.

Yours faithfully

JOHN & JULIE LONERAGAN

A handwritten signature in black ink, appearing to be "JL", written over a horizontal line.



6.2.2 Access Committee

REPORT BY CUSTOMER SERVICE MANAGER

Access Committee – Report to Council 07 February 2012

A0100055, A0060008

RECOMMENDATION

That:

1. **The report by the Customer Service Manager be received**
2. **Council note the minutes of the Mudgee & Gulgong Access Committee meeting held on 7th February.**

Executive summary

The Mudgee & Gulgong Access Committee meets monthly to highlight and promote accessibility issues in the region. The next meeting is to be held on 06 March 2012.

Detailed report

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

The Committee has begun to consider issues to be included in a Disability Action Plan. At its March meeting, the Committee will finalise these issues, and forward a draft document to the Rylstone Kandos Access Committee for their input.

Financial implications

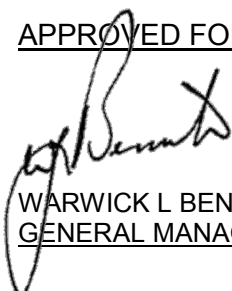
Not applicable.

Strategic or policy implications

Not applicable.

Attachments: 1. Access Committee Meeting Minutes – 07 February 2012

APPROVED FOR SUBMISSION:



WARWICK L BENNETT
GENERAL MANAGER

MINUTES OF THE ORDINARY MEETING OF THE MUDGEES AND GULGONG ACCESS COMMITTEE HELD ON TUESDAY, 7 FEBRUARY 2012, COMMENCING 2.00PM IN THE COUNCIL COMMITTEE ROOM, MUDGEES.

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

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

1. APOLOGIES: Nil.

2. CONFIRMATION OF PREVIOUS MINUTES

Minutes of the meeting held 6.12.11 were confirmed as distributed.

Moved: V. Barrett

Seconded: J. Skinner

3. MATTERS ARISING FROM MINUTES:

3.1 Recommendation to Traffic Committee regarding car parking space outside Library – still to be done when D.A. submitted.

3.2 Check National Public Toilet Map – Judy advised that 10 toilets are listed on the map for the Mid-Western Regional Council area including three at Gulgong, one at Kandos, one at Ilford, three in Mudgee and two on the Sydney Road.

P. Thompson advised that there is to be a Council review of public toilets. Kate offered to enquire about the estimated time for this.

3.3 Provide input re access to website up-grade – Kate advised that the website is currently being up-graded and should be live in approx. five weeks time.

3.4 Inspect toilets at Gulgong – P. Thompson advised that he put a notice of motion to Council regarding accessible toilets for Billy Dunn Oval and Apex Park which was agreed to.

3.5 Letter of acknowledgement was sent to A. Kearins.

3.6 Alterations to Appendix of Disability Action Plan – done and distributed.

4. CORRESPONDENCE

- Inward :

4.1 Theresa Falconer

Letter to be forwarded to the Traffic Committee with a recommendation for extra signage.

Moved: J. Skinner

Seconded: V. Barrett

- **Outward:**

4.2 Letter of acknowledgement to A. Kearins.

5. DEVELOPMENT APPLICATIONS - Nil.

6. GENERAL BUSINESS

6.1 Appendix to MWRC Disability Action Plan. Kate suggested as a means of moving this forward, prior to next month's meeting members consider issues across the Shire to be added to the Plan. Rylstone/Kandos Access Committee would also have input.

6.2 Letter to be written to Housing Plus regarding access to the Adams Street Hall enclosing a copy of previous correspondence.

Moved: M. Lovett

Seconded: R. Barnes

6.3 Letter to be written to the Principals of local schools asking that they address the issue of dangerous use of skate boards and cycles in the CBD by students.

Moved: R. Barnes

Seconded: M. Lovett

6.4 Les tabled photographs and spoke about the issue of non compliance of the new toilet block at Hargraves. Tim will enquire if approval was given under the 2001 or 2009 Standard.

Subject to compliance being to the 2009 Standard a letter is to be written to Julian Geddes supported by Les' photos.

Moved: V. Barrett

Seconded: L. Leighton

6.5 Kate to contact Brad Cam requesting an inspection tour for Committee members of the Glen Willow Sporting Complex as offered previously.

6.6 Les advised that he recently addressed Council concerning access issues at the Showground including access to the disabled toilets and car parking spaces.

Meeting closed at 3.05 pm

Next meeting to be held Tuesday, 6 March 2012 in the Council Committee Room.

Agreed Actions:

1.	Recommendation to Traffic Committee regarding disabled car parking space outside Library when D.A. submitted.	Kate
2.	Check time frame for Council toilet review	Kate
3.	Forward letter to Traffic Committee with recommendation	Mary
4.	Consider issues to go on Disability Action Plan for next meeting	Everyone
5.	Send letter to Housing Plus re Adams St. Hall	Mary
6.	Send letter to schools re unsafe use of skateboards and push bikes	Mary
7.	Make enquiries regarding DA approval for Hargraves toilet block	Tim
8.	If appropriate, write letter to Julian Geddes re Hargraves toilet block	Mary
9.	Arrange tour of Glen Willow Sporting Complex	Kate

6.2.3 Monthly statement of Mid-Western Regional Council bank balances and investments as at 29 February 2012

REPORT BY ACTING GROUP MANAGER OF FINANCE AND ADMINISTRATION

Bankrep

A0100055, A0140304

RECOMMENDATION

That:

1. the investment report as at 29 February 2012 by the Acting Group Manager of Finance and Administration be received;
2. the certification by the Responsible Accounting Officer be noted.

Executive summary

The purpose of this report is to certify that Council's investments have been made in accordance with legal and policy requirements; provide information on the detail of investments and raise other matters relevant to Council's investment portfolio as required.

Detailed report

Clause 212 of the Local Government (General) Regulation 2005 requires that the Responsible Accounting Officer of a Council:

- a) must provide the Council with a written report (setting out details of all money that the Council has invested under Section 625 of the Act), to be presented at each Ordinary Meeting of the Council, and
- b) must include in the report a certificate as to whether or not the investment has been made in accordance with the Act, the regulations and the Council's investment policies.

The report must be made up to the last day of the month immediately preceding the meeting.

Financial implications

Not Applicable

Strategic or policy implications

Not Applicable

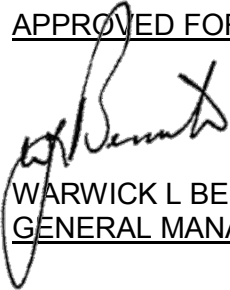


LEONIE JOHNSON
ACTING GROUP MANAGER OF FINANCE
AND ADMINISTRATION

8 March 2012

- Attachments:*
1. Monthly statement of bank balances and investments
 2. Monthly investment portfolio activity
 3. Schedule of MWRC investment policy requirements

APPROVED FOR SUBMISSION:



WARWICK L BENNETT
GENERAL MANAGER

ATTACHMENT 1

Statement of Bank Balances and Investments

For the month ended: 29-Feb-12

Bank Accounts	Opening Balance	Receipts	Payments	Closing Balance	Overdraft Limit
Commonwealth Bank	\$ 1,395,348	\$ 7,324,840	\$ 7,529,198	\$ 1,190,990	\$ 700,000

The bank balance has been reconciled to the General Ledger as at 29/02/2012

Investments	Type	Amount	Yield %	Maturity Date	Term	Rating	Govt Rating	NAV	% of Portfolio
Commonwealth Bank	At Call	\$ 1,245,000	4.25%	N/A	At Call	A-1+	2		3.9%
National Australia Bank	Term Deposit	\$ 1,200,000	5.81%	18/04/2012	91	A-1+	1		3.7%
National Australia Bank	Term Deposit	\$ 1,900,000	5.87%	23/05/2012	119	A-1+	3		5.9%
National Australia Bank	Term Deposit	\$ 1,000,000	5.89%	23/05/2012	125	A-1+	3		3.1%
National Australia Bank	Term Deposit	\$ 2,000,000	6.10%	18/05/2012	130	A-1+	3		6.2%
Westpac Bank	Term Deposit	\$ 2,600,000	5.95%	21/03/2012	112	A-1+	3		8.1%
Westpac Bank	Term Deposit	\$ 1,200,000	5.95%	14/03/2012	105	A-1+	1		3.7%
Westpac Bank	Term Deposit	\$ 1,500,000	5.90%	2/05/2012	147	A-1+	3		4.7%
St George Bank	Term Deposit	\$ 1,500,000	5.46%	25/04/2012	77	A-1+	2		4.7%
St George Bank	Term Deposit	\$ 1,000,000	5.73%	27/06/2012	119	A-1+	3		3.1%
St George Bank	Term Deposit	\$ 1,500,000	5.75%	4/04/2012	91	A-1+	3		4.7%
Bankwest	Term Deposit	\$ 1,000,000	5.80%	20/06/2012	119	A-1+	2		3.1%
Bankwest	Term Deposit	\$ 1,500,000	6.00%	11/04/2012	91	A-1+	3		4.7%
Bankwest	Term Deposit	\$ 1,500,000	5.79%	14/03/2012	98	A-1+	3		4.7%
Bankwest	Term Deposit	\$ 1,000,000	6.00%	16/05/2012	98	A-1+	3		3.1%
Bankwest	Term Deposit	\$ 1,000,000	5.20%	28/03/2012	56	A-1+	3		3.1%
ING Australia Bank	Term Deposit	\$ 1,000,000	5.80%	21/03/2012	126	A-1	1		3.1%
AMP	Term Deposit	\$ 1,000,000	5.80%	30/05/2012	104	A-1	2		3.1%
Suncorp Metway Ltd	Term Deposit	\$ 1,000,000	5.88%	7/03/2012	98	A-1	1		3.1%
IMB Ltd	Term Deposit	\$ 1,000,000	5.75%	30/05/2012	91	A-2	2		3.1%
Newcastle Permanent	Term Deposit	\$ 1,000,000	5.74%	7/03/2012	91	A-2	1		3.1%
Bank of Queensland	Term Deposit	\$ 1,000,000	5.80%	23/05/2012	105	A-2	2		3.1%
Members Equity Bank	Term Deposit	\$ 1,000,000	5.85%	9/05/2012	96	A-2	2		3.1%
Deutsche Bank Series 5	Floating Rate Note	\$ 1,000,000	5.40%	23/11/2012	4yrs 9mths	A+	-		3.1%
ANZ ASPRIT III	Sustainable Equity Linked Note	\$ 500,000	50% of +ve NAV	19/07/2013	6 yrs	AA	-		1.6%
Longreach Series 26	Property Linked Note	\$ 1,000,000		7/06/2014	7 yrs	A+	-	\$ 910,000	3.1%
Total Investments		\$ 32,145,000							100.0%

Financial Claims Scheme

- 1 Guaranteed to \$1,000,000 until the 31st December 2012
- 2 Guaranteed to \$250,000
- 3 Not Guaranteed

ATTACHMENT 2

Monthly Investment Portfolio Activity:

The below table shows monthly investment activity within the portfolio including investments that have matured and have been redeemed or re-invested, and new investments placed.

Bank Accounts	Opening Balance	Redeemed Balance	Re-invested Balance	Change in interest rate	Change in Term (days)
Commonwealth Bank	\$ 1,495,000	\$ 250,000	\$ 1,245,000	0.00%	At Call
Bankwest	\$ 1,000,000		\$ 1,000,000	-0.45%	-13
Members Equity			\$ 1,000,000	New Deposit	
St George Bank	\$ 1,500,000		\$ 1,500,000	-0.79%	-113
Bankwest	\$ 1,000,000		\$ 1,000,000	0.15%	2
Bank of Queensland	\$ 1,000,000		\$ 1,000,000	0.00%	14
AMP	\$ 1,000,000		\$ 1,000,000	-0.15%	-77
St George Bank	\$ 500,000	\$ 500,000		Redeemed	
St George Bank	\$ 1,000,000		\$ 1,000,000	-0.17%	-48
IMB Ltd			\$ 1,000,000	New Deposit	
	<u>\$ 8,495,000</u>		<u>\$ 9,745,000</u>		

Net Portfolio Movement **\$1,250,000** Addition

ATTACHMENT 3

MWRC Policy Requirements:

Investments by Insitution	Long/Short Term Ratings	Amount	% of Portfolio	
			Actual	Policy Limit
National Australia Bank	AA/A-1+	\$ 6,100,000	19.0%	25.0%
Bankwest	AA/A-1+	\$ 6,000,000	18.7%	25.0%
St George Bank	AA/A-1+	\$ 4,000,000	12.4%	25.0%
Commonwealth Bank	AA/A-1+	\$ 1,245,000	3.9%	25.0%
Westpac Bank	AA/A-1+	\$ 5,300,000	16.5%	25.0%
ANZ	AA/A-1	\$ 500,000	1.6%	25.0%
Citibank	A+/A-1	\$ -	0.0%	15.0%
Longreach	A+/A-1	\$ 1,000,000	3.1%	20.0%
Deutsche Bank	A+/A-1	\$ 1,000,000	3.1%	15.0%
AMP	A/A-1	\$ 1,000,000	3.1%	15.0%
ING Australia Bank	A/A-1	\$ 1,000,000	3.1%	15.0%
Suncorp Metway Ltd	A/A-1	\$ 1,000,000	3.1%	15.0%
Macquarie Bank	A/A-1	\$ -	0.0%	15.0%
Bank of Queensland	BBB+/A-2	\$ 1,000,000	3.1%	10.0%
Bendigo & Adelaide Bank	BBB+/A-2	\$ -	0.0%	10.0%
Newcastle Permanent	BBB+/A-2	\$ 1,000,000	3.1%	10.0%
Members Equity Bank	BBB/A-2	\$ 1,000,000	3.1%	10.0%
Heritage Building Society	BBB/A-2	\$ -	0.0%	10.0%
IMB Ltd	BBB/A-2	\$ 1,000,000	3.1%	10.0%
Community CPS Aust.	NR	\$ -	0.0%	10.0%
		\$ 32,145,000	100.0%	

Investments by Rating	Rating*	Amount	% of Portfolio	
			Actual	Limit
Direct Securities	AAA/A-1+	\$ 22,645,000	70.4%	100.0%
	AA/A-1	\$ 500,000	1.6%	100.0%
	A/A-1	\$ 5,000,000	15.6%	60.0%
	BBB/A-2	\$ 4,000,000	12.4%	20.0%
	Unrated	\$ -	0.0%	20.0%
		\$ 32,145,000	100.0%	

*Investments lower than AA/A-1 are restricted to licenced banks, credit unions and building societies

Term to Maturity	Amount	Actual	% of Portfolio	
			Minimum	Maximum
Less than 1 year	\$ 29,645,000	92.2%	30.0%	100.0%
Between 1 and 3 years		0.0%	0.0%	70.0%
Between 3 and 5 years	\$ 1,000,000	3.1%	0.0%	50.0%
More than 5 years	\$ 1,500,000	4.7%	0.0%	25.0%
	\$ 32,145,000	100.0%		

6.2.4 Rotary Club of Mudgee Sunrise – funding request for Carols in Mudgee

REPORT BY GENERAL MANAGER

Funding request for Carols in Mudgee event
A0100055, A0140201

RECOMMENDATION

That:

1. the report of the General Manager on funding request for Carols in Mudgee be received;
2. Council approves the funding of \$5,000 for the 2012 Carols by Candlelight in Mudgee to be funded by the Grants and Donation budget
3. That the Rotary Club of Mudgee Sunrise be advised to make application to Council for funding for the Carols by Candlelight on an annual basis.

Detailed report

Please find attached a self-explanatory letter of request from the Rotary Club of Mudgee Sunrise. In that letter, Rotary have thanked Council for its commitment to the 2011 Carols by Candlelight function and is now seeking that Council fund this event for the next three years. The recommendation in this report is only that Council fund it for one year, and that Rotary apply on an annual basis for this funding.

Financial implications

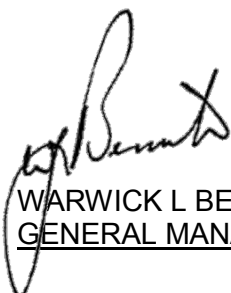
The recommendation in this report is that Council funds this event from its Grants and Subscriptions provision where it has funded this event in the past.

Strategic or policy implications

Not applicable at this time.

1 March 2012

Attachments: 1. Letter from Rotary Club of Mudgee Sunrise Inc. – funding request for Carols in Mudgee 2012, 2013 and 2014.



WARWICK L BENNETT
GENERAL MANAGER



The Rotary Club of Mudgee Sunrise Inc.

President: Melanie Brown

DISTRICT 9670

Secretary: Carole Southgate

PO BOX 643
MUDGEE NSW 2850

28th February 2012

Warwick Bennett
General Manager
Mid Western Regional Council

Dear Warwick,

Many thanks again for your team's wonderful support for our inaugural Christmas Carols event last December. And most sincerely Warwick... MWRC was a tremendous support that helped in no small way to make the event the success that it was. To even be nominated for the Community Event of the Year Award was just awesome...let alone coming out the winner. It was something special that will always be treasured. I can assure you,

The organising team have reviewed the 2011 event for which we believe most things went to plan. There is no compelling reason to 'reinvent the wheel' for 2012. However we have open minds and there are some areas we have flagged for improvement... and some additional ideas we will incorporate in this year's event to ensure we get that extra special edge.

As 2012 event coordinator (and President Elect for the Rotary Club of Mudgee Sunrise for 2012/2013), I have met already with Alayna Shackleton to discuss this year's event... and have invited Alayna to join the planning / organising team. The team this year will consist of two Rotary Sunrise members (David Miles & myself), one night Rotary Club member (to be finalised), one member from the Combined Churches of Mudgee and Alayna. Robyn Murray (Guardian Editor) is also keen to join up and will be invited. Robyn is also a member of the night Rotary Club of Mudgee... giving that club two members on the organising team. A key benefit of this team's make-up is that each member brings a specific skill that is essential to the success of the event.

In the meantime we have booked the Mudgee Showground through Alayna for the 2012 event which is Saturday December 15, and also the day prior (Friday December 14) to set up etc. We believe that running the event on a Saturday night will enhance attendance numbers and assist with visitors into Mudgee. Visitors/tourists can come to the event... stay over on the Saturday night and relax looking around the region on the Sunday before heading back. We have set an attendance target of 2000 people minimum for this year's event.

As Carols in Mudgee for 2012 and beyond will continue to be a free community event, we do need to achieve earlier than later our sponsorship goals to ensure we are covering the event staging costs... plus hopefully of course to raise additional funds for Rotary to be disbursed amongst local worthwhile causes. As such, I now wish to apply on behalf of Rotary Sunrise to MWRC for a three (3) year funding commitment of \$15,000.00. That funding commitment represents \$5000.00 per year for years 2012, 2013, and 2014.

Can I ask please Warwick that this request is now presented to the March Council meeting for discussion, and hopefully approval.

Please don't hesitate to contact me for any further information that you require.

Sincerely

Bill Avery

Carols in Mudgee event Coordinator

Ph: 6372 7171
Mb: 0425 234 952
Email: billsbusiness@westnet.com.au

6.2.5 Heritage Grant Reallocation

REPORT BY HERITAGE ADVISOR

Heritage Grant Funding
A0100055, A0420162

RECOMMENDATION

That:

- A. the report by Council's Heritage Advisor relating to the reallocation of a previously approved Heritage grant, be noted;
- B. Council approves the reallocation of \$3,000 Local Heritage grant funding from the Centennial Hotel, Gulgong, parapet restoration project to the Bridge View Inn, Rylstone, mural conservation project.

Executive summary

Council endorsement of the reallocation of a \$3,000 local heritage grant is sought.

The current recipient of that grant, the owner of the Centennial Hotel, Gulgong, has informed Council that he is not in a position to undertake the restoration works for which that funding was originally allocated.

Council's Heritage Advisor has recently been advised of another worthy project and it is proposed to redirect the local heritage grant allocation from the Centennial Hotel to the Bridgeview inn Rylstone.

The project relates to the conservation of a mural dating from sometime between 1872 and 1894, which was recently uncovered during restoration works to the heritage listed Bridge View Inn, Rylstone.

The project is worthy of support and the reallocation is recommended by Council's Heritage Advisor.

Detailed report

At the 07 December 2011 Council Meeting, it was determined that Heritage Grant funding comprising \$10,500 should be allocated as follows;

- \$ 5,000 to *St Mary's Catholic Church, Mudgee, for the replacement/repair of roof plumbing.*
- \$1,500 to *Gulgong Pioneer Museum, Gulgong, for Blacksmith shop restoration.*
- \$1,000 to *a Private Residence, 169 Market Street, Mudgee, for the removal of highly detracting accretions to the main building facade.*
- \$3,000 to *Centennial Hotel, Gulgong, for parapet restoration.*

Council's Heritage Advisor is pleased to announce that all projects, with the exception of the Centennial Hotel, are proceeding towards the late-May completion date (as determined by the NSW Heritage Council.)

The Centennial Hotel, which is now planning a wide-ranging restoration of the site, has indicated that works may not commence for at least another six months. The inability of the applicant to undertake the approved works within the allocated timeframe renders the project ineligible for Heritage grant funding. It is therefore proposed to reallocate the \$3,000 funding.

A number of requests for Heritage assistance are directed to Council's Heritage Advisor throughout the year. Unfortunately, due to the limited funds available and the time frames involved, Council is unable to assist with most requests.

Recently, the Rylstone & District Historical Society approached Council regarding the conservation of a late 19th century mural that was uncovered during works to the Bridge View Inn, Rylstone (Attachment 1). The availability of funding due to the advice from the owners of the Centennial Hotel in Gulgong and the Rylstone & District Historical Society's progression with the project have made it feasible to transfer the funding.

Stage 1 of the conservation works are to be undertaken during March and April, which qualifies the project for assistance under the 2011-2012 funding round (should Council choose to approve the reallocation of grant funding which, in itself, bears no additional cost to Council). The Bridge View Inn mural is considered to be a significant heritage find of great rarity, value and potentially, a drawcard for tourists to the Mid-Western Region (Attachment 2).

Financial implications

No additional funding is requested.

Strategic or policy implications

Not applicable.

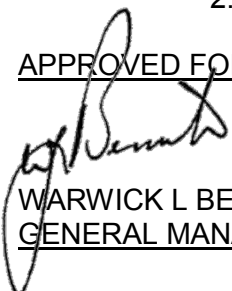
GRAEME KING
HERITAGE ADVISOR

GARY BRUCE
MANAGER STATUTORY PLANNING

08 March 2012

Attachments: 1. Submission from Rylstone & District Historical Society
2. Photographs (details) of the Bridge View Inn mural, prior to restoration

APPROVED FOR SUBMISSION:



WARWICK L BENNETT
GENERAL MANAGER

Rylstone and District Historical Society Inc.

PO Box 66

Rylstone NSW 2849

Email: rylstonehistory@westnet.com.au

ABN 69040337724



Mr Graeme King
Heritage Advisor, Mid Western Regional Council
PO Box 156
Mudgee NSW 2850

Dear Mr King

7 March 2012

Re: Conservation of 18th C Mural at the Bridge View Inn, Rylstone

Further to our conversation by phone, I am writing on behalf of Rylstone and District Historical Society to ask whether Council is able to provide some funding support for the conservation and restoration of the painted mural in the dining room at the Bridge View Inn.

As you may know, the Bridge View Inn (originally Bridge Hotel) is listed on the NSW Heritage Register and has a Permanent Conservation Order placed over it. It is recognised by the National Trust as an important and well-preserved example of a Victorian era two-storey sandstone hotel with outbuildings intact. It is included in the current LEP and is an iconic landmark in Rylstone.

There appears to be only a handful of other murals of this age in public buildings known in the whole of Australia. Therefore preservation of the Bridge View Inn Mural will add to the buildings' local, regional, state and national value.

Mural in the Bridge View Inn

The mural is a unique record of the history of the town. It dates from between 1872 and 1894, during the hotel period of the Inn, prior to its use as a bank. The central cartouche contains a naive depiction of the riverbank with a fisherman and some cattle, and at the centre is the distinctive timber truss bridge over the Cudgegong River that was once the main entry to town. This would have been the scene immediately opposite the hotel at the time of its construction. The cartouche is surrounded by a decorative border incorporating two naked lady torsos and, at the bottom, a cheeky horned satyr's head. Pan spirits (horned satyrs) and nymphs were associates of the Greek God of Wine, Dionysius. Incorporating allusions to classical Greek culture in painting was not uncommon at the time and in this case entirely appropriate for a drinking establishment.

Between 1894 and 1957 the hotel became banking chambers and manager's residence of successively the Australian Joint Stock Bank, the Commercial Bank of Australia and the Bank of New South Wales. During that time the mural was covered by wallpaper, either because of fashion, or to protect the sensitivities of the bankers' families and clients. Wallpaper was used in the room into the early 1990s, so discovering and enjoying the mural is a relatively recent event.

Current Condition and Work to Done

Unfortunately the mural is not presently in good shape. The plaster wall surface is cracked and drummy in places. The mural has been pierced by timber plugs and the paint is faded and stained by smoke. The top third of the mural is covered by a picture-rail and house paint so there is more to be revealed!

International Conservation Services will be undertaking work on the mural in two stages, the first in March 2012 and the second in March 2013. Here is the work program:

- 1 Remove wall plugs: To prevent further damage from expansion and contraction of wall plugs. This will also allow access to the area between the wall and plaster in order to inject consolidants.
- 2 Stabilise and consolidate areas of delaminating render: To prevent further physical degradation of the mural. Consolidation with bonding agents will be the primary method of stabilisation of the wall and stainless steel pinning will be used if required.
- 3 Remove overpaint from top third of wall: Restore original composition and allow full mural to be seen and appreciated. This would return the room closer to how it would have appeared during the period when it functioned as an inn. There is a possibility that more historical information will become available. A signature and date may also be found. NOTE: this procedure will be a slow, time consuming process as there are many layers of overpaint.
- 4 Remove hanging rail: allowing full image to be viewed.
- 5 Fill damaged plaster areas: Fill lost areas of plaster to re-create texture of surrounding surface, allowing inpainting to match surrounding surface perfectly.
- 6 Inpaint losses to surface: Inpaint losses, only replacing lost sections of paint in order to restore the mural to an appearance closer to its original appearance. The inpainting will allow the image to be viewed without distraction from paint losses.
- 7 Apply varnish to surface: Saturation of the surface to give clarity and colour back to the painting restoring it to closer to how it originally appeared. The varnish will also protect the surface and allow any future cleaning to be possible with less risk to the painting.
- 8 Possibly install frame around the edges of the picture: This will be investigated fully at the time of conservation. If it is found that the painting was originally "framed" then it is recommended that this be replicated. Further discussions with the Rylstone Historical Society will be carried out.
- 9 Remove sample of wall paper from within the cupboard for cleaning and preservation: It is recommended that a sample of the delaminating wallpaper is removed and preserved as a record. Storage of this wallpaper can be negotiated with Rylstone Historical society. The sample could be stored in a conservation grade folder or possibly framed and displayed to show how the room would have originally appeared and the influence the original wallpaper had on the artist.

Local Heritage Architect Barbara Hickson will be the Heritage Specialist for the project to ensure that the methodology is undertaken to appropriate standards.

Funding Support – the Need

The Society is committed to conserving the mural as one of the outstanding aspects of the building and to sharing this with the public.

The National Trust of Australia (NSW) is assisting this project by auspicing the tax-deductible appeal. The NSW Office of Environment and Heritage is assisting the project with a promise of \$15,000 over two years.

That leaves the Historical Society to raise \$20,000 to meet the projected budget costs. This is a major ask for a community of our size and therefore we are canvassing every opportunity to raise the necessary funds.

I enclose the appeal brochure that has been attracting a steady stream of individual small donations. The Historical Society is fundraising and is also asking for donations from area businesses large and small; from local organisations that raise funds for community use; and will be applying for funds under Round 21 of the Small Grants for Small Rural Communities through the Foundation for Rural and Regional Renewal.

The Rylstone and District Historical Society would be deeply appreciative of any support that Mid Western Regional Council is able to provide. All donors will be recorded permanently on an honour plaque to be hung near the mural.

Thank you,

Virginia Hollister

Virginia Hollister
Vice President, Rylstone and District Historical Society
Chair: Mural Subcommittee
Home Phone: 6379 0909
Email: hollister@westnet.com.au

ATTACHMENT 2



6.2.6 Mid-Western Regional Youth Council

REPORT BY MANAGER COMMUNITY DEVELOPMENT

Mid-Western Regional Youth Council - February
A0100055, A0060048

RECOMMENDATION

That:

- 1. that the report by the Manager Community Development be received;**
- 2. Council note the minutes of the Mid-Western Regional Youth Council meeting held on 7 February 2012.**

Executive summary

The Youth Council provides an opportunity for 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 will be held on Tuesday 13th March 2012 at Gulgong High School.

Detailed report

The Youth Council discussed the events held over the January school holidays.

The Youth Councillors were advised that they had been successful in their grant for \$2,500 towards music at the Youthfest 2012.

They were further advised that Cathy Leisfield had taken on a role as the Health Communities Coordinator and they expressed their appreciation for the opportunity to work with Cathy over the past two and a half years.

Youth Week 2012 was discussed in detail including, planning, competitions and prizes, events, music and activities.

Youth Council also gained a grant of \$5,200.00 to help transport disadvantaged youth attend events. Councillor Weatherley further advised of a donation of \$1,000 from his discretionary funds and that Mayor Kennedy and Cr Holden had also donated \$500 each from their discretionary funds towards Youth Week events.

Financial implications

N/A

Strategic or policy implications

N/A

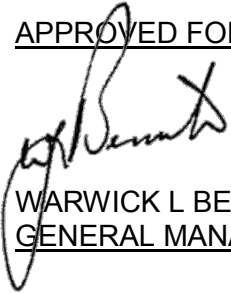
SIMON JONES
MANAGER COMMUNITY DEVELOPMENT



CATHERIVE VAN LAEREN
GROUP MANAGER DEVELOPMENT AND
COMMUNITY SERVICES

Attachments: 1. Minutes of the Meeting of the Mid-Western Regional Youth Council held on 7th February 2012.

APPROVED FOR SUBMISSION:



WARWICK L BENNETT
GENERAL MANAGER

**MINUTES OF THE MEETING OF THE MID-WESTERN
REGIONAL YOUTH COUNCIL HELD ON TUESDAY
7th FEBRUARY 2012, AT 4.00 PM IN THE COUNCIL CHAMBERS, MARKET STREET,
MUDGEE**

PRESENT:

Youth Councillors: Youth Mayor Henry Van Laeren, Deputy Youth Mayor Jessica Foote, Alana Drury, Madalyn Date, Rachael Tant.

Councillors: Cr John Weatherley

Council Staff: Virginia Handmer (Community and Youth Development Officer)

Chair: Henry Van Laeren

Minutes: Virginia Handmer

1. WELCOME

Henry Van Laeren opened the meeting at 4.05 pm and welcomed those in attendance.

2. APOLOGIES: Mary Sparkes, Cathy Leisfield, Des Kennedy

3 ACCEPTANCE OF APOLOGIES

Motion: That the apologies be accepted.

Moved: Henry Van Laeren Seconded: Maddie Date **Accepted**

4. MINUTES FROM THE PREVIOUS MEETING

Motion: That the minutes of the previous meeting held on 29 November 2011 be accepted.

Moved: Henry Van Laeren Seconded: Alana Drury **Minutes Accepted**

5. Correspondence In: INDENT acknowledgement of successful gaining of Indent grant

6. Correspondence Out: NIL

7 BUSINESS ARISING FROM THE MINUTES

7.1 Gulgong Skate Park Working Party Update

No further news; still waiting for the outcome of NSW Sport & Recreation grant application.

7.2 Skatepark issues paper – no further information

7.3 Youth Council Alumni Facebook - Some activity on this page

7.4 January School Holiday Program report

- Mural at Jubilee sports ground
- Pool parties
- Drama workshop in Kandos
- Drumming workshop

7.5 Indent music grant workshop

The Youth Council was successful in their grant application for \$2500 towards music at Youthfest 2012. Indent training is being arranged, potentially for Youth Councillors to attend, subject to getting travel subsidies.

7.6 Youth Services Officer

Cathy Leisfield has taken on the role as the MWRC Healthy Communities Coordinator. Youth Council expressed their appreciation for the opportunity to work with Cathy for the past 2 ½ years and hope to work with her again in her new role.

8. GENERAL BUSINESS**8.1 Youth Week**

- Discussion regarding the competitions as planned at the meeting in January. The motion was put that the categories and prize monies be as suggested at that meeting
 - Photography, short film, short story, poetry, art
 - Prize money is \$75 First Prize and \$25 second Prize

Motion put by Henry Van Laeren Seconded Jess Foote **Motion Carried**

- Cr Weatherley told the committee that he has donated \$1000 of his discretionary funds and that Mayor Kennedy and Cr Holden have each donated \$500 from their discretionary funds towards Youth Week events.
- Discussion on the following issues;
 - 5 Country Rugby League tickets as prizes for Youth Week
 - Adrian Symes and showing his film workshop films;
 - Orana Arts may be bringing a drumming workshop to Gulgong and Mudgee during the school hols; waiting for confirmation of dates.
 - Need marquees for Youthfest;
 - PA needed for bands playing at Youthfest
 - Brett from PCYC will let us know about the availability of the activity bus.
- At this stage the live music entertainment for Youthfest is as follows;
 - Aiden Rhodes DJ
 - Jessica and Jess (Henry is following up)
 - Blind Date
 - Lara Brett (Jessica is confirming)
- Activity; Mudgee Men's Shed is hosting a day during youth week or an activity at Youthfest; Helen will confirm which. Kandos Men's Shed may be involved as well.

8.2 Community Theatre

Lea Leisfield will attend the next Youth Council meeting (in Gulgong) to discuss how Youth Council can find out what the community wants. Suggestion that community groups be asked to join a larger coordinating group to lobby for a theatre with both demonstrated public support and a clear plan about how run it.

8.3 Transport Grant

Youth Council gained a grant of \$5200 to help transport disadvantaged youth to attend events. Newtons Nation speed skating/music event on 27-29 April in Bathurst is a likely contender.

**Next Youth Council Meeting: Tuesday 13 March at 4.30 Gulgong High School Library
Meeting closed at 5.00pm.**

6.2.7 Mt Penny Coal Project – Revised Director General's Requirements

REPORT BY SENIOR ENVIRONMENT OFFICER

Mt Penny - revised DGRs
A0100055, A0420223

RECOMMENDATION

That:

1. **the report by the Senior Environment Officer on the revised Director General's Requirements for Mt Penny Coal be received;**

Executive summary

At the extraordinary meeting of 19 January 2011, Council considered the Draft Director General's Requirements (DGRs) and the Preliminary Environmental Assessment (PEA) for the Mt Penny Coal project. A submission was forwarded to the Department of Planning & Infrastructure (DP&I – formerly DoP) on 20 January 2012. Council has only recently been made aware that revised DGRs were forwarded to the proponent on 30 August 2011, previously Council has either been formally advised of such changes by DP&I or by the proponent as part of the ongoing consultation process with stakeholders.

Detailed report

The revised DGRs incorporate the requirements of the Commonwealth Department of the Sustainability, Environment, Water, Populations and Communities (SEWPaC); suggestions from the Bylong Valley Protection Alliance (BVPA) and recent changes to Government policy. Comments from other key state and local government agencies and suggestions from BVPA were also provided separately and are to also be considered in the preparation of the Environmental Assessment (EA).

A review of the revised DGRs has revealed that no requirements have been removed and apart from the abovementioned changes the following have also been added to the requirements:-

Water Resources heading additional requirements for the Water Sharing Plan of

- consideration and assessment of any proposed amendments to access rules (such as cease to pump) identified in the relevant Water Sharing Plan;
- identification of need for water supply requirements from water sources outside of Water Sharing Plans (for example fractured rock aquifers) and potential issues associated with cross connectivity to alluvial / surface aquifers

Also under same heading a detailed assessment of potential impacts on: the quality and quantity of existing surface and ground water resources – now has in addition the following: -

- including assessment of transfer of water trading entitlements into and within the water source as per Water Sharing Plan requirements;

The other change has been to incorporate the previous two separate headings 'Agriculture' and the 'Goulburn River National Park' into one heading called '**Land Resources**'. In this regard the following three requirements have been added:

- a description of the agricultural resources (especially soils and water resources used or capable of being used for agriculture) and agricultural enterprises of the locality;
- a detailed assessment of the potential impacts of the project on agricultural resources and/or enterprises of the locality including;
 - impacts as a result of re-allocation of licensed water extraction from irrigation to mining uses; and
 - direct impacts on groundwater and surface water resources as a result of mining activity;
- justification for any significant long term changes to agricultural resources, particularly if highly productive agricultural resources (eg alluvial lands and associated groundwater resources) are proposed to be affected by the project;

The final change is to the heading of **Social & Economic** with the addition of fire fighting capability to the assessment of the demand the project may generate for provision of additional local infrastructure and services.

A comparison of Council's comments to the Draft DGRs and the revised DGRs would seem to suggest that in the main that most of Council's suggestions have been incorporated into the revised requirements. It is to be noted that Council will have an opportunity to review and comment on the EA once the application is placed on exhibition.

Financial implications

Not applicable.

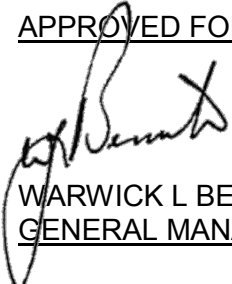
Strategic or policy implications

Not applicable.

LINDA SHREEVE
SENIOR ENVIRONMENT OFFICER

Attachments: Nil

APPROVED FOR SUBMISSION:



WARWICK L BENNETT
GENERAL MANAGER

6.2.8 Mudgee Sewerage Update

REPORT BY GENERAL MANAGER

Mudgee Sewerage update
A0100055, F0740001

RECOMMENDATION

That:

1. **the report by the General Manager on the Mudgee Sewer update be received.**

Detailed report

Please find attached the monthly update on the Mudgee Sewer implementation.

Financial implications

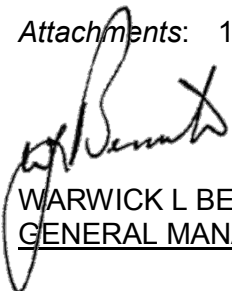
Set out in the attached report.

Strategic or policy implications

Not applicable at this time.

12 March 2012

Attachments: 1. Mudgee Sewer Progress Report, February 2012



WARWICK L BENNETT
GENERAL MANAGER

**Contract No.0901709 – Mudgee Sewerage Augmentation
Construction of a New Sewage Treatment Plant and Associated Works**

**Project Status Report
February 2012**



Report No. 6

Issue Date: 9 March 2012

Prepared by: Claire Cam
Principal's Authorised Person

Contents

EXECUTIVE SUMMARY	2
1. Project Status	3
1.1 Work Progress during February 2012	3
1.1.1. Earthworks	3
1.1.2. Survey works	3
1.1.3. Photographs	3
1.2 Work Activities planned for March 2011	3
1.2.1. Amenities Building	3
1.2.2. Mechanical & Electrical Design Meeting	4
2. Project Variations.....	4
3. Contractual Issues	4
4. Progress Payments	4
5. Program.....	4
Attachments.....	4

EXECUTIVE SUMMARY

Contract No.	0901709
Principal Contractor	Precision Civil Infrastructure ABN 16 097 107 956
Original Contract Sum (ex GST)	\$13,699,295.45
Approved Contract Variations Total	\$141,086.17
Current Contract Sum	\$13,840,381.62
Contract Payments to Date	\$1,037,426.40
Total Project Cost Expended	7.5%
Date of Contract	8 August 2011
Original Contract Duration	511 calendar days Milestone 1: 28 calendar days Milestone 1+2: 420 calendar days (82.2%) Milestone 3: 63 calendar days (12.3%) Milestone 4: 28 calendar days (5.5%)
Approved Extensions of Time Claims	18 calendar days (3.0%)
Contract Completion Date	18 January 2013
Calendar Days Elapsed	213
Calendar Days Remaining	316
Total Project Time Expended	40.3%

Notes:

Milestone 1 – Preparation and submission of pre-construction documents.

Milestone 2 – Construction of the works.

Milestone 3 – Site testing, plant demonstration and commissioning.

Milestone 4 – Preparation and submission of operation and maintenance manuals and works-as-executed drawings.

1. Project Status

1.1 Work Progress during February 2012

1.1.1. Earthworks

Works carried out during February include completion of pads for structures, and shaping of the embankment and toe drain at the north-east corner of the site.

1.1.2. Survey works

The slab levels for the administration building and inlet works have been set-out in preparation for pouring of concrete foundations and slabs.

1.1.3. Photographs



Photograph 1. Completed pads and set-out for administration building and inlet works structure.

1.2 Work Activities planned for March 2011

1.2.1. Amenities Building

The Contractor has advised that steel reinforcement will arrive onsite within 5-10 working days, for commencement of construction of the foundations, slab and switch room sub-floor during March 2012.

1.2.2. Mechanical & Electrical Design Meeting

A meeting between the Principal, the Contractor and the Contractor's mechanical and electrical sub-contractors has been scheduled for Wednesday 14 March 2012. The agenda for the meeting includes discussion and clarification of mechanical and electrical design including equipment selection.

2. Project Variations

A variation for installation of a drainage system for the Aeration and Catch Balance Tanks structure has been approved by the General Manager. The value of the variation is \$141,086.17 excluding GST.

Total cost of variations = \$141,086.17 (1.0%).

3. Contractual Issues

Nil.

4. Progress Payments

A progress claim has not been received in February 2012. The contractor has been requested to provide a revised claims schedule to assist Council with corporate financial management.

5. Program

The Contractor has submitted a claim for an extension of time of eleven weeks (5 December 2011 to 20 February 2012) due to delays caused by the requirement to undertake design review, deferring commencement of concrete works. However during this period the Contractor had not completed earthworks enabling concrete works to commence and the period includes a planned site closure over the Christmas and New Year holiday period. Regardless of design delays, there were several wet days during this period. The Principal's Authorised Person has taken the request on notice for formal assessment once the Contractor advises the arrival date of the steel reinforcement on site.

Attachments

- A. Variations Register

**Contract No. 0901709 - Mudgee Sewerage Augmentation
Construction of New Sewage Treatment Plant and Associated Works
Variations Register**

Variation No.	Date	Contract Scope of Works	Agreed Scope of Works	Approved by	Cost (ex GST)
1	17-Aug-11	Works Insurance Policy minimum \$30M	Works Insurance Policy minimum \$20M	Brett Corven	\$0.00
1a	20-Sep-11	Professional Indemnity Insurance Policy minimum \$3.0M	Professional Indemnity Insurance Policy \$1.5M	Brett Corven	\$0.00
2	26-Aug-11	Security Fence to include a 5m wide entrance Gate	Install an additional two 5m wide access gates.	Brett Corven	\$0.00
3	26-Sep-11	Switchroom sub-floor walls to be reinforced concrete blockwork.	Switchroom sub-floor walls to be reinforced concrete.	Brett Corven	\$0.00
4	24-Oct-11	Earthworks to accommodate a 1000KVA substation at the western side of Road No.1 near chainage 00.	Relocate electrical substation to northern side of Road No.1 Chainage 410-420, including design and construction of an earth retaining structure.	Brett Corven	\$0.00
5	24-Oct-11	N/A.	Supply & install and additional strand of barbed wire on the security fencing.	Brett Corven	\$0.00
6	20-Feb-12	IDEA and Balance Tank underdrain system deleted from GHD design as cost saving measure.	Redesign supply and install underdrain system and perimeter drain to drain seepage to atmosphere.	Warwick Bennett	\$141,086.17
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
Total					\$141,086.17

6.2.9 Mudgee Town Hall Progress Report - February

REPORT BY MANAGER, COMMUNITY DEVELOPMENT

Mudgee Town Hall Progress Report - February
A0100055, P0159964

RECOMMENDATION

That:

1. **the report by the Manager, Community Development on the Mudgee Town Hall Progress Report be received.**

Executive summary

The following report is a progress report on the Mudgee Town Hall renovation project. These reports will provide Council with an update on the timetable and the expenditure for the project and will be presented to Council monthly through the duration of the project.

Detailed report

The Mudgee Town Hall project remains on target and within budget. The attached report acts as the detailed report and contains all relevant information.

Financial implications

There has been one variation to the contract so far for \$4,2018.50. The total project remains on target and within budget.

Strategic or policy implications

Not Applicable

SIMON JONES
MANAGER, COMMUNITY DEVELOPMENT



CATHERINE VAN LAEREN
GROUP MANAGER, DEVELOPMENT & COMMUNITY SERVICES

2 March 2012

- Attachments:*
1. Mudgee Town Hall Renovation Project Progress Report – February 2012
 2. Mudgee Town Hall Work Schedule – February 2012

APPROVED FOR SUBMISSION:



WARWICK L BENNETT
GENERAL MANAGER

Including Tender No.2011/10 – Mudgee Town Hall Renovation

Mudgee Town Hall Renovation Project Status Report February 2012



Report No. 3

Issue Date: 2 March 2012

Prepared by: Simon Jones
Manager, Community Development

Contents

EXECUTIVE SUMMARY	4
Overall Project Timetable	4
Overall Project Budget.....	4
Project Status.....	5
Work Progress during February 2012	5
Demolition and construction works	5
Structural and amenities issues.....	5
Archaeological discovery	5
Boundary issues.....	5
Work Activities planned for March 2012.....	5
Continued construction works	5
New extension slab.....	5
Further planning works for interiors.....	5
Essential Energy - Electricity Upgrade.....	5
Project Variations	6
Contractual Issues	6
Progress Payments.....	6
Program	6
Project Focus Group	6

EXECUTIVE SUMMARY

Tender No.	2011/10
Principal Contractor	CCA Projects
Budget for construction tender	\$2,980,000.00
Approved Contract Variations Total	\$4,218.50
Current Contract Sum	\$2,539,218.50
Contract Payments to Date	\$100,700.00
Total Contract Cost Expended	3.97%
Date of Contract	9 January 2012
Original Contract Duration	40 weeks
Approved Extensions of Time Claims	0
Contract Completion Date	22 October 2012
Calendar Days Elapsed	52
Calendar Days Remaining	236
Total Project Time Expended	22.03%
Overall Project Budget (this includes items not covered by the construction tender 2011/10)	\$3,811,427.00
Total Payments to Date	\$222,653.14
Total Project Cost Expended	5.84%

1. OVERALL PROJECT TIMETABLE

Task	Date to be completed by	Task Completed
Tenders Closed	October 28 th , 2011	Completed
Council decision on Tender	November 16 th , 2011	Completed
Contracts issued and work plan finalised	December, 2011	Completed
Library relocation	January, 2011	Completed
Temporary Library opened at the Stables	January 16 th , 2011	Completed
Site Preparation works Begin	January 16 th , 2011	Completed
Construction Certificate issued	January, 2011	Completed
Construction Commences	January, 2011	Completed
Main contract construction Completed	October 22 nd , 2011	
Fit out of Library	November, 2011	
Fit out of Theatre	November, 2011	
Relocation of library back to Town Hall building	November, 2011	
Library and Theatre re-open	November, 2011	
Acquittal of all grant programs	December, 2011	

2. OVERALL PROJECT BUDGET

Item	Budget Estimate including variations	Actuals to date	Comments
Construction contract	\$2,539,219	\$100,700.00	Contract with CCA Projects signed.
Contract contingency	\$439,651.50		
Architects, engineers, consultants and project management fees	\$210,000	\$106,885.45	
Technology and IT infrastructure (including Library RFID system)	\$180,000		Library RFID system to be determined through LGP Contract.
Furniture, Shelving, Curtains, Blinds, Appliances	\$150,000		Specific requirements to be determined
Theatre equipment (e.g. curtains, lighting, screen, sound equipment)	\$100,000		Expressions of Interest to go out for the different elements.
Electricity substation works	\$100,000		Essential Energy works scheduled to begin earlier on March 5 th .
Stackable chairs for Theatre	\$26,000		Specific requirements to be determined
Parking/signage/fencing/sewer works	\$25,000	\$595.18	
Library and Theatre relocation and storage	\$40,000	\$13,337.33	
Stores and creditors overheads	\$1,557	\$1,135.18	
Total Budget	\$3,811,427	\$222,653.14	

Note: the budgeted amount for the contract have been increased to allow for the variations and the contingencies lowered accordingly. Thus at this time the overall project cost has not altered.

3. PROJECT STATUS

3.1 Work Progress during February 2012

- 3.1.1 Demolition and construction works – These works have continued throughout February. The majority of the internal and external demolition works have been completed. Excavation works have taken place for the rear extension and some of the footings have been set for this area with more to follow in early March. The excavation works uncovered some archaeological features (see 3.1.3) and there have been discussions with consultants and CCA over the best approach for the western boundary. This will include a change of material for this section of the exterior of the building. Due to the weather in early February an extension of time claim for two days has been issued by CCA. This is currently being assessed.
- 3.1.2 Structural and amenities issues – A couple of issues were raised through the Construction Certificate process and these are being addressed. There will need to be a change to the design of some of the windows and some different approaches need to be considered for fire safety. Another issue has been the number of amenities that are required to meet all standards for accessibility and building design for a public building of this scope. As such, an additional two toilets are required and these have been designed for the downstairs amenities section. A shower is also required in the upstairs disabled toilet. This will result in a variation to the contract of approximately \$27,300 with confirmation of this pending. Another structural issue emerged as there is a missing lintel from the rear wall of the existing building. It had been anticipated that this was part of the existing structure and so design had taken place with this assumption. A steel beam will need to be installed here. This will result in a variation of approximately \$7,400 with confirmation of this also pending.
- 3.1.3 Archaeological discovery – During excavation works for the footings of the new extension, some archaeological features and artefacts were discovered. This triggered a clause in our conditions from the Heritage Office due to the Town Hall being a State listed heritage building. Work was suspended so that the nominated Excavation Director, Ray Christison, could attend on site and supervise the excavation works. This was achieved quickly with minimal impact on progress, although an extension of time claim from CCA Projects is likely. Having agreed for the construction works to continue, Ray needs to now take the artefacts away and record and assess them. This additional work will need to be covered by the budget, although it sits outside the CCA contract.
- 3.1.4 Boundary issues – There have been some issues with the plan for works on the western boundary. A new strategy has been developed for this with a slight change to the footings to incorporate the building being set back from the actual boundary. It is now likely that the fence on this side will remain in situ. These changes have been incorporated into a modification to the Development Application.

3.2 Work Activities planned for March 2012

- 3.2.1 Continued construction works – With the all clear on the architectural works and some clarity on the way forward for the footings, there will be significant progress to establish construction works including the lift well and the completion of footings through March.
- 3.2.2 New extension slab – this work is a priority for the March/April period to ensure the project remains on target.
- 3.2.3 Further planning works for interiors – A range of other work is continuing for the fit out of the building. This includes selection of paint colours (interior and exterior); selection of carpet types and colours and selection of items for both the library and theatre areas such as seating, tables, blinds, soft furnishings and shelves. This work will continue throughout the next few months of the project.
- 3.2.4 Essential Energy Electricity upgrade - Originally scheduled for March 12th, this work has been brought forward to start on March 5th. In order to meet the requirements of the upgraded building, the electricity upgrade was required. This includes some cutting of the library car park area for the trenches. These works are taking place outside of the main contract and are being coordinated by Essential Energy and CCA Projects. The cost of this is covered in the overall project budget and has been estimated at \$100,000 in total.

4. Project Variations

Total cost of variations = \$ 4,218.50 (0.2%).

When the ceiling of the lower floor was opened there was some additional roof structures that needed to be removed to make way for air conditional ducts.

5. Contractual Issues

Nil

6. Contract Progress Payments

\$100,700.00 (3.97%)

7. Program

Program attached.

8. Project Focus Group

A Project Focus Group has been established to review the progress of the contract. At this point, The Project Team consists of Council staff members Brad Cam, Julian Geddes and Simon Jones as well as the contracted Project Manager, Cameron Anderson. Neil Bungate from the Finance team will provide additional financial support when required.

6.2.10 Target Country Progress Report – February 2012

REPORT BY GROUP MANAGER - OPERATIONS

Target Country
A0100055, P0199811

RECOMMENDATION**That:**

1. **That the report by the Group Manager - Operations on the Target Country Progress Report – December be received.**

Executive summary

The Target Country project construction commenced the week 7 November 2011.

Please see attached progress report for the Target Country building. All other updates are noted in the body of this report.

Updates

Car park – The construction will commence the week beginning the 12 March 2012.

Financial implications

The total project cost is \$2,545,285 (excluding GST)

ITEM	APPROVED ESTIMATE MAY 2011	ACTUAL BUDGET	ACTUALS TO DATE
Site Investigation Costs	\$2,500.	\$2,500.	\$ 0.
Council & Authority Costs/Legal	\$10,000.	\$415,000.	\$414,952.
Professional Consultants Costs	\$125,000.	\$ 93,500.	\$47,000.
Leasing & Selling Costs	\$10,000.	\$10,000.	\$10,552.
Design & Construction Costs	\$1,430,000.	\$1,274,285.	\$586,356.
Other Allowances (contingencies)	\$147,000.	\$50,000.	\$ 0.
Car park	\$700,000.	\$700,000.	\$ 0.
TOTAL	\$2,424,500.	\$2,545,285.	\$1,058,860.

Strategic or policy implications

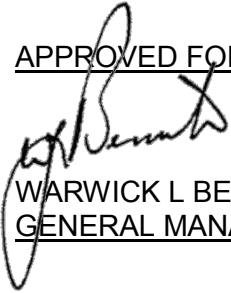
Not applicable.

BRAD CAM
GROUP MANAGER - OPERATIONS

2 March 2012

- Attachments:*
1. Progress Report – February 2012
 2. Minutes – 31 January 2012

APPROVED FOR SUBMISSION:



WARWICK L BENNETT
GENERAL MANAGER

Contract No.2011/07 – Target Country Construction

Target Country Project Status Report February 2012



Report No. 4

Issue Date: 2 March 2012

Prepared by: Brad Cam
Project Manager

Contract No.2011/07 – Target Country Construction

Contents

Executive Summary	3
1. Project Status	4
1.1 Work Progress during February 2012	4
• The completion of the suspended ceiling internally	4
• The roof sheeting and flashings to be completed	4
• Continuation of the front façade	4
1.2 Work Activities planned for March 2012	4
• Electrical cabling to be run internally	4
• The painting of tilt up panels where the carport construction is to start.....	4
2. Project Variations.....	4
3. Contractual Issues	4
4. Progress Payments.....	4
5. Program.....	4
6. Project Focus Group	4
7. Attachments.....	4

Contract No.2011/07 – Target Country Construction**EXECUTIVE SUMMARY**

Contract No.	2011/07
Principal Contractor	CCA Projects ABN 82 845 001 133
Original Contract Sum (ex GST)	\$1,274,284.93
Approved Contract Variations Total	\$0.00
Current Contract Sum	\$1,274,284.93
Contract Payments to Date	\$586,356.39
Total Project Cost Expended	11.9%
Date of Contract	31/10/ 2011
Original Contract Duration	119 calendar days
Approved Extensions of Time Claims	7.5
Contract Completion Date	18th April 2012
Calendar Days Elapsed	90
Calendar Days Remaining	33
Total Project Time Expended	66%

Contract No.2011/07 – Target Country Construction

1. Project Status

1.1 Work Progress during February 2012

- The completion of the suspended ceiling internally
- The roof sheeting and flashings to be completed
- Continuation of the front façade.

1.2 Work Activities planned for March 2012

- Electrical cabling to be run internally.
- The painting of tilt up panels where the carport construction is to start.

2. Project Variations

Total cost of variations = \$nil (0.0%).

3. Contractual Issues

Nil

4. Progress Payments

- 1st payment \$152,071.98
- 2nd payment \$154,693.66
- 3rd payment \$279,590.75

5. Program

The Contractor has submitted a program that complies with the Conditions of Contract.

6. Project Focus Group

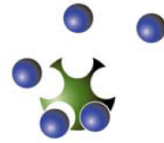
A Project Focus Group has been established to review the progress of the contract. The Project Focus Group consists of the following staff and contractor representatives: Rhys Brotherton (LMG), Brad Cam (MWRC), Jason Gaff (CCA Projects)

Project Focus Group second meeting was held on the 20th December 2011 and the minutes are attached.

7. Attachments

- A. Variations Register- nil
- B. Meeting minutes- 31 January 2012

ATTACHMENT 2



LMG Property Pty Ltd
Project & Development Managers

TARGET COUNTRY MUDGEES - Project Control Group Meeting No.3

Meeting Notes / Actions from 31 January 2012

Attendees:

Lessee: Target Country	Peter Samon	PS	Peter.Samon@target.com.au
Builder: CCA	Robert Cordwell	RC	rc@clubconstruction.com.au
	Dean Rheinburgher	DR	dr@cubconstruction.com.au
	Richard Ross	RR	rr@cubconstruction.com.au
Project Manager: LMG Property	Rhys Brotherton	RB	rhys@imgproperty.com.au
Lessor's Representative:	Brad Cam, MWRC	BC	Brad.Cam@midwestern.nsw.gov.au

Item	Action	By Whom	By When
1. Administration			
	<ul style="list-style-type: none"> CCA advised that Dean would be moving on to another project within next two weeks and Richard (044 744 1103) would take over as foreman for the Target Country. 		
2. Authorities & Approvals			
	<ul style="list-style-type: none"> Target confirmed with Telstra that that existing 10 pair feed to MDF will be sufficient 	Note	
	<ul style="list-style-type: none"> CCA reported that Essential Energy have changed approach to building supply and will now be providing overhead feed from existing Mortimer St power pole adjacent corner of building extension. 	Note	
2. AFL Administration / Lessee Requirements			
	<ul style="list-style-type: none"> Target confirmed wall signage to proceed as per DA. Outrigger lights to be reduced and fittings changed to LED as per comments from Gordon Littlejohn dated 23 Jan. 	Note	
	<ul style="list-style-type: none"> Under awning sign to be relocated adjacent entry. 	Note	
	<ul style="list-style-type: none"> Target to provide design details for proposed entry door signage for Council consideration 	PS	3.02.12
	<ul style="list-style-type: none"> Latest drawings issued 19 Dec – D01 A, D11 D, D66D. Rev E plans tabled. PS to formerly issue via email. 	PS	3.02.12
	<ul style="list-style-type: none"> Floor finish changes dated 27 Jan noted – Mongi Nevro grey floor tile and coving to amenities & cleaners 	Note	
3. Design			
	<ul style="list-style-type: none"> Amended floor plan CC102 Rev H issued 23rd Jan. Stair detail to be updated to reflect 6 treads as constructed (not 5) 	Note	
	<ul style="list-style-type: none"> Ramp / Stair detail resolved. Target to note 2m separation required for EAS gates to comply. 	Note	
	<ul style="list-style-type: none"> Entry glazing detail- 3 panels 		
	<ul style="list-style-type: none"> Colour samples tabled by CCA and approved. Roof and Mechanical Screen confirmed as Surfist. Window frames & Handrails to be natural anodised. CCA to source sample of automotive match for electrostatic paint. 	RC	7/03/12
	<ul style="list-style-type: none"> Target to forward contact details for Dulux rep 	RC	3/02/12
	<ul style="list-style-type: none"> Target confirmed laminated main doors to change rooms (*2)not redicoat 	Note	
	<ul style="list-style-type: none"> Electrical drawings submitted 19 Jan. Target comments received 23 Jan. Amended construction package to be issued by AJS / CCA 	RC	3/02/12
	<ul style="list-style-type: none"> Approved Mechanical Services construction drawings issued 22 Dec 	Note	
	<ul style="list-style-type: none"> CCA to arrange sample of proposed facade moulding for approval. CCA to investigate moulded precast concrete option with fluted rebates for under awning element to ensure suitable resistance to impact damage. 	RC	7/03/12

5. Construction

- 2 wet weather days claimed during January. (total to date 13.5 days). Note
- Amended program dated 4 Jan shows Handover is anticipated 26th April and Opening 15th June. Handover Notice required 30 days prior (ie . 25th March) Note
- Structural steel a couple of days behind. Note
- External Works Handover for Council to commence carpark construction anticipated mid February. Hot mix target early April. Note
- New sewer main connection point agreed with Council. CCA to push loading dock slab pour for next week. Note
- BC confirmed that Council carpark design accounted for levels to be reduced below existing internal floor level, therefore no specific water proofing would be required to slab / panel edge. Note

6. Cost Admin

- CCA noted that subcontract quotes for glazed balustrade are above previous estimate but approved variation value of \$6,204 plus GST would be maintained. Note
- CCA tabled Lessee Variation Claim No.2 for suspended display floor, data / UPS and lighting changes. PS to review and confirm approval. Note
- Council confirmed preference for CCA to be established as Target Vendor and Lessee variations processed directly through issued Purchase Orders. Otherwise Council would need to charge administration fee to process variations under AFL. PS to discuss internally and advise. Note

7. Next Meeting

11am Wed 7 March. Councillor walk through to be scheduled for 1pm.

6.2.11 Variation to rural local roads program

REPORT BY ACTING GROUP MANAGER OF FINANCE AND ADMINISTRATION

Rural roads variation

A0100055, A0149935

RECOMMENDATION

That:

1. the report by the Acting Group Manager of Finance and Administration on the variation to the rural local roads program be received;
2. the 2011/12 Management Plan be amended to reflect the following budget variations:
 - Increase rural unsealed roads grading program by \$200,900
 - Reduce rural reseals Kains Flat Rd by (\$23,400)
 - Reduce rural reseals Lue Rd Hayes Gap to West by (\$62,200)
 - Reduce rural reseals Glen Alice Rd Railway to C/way by (\$17,700)
 - Reduce rural reseals Glen Alice Rd Seg 30-40 by (\$31,900)
 - Reduce rural reseals Narrango Rd Seg 30 by (\$22,300)
 - Reduce rural reseals Narrango Rd Seg 50 by (\$19,000)
 - Reduce rural reseals Botobolar Rd by (\$17,300)
 - Reduce rural reseals Canary Rail Crossing by (\$7,100)
 - Increase rural unsealed roads grading reactive by \$280,000
 - Reduce rural unsealed roads minor maintenance by (\$60,000)
 - Reduce rural unsealed roads additional maintenance by (\$220,000)

Executive summary

Due to the consistent wet weather and flood events, Council has expended over 90% of the Grading program for 2011/12. It is recommended that savings from completed rural reseal works and rural unsealed maintenance programs be transferred into the grading program to ensure grading of rural unsealed roads can continue.

Detailed report

The flood event in late 2011 did a lot of damage to rural unsealed roads in the Mid-Western Region. Although Council has received state funding to cover the cost of repairing roads due to this flood event, the funding supplied only covered repairs to the road in order to bring it back to pre-flood damage standard. Whilst the plant and road crews were working at these locations, Council completed grading works to get the roads to a fully repaired condition. The gap in funding has of course been covered by the Council grading program.

This fact, and the added continued wet weather damage to unsealed roads, has meant that the grading program is over 90% spent to date. In order to continue grading works in the region, it is recommended that savings from completed rural reseal works be transferred to the rural unsealed grading program as listed below.

PROJECT	Actuals & Commitment	Current Budget	Variance	Proposed Change	Proposed Budget	% Spent of Proposed
61154 - RURAL RESEAL - KAINS FLAT RD	36,581	60,000	23,419	(23,400)	36,600	100%
61155 - RURAL RESEAL - LUE RD-HAYES GAP TO WEST	0	62,200	61,666	(62,200)	0	0%
61156 - RURAL RESEAL - GLEN ALICE RD-RLWY TO C/WAY	5,935	23,701	17,766	(17,700)	6,001	99%
61164 - RURAL RESEAL - GLEN ALICE RD-SEG 30-40	22,967	54,901	31,934	(31,900)	23,001	100%
61166 - RURAL RESEAL - NARRANGO RD-SEG 30	22,618	45,000	22,382	(22,300)	22,700	100%
61168 - RURAL RESEAL - NARRANGO RD-SEG 50	5,973	25,000	19,027	(19,000)	6,000	100%
61169 - RURAL RESEAL - BOTOBOLAR RD	23,508	40,880	17,372	(17,300)	23,580	100%
61171 - RURAL RESEAL - CANARY RAIL CROSSING	2,888	10,000	7,112	(7,100)	2,900	100%
Total reseal savings				(200,900)		
62003 - RURAL UNSEALED ROADS GRADING PROGRAM	989,589	1,025,200	35,611	200,900	1,226,100	96.53

It is also recommended that rural unsealed road maintenance budgets be transferred to the rural unsealed road reactive grading program, as provided in the table below.

PROJECT	Actuals & Commitment	Current Budget	Variance	Proposed Change	Proposed Budget	% Spent of Proposed
62004 - RURAL UNSEALED ROADS MINOR MAINTENANCE	78,040	187,920	109,880	(60,000)	127,920	41.53
62005 - RURAL UNSEALED ROADS ADDIT MAINTENANCE	17,832	240,000	222,168	(220,000)	20,000	7.43
Total maintenance budget reallocated				(280,000)		
62002 - RURAL UNSEALED ROADS GRADING REACTIVE	10,013	51,380	41,367	280,000	331,380	19.49

Financial implications

Variation to the 2011/12 Management Plan as provided above, with a contra result to the unrestricted cash levels.

Strategic or policy implications

Not Applicable

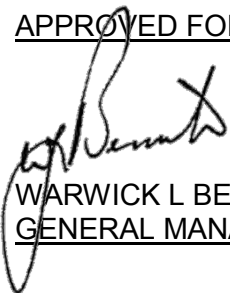


LEONIE JOHNSON
ACTING GROUP MANAGER OF FINANCE
AND ADMINISTRATION

8 March 2012

Attachments: Nil

APPROVED FOR SUBMISSION:



WARWICK L BENNETT
GENERAL MANAGER

6.2.12 Section 96 Application to vary Restriction as to User relating to DA M382/99 - 6 Bellevue Road Mudgee - Mountain View Estate

REPORT BY MANAGER - STATUTORY PLANNING

Sect 96 - Mountain View Estate
A0100055, P0595661

RECOMMENDATION

That:

1. That the report by Manager Statutory Planning on Section 96 Application for the variation of a restriction as to user and condition of consent relating to Development Consent M382/99, 6 Bellevue Road, Mudgee be received;
2. That the Restriction as to User noted as fourthly referred to on the title of lots 33 to 54 DP 1172013 be released;
3. That a new Restriction as to User be placed upon lots 33 to 54 DP 1172013 requiring all dwellings to be constructed in accordance with Category 2 Acoustic Treatment of Residences, Appendix C of the Department of Planning's publication, Development near Rail Corridors and Busy Roads – Interim Guidelines as follows;
 - Windows/ Sliding doors – Openable 6mm monolithic glass and full perimeter acoustic seals;
 - Timber frame or Cladding Construction – 6mm fibre cement sheeting or weatherboards or plank cladding externally, 90mm deep timber stud or 92mm metal stud, 13mm standard plasterboard internally with R2 insulation in wall cavity;
 - Brick veneer Construction – 110mm brick, 90mm deep timber stud or 92mm metal stud, minimum 50mm clearance between masonry and stud frame, 10mm standard plasterboard internally;
 - Double brick cavity Construction – 2 leaves of 110mm brickwork separated by 50mm gap;
 - Roof – Pitched concrete or terracotta tile or metal sheet roof with sarking, 10mm plasterboard ceiling fixed to ceiling joists, R2 insulation batts in roof cavity;
 - Entry door – 40mm solid core timber door fitted with full perimeter acoustic seals;
 - Floor – 1 layer of 19mm structural floor boards, timber joists on piers, or concrete slab on ground;
 - Ducted air conditioning and/or ventilation is to be provided to all living rooms and bed rooms. The condenser associated with any air conditioning is not to be located on the northern elevation;
 - No dwelling or part of a dwelling is to have sensitive rooms (bedrooms and living areas) within 10 metres of the rear/northern boundary.

4. **That Development Consent M382/99 be amended to delete conditions relating to the existing restriction as to User and insert new conditions of consent that reflect Recommendation No. 3;**
-

Executive summary

Council approved a 79 lot subdivision at 6 Bellevue Road on the 15 November 1999. The approval has been the subject of various amendments relating to the proposed treatment of residences to be constructed on the allotments that are adjacent to the rail corridor.

The current 'restriction as to user' requires;

- That acoustically less sensitive rooms are located on the northern elevation;
- Acoustically sensitive rooms such as bedrooms and living areas are located away from the rail corridor;
- A 2.0 metre high fence is to be provided on the northern boundary of the lots;
- The restriction also requires that an acoustic consultant must prepare a report and sign off on all building designs that they meet this restriction as to user.

The proposed amendment utilises the provisions of a Department of Planning publication that was produced in 2008; "Development near Rail Corridors and Busy Roads – Interim Guidelines". The publication sets buffer distances and construction criteria for dwelling houses adjacent busy roads and rail corridors. If the site meets these provisions, then you are able to use predetermined construction standards. If you do not meet these criteria, then you are required to prepare an acoustic assessment.

The application has set out how it achieves these criteria and has recommended a construction method for all dwellings to be located on lots 33 to 54 DP 1172013.

It is therefore recommended that Development Consent M382/99 and the "Restriction as to user" be amended to reflect the Recommendation.

Detailed report

Introduction

Development Consent M382/99 provided for a 79 lot subdivision off Bellevue Road. The land was also adjacent to the Wallerawang – Gwabegar Rail way line and therefore the application was required to address rail noise through an acoustic assessment.

The issue of rail noise has been explored a number of times with this application and there is a current restriction as to user that has design requirements for new dwellings and that building designs must be assessed by an acoustic consultant as complying with these design requirements.

It should be noted that although the rail corridor is not currently used, it is still considered to be an open rail line and an assessment must be of the noise and vibration impacts until the rail corridor is officially closed.

The 'Restriction as to User' has been attached to this report as Attachment 2.

Proposal

The proposed amendment seeks to remove the current 'restriction as to user' and insert another restriction that specifies construction standards for dwellings. The construction standards are

specified in a Department of Planning publication, Development near Rail Corridors and Busy Roads – Interim Guidelines.

The proposed construction standards are as follows;

- Windows/ Sliding doors – Openable 6mm monolithic glass and full perimeter acoustic seals;
- Timber frame or Cladding Construction – 6mm fibre cement sheeting or weatherboards or plank cladding externally, 90mm deep timber stud or 92mm metal stud, 13mm standard plasterboard internally with R2 insulation in wall cavity;
- Brick veneer Construction – 110mm brick, 90mm deep timber stud or 92mm metal stud, minimum 50mm clearance between masonry and stud frame, 10mm standard plasterboard internally;
- Double brick cavity Construction – 2 leaves of 110mm brickwork separated by 50mm gap;
- Roof – Pitched concrete or terracotta tile or metal sheet roof with sarking, 10mm plasterboard ceiling fixed to ceiling joists, R2 insulation batts in roof cavity;
- Entry door – 40mm solid core timber door fitted with full perimeter acoustic seals;
- Floor – 1 layer of 19mm structural floor boards, timber joists on piers, or concrete slab on ground;
- Ducted air conditioning and/or ventilation is to be provided to all living rooms and bed rooms. The condenser associated with any air conditioning is not to be located on the northern elevation.

These standards are consistent with Category 2 Acoustic Treatment of Residences, Appendix C of the Department of Planning's publication, Development near Rail Corridors and Busy Roads – Interim Guidelines.

It should also be noted that while the removal of the restriction will also remove the requirement for a 2.0 metre high fence, that in practice there will be a 1.8 metre high fence along the boundary which will provide additional attenuation.

State Environmental Planning Policy (Infrastructure) 2007

Clause 87 of the Infrastructure SEPP requires that a consent authority is to consider rail noise and vibration in regard to a building for residential use. The clause is provided below to demonstrate how the Interim Guidelines for Development near a Rail Corridor or Busy Road are related to legislation and the acoustic criteria that the construction standards are based upon.

87 Impact of rail noise or vibration on non-rail development

- (1) *This clause applies to development for any of the following purposes that is on land in or adjacent to a rail corridor and that the consent authority considers is likely to be adversely affected by rail noise or vibration:*
 - (a) *a building for residential use,*
 - (b) *a place of public worship,*
 - (c) *a hospital,*
 - (d) *an educational establishment or child care centre.*
- (2) *Before determining a development application for development to which this clause applies, the consent authority must take into consideration any guidelines that are issued by the Director-General for the purposes of this clause and published in the Gazette.*
- (3) *If the development is for the purposes of a building for residential use, the consent authority must not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded:*
 - (a) *in any bedroom in the building—35 dB(A) at any time between 10.00 pm and 7.00 am,*

*(b) anywhere else in the building (other than a garage, kitchen, bathroom or hallway)—
40 dB(A) at any time.*

It is considered that rail noise has been adequately addressed with both the existing restriction as to user and the proposed amendment discussed in this report. The proposed amendments are consistent with the noise criteria specified in clause 87(3) and the amendment is based upon the guidelines and therefore has regard to those provisions.

Mid-Western Regional Interim LEP 2008

The proposed amendments are consistent with the provision of the LEP. The land is zoned Medium Density Residential and Local Open Space – Public pursuant to the Mid-Western Regional Interim LEP 2008. There are no specific controls relating to development near a rail corridor other than Clause 28.

Clause 28 - Development in proximity to a rail corridor

The clause is applicable to the proposed development because it is within 60 metres of a rail corridor. The clause provides for the same considerations as Clause 87 of the SEPP Infrastructure and the proposed amendment is considered to be consistent with the clause.

Development near Rail Corridors and Busy Roads – Interim Guidelines

These guidelines were developed in 2008 by the Department of Planning to address the provisions of the Infrastructure SEPP and to set out criteria that could be used for mitigating noise from busy roads and rail corridors without the need to prepare acoustic assessment.

The guidelines are based upon the following criteria;

- Speed of trains and whether they are passenger and/or freight;
- Distance from operational track;
- Type of use (whether residential or other sensitive use);

These criteria are then used to determine what category of acoustic treatment is required. In this case the development falls within Category 2 and specific construction standards can be stipulated without any further assessment required of the noise impacts.

One of the criteria used to determine the appropriate construction method is the speed of the railway line. Council was not able to confirm with John Holland - Rail Pty Ltd who are the current administrators of the regional rail network as to what the theoretical speed limit of the Wallerawang – Gwabegar Railway line.

The speed of the operational track is imperative in this instance as a speed of less than 80km/hr only required a 30 metre setback to achieve Category 2 Acoustic treatment whereas a speed greater than 80km/hr requires a 40 metre setback. Advice from John /Holland Rail Pty Ltd was to assume a worst case scenario. Council's assessment has assumed a 40 metre setback whereas the consultant for the applicant/landowners assumes a 30 metre setback.

The revised assumption in terms of the speed of the railway line necessitates an additional provision to the revised restriction as to user such that sensitive rooms (bedrooms and living areas, excluding kitchens) are not located within 10 metres of the rear boundary. This ensures that the Category 2 acoustic treatment can still be used. If this provision is not acceptable to the applicant, they will either need to get conformation from John Holland Rail Pty Ltd as to what the speed limit of the track is or otherwise carry out a full acoustic assessment.

Financial implications

There are no financial impacts associated with the proposed amendment to Council. All costs would be borne by the developer.

Strategic or policy implications

The Interim Guidelines are not only for the purpose of development assessment but also provide advice in the preparation of Development Control Plans and Local Environmental Plans.

There is no specific strategic or policy implicating with the proposed amendment.

GARY BRUCE
MANAGER - STATUTORY PLANNING



CATHERINE VAN LAEREN
GROUP MANAGER - DEVELOPMENT &
COMMUNITY SERVICES

8 March 2012

Attachments: 1. Locality Plan
2. Restriction as to user
3. Section 96 submission

APPROVED FOR SUBMISSION:



WARWICK L BENNETT
GENERAL MANAGER



Map Scale: 1:3,797

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 | | Parish | | Road |
| | Crown Land | | Localities | | State Forest |
| | Railway | | LGA Boundary | | Waterway |

NORTH



Printed on Friday, 9 March 2012

ATTACHMENT 2

Bcx:e-DeX /Doc:DP 1172013 B /Rev:24-Jan-2012 /Sts:SC.OK /Frt:25-Jan-2012 01:35 /Pgs:ALL /Seq:1 of 6
WARNING : Electronic Document Supplied by LPI NSW for Your Internal Use only.

Instrument setting out terms of Easements or Profits a Prendre intended to be created or released and of Restrictions on the Use of Land or Positive Covenants intended to be created pursuant to Section 38B Conveyancing Act 1919.

(Sheet 1 of 6 sheets)

Plan:

Plan of Subdivision of Lot 54 DP1110293
Parish of Mudgee County of Wellington
covered by Subdivision Certificate No: SC007/2012



DP1172013 B

Full name and address
of the owner of the land:

SWORDS CONTRACTING PTY LIMITED
(ACN 000 448 591)

B MURDOCH PTY LIMITED
(ACN 104 437 130)

R K MURDOCH PTY LIMITED
(ACN 104 437 121)
All having their registered office at
Lawrence Bennett Portelli
Chartered Accountants
Town Hall Arcade
79 Market Street
MUDGEE NSW 2850

Part 1 (Creation)

Number of item shown in the intention panel on the plan	Identity of easement, profit a prendre, restriction or positive covenant to be created and referred to in the plan	Burdened lot(s) or parcel(s)	Benefited lot(s), road(s), bodies or Prescribed Authorities
1	Easement to Drain Sewage 3 Wide	Lots 40 and 54	Mid-Western Regional Council
2	Easement to Drain Water 3 Wide	Lots 40 and 54	Mid-Western Regional Council
3	Easement for Padmount Substation 4 Wide	Lots 41 and 51	Essential Energy (ABN 37 428 185 226)
4	Restriction on the Use of Land	Lots 33 to 54	Mid-Western Regional Council
5	Restriction on the Use of Land	Lots 33 to 54	All other Lots except Lot 55

B. Murdoch *R. K. Murdoch* *B. Murdoch* *[Signature]*

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WARNING : Electronic Document Supplied by LPT NSW for Your Internal Use Only.

Instrument setting out terms of Easements or Profits a Prendre intended to be created or released and of Restrictions on the Use of Land or Positive Covenants intended to be created pursuant to Section 88B Conveyancing Act 1919.

(Sheet 2 of 6 sheets)

Plan: **DP1172013**

Plan of Subdivision of Lot 54 DP1110293
Parish of Mudgee County of Wellington
covered by Subdivision Certificate No: SC007/2012

6	Restriction on the Use of Land	Lots 34, 35, 36, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 52 and 53	All other Lots except Lot 55
---	--------------------------------	--	---------------------------------

Part 2

1. **Terms of Easement for Padmount Substation 4 Wide thirdly referred to in abovementioned plan**

Easement for Padmount Substation the terms of which are set out in Part C of Memorandum AA260009 as registered at Land and Property Management Authority as are applicable to a padmounted substation.

2. **Terms of Restriction on the Use of Land fourthly referred to in abovementioned plan**

No main building being a dwelling house or where not prohibited by Restrictions sixthly referred to in the Plan an attached or detached dual occupancy dwelling(s) will be erect on the lot burdened unless:

- (a) The building is designed to provide:
- (i) that acoustically less sensitive rooms (such as laundries, bathrooms and kitchens) are located on the northern side of the building facing the railway line; and
 - (ii) in the case of a two storey building that acoustically less sensitive rooms are located on the second storey of such building;
 - (iii) that acoustically sensitive rooms (such as bedrooms, lounge and dining areas) are located in other parts of the building; and

B. Smith *B. Lewis* *R.*

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WARNING : Electronic Document Supplied by LPI NSW for Your Internal Use Only.

Instrument setting out terms of Easements or Profits a Prendre intended to be created or released and of Restrictions on the Use of Land or Positive Covenants intended to be created pursuant to Section 88B Conveyancing Act 1919.

(Sheet 3 of 6 sheets)

Plan: **DP1172013**

Plan of Subdivision of Lot 54 DP1110293
Parish of Mudgee County of Wellington
covered by Subdivision Certificate No: SC007/2012

- (iv) for such other reasonable design requirements as the Authority benefitted may require in any development consent or Complying Development Certificate.
- (b) The Authority benefitted is satisfied that a fence of not less than 2 metres in height measured from ground level has been or will be erected along the northern boundary of the lot burdened or in such other position as the Authority benefitted may approve in writing.
- (c) A written certification by an appropriately experienced and qualified professional certifying that the building design complies with the requirements set out in (a) above is provided to the Authority benefitted with the relevant application for a Construction Certificate in respect of such building.

For the purpose of this Restriction in the event of any dispute as to whether a room is "acoustically sensitive" or acoustically less sensitive" or as to whether a professional is appropriately experienced and qualified the decision of the General Manager of the Authority benefitted acting reasonably will be binding on the proprietor(s) of the Lot burdened.

3. **Terms of Restriction on the Use of Land fifthly referred to in the abovementioned Plan**

- (a) For the benefit of any adjoining land owned by Swords Contracting Pty Limited, B Murdoch Pty Limited and R K Murdoch Pty Limited their respective successors and assigns other than purchasers on sale but only during the ownership thereof by Swords Contracting Pty Limited, B Murdoch Pty Limited and R K Murdoch Pty Limited their respective successors and assigns other than purchasers on sale no fence shall be erected on the boundaries of any of the Lots burdened to divide the same from any adjoining land owned by Swords Contracting Pty Limited, B Murdoch Pty Limited and R K Murdoch Pty Limited their respective successors and assigns other than purchasers on sale without the consent of Swords Contracting Pty Limited, B Murdoch Pty Limited and R K Murdoch Pty Limited their respective successors and assigns other than purchasers on sale but such consents shall not be withheld if such fence is

B Murdoch Pty Limited *B Murdoch Pty Limited* *R K Murdoch Pty Limited*



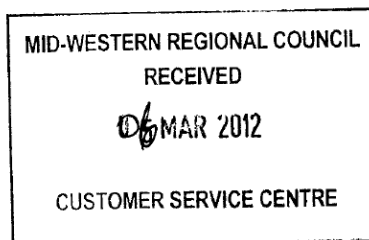
5 March 2012

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

Attn: Gary Bruce
Manager Statutory Planning
Planning and Development



MINESPEX
Units 2 & 3
73 Market St
Mudgee NSW 2850
PO Box 604
Mudgee NSW 2850
www.minespex.com.au



Dear Sir,

**RE: STAGE 4 MOUNTAIN VIEW ESTATE – MODIFICATION OF ACOUSTIC RESTRICTION AS TO USER,
(LOTS 33-54 DP 1172013 WINTER STREET, MUDGEE)**

Please accept this correspondence on behalf of the owners of the aforementioned land with regard to application to amend the relevant development consent and alter the restriction as to user as discussed below. Alternative means to address acoustic concerns due to the vicinity of the Wallerawang Gwabegar railway to the residential subdivision are detailed in this assessment. Specifically, criteria outlined in the relevant guideline supporting the State Environmental Planning Policy (Infrastructure) 2007 has been referred to and applied to the development. Modification to the section 88B restriction as to user may be undertaken by Council in accordance with the Department of Planning's publication "*Development Near Rail Corridors and Busy Roads – Interim Guideline*" gazetted 19 December 2008.

1.0 INTRODUCTION

State Environmental Planning Policy (Infrastructure) 2007 assists the NSW Government, local councils and the communities they support by simplifying the process for providing infrastructure in areas such as education, hospitals, roads, railways, emergency services, water supply and electricity delivery.

The Infrastructure SEPP also introduced noise standards for new residential developments along rail corridors and freeways, tollways, transit ways and any other roads with an annual average daily traffic volume of more than 40,000 vehicles. Before approving a residential development in these corridors, the consent authority must be satisfied that measures have been taken to ensure bedroom noise will not be greater than 35 decibels at any time between 10pm and 7am and noise in other rooms is no greater than 40 decibels at any time. Measures such as sound attenuation in windows and doors or appropriate building design and layout could be used to meet these noise

Alternative Acoustic Restriction As to User – Stage 4 Mountain View Estate

limits. The consent authority must also take into consideration any guidelines that are issued by the Director-General of the Department of Planning.

A relevant guideline was gazetted in December 2008 that supports the implementation of the SEPP (Infrastructure). This assessment seeks to clarify the provisions of the guideline as they apply to the approved subdivision at Winter Street, Mudgee. Where the current restrictions pursuant to section 88B of the Conveyancing Act 1919 are applied to the subdivision, comparisons are made to the guideline for the application to Mid-Western Regional Council for appropriate amendments of the existing 88B instrument.

1.1 LAND IDENTIFICATION

The subject land is identified below:

Owner: Swords Contracting Pty Limited, B Murdoch Pty Limited, and RK Murdoch Limited.

Property Description: Lots 33 to 54 DP 1172013, Mountain View Estate (Subdivision of Lot 54 DP 1110293 Parish of Mudgee, County of Wellington, covered by subdivision certificate No: SC007/2012)

The site is located in South Mudgee adjoining further Medium Density Residential zoned land and Local Open Space – Public forming a 15m wide strip reserve buffering the Wallerawang Gwabegar Railway (zoned Infrastructure- Railway). The site includes the future 22 residential lots as covered by Subdivision Certificate No: SC007/2012. The subject land is highlighted in **Figure 1:** below and highlighted by the orange lot boundary.



Figure 1: Subject Site

1.2 EXISTING ACOUSTIC RESTRICTION AS TO USER

The existing instrument setting out the terms of the Restriction of the use of the land pursuant to Section 88B of the Conveyancing Act 1919 was signed by Council 2 Dec 2011 and subsequently registered on 24 Jan 2012. A copy of the relevant section of the restriction on the use of the land referred to in the instrument setting out terms of the restriction on the use of the land pursuant to Section 88B Conveyancing Act 1919 is provided below.

2. Terms of Restriction on the Use of Land fourthly referred to in abovementioned plan

No main building being a dwelling house or where not prohibited by Restrictions sixthly referred to in the Plan an attached or detached dual occupancy dwelling(s) will be erect on the lot burdened unless:

- (a) The building is designed to provide:
 - (i) that acoustically less sensitive rooms (such as laundries, bathrooms and kitchens) are located on the northern side of the building facing the railway line; and
 - (ii) in the case of a two storey building that acoustically less sensitive rooms are located on the second storey of such building;
 - (iii) that acoustically sensitive rooms (such as bedrooms, lounge and dining areas) are located in other parts of the building; and
 - (iv) for such other reasonable design requirements as the Authority benefitted may require in any development consent or Complying Development Certificate.
- (b) The Authority benefitted is satisfied that a fence of not less than 2 metres in height measured from ground level has been or will be erected along the northern boundary of the lot burdened or in such other position as the Authority benefitted may approve in writing.
- (c) A written certification by an appropriately experienced and qualified professional certifying that the building design complies with the requirements set out in (a) above is provided to the Authority benefitted with the relevant application for a Construction Certificate in respect of such building.

For the purpose of this Restriction in the event of any dispute as to whether a room is “acoustically sensitive” or acoustically less sensitive” or as to whether a professional is appropriately experienced and qualified the decision of the General Manager of the Authority benefitted acting reasonably will be binding on the proprietor(s) of the Lot burdened.

2 STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

The SEPP (Infrastructure) 2007 applies to the state. The policy is applicable to the subject development pursuant to clause 87 (1).

Excerpt from *State Environmental Planning Policy (Infrastructure) 2007*:

“87 Impact of rail noise or vibration on non-rail development

- “*
- (1) This clause applies to development for any of the following purposes that is on land in or adjacent to a rail corridor and that the consent authority considers is likely to be adversely affected by rail noise or vibration:
 - (a) a building for residential use,*
 - (b) a place of public worship,*
 - (c) a hospital,*
 - (d) an educational establishment or child care centre.**
 - (2) Before determining a development application for development to which this clause applies, the consent authority must take into consideration any guidelines that are issued by the Director-General for the purposes of this clause and published in the Gazette.*
 - (3) If the development is for the purposes of a building for residential use, the consent authority must not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded:
 - (a) in any bedroom in the building—35 dB(A) at any time between 10.00 pm and 7.00 am,*
 - (b) anywhere else in the building (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.”**

As indicated above, Council was to take into consideration any guidelines that were issued by the Director-General for the purposes of the abovementioned clause and published in the Gazette. As indicated reference to the Department of Planning’s publication *“Development Near Rail Corridors and Busy Roads – Interim Guideline”* gazetted 19 December 2008, is a requirement specified in the SEPP. Further consideration of the provisions of the guideline, are discussed below.

3 DEVELOPMENT NEAR RAIL CORRIDORS AND BUSY ROADS – INTERIM GUIDELINE

The Guideline assists in the planning, design and assessment of development in, or adjacent to, rail corridors and busy roads. It supports specific rail and road provisions of the State Environmental Planning Policy (Infrastructure) 2007 (the 'Infrastructure SEPP'). The key objectives of these provisions are to:

- Protect the safety and integrity of key transport infrastructure from adjacent development; and
- Ensure that adjacent development achieves an appropriate acoustic amenity by meeting the internal noise criteria specified in the Infrastructure SEPP.

Part C of the Guidelines addresses the potential impacts of roads and railways on adjacent development. It applies specifically to new residential and other sensitive developments such as single /dual occupancy or multi- unit dwellings (including residential aged care facilities), places of worship, hospitals, and education establishments (including schools and child care establishments).

Application of the acoustic assessment procedure outlined in section 3.5 of the guidelines the following steps (and assumptions) has been undertaken:

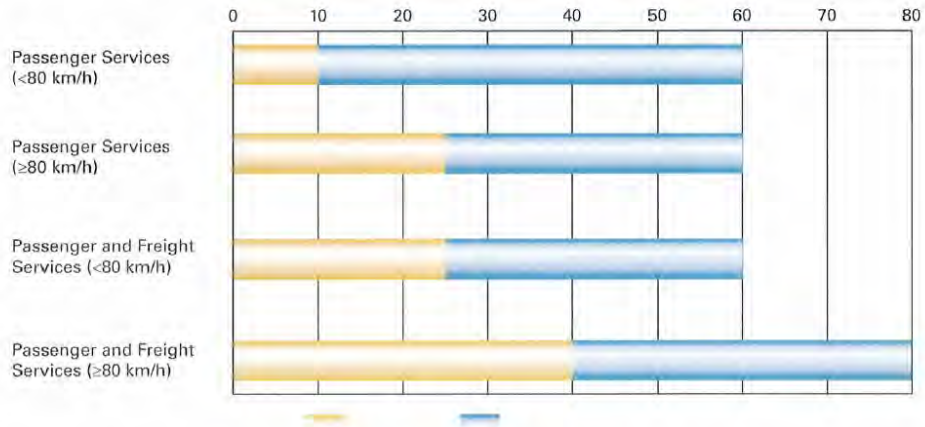
Acoustic Assessment Procedure

1. *Determine distance from Rail*
Based on the average distance of 15m from the track to the boundary of the rail corridor, plus the width of the public reserve being 15.415m, with a minimum rear setback for dwellings of 0.9m, provides a minimum distance from Rail of **31.3m**.
2. *Determine the type of building (residential or other type covered by Infrastructure SEPP).*
The **residential** use is assumed.
3. *For Rail: residential buildings are to be assessed against graphs in Section 3.5.1 of the guideline.*
Figure 3.1: NOISE (see excerpt below)
Based on assumption of Passenger and Freight services travelling <80km/h, the site falls within **Zone B**.
Figure 3.2: VIBRATION:
Based on the distance of 31.3m from the rail no further assessment was required.
4. *Determination of treatment criteria.*
Rail Zone B for residential buildings is equivalent to Road Noise Control Treatment Category 2. Determine strictest treatment criteria between road and rail and apply that acoustic treatment (listed in Appendix C of the Guideline).

Alternative Acoustic Restriction As to User – Stage 4 Mountain View Estate

Noise

Figure 3.1 provides a guide as to the level of assessment required when noise sensitive developments are located in the vicinity of existing rail lines. Zones A and B are indicative acoustic assessment zones where sensitive land-uses are likely to be adversely affected. Where there are noise maps available based on actual rail movements the noise map information should be used in preference to **Figure 3.1**.



(Excerpt from Development near Rail Corridors and Busy Roads – Interim Guideline (2008) Part C Noise and Vibration Figure 3.1 page 15).







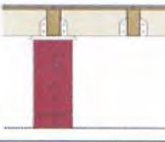

Acoustic Assessment Procedure – Notes

The guideline qualifies that if the measures outlined in Appendix C (provided below) are adopted as a minimum for single dwelling residences in Zone B, there should be no need for a specialist acoustic assessment. It should be noted that the Zone B standard mitigation measures are based on having windows and external doors closed, therefore consideration of ventilation requirements for noise-exposed rooms will be required to meet the provisions of the Building Code of Australia and other relevant standards. To minimise sleep disturbance, air should be ducted into these rooms from a quiet area not exposed to rail noise or through the use of quiet, acoustically treated ventilators.

Acoustic Assessment - Resulting Mitigation Measures

As a result of the application of the provisions of the *Development near Rail Corridors and Busy Roads – Interim Guideline*, the treatment criteria relevant to the site (without undertaking further acoustic studies) is equivalent to 'Road Noise Control Treatment Category 2', as outlined below.

Table 1: Standard Mitigation Measures (Excerpt from Development near Rail Corridors and Busy Roads – Interim Guideline (2008) Appendix C).

Category No.	Building Element	Standard Constructions	sample
2	Windows/Sliding Doors	Openable with minimum 6mm monolithic glass and full perimeter acoustic seals	
	Frontage Facade	Timber Frame or Cladding Construction: 6mm fibre cement sheeting or weatherboards or plank cladding externally, 90mm deep timber stud or 92mm metal stud, 13mm standard plasterboard internally with R2 insulation in wall cavity.	
		Brick Veneer Construction: 110mm brick, 90mm timber stud frame or 92mm metal stud, minimum 50mm clearance between masonry and stud frame, 10mm standard plasterboard internally.	
		Double Brick Cavity Construction: 2 leaves of 110mm brickwork separated by 50mm gap	
	Roof	Pitched concrete or terracotta tile or metal sheet roof with sarking, 10mm plasterboard ceiling fixed to ceiling joists, R2 insulation batts in roof cavity.	
	Entry Door	40mm solid core timber door fitted with full perimeter acoustic seals	
	Floor	1 layer of 19mm structural floor boards, timber joist on piers	
Concrete slab floor on ground			

4 PROPOSED MODIFICATION TO THE APPROVAL AND ALTERATION TO THE RESTRICTION AS TO USER

Based on the assessment against the provisions of the Development near Rail Corridors and Busy Roads – Interim Guideline (2008) alternative means to address acoustic concerns are proposed.

It is proposed that the 88B Instrument be amended as such:

- Part 2, Provision 2 (a) (i) – (iv) of the 88B instrument is requested be amended to delete the terms of the restriction on the use of the land (i.e. for less sensitive rooms to be facing north etc.) to be replaced with requirement to adopt the relevant acoustic treatment of residences including standard construction measures for the relevant building elements as outlined in Table 1 above.

Reasons:

Firstly, the provisions of the guideline more accurately adopt the provisions of the Infrastructure SEPP.

Secondly, the design of future housing is not restricted as to the location of rooms within the dwelling and is more able to adopt the provisions of BASIX and allow designers to freely take advantage of aspect and allow living areas to have some areas facing north.

- Part 2, Provision 2 (b) of the 88B instrument is requested to be deleted, i.e. the requirement for the fence of 2m in height along the northern boundaries of the subject lots.

Reasons:

Firstly, the fencing is not a requirement for noise attenuation in the given circumstances based on the interpretation of the guideline supporting the Infrastructure SEPP.

Secondly, this type of boundary fencing has proved to be inadequate in the past in nearby subdivisions. The fencing is prone to damage by weather and is costly and ineffective in the provision of either security or an adequate noise attenuation method.

5 CONCLUSION

Through the adoption of the recommended acoustic treatment of residences as outlined in the *Development near Rail Corridors and Busy Roads – Interim Guideline (2008) Appendix C*, Mid-Western Regional Council is able to ensure the key provisions of the Infrastructure SEPP have been applied to the development, and further that the intention of the original 88B instrument is fulfilled.

By amending the 88B instrument as proposed, the safety and integrity of railway infrastructure will not be compromised from adjacent residential development. Further with the adoption of the provisions of the *Development near Rail Corridors and Busy Roads – Interim Guideline (2008)*, Council has greater certainty that adjacent residential development achieves an appropriate acoustic amenity by meeting the internal noise criteria specified in the Infrastructure SEPP, opposed to simply restricting the location of less sensitive rooms within a dwelling.

Please consider the above assessment in future application for amendment of the consent and modification to the restriction as to user for the development. Should you require further information in relation to this matter, please do not hesitate to contact me 0457 711 169.

Yours faithfully



EMMA YULE
ENVIRONMENTAL SCIENTIST
Minespex

6.2.13 Skate Park Improvements

REPORT BY MANAGER COMMUNITY DEVELOPMENT

Skate Park Improvements

A0100055, A0060048, A0360001, F0650032

RECOMMENDATION

That:

1. **the report by the Manager Community Development on Skate Park Improvements be received;**
2. **Council proceed with the Gulgong Skate Park works at a cost of \$90,000 in the 2011/12 financial year to be funded as follows:**
 - **\$35,000 from Council as committed in the Management Plan**
 - **\$25,000 for State Government grant funding**
 - **\$7,500 from community contributions**
 - **\$7,500 to come from the Youth Services budget**
 - **\$7,500 to come from the Skate Park Maintenance budget**
 - **\$7,500 to come from the social Initiatives budget;**
3. **Council consider as part of the 2012/13 budget to add additional elements to the Mudgee Skate Park at a cost of \$35,000 and authorise the revote of \$20,000 from the 2011/12 financial year (allocated for skateparks) to the 2012/13 financial year bringing the total for the project to \$55,000.**

Executive summary

There has been considerable community consultation on the condition of the skate parks in the region and after lobbying from the Youth Council, there was a decision from Council to request that a budget initiative be presented for this. With the Kandos Skate Park having been completed in 2009, the focus has turned to Gulgong and Mudgee. This report looks at possible solutions for Mudgee Skate Park as well as reporting on works proposed for Gulgong Skate Park this financial year.

Detailed report

Gulgong Skate Park

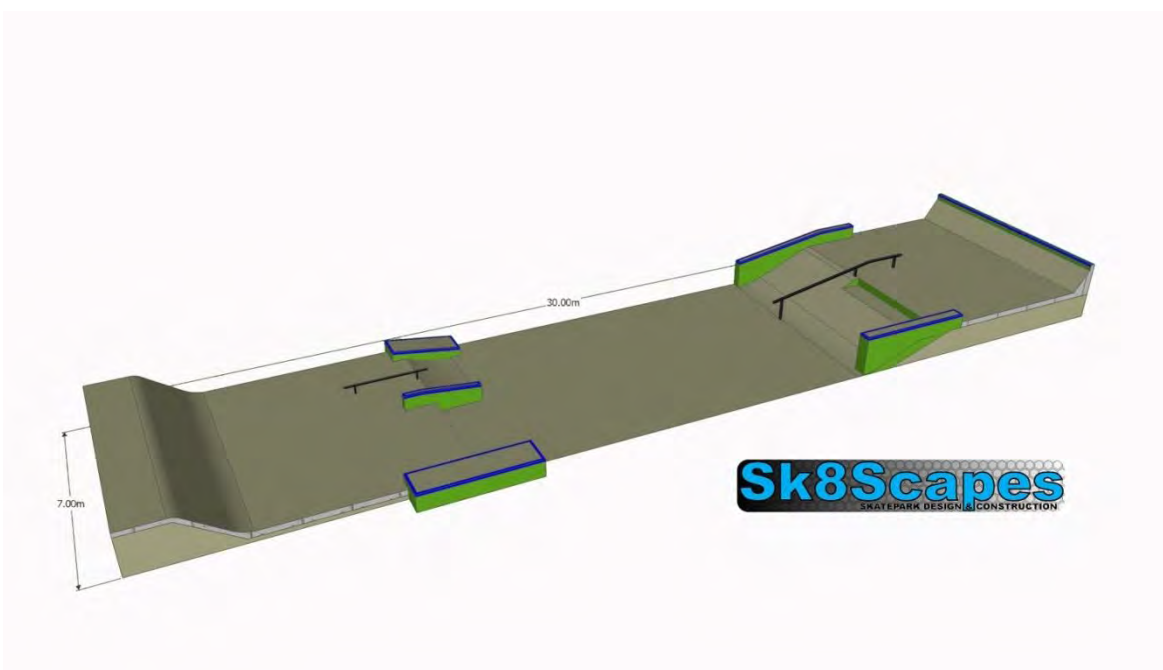
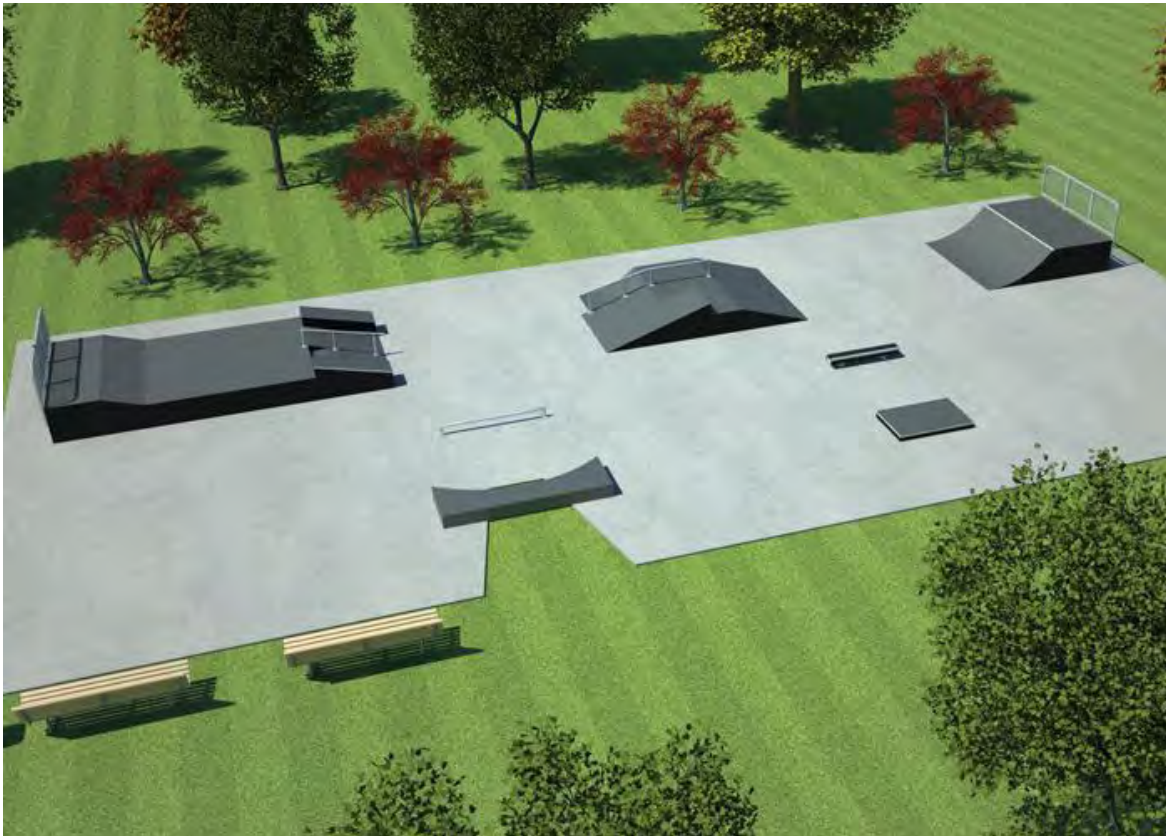
A quote has been arranged for works at the Gulgong Skate Park. This is for approximately \$90,000. Council have committed \$35,000 towards this in the 2011/12 financial year. The delay in completing the works has been caused by the wait to hear the result of various funding applications to supplement the Council funds. We have heard unofficially that \$25,000 should be available and we are waiting for official confirmation of this before we can proceed. This represents a shortfall on what is needed and it is proposed to fund the works as follows:

- \$35,000 from Council as committed in the Management Plan
- \$25,000 for State Government grant funding
- \$7,500 from the community (the Gulgong Skate Park Working Party have raised this money)
- \$7,500 to come from the Youth Services budget
- \$7,500 to come from the Skate Park Maintenance budget

- \$7.500 to come from the Social Initiatives budget

If this plan was followed, there should not be a need for any new capital funds for Gulgong Skate Park in 2012/13.

While final designs will need to be determined, these images show proposals for Gulgong Skate Park. A consultation session would be convened as soon as possible to finalise the design. With agreement to proceed with this model for funding the works, it would still be programmed to be delivered in the 2011/12 financial year.



Mudgee Skate Park

There has been a good deal of community consultation regarding the Mudgee Skate Park. There have been some issues with the condition of the park and also issues with the design of the park, given that different users (bikes and scooters) are using the park more than the skateboards that were prevalent in previous times. While there is a general sense from users that a new park or a complete overhaul is required, this needs to be balanced against other priorities in accessing Council funds.

Two general approaches are discussed.

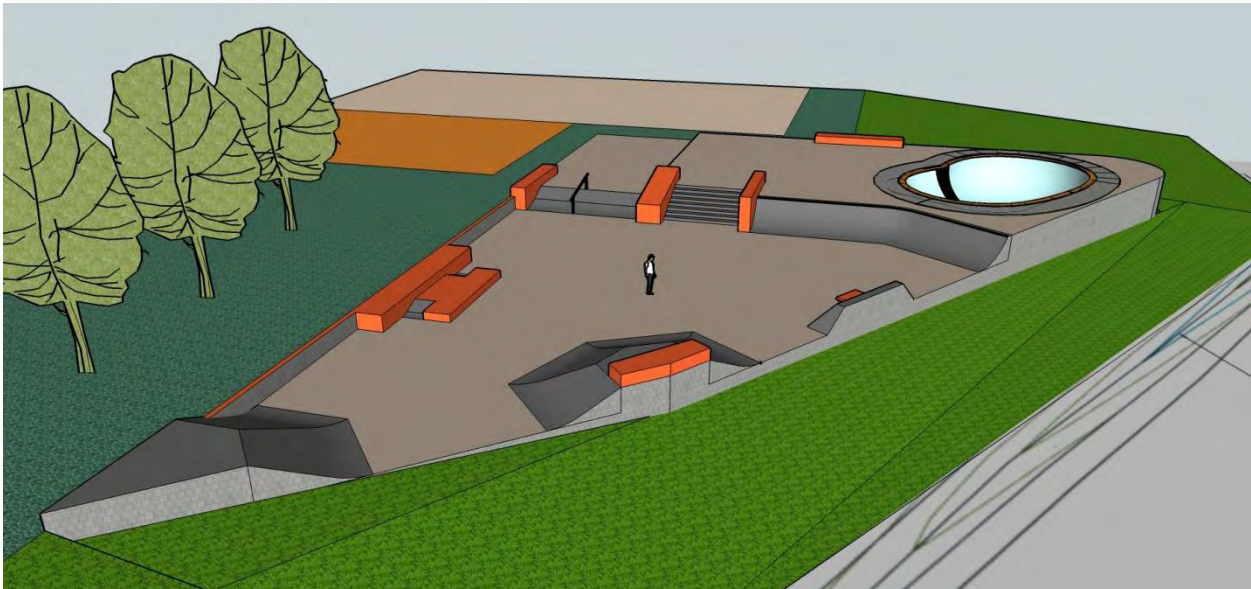
Option One

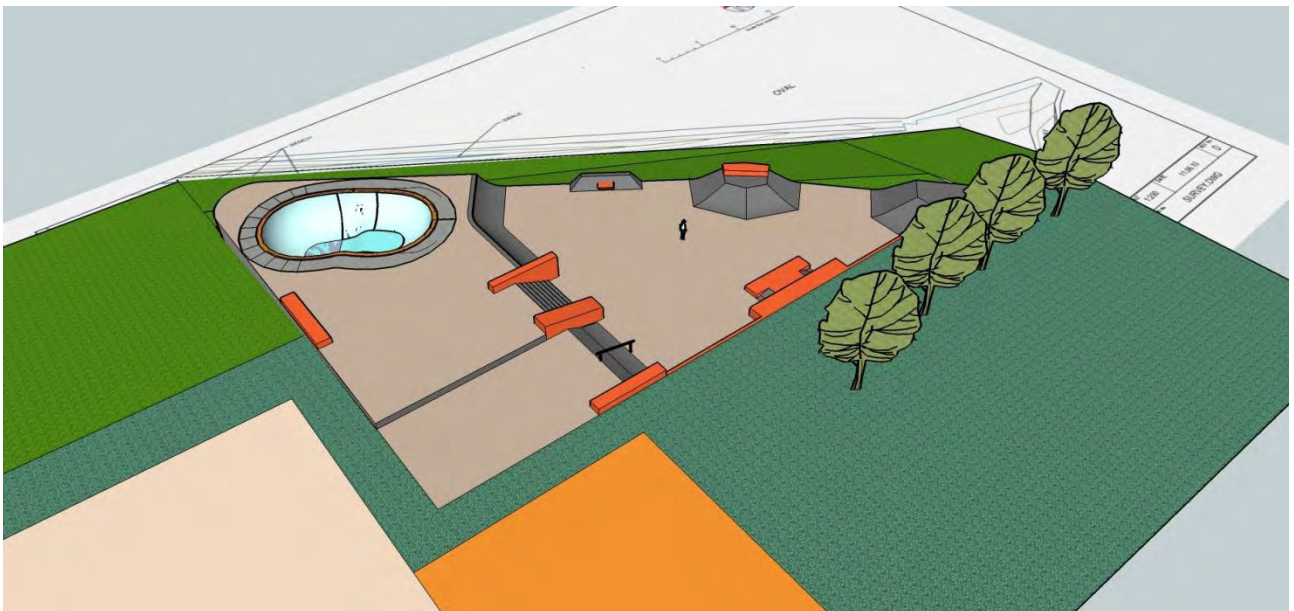
Quotes have been obtained for a major transformation of the Mudgee Skate Park. The amount for this is \$170,000. The majority of this is for construction, with \$15,000 for design works.

This has been put forward as an extension to the existing park but also gives an indication of the cost of a complete revamp of the existing skate park area. A proposed design option is included with this report, utilising some of the elements that have been suggested through our community consultation sessions. Additional costs would still be needed for other items such as:

- safety signage
- any fencing required
- any security lighting required
- any additional landscaping, furniture etc
- repairs to the existing skate area

As such a total budget of approximately \$210,000 to \$220,000 would be required. This would also be indicative of the cost of a replacement facility.





Concept drawings of an extension area to Mudgee Skate Park

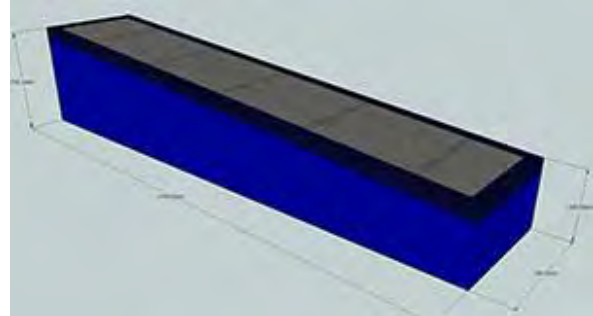
Option Two

Quotes have also been obtained for additional features that could be installed individually. This could then be adapted to suit the size of the budget. For example, the supply, delivery and installation of 6 pieces of steel painted skate ramps for Mudgee Skatepark would cost approximately \$5,000. These pieces would include two kicker ramps, two grind rails and two grind boxes (for clarity on what these are, some images are included).

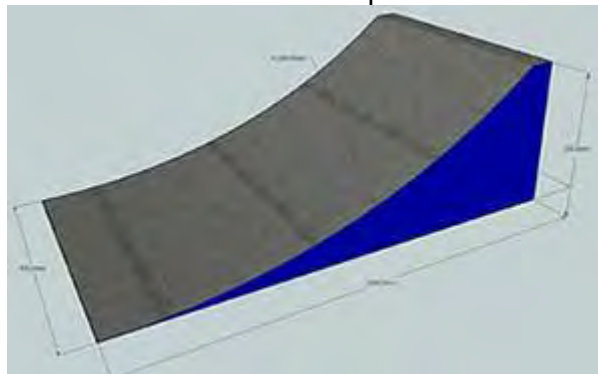
Grind rail



Grind box



Kicker ramp



With this option, Council can also provide some landscaping and safety requirements (including signage) as well as the new elements for the users of the park that will provide some additional interest for considerable less cost. This could be in the vicinity of \$35,000 or could be scaled higher or lower to meet budgetary requirements.

If fencing or security lighting is required this would be added to this amount. It is noted that \$20,000 is included in the 2011/12 budget for Mudgee Skate Park for these measures and it is recommended to transfer this to the 2012/13 budget so that any work can be incorporated into the overall design.

It is recommended that Council follow the concept provided by Option Two and include an additional \$35,000 in the 2012/13 budget.

Financial implications

For the Gulgong Skate Park, it is noted that existing budgets will be used to finance this project in the current financial year.

For the Mudgee Skate Park, Option Two includes the transfer of \$20,000 from the 2011/12 financial year and the addition of \$35,000 to the budget for the 2012/13 financial year.

Strategic or policy implications

Not applicable.

SIMON JONES
MANAGER COMMUNITY DEVELOPMENT

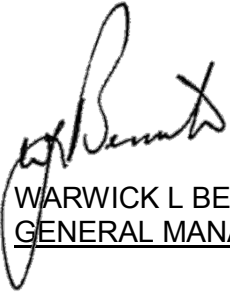


CATHERINE VAN LAEREN
GROUP MANAGER DEVELOPMENT AND
COMMUNITY SERVICES

5 March 2012

Attachments: Nil

APPROVED FOR SUBMISSION:



WARWICK L BENNETT
GENERAL MANAGER

6.2.14 Naming of New Road off George Campbell Drive

REPORT BY MANAGER REVENUE AND PROPERTY

Street Naming - Unnamed new road Airport Subdivision
A0100055, R0790041

RECOMMENDATION

That:

1. **the report by the Manager Revenue and Property on the naming of the new road off George Campbell Drive be received;**
2. **Council endorse the proposed street name “Tim Loneragan Drive” for the new road that runs north off George Campbell Drive.**

Executive summary

Council, being the Roads Authority, is required to name new or unnamed streets and roads. The purpose of this report is to recommend a name in accordance with Council’s Road Naming Policy, for an unnamed road in the new subdivision at Mudgee Airport. The proposed name is Tim Loneragan Drive.

Detailed report

Following the construction of a new subdivision at Mudgee Airport which included a new road, Council Staff began to look at possible names related to local aviation history. One stood out.

Edward Heaton (Tim) Loneragan was born on 26/3/1904 and was probably the first local in the Mudgee area to gain a pilot’s licence (Mudgee Airport Master Plan 2005 Final Report). According to a report in the Sydney Morning Herald (13/1/1930), Tim Loneragan was the first resident of Mudgee to own his own plane, a DeHavilland Moth, which he flew from Sydney to Mudgee in 1 hour 45 mins. Tim enlisted in the Royal Australian Air Force (RAAF) at the outbreak of World War Two and served with distinction, rising to the rank of Wing Commander. After the War he received the Air Force Cross. The current passenger terminal was opened by Mr Loneragan in 1998. Mr Loneragan passed away on 28/7/2001.

Public consultation was invited in an advertisement placed in the February issue of the Community News but no submissions were received.

Financial implications

Cost of Gazettal notice plus 1 street sign at an approximate cost of \$400.00. These costs are included in the 2011/12 Management Plan.

Street sign to be installed at the intersection of the new road with George Campbell Drive.

Strategic or policy implications

Street naming is legislated under the Roads Act 1993. This Act empowers the authority in charge of the road with the rights to name it. The naming of this road will allow the completion of street addressing and allow properties at the Airport to have a distinctive street address. Section 162 of

the Roads Act (1993) states that "a road authority may name and number all public roads for which it is the authority. A roads authority may not alter the name of a public road unless it has given the Geographical Names Board (GNB) at least two months notice of the proposed name".

The Geographical Names Board has been advised of this street name and has no objection to Tim Loneragan Drive.

In accordance with Council's Road Naming Policy, should Council endorse the street name of Tim Loneragan Drive, notice of the proposed street name will be:

1. advertised in The Community News inviting submissions in writing from the public for a period of 21 days.
2. concurrently, notice of the proposed name will be sent to Australia Post, the Registrar General, the Surveyor General, the Chief Executive of the Ambulance Service of NSW, New South Wales Fire Brigades, the NSW Rural Fire Service, the NSW Police Force, the State Emergency Service, The New South Wales Volunteer Rescue Association Inc, and, in the case of a classified road - the RTA, inviting submissions in writing for a period of 21 days.

At the expiration of time for the lodgement of submissions, a further report will be prepared for Council addressing any submissions received and recommending the formal adoption of the proposed street name, and Gazettal of the new name.



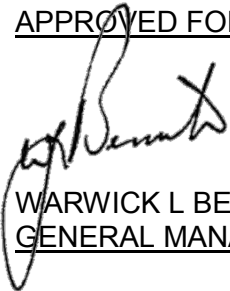
LEONIE JOHNSON
ACTING GROUP MANAGER
FINANCE & ADMINISTRATION

DIANE SAWYERS
MANAGER REVENUE AND PROPERTY

5 March 2012

- Attachments:*
1. Correspondence received from the Geographical Names Board
 2. Map of new road at the Airport to be named
 3. Newspaper articles related to Tim Loneragan

APPROVED FOR SUBMISSION:



WARWICK L BENNETT
GENERAL MANAGER

ATTACHMENT 1

**Land & Property
Information**

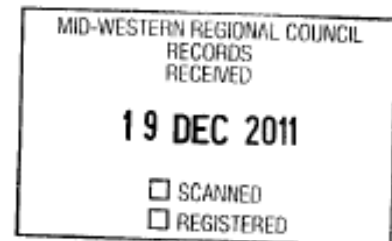
Panorama Avenue BATHURST
P O Box 143
BATHURST NSW 2795
Tel: (02) 6332 8440
Fax: (02) 6332 8415
Email: bob.davis@lpma.nsw.gov.au
www.lpma.nsw.gov.au

The General Manager
Mid Western Regional Council
P O Box 156
MUDGEE NSW 2850

Attention: Fiona Hemmy

14th December 2011

Your Ref: FH:R0790141
Our Ref: T02/0175 2011 - 182



Dear Madam,

**ROADS ACT 1993, ROADS (GENERAL) REGULATION 2008
SECTION 162 – NAMING OF PUBLIC ROADS**

I refer to your letter of 9th December 2011 which proposed the following public road name:

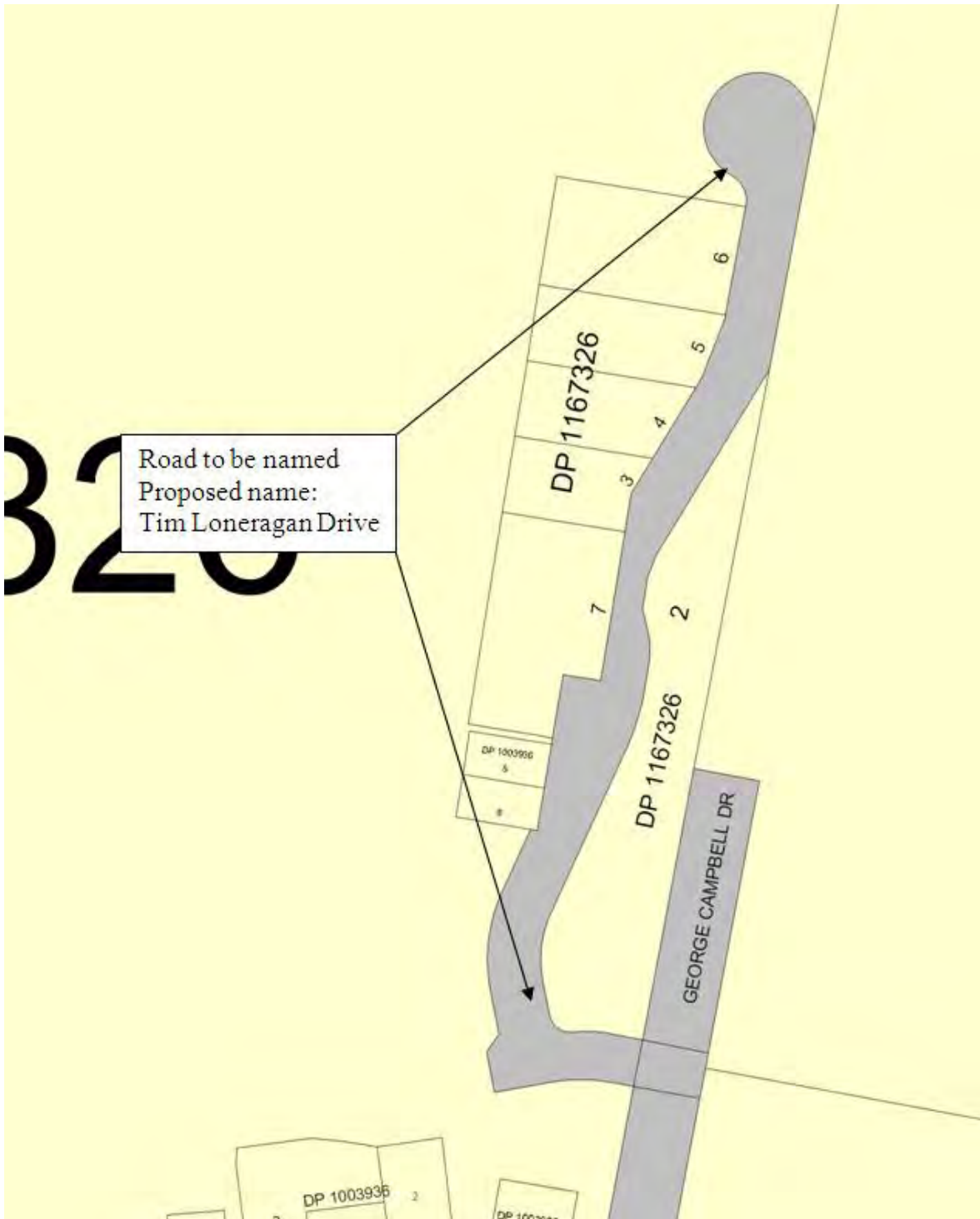
TIM LONERAGAN DRIVE

On behalf of the Geographical Names Board (GNB), Surveyor General (SG) and Registrar General (RG), the name has been reviewed under the GNB Guidelines for the Naming of Roads and there is no objection to its use unless it refers to a living person.

Yours Faithfully

A handwritten signature in black ink that reads 'Davis 14/12/11'.

Bob Davis, Team Leader DCDB Update
For Division Manager Information Sourcing



Mr. Tim Loneragan, son of Mr. J. R. Loneragan, is the first resident of Mudgee to own an aeroplane, which is a De Havilland Moth. Mr. Loneragan flew his plane to Mudgee from Sydney on Thursday, doing the journey in 1 1/2 hour. He was accompanied by Mr. Max Poulton as passenger.

MURWILLUMBAH.—The death has occurred SMH 13/1/1930

Obituary



Tim and Miriam Loneragan were married for 60 years.



Tim won the Clarkson Trophy for Aerobatics in UK, 1945.



The Loneragan with wife, Miriam (at back) and children Maria (8), Anne Louise (11) and Antony (3) in 1945, in their vintage Oldsmobile.



The Loneragan family's first plane, 1928, Tim Loneragan refuses

— MUDGEE GUARDIAN, Friday, August 10, 2001

A life steeped in the history of Mudgee

Tim Loneragan
26.3.1904 - 28.7.2001

The life of one of Mudgee's best known local identities, Tim Loneragan, was remembered and celebrated at his funeral last week (Friday August 3) at St Mary's Catholic Church Mudgee.

Mr Loneragan died age 97, after a full and active life that spanned times of great cultural and technological change not only in Mudgee but in Australia generally.

"Tim" (Edward Houston) Loneragan, died on July 28, 2001. The Loneragan name is still well known here as successful business pioneers of the region.

He is survived by his wife, Miriam, daughter Maria, and the family of his deceased daughter, Ann Louise, and his sons Antony and James (and their families).

He is also survived by his brother Brian.

Tim was born in Mudgee in 1904, the eldest of eight children, to Ted and Edith Loneragan.

He rode his horse to St Matthews school up to the age of twelve, when he went to boarding school at Riverview, but after suffering diphtheria, transferred to St Stanislaus boarding school in Bathurst to be nearer his home.

In Bathurst, his uncle, "Father Cecil Loneragan, took him under his wing and made a lasting impression on his life.

In 1919, Tim's father bought his first car, an open Tourer La Salle, which his father had no idea how to drive - so, as with all modern technology, the fifteen year old youngster took the helm, driving his father around town.

Tim began working, age 16, at Loneragans in 1921.

He eventually ran the Gold Office, receiving raw gold from the area's flourishing gold mines in exchange for cash.

After a trip to the USA, at the age of 24, Tim designed the Mudgee Hotel in Church Street, its grand sweeping staircase based on USA hotels.

Also at 24, he had his first flying lessons at Mascot, obtaining the 147th Flying certificate to pilot a "Flying Machine" in 1928.

In 1930 he obtained a commercial flying license, eventually becoming an aeronautical engineer.

His first plane was a De Havilland Gypsy Moth called "Happy Days".

He flew the plane from Melbourne to Mudgee, landing on the top track, which is now the site of the present airport.

Tim married Miriam Zingel in 1933, and legend has it he flew her home in the plane all the way home to Mudgee in delight the night she said "yes". They were married for 68 years.

In the depression years of the 1930s, the three Loneragan brothers, Tim, Bernard and Miv, ran Loneragans store and were very proud of the fact that



Tim with his first plane in 1930.

during the depression, not one person was put out of work.

In January 1940, Tim enlisted in the Royal Australian Air Force.

He became a flying instructor and in 1944 was selected by the Australian Central Flying School to be sent to the USA to learn their methods.

He then was posted to Empire Central Flying School in the UK, an honour reserved for elite world class pilots.

Nancy Bird Walker of Tim in her book, "My God It's a Woman" and tells how he pioneered blind flying by instruments in the UK and was awarded the Air Force Cross in 1945 for his outstanding contribution to instrument flying.

Aerobatics delighted Tim. He won the prestigious Clarkson Trophy for Aerobatics and one of his most impressive manoeuvres was to roll out of a steep dive, flying past the judges upside down, ten feet off the ground.

After the war, Tim ended up at Point Cook, Melbourne, where he set up the first Instrument Flying School in Australia.

After his discharge, Tim came back to Mudgee to join his four brothers in running the Loneragan's store. Tim was the general manager, and remained so until his retirement in 1980.

During the war the government took Tim's Stearman Wing Beechcraft, so afterwards he bought a surplus Avro Anson, which he re-fitted for family use, often flying in New

Guinea on business.

On one trip, they landed in Cape York where they discovered 28 "forgotten" Australian soldiers who had no communication with the outside world. He left them supplies and informed the authorities of their plight.

For many years after the war Tim acted as honorary air ambulance for Mudgee, never turning down a request to fly the critically ill or injured to Sydney.

In 1947 Tim sold war surplus aircraft to the Far East. In one trip they flew to Timor, Bali, Hong Kong and Saigon in Vietnam, which was at war with the French. One of the aircraft was shot down, the pilot miraculously escaping as Tim drew enemy fire away from him as he scrambled through paddy fields to escape.

On his return Tim turned to farming. Experiencing the awful accommodation available in hotels at the time as he chased the cattle trade, he built one of the first motels in Australia, the Mudgee Motel in 1960, quickly followed by another in Moree.

Tim retained his license until the age of 88. At the age of 84 he opened Mudgee's airport facility, a feat of history of his flying achievements hanging on the wall.

Tim had a strong faith and was prepared for his flight from this world into the next, quietly confident of a safe trip.

His family and friends and the Mudgee community wish him a happy final landing.

Love Is A Slow-roll To Mudgee

Sydney Morning Herald

Friday August 17, 2001

James Loneragan

Tim Loneragan

Aviator, retailer, grazier

1904 - 2001

Life was very much up in the air for Edward Heaton (Tim) Loneragan, who has died aged 97. Born three months after Orville Wright made the first powered flight, he grew up to take to the airways himself, piloting aircraft for more than 60 years.

Indeed he took on each of the 20th century's developments in transport with great enthusiasm.

At Mascot in 1928, Loneragan gained the 147th licence to pilot a flying machine, working with Sir Charles Kingsford Smith and piloting the Southern Cross. He bought his first plane in 1930 and kept on flying until he was 86.

He joined the RAAF in 1940, and although he had hoped to see active service, he was made a squadron leader and put in charge of flying training for the whole of Australia's Eastern Command. In 1944 he was posted to the United States to learn methods of training pilots and to become proficient in instrument flying.

He was then posted to the Empire Central Flying School in England where he joined the elite pilots from Fighter Command, Bomber Command and Coastal Command. These days he would be known as a top gun. He gained a distinguished pass and won the Clarkson trophy for aerobatics against all comers. On his return from England he was asked to form the Instrument Flying School for the RAAF in Melbourne. After he was discharged he was awarded the Air Force Cross.

Loneragan was the eldest of eight children. He attended St Ignatius College, Riverview and St Stanislaus, Bathurst, and later worked in the family business, Loneragan's General Store, in Mudgee. As well as gaining a thorough understanding of all departments, he traded hay, wheat and honey for local farmers, and gold with the many

miners in the district. (As Loneragan's was a smart retailer, the gold office was located at the back of the store, giving the miners plenty of opportunity to spend their newly acquired cash before they left.)

When he was 20, Loneragan and his father took a trip to the US and England. Fascinated with the developing motor industry in Detroit, on his return he opened a car business and trained as a mechanic. In 1928 General Motors granted him a franchise.

By this time the Depression was starting to bite. As his father was ailing, he took charge of the family business, which was a major employer in Mudgee, and was proud that no-one lost their job at Loneragan's as a result of the downturn. The banks had stopped lending money, so he began a finance company so that people could continue to purchase essential goods on time payment.

In 1933 he married Miriam Zingel, his beloved wife of 68 years. When she said yes, he slow-rolled his plane all the way back to Mudgee in delight.

Loneragan was joined in the business by his four brothers, all working to rebuild and enlarge the family's business interests. With him as general manager, the brothers traded war surplus equipment, built the first motels west of the Blue Mountains, resurrected an old flour mill and built bakeries, including a partnership with Woolworths to bake its home-brand bread. Their businesses employed more than 1,000 people.

The Loneragan farms, in a bad state of repair and ravaged by rabbits and drought, offered a significant challenge. New rabbit-proof fencing was erected and dams built. Loneragan taught himself agronomy, was the first to establish clover and rye grasses in the district and studied modern livestock breeding techniques.

He put his flying skills to work for the community as an honorary air ambulance pilot for the Mudgee district.

Loneragan is survived by Miriam, daughter Maria and sons Antony and James, 12 grandchildren and 14 great-grandchildren. His eldest daughter, Anne-Louise, died in 1980.

6.2.15 Road naming - Bedes Lane and Parish Lane, Wollar

REPORT BY MANAGER REVENUE AND PROPERTY

Street Naming (final) - Bedes Lane and Parish Lane
A0100055, R0790141

RECOMMENDATION

That:

1. **the report by Manager Property and Revenue on the naming of Bedes Lane and Parish Lane be received;**
2. **Council formally approve the naming of Bedes Lane and Parish Lane, Wollar.**

Executive summary

Formal approval is requested for the naming of two lanes in Wollar, Bedes Lane and Parish Lane.

Detailed report

Following a public meeting in Wollar in April 2009 and the finalising of addressing of all properties in Wollar in May 2011, it was found that two lanes required names to enable the allocation of addressing to 3 properties. Bedes Lane (for the lane between Phillip Street and Coggan Street) and School Lane (for the lane between Price Street and Armstrong Street) were submitted by the residents of Wollar however the Geographical Names Board would not approve School Lane due to its similarity to several other roads/streets in the Council area. The only affected resident was contacted and requested the name Parish Lane. This was acceptable to the Geographical Names Board.

Council provisionally approved the naming of Bedes Lane and Parish Lane on 5/10/11.

The street names were advertised in the 10/2/12 issue of the Community News but no submissions were received.

Notices of the new street names were served on Australia Post, the Registrar General, the Surveyor General, the NSW Ambulance Service, NSW Fire Service, NSW Rural Fire Brigades, NSW Police Force, NSW SES and NSW VRA with no submissions/objections received.

Please note that there are no longer any properties owned by individuals on Parish Lane.

Financial implications

Cost of Gazettal notice plus 2 street signs at an approximate cost of \$700. These costs are included in the 2011/2012 Management Plan.

Strategic or policy implications

Street naming is legislated under the Roads Act 1993. This Act empowers the authority in charge of the road with the rights to name it. The naming of this road will allow the completion of street addressing and will be available for future housing in Wollar to have a distinctive street address. Section 162 of the Roads Act (1993) states that "a road authority may name and number all public

roads for which it is the authority. A roads authority may not alter the name of a public road unless it has given the Geographical Names Board (GNB) at least two months notice of the proposed name".

In accordance with Council's Road Naming Policy, should Council formally endorse the naming of these lanes, notice of the approved names will be:

1. published in the Government Gazette.
2. concurrently, notice of the new names will be sent to Australia Post, the Registrar General, the Surveyor General, the Chief Executive of the Ambulance Service of NSW, New South Wales Fire Brigades, the NSW Rural Fire Service, the NSW Police Force, the State Emergency Service, The New South Wales Volunteer Rescue Association Inc, and, in the case of a classified road - the RTA.



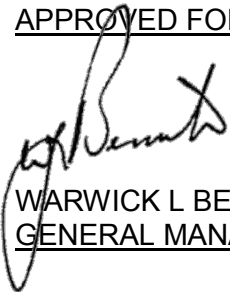
DIANE SAWYERS
MANAGER REVENUE AND PROPERTY

LEONIE JOHNSON
ACTING GROUP MANAGER
FINANCE & ADMINISTRATION

6 March 2012

Attachments: 1. Correspondence received from the Geographical Names Board
2. Map of Lanes in Wollar to be named

APPROVED FOR SUBMISSION:



WARWICK L BENNETT
GENERAL MANAGER

ATTACHMENT 1



**Land & Property
Information**

Panorama Avenue BATHURST
P O Box 143
BATHURST NSW 2795
Tel: (02) 6332 8440
Fax: (02) 6332 8415
Email: bob.davis@lpma.nsw.gov.au
www.lpma.nsw.gov.au

The General Manager
Mid Western Regional Council
P O Box 156
MUDGEES NSW 2850

Attention: Fiona Hemmy

20th July 2011

Your Ref: FH: R0790141
Our Ref: T02/0175 2011 - 100

Dear Madam,

**ROADS ACT 1993, ROADS (GENERAL) REGULATION 2008
SECTION 162 – NAMING OF PUBLIC ROADS**

I refer to your letter of 19th July 2011 which proposed the following public road names:

PARISH LANE, BEDES LANE

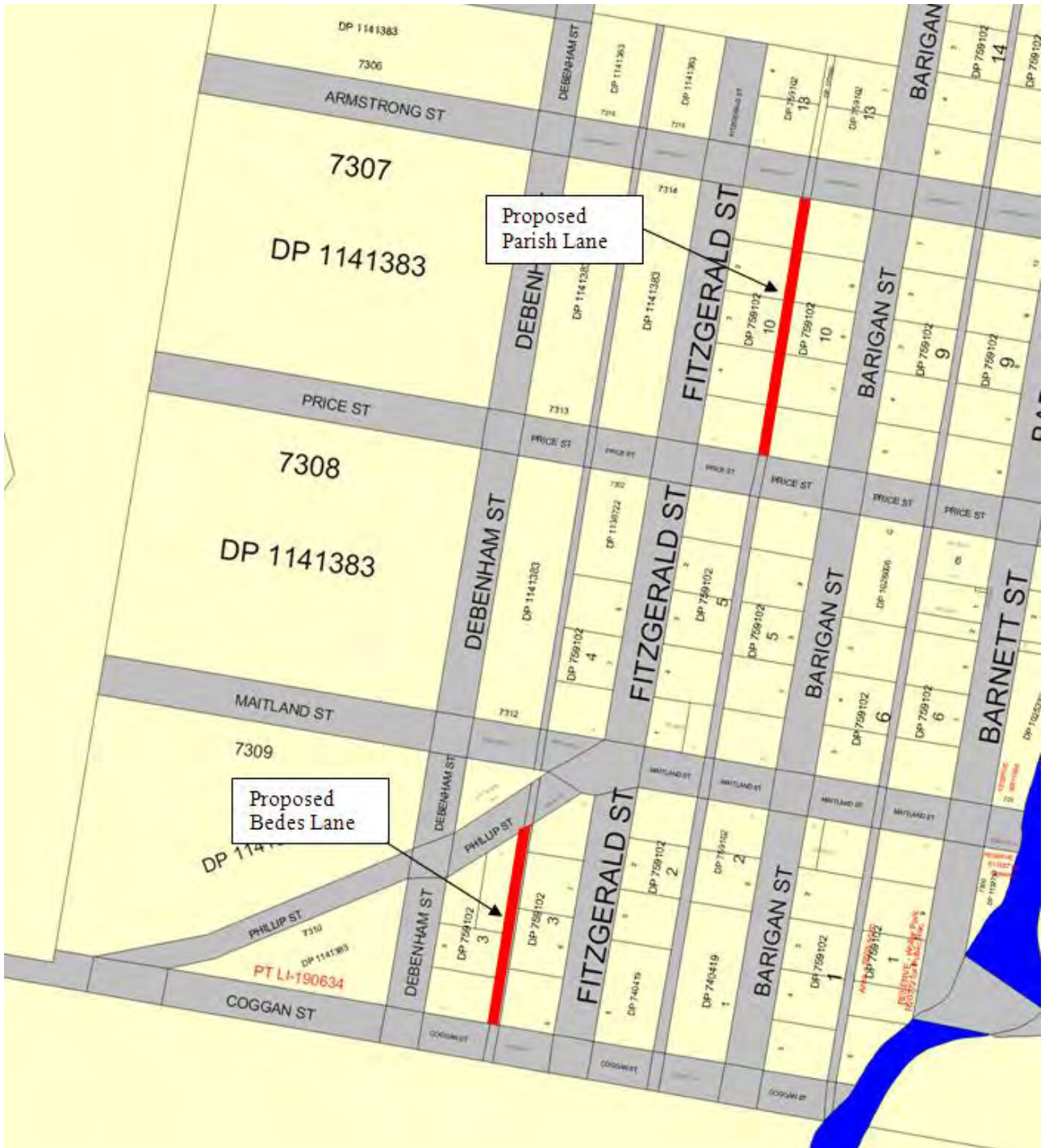
On behalf of the Geographical Names Board (GNB), Surveyor General (SG) and Registrar General (RG), the names have been reviewed under the GNB Guidelines for the Naming of Roads and there is no objection to their use.

Yours Faithfully

A handwritten signature in black ink, appearing to read 'Bob Davis 20/07/11'.

Bob Davis, Team Leader DCDB Update
For Division Manager Information Sourcing





6.2.16 Naming of Cul-De-Sac off Melton Road – Chappell Close

REPORT BY MANAGER REVENUE AND PROPERTY

Street Naming (final) – Chappell Close

A0100055, R0790141

RECOMMENDATION

That:

1. **the report by the Manager Revenue and Property on the naming of Chappell Close be received;**
2. **Council formally approve the naming of Chappell Close for the cul-de-sac that runs east off Melton Road, Mudgee.**

Executive summary

Formal approval is requested to name the cul-de-sac that runs east off Melton Road in Mudgee, Chappell Close.

Detailed report

Following the construction of a new subdivision off Spring and Melton Roads which included a cul-de-sac, the developer requested the cul-de-sac be named Chappell Close after Thomas Chappell in the list of names approved for use as road names by Council on 3/9/1993.

Thomas Chappell was a businessman in colonial Mudgee. Mr Chappell immigrated from Dorset with his family arriving in Sydney Cove in March 1844 at the age of approximately 22, and died in Mudgee on 17/10/1904. His second child (of a total of 11 children) was born in 1845 in Mudgee so he moved his family to Mudgee within a year of arriving in Australia and within 7 years of Mudgee being gazetted a village. Historical reference book, Travelling down the Cudgegong, has details of Thomas Chappell purchasing several building blocks from G H Cox in the west end of Market Street in 1856 and building The New Steam Flour Mill there with grinding commencing in 1856. There is also an advertisement for the New Steam Flour & Saw Mill at Burrundulla in the January 1861 Western Post Newspaper and a listing for him as a Miller on Market Square (now Robertson Park) in the Grevilles Official Postal Office Directory of NSW 1872.

The Geographical Names Board has been advised of this street name and has no objection to Chappell Close.

Council provisionally approved the naming of Chappell Close at the 1/2/12 Council Meeting.

The street name was advertised in the 10/2/12 issue of the Community News but no submissions were received.

Notices of the new street names were served on Australia Post, the Registrar General, the Surveyor General, the NSW Ambulance Service, NSW Fire Service, NSW Rural Fire Brigades, NSW Police Force, NSW SES and NSW VRA with no submissions/objections received.

Financial implications

Cost of Gazettal notice at approx \$120. This cost is included in the 2011/2012 Management Plan.

Purchase and installation costs of one street sign will be met by the Developer.

Strategic or policy implications

Street naming is legislated under the Roads Act 1993. This Act empowers the authority in charge of the road with the rights to name it. The naming of this road will allow the completion of street addressing and allow new housing in Mudgee to have a distinctive street address. Section 162 of the Roads Act (1993) states that "a road authority may name and number all public roads for which it is the authority. A roads authority may not alter the name of a public road unless it has given the Geographical Names Board (GNB) at least two months notice of the proposed name".

In accordance with Council's Road Naming Policy, should Council formally endorse the naming of this cul-de-sac, notice of the approved name will be:

1. published in the Government Gazette.
2. concurrently, notice of the new name will be sent to Australia Post, the Registrar General, the Surveyor General, the Chief Executive of the Ambulance Service of NSW, New South Wales Fire Brigades, the NSW Rural Fire Service, the NSW Police Force, the State Emergency Service, The New South Wales Volunteer Rescue Association Inc, and, in the case of a classified road - the RTA.

DIANE SAWYERS
MANAGER REVENUE AND PROPERTY

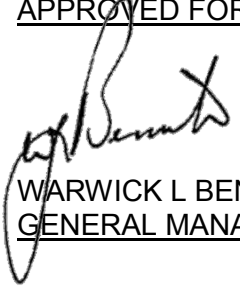


LEONIE JOHNSON
ACTING GROUP MANAGER
FINANCE & ADMINISTRATION

5 March 2012

Attachments: 1. Correspondence received from the Geographical Names Board
2. Map of cul-de-sac off Melton Road to be named

APPROVED FOR SUBMISSION:



WARWICK L BENNETT
GENERAL MANAGER



Land & Property Information

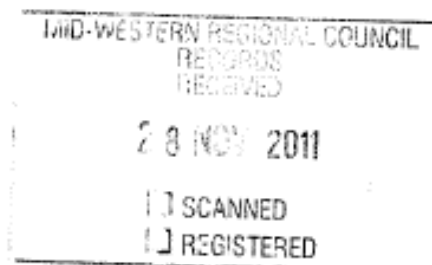
Panorama Avenue BATHURST
P O Box 143
BATHURST NSW 2795
Tel: (02) 6332 8440
Fax: (02) 6332 8415
Email: bob.davis@lpma.nsw.gov.au
www.lpma.nsw.gov.au

The General Manager
Mid Western Regional Council
P O Box 156
MUDGEES NSW 2850

Attention: Fiona Hemmy

21st November 2011

Your Ref: FH:R0790041 PN5806
Our Ref: T02/0175 2011 - 163



Dear Madam,

ROADS ACT 1993, ROADS (GENERAL) REGULATION 2008 SECTION 162 – NAMING OF PUBLIC ROADS

I refer to your letter of 8th November 2011 which proposed the following public road name:

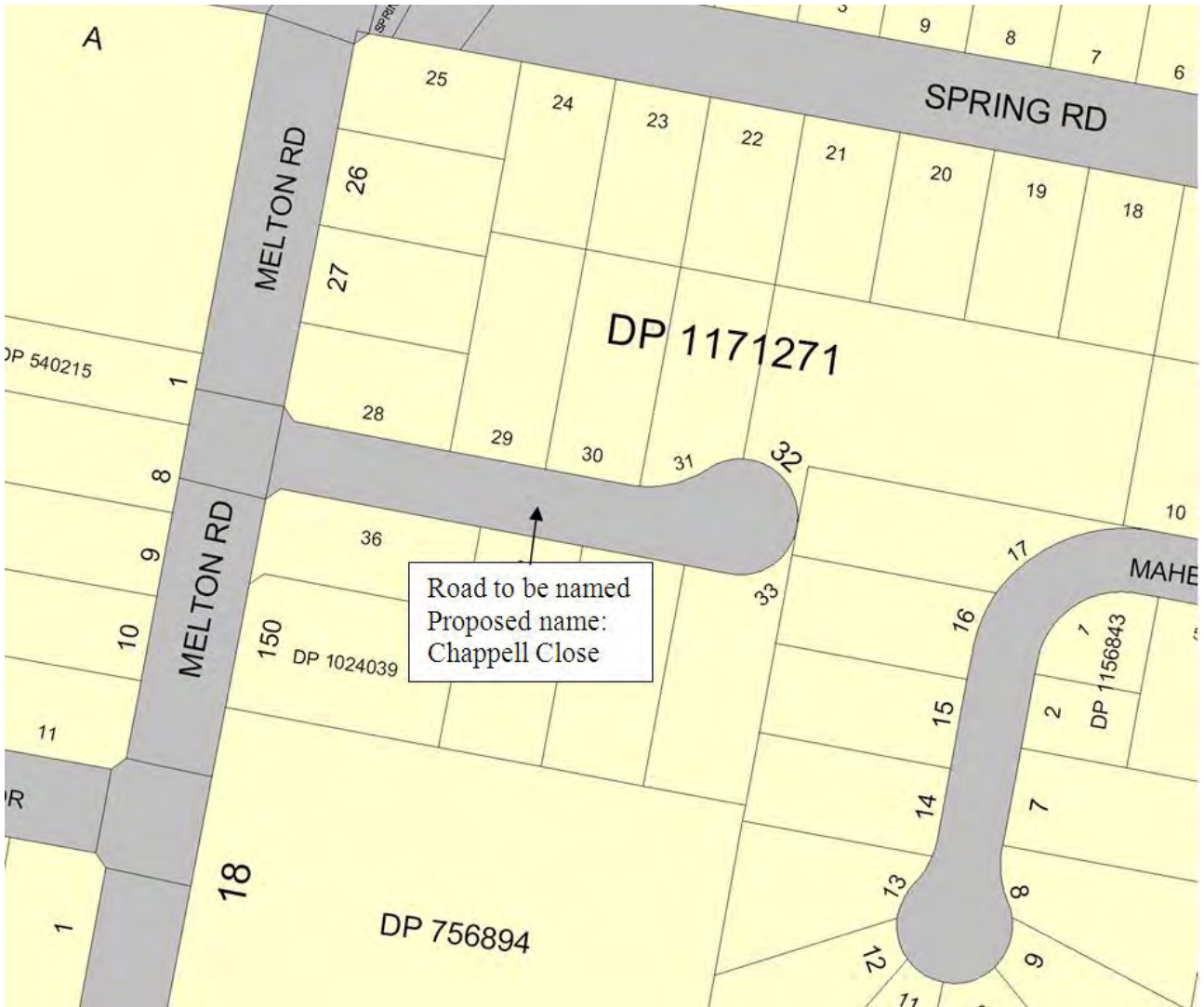
CHAPPELL CLOSE

On behalf of the Geographical Names Board (GNB), Surveyor General (SG) and Registrar General (RG), the names have been reviewed under the GNB Guidelines for the Naming of Roads and there is no objection to its use, providing it does not refer specifically to any living person.

Yours Faithfully

A handwritten signature in black ink that reads "Davis 21/11/11".

Bob Davis, Team Leader DCDB Update
For Division Manager Information Sourcing



6.2.17 Road Naming - Correction to Section of Road

REPORT BY MANAGER REVENUE AND PROPERTY

Street Naming (prelim) – Correction of name to a small section of Cooyal Street
A0100055, R0790041

RECOMMENDATION

That:

1. **the report by Manager of Revenue and Property on the correction of name for a small section of Cooyal Street be received;**
2. **Council approve the renaming of a small section of Cooyal Street to that of White Street.**

Executive summary

A small section of Cooyal Street is separated from the majority of Cooyal Street and appears more like a continuation of White Street. It is recommended that this small section of Cooyal Street be renamed White Street.

Detailed report

Approximately 107 metres of Cooyal Street is separated from the majority of Cooyal Street by approximately 290 metres of land. This section of Cooyal Street curves from the intersection with White Street to the intersection with Herbert Street and is a continuation of White Street. Renaming will avoid the confusion of looking for a Cooyal Street address if accessed from the Herbert Street intersection.

No street addressing will be affected by this change in street name. The Old Council Depot had been allocated an address of 50 Cooyal Street. However, the Depot is accessed off White Street and should have an address of 46 White Street. This has been corrected.

Public consultation was invited in an advertisement placed in the February issue of the Community News but no submissions were received.

Financial implications

Cost of Gazettal notice plus the replacement of 2 street signs at an approximate cost of \$700.00. These costs are included in the 2011/2012 Management Plan.

Strategic or policy implications

Street naming is legislated under the Roads Act 1993. This Act empowers the authority in charge of the road with the rights to name it. The amended naming of this road will ensure no confusion in relation to the addressing on Cooyal Street and will allow for future addressing on White Street. Section 162 of the Roads Act (1993) states that "a road authority may name and number all public roads for which it is the authority. A roads authority may not alter the name of a public road unless it has given the Geographical Names Board (GNB) at least two months notice of the proposed name".

Please note that the Geographical Names Board has not yet responded to our letter in relation to this amended road name but a response is expected well before the second, formal, report regarding this matter will go to Council.

In accordance with Council's Road Naming Policy, should Council endorse the renaming of this small section of Cooyal Street, notice of the proposed amendment will be:

1. advertised in the Community News inviting submissions in writing from the public for a period of 21 days.
2. concurrently, notice of the proposed amendment will be sent to Australia Post, the Registrar General, the Surveyor General, the Chief Executive of the Ambulance Service of NSW, New South Wales Fire Brigades, the NSW Rural Fire Service, the NSW Police Force, the State Emergency Service, The New South Wales Volunteer Rescue Association Inc, and, in the case of a classified road - the RTA, inviting submissions in writing for a period of 21 days.

At the expiration of time for the lodgement of submissions, a further report will be prepared for Council addressing any submissions received and recommending the formal adoption of the proposed amended street name, and Gazettal of the new name for that section of street.

DIANE SAWYERS
MANAGER REVENUE AND PROPERTY



LEONIE JOHNSON
ACTING GROUP MANAGER
FINANCE & ADMINISTRATION

6 March 2012

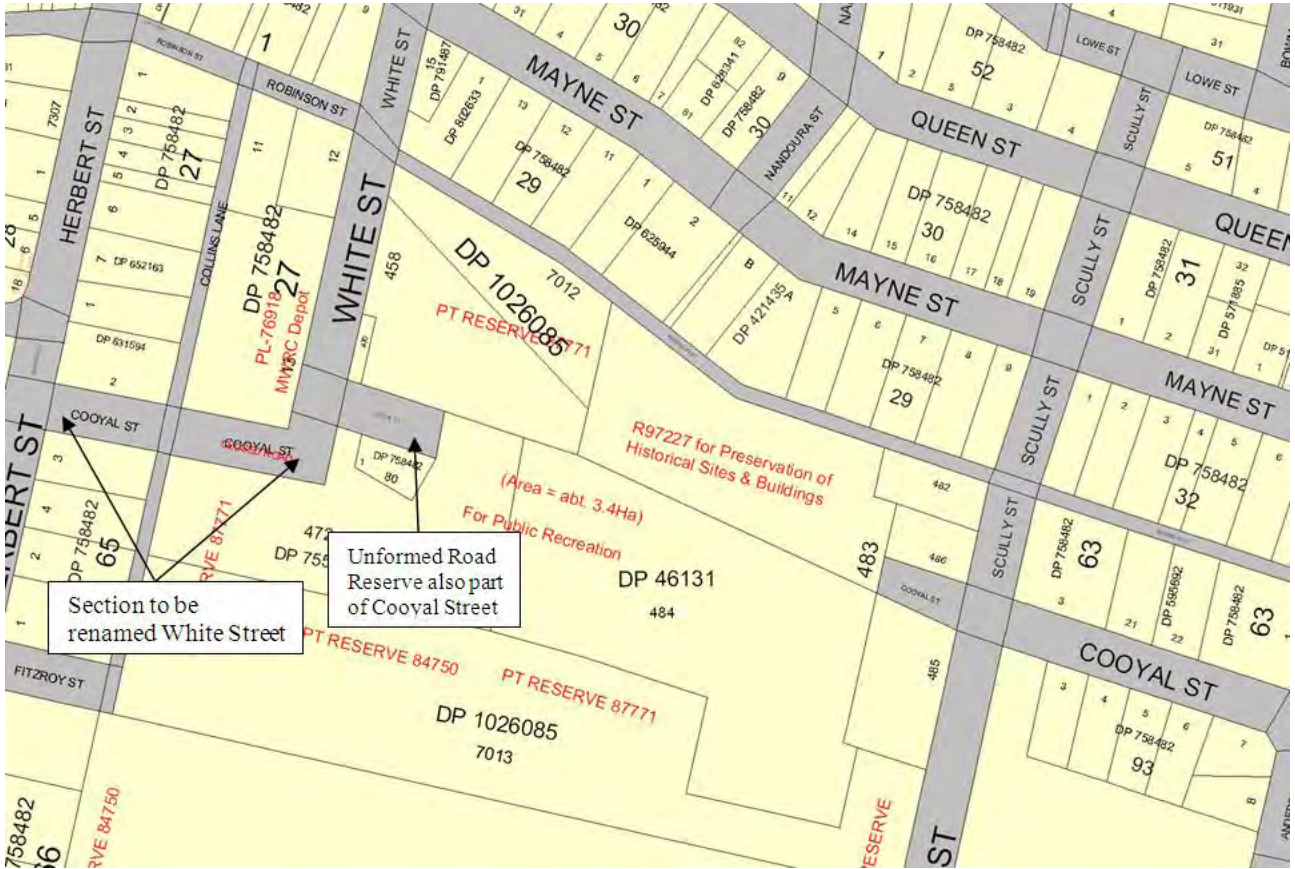
Attachments: 1. Map of affected streets

APPROVED FOR SUBMISSION:



WARWICK L BENNETT
GENERAL MANAGER

ATTACHMENT 1



6.2.18 Naming of Sports Fields at Goolma

REPORT BY MANAGER REVENUE AND PROPERTY

Street Naming (prelim) - Park Naming - Goolma Sports Fields

A0100055, F0650101, P1291811

RECOMMENDATION

That:

- 1. the report by the Manager Revenue and Property on the naming of the sports fields at Goolma be received:**
- 2. Council names for the sports fields at Goolma the Goolma Memorial Sports Ground**

Executive summary

The purpose of this report is to recommend a name for the sports fields at Goolma, following a request from a member of the public. The grounds are currently known by the generic names of Goolma Sports Fields or Goolma Sports Ground.

Detailed report

In July 2010, Lesley Tink, President of the Goolma Amenities Committee, wrote to Council suggesting the naming of the Goolma sports fields. She had received a request from the Goolma Cricket Club who submitted the name of Bede Doherty Sportsground for consideration. Bede Doherty was President of the Goolma Cricket Club from 31/8/1979 until 20/9/2009, was a selector from 1971 to 1986, an active member of the Goolma Tennis Club for over 40 years, a member of the Goolma Sports Carnival committee, President of the Goolma Cycle Club for a number of years, mowed the sports ground for a number of years and was very supportive of "all things Goolma".

Council wrote to neighbours of the sports fields on 21/12/11 requesting their naming suggestions. Submissions closed on 4/1/12 with one submission received by that date. Neighbour, Carole Burns, suggested the sports fields be named after the original owners, the Ryan family, in recognition of their allowing the fields to be used as sports fields by the greater community for over 100 years, free of charge. The Ryan family, "over a hundred year period have been outstanding sportsmen and have contributed greatly to the up-keep and construction of facilities during that time".

During 7/1/12 to 9/1/12 Council received a further 10 submissions all suggesting names based on Ryan Family or Denis Ryan.

Public consultation was invited in an advertisement placed in the February issue of the Community News and 14 further submissions were received. Twelve supported Bede Doherty or Bede Doherty Memorial Sportsground and one supported naming the sports grounds Goolma Memorial Sportsground as a "tribute to all the men and women who have devoted time and energy to the successful running of all the sports played on the ground, and who are no longer with us. One submission, received from Mr Harold Martin, requested a public meeting to gauge community feedback by having a vote on the name of the sports ground.

In light of possible community conflict over the names submitted it is suggested that Council consider Goolma Sports Fields or Sports Ground, or Goolma Memorial Sports Fields or Sports Ground.

Financial implications

Cost of Gazettal notice plus 1 street sign at an approximate cost of \$500. These costs are included in the 2011/2012 Management Plan.

Street sign to be installed on Goolma Road pointing to the entrance to the sports fields.

Strategic or policy implications

As the owner of the sports fields, Council has the authority to name them. The naming of the sports fields will allow them to have a more distinctive address, rather than just a rural address (2907 Goolma Road GOOLMA NSW 2852).

Please note that the Geographical Names Board has not yet responded to our letter in relation to these proposed names, but a response is expected well before the second, formal, report regarding this matter will go to Council.

In accordance with Council's Road Naming Policy, once Council endorses a name for the Goolma sports fields, notice of the proposed name will be:

1. advertised in the Community News inviting submissions in writing from the public for a period of 21 days.
2. concurrently, notice of the proposed name will be sent to Australia Post, the Registrar General, the Surveyor General, the Chief Executive of the Ambulance Service of NSW, New South Wales Fire Brigades, the NSW Rural Fire Service, the NSW Police Force, the State Emergency Service, The New South Wales Volunteer Rescue Association Inc, and, in the case of a classified road - the RTA, inviting submissions in writing for a period of 21 days.

At the expiration of time for the lodgement of submissions, a further report will be prepared for Council addressing any submissions received and recommending the formal adoption of the proposed name, and Gazettal of the new name.



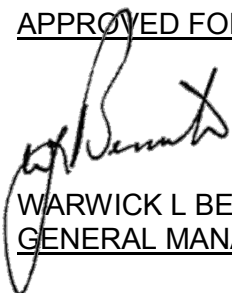
DIANE SAWYERS
MANAGER REVENUE AND PROPERTY

LEONIE JOHNSON
ACTING GROUP MANAGER
FINANCE & ADMINISTRATION

2 March 2012

Attachments: 1 Map of sports fields
2 Submissions (in order of receipt)

APPROVED FOR SUBMISSION:



WARWICK L BENNETT
GENERAL MANAGER



14 July 2010

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

Dear Sir

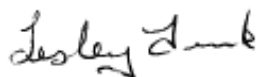
RE NAMING OF GOOLMA SPORTS GROUND

The Goolma Amenities Committee has received a letter from the Goolma Cricket Club requesting the Sports Ground be named in honour of Bede Doherty who died this year.

Bede was always very very supportive of all things Goolma and was born and lived all his life here.

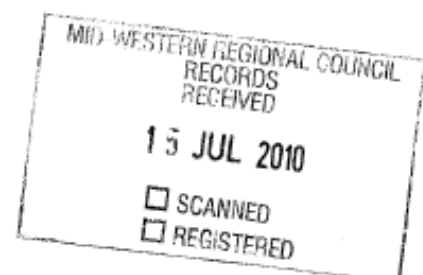
We would appreciate Councils' comments on this and advice on procedure for the request.

Thank you



Lesley Tink
President
Goolma Amenities Committee
"Karuma"
GOOLMA NSW 2852

63732111



GOOLMA CRICKET CLUB
C/O NEIL DOHERTY
PINEVIEW GOOLMA NSW 2852

TELEPHONE: 0263 740235
FAX: 0263 740398

21ST NOVEMBER 2009

Mrs. Lesley Tink
Goolma Amenities Committee
Karuma
Goolma NSW 2852

Dear Lesley,

RE: GOOLMA SPORTSGROUND

I have been requested by the members of the Goolma Cricket Club to request that the Goolma Sportsground be named the Bede Doherty Sportsground.

Bede was President of the Goolma Cricket Club from 31st August 1979 until 20th September 2009. Bede was also a selector from 1971 till 1986. The members felt that it would be a recognition of the years of service that Bede performed for the Goolma Cricket Club.

If the members of the Amenities Committee think that it is appropriate for the sportsground to be named after Bede Doherty then the amenities committee could contact Mid Western Regional Council.

Thank you for your consideration of this matter.

Yours faithfully,



Neil Doherty,
Secretary

Carole Burns
Belle-Vista
2908 Goolma Rd
Goolma NSW 2852
31/12/11

General Manager
Mid- Western Regional Council
86 Market St
Mudgee NSW 2850



Dear Sir,


In response to a request I received on the 21st December 2011 inviting me to put forward a written submission on suggested names for the Goolma Sports Ground.

I have lived in Goolma for over Seventy Years and have played Tennis at the sports ground for most of that period. The Sports Ground area was owned by the Ryan Family who allowed it to be used for all Sports for over 100 years Free of charge, The Local people who looked after the Grounds were many with the Gorrie Family slashing the ground for many years until it was purchased from me by Council.

If the ground was to be called after a local family I would suggest it to be after the Ryan Family "Ryan's Goolma Sports Ground" as most of the Family over a hundred year period have been outstanding sportsman and have contributed greatly to the up-keep and construction of the facilities during that time.

There are many names that could be suggested as Goolma have produced some outstanding sports people over the years. The Whale brothers Vince and Lionel played both 1st Grade Cricket and Rugby League for Canterbury and Harry Rayner played and coached the Goolma Bears to win a Premiership.

The Doherty's come from Gollan and Bede played most of his Tennis and Cricket for Gollan and lived in the Wellington and Warrumbungle Shires and only played and become part of the Goolma Sporting fraternity in latter part of his life.


Carole Burns.

From: <c_bj@bigpond.com>

Saturday, 07 January 2012 04:46 PM

To: <council@midwestern.nsw.gov.au>

Subject: Goolma Sports Ground, Attention W Bennett General Manager

Insert Attach Document Workbook Template Spelling Print

Dear Mr Bennett,

Re the land at Goolma on which the Sports Ground is located. This land was selected by my father D.J. Ryan in 1892. Cricket and football have been played there since that date.

During this time the land was maintained by the Ryan family. My father died in 1964 at the age of 91. He had spent his entire life at Goolma. He allowed sporting bodies to use this land without charge for 72 years, and was himself an active participant in all sporting activities. I have in my possession a commemorative plate presented to him in appreciation by the Goolma Cricket Club.

My brother Ambrose Ryan allowed the same conditions to apply when he inherited the property known as "Belle Vista" Goolma. If a name must be chosen for this area, I believe it should be called after my father Denis J. Ryan.

Yours faithfully

Bryan Joseph Ryan
40/12 -20 Kimarra Ave
Wyoming NSW 2250

From: Joan Mannering <joanandron@live.com.au>

Sunday, 08 January 2012 08:16 AM

To: <council@midwestern.nsw.gov.au>

Subject: goolma sports club

Insert Attach Document Workbook Template Spelling Print

mr warick bennett . i believe a proposal has been put forward to name the goolma sport club after a mr bede doherthy. reseach will show the ground involved was donated many years ago by mr d.j. ryan. mr doherthy did not even live in the village. if to be renamed it should be named after anyone it should be mr. d.j.ryan but why not leave it is now yours sincerely joan **manning** daughter of a past village resident

From: "Lorraine Sweeney" <lorrainesweeney@optusnet.com.au>

Sunday, 08 January 2012 02:00 PM

To: <council@midwestern.nsw.gov.au>

Subject: Goolma Sports Ground

Insert Attach Document Workbook Template Spelling Print

It has come to my attention that a proposal has been put forward to change the name of the **Goolma Sports Ground** and to be named after a Mr. Bede Doherty.

I am strongly objecting to this proposal & feel it should be left as is. If a name change was to happen I believe it should be named after the Ryan family as it was originally owned by them and given to become the **Goolma Sports Ground** for a song.

I have had a long association with the Ryan family and believe they would like the ground to remain unchanged.

Please make note of my objection at your council meeting.

Sincerely

Lorraine **Sweeney**

From: peter manning <papiggy@optusnet.com.au>

Sunday, 08 January 2012 02:17 PM

To: council@midwestern.nsw.gov.au

Subject: for the attention of General Manager Warrick Bennett



Insert



Attach



Document



Workbook



Template



Spelling



Print

Dear Mr Bennett,

In regards to a proposal of naming of the Goolma Sportsground after a Mr Bede Doherty.

We would like to object to the choice of names for this ground as my Great Grandfather, D.J Ryan esq, donated the land for sporting activities within the village.

We can appreciate the aim to have this ground named after a local resident but feel there is more valuable and appropriate choices.

The Ryan family has dwelled in Goolma since the 1890's and were the benefactors of this donation of land. We would assume that if this proposal was to be given time and more research, it would be named after Mr Denis Ryan. Otherwise the ground should be left as is - The Goolma Sportsground.

Yours Sincerely,

Peter and Anne **Manning**

57 Marco Ave
Revesby NSW 2212
02 9773 6738

From: "Mannering, Jeff" <Jeff.mannering@avme.ae>

Sunday, 08 January 2012 03:02 PM

To: "'council@midwestern.nsw.gov.au'" <council@midwestern.nsw.gov.au>

Subject: Goolma Sports Ground



Insert



Attach



Document



Workbook



Template



Spelling



Print

Dear Mr Bennett

I would like to suggest that the **Goolma Sports Ground** be named after Mr D J Ryan. I understand Council is about to name the Sports Ground and what a wonderful idea. My relative, Mr D J Ryan donated the sports ground for village use many years ago and I feel naming it after him would be a great opportunity to honour his generosity.

I have many happy memories of visiting Goolma in my youth and then of taking own family to visit the farm across the road from the Sports Ground. My grandmother, Veronica Ryan, was a resident of Goolma for many years.

Would you be so kind as to let me know the reasons behind the proposal for naming the the Sports Ground after Mr Bede Doherty?

Yours Sincerely |

Jeff **Mannering**

Jeff Mannering

Managing Director

Audi Volkswagen Middle East FZE

Phone +971 4 2045 888

Fax +971 4 2045 894

Mobile +971 50 6402027

Email jeff.mannering@avme.ae

From: "denis ryan" <ddtryan@bigpond.com>

Sunday, 08 January 2012 03:59 PM

To: <council@midwestern.nsw.gov.au>

Subject: Naming of the Sports Ground at Goolma



To whom it may concern,

My father Bryan (Chuck) Ryan has brought to my attention that there is a proposal before the Council to name the sports ground at Goolma after Bede Doherty. The Ryan family have long been associated with the Goolma district & their descendants, which includes myself, objects most strongly to this proposal, with due respect to the Doherty family, citing the following reasons:-

- The land in question was owned by my late Grandfather Denis Ryan but recently passed out of the family. However, for 72 years (1892-1964) he allowed cricket, football & tennis to be played on this **land free of charge**.
- Mr. Doherty my father informs undertook all his sporting pursuits for neighbouring Gollan & had no involvement in any Goolma team.
- My Grandfather, his brothers, my father & his brothers (as well as their cousins) & my cousins have all been actively engaged in the above sporting pursuits covering 3 generations. During my numerous visits to Goolma as a child & in later years I've witnessed many rugby & cricket matches played at that ground & although I was reared a city boy I've never considered myself as such & still have an affinity for Goolma - it's in the blood.

My family's commitment to sporting pursuits on this ground have been well documented over the years as the attached photographs would suggest.

Speaking for myself I would urge the Council to carefully consider the naming of this historic ground. While the Ryan name may have passed from Goolma a rich legacy remains & I firmly believe the person, who first made this ground available, should be duly recognised - not by someone who would've been considered a rival.

Kind Regards,

Denis Ryan
0409746918



-Footie_Team.jpg



-Football_Team_2.jpg



-Goolma_Cricket_Team.jpg



Goldwa Training Football Team 1909.
 Mr E. P. McDonnell Manager
 Frank S. Ryan Captain.

Selection Com

Mr J. Talbot W. Daly F. O. Bingham

Played seven matches.

Best lettera football & fulgony -

beat by fulgony & combination

Played a draw with Anderson & fular.

A. L. B. Hodg

Mr. [unclear]



47 Banfield Street
Downer ACT 2602
9 January 2012

Dear Mr Bennett,

I have been informed that Council is meeting tonight to discuss the naming of the Goolma Sportsground.

The Goolma Sportsground is situated on land selected by my grandfather Denis J. Ryan in 1892. Mr Ryan allowed the land to be used as a sportsground, free of charge, from that time until his death in 1964. His heirs continued to allow the use of the land until it was recently resumed by Council.

I submit that the sportsground should be named in honour of Denis J. Ryan to recognise his valuable contribution to the village and district for over 100 years.

Yours sincerely

Gillian Kimball (granddaughter of Denis Ryan)

Mrs Denise Webster
14 Stanley Cr.
QUIRINDI NSW 2343
(02) 67462588
0428 462 588

Monday 9th January 2012

Mid-Western Regional Council
Mr Warwick Bennett – General Manager
86 Market Street
MUDGEE NSW 2850

Dear Mr Bennett,

Re: Goolma Sports Complex Name Change

My name is Denise Webster (nee Ryan); I live in Quirindi NSW after leaving Goolma in 1969.

The reason I am writing to you is to express my opinion on the proposed name change of the Goolma Sporting Complex. Perhaps some history should be looked into on the ownership of the complex. As I am aware my Grandfather DJ Ryan donated the land in early 1900's, I can provide a more accurate date should you require it, to the community of Goolma.

My parents Frank and Coral Ryan along with all my family played tennis, hockey, cricket and football on these grounds for many generations.

I have spoken to my brother Tony Ryan, now of Ammidale and my sister Jeannie Gibbs (nee Ryan) now of Toowoomba and we all feel we need to voice our opinion. The proposed name change from Goolma Sporting Complex to Bede Doherty we strongly protest.

To me and my family's knowledge, Mr Doherty has never lived in Goolma or played any such sports on these grounds. I am sure you can appreciate the Ryan families concerns regarding this proposed change and our wishes to have the current name remain.

Over the last 100 years many if not hundreds of people have been involved with the evolution of the Goolma Sporting Grounds. We strongly object to the name change as Mr Doherty has had no real connection or involvement with the Goolma community or sporting complex.

Please feel free to contact me at any time should you wish to discuss this matter with me further on (02) 6746 2588 or 0428 462 588.

Thankyou for your time,

Kind Regards

Denise Webster

Tony Ryan

Jeannine Gibbs

From: "Kate Ryan" <kryan@internode.on.net>

Monday, 09 January 2012 08:41 AM

To: <council@midwestern.nsw.gov.au>

Subject: Attention Warwick Bennett



Re Sports Ground Goolma

I have been made aware of a submission to name the sports ground at Goolma. This land was selected by my grandfather Denis Ryan and his brothers in 1892. Over the years the Ryan family has allowed free use of the land for sporting events for the benefit of the community. For many years the land and facilities were also maintained by the Ryan family so that sporting events could take place.

Although not living in Goolma, I spent many school holidays at my Grandfather's farm, "Belle Vista", opposite the sports ground and witnessed many tennis matches and community activities there. It was the hub of the community.

If there is to be a name given to the ground, then it should be that of Denis J Ryan (1873-1964) who spent all of his 91 years in Goolma and should be remembered for his generous gift to the community of Goolma that is still enjoyed today.

Kate Ryan
Wamberal

From: "Margot Ryan" <margot.ryan@inet.net.au>

Monday, 09 January 2012 11:58 AM

To: <council@midwestern.nsw.gov.au>

Subject: The naming of the goolma Sports Ground



Dear Sir

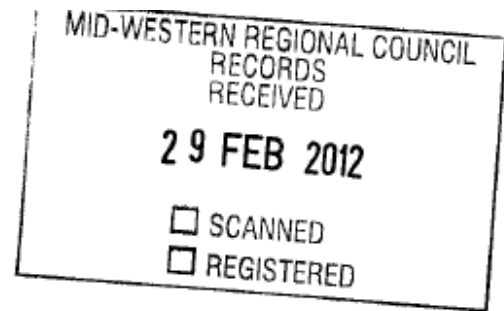
It has come to my attention that Council intends to name the land which the **Goolma Sports Ground** occupies. I am the youngest grandchild of the former owner of that land, **Denis J Ryan**. This land was made available to the people of the Goolma by my grandfather and his son thereafter for more than 100 years without charge, until the land was resumed by Council. My father, Bryan J Ryan is the only surviving son of DJ Ryan and at 88 years of age he is saddened to hear that the Sports Ground is to be named after a person with no connection to that land. I respectfully request that council consider naming the Sports Ground after **Denis J Ryan**, as a memorial to the service he gave to the community in which he spent his entire life.

Yours sincerely

Margot Ryan

Sydney

27th February 2012
"Nyrang"
Wellington
NSW 2820



Mid Western Regional Council
Administration Centre
PO BOX 156
MUDGEES NSW 2850

Dear Sir/Madam,

RE PROPOSED NAME FOR GOOLMA SPORTS GROUND.

On behalf of the Goolma Tennis Club I am requesting that the Goolma sports ground be named in honour of Bede Doherty. Bede Doherty worked tirelessly for the Goolma community. While we recognise that many people have done many things to keep this small community as active as it is, Bede was outstanding because he supported all the many community groups. Bede was a very competitive sportsman in his own right and always encouraged good sportsmanship particularly with the younger members of our community. It didn't matter if it was for the school, both churches, the tennis club, the gun club, the hall committee or his beloved cricket club of which he was president for many years Bede was always willing to help. The Goolma tennis club with in excess of 50 members is the largest group in Goolma and we unanimously support this proposal.

We thank you for your time and hope that our proposal will be considered.

Yours sincerely,

Anthony Inder
President
Goolma Tennis Club
0427 745110

1 Stockmans Drive
Mudgee, NSW.
2850.

Dear Sir/Madam

RE: NAMING of the Goddard Sports Ground.

My name is Anne Dutayge (nee Ryan) the granddaughter of D.G. Ryan whose permission it was, to give the Goddard Community use of his land for the purpose of sporting activities. This permission was passed on by my uncle Ambrose Ryan.

As a rate payer and fifth generation born in Goddard I would like to nominate Bob DeBety, as he was a lifetime worker and member of all the sporting communities.

He was a true worker and worthy citizen who deserved to be recognized.

Yours Sincerely,
Anne Dutayge

MID-WESTERN REGIONAL COUNCIL RECORDS RECEIVED 29 FEB 2012 <input type="checkbox"/> SCANNED <input type="checkbox"/> REGISTERED

Mid-Western Regional Council
Administration Centre
P.O. Box 156, Mudgee 2850

"Hillview"
215 Wrights Lane
Mebul, 2852
28/02/2012

The General Manager,

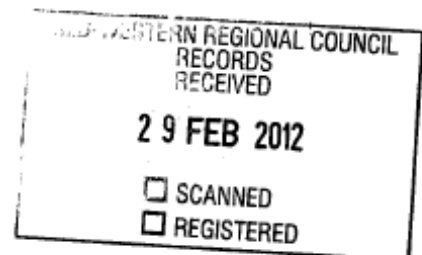
Dear Sir,

Proposed name for Goolma Sportsground

The Goolma Sportsground has been used for cricket, football & tennis for many years, through the generosity of the Ryan family, who allowed the ground to be used for that purpose, long before Council purchased it.

There have been, over the years, many who have stood out as contributors to one or all of those sporting clubs. Therefore I suggest the name "Goolma Memorial Sportsground" as a fitting tribute to all the men and women who have devoted time and energy to the successful running of all the sports played on the ground, and who are no longer with us.

Yours faithfully, *K. F. Gardiner.*
KEVIN GARDINER.



"Tralee"
602 Gories Ln
Goolma NSW 2852
Phone (02 63740310
Fax (02 63740382

29 February 2012

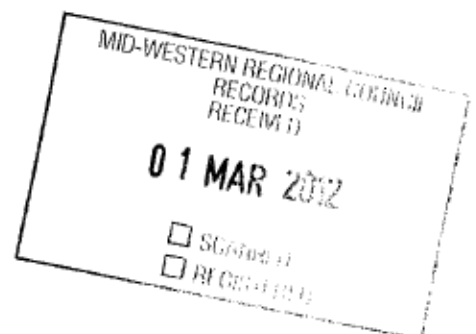
Mid Western Regional Council Administration Centre
PO Box 156
Mudgee NSW 2852

Dear Sir/Madam

I Christine Warner rate payer and Business owner in the Mid Western Regional Council would like to make a submission that the Goolma Sportsground be named the BEDE DOHERTY MEMORIAL SPORTSGROUND.

Sincerely,

Christine Warner
Signature



" Maylee "
2880 Goolma Road
Goolma NSW 2852
Phone (02 63740377
Fax (02 63740382

29 February 2012

Mid Western Regional Council Administration Centre
PO Box 156
Mudgee NSW 2852

Dear Sir/Madam

I Nicola af Petersens resident in the Mid Western Regional Council would like to make a submission that the Goolma Sportsground be named the **BEDE DOHERTY MEMORIAL SPORTSGROUND.**

Sincerely,

Signature



" Maylee "
Goolma NSW 2852
Phone (02 63740377
Fax (02 63740382

29 February 2012

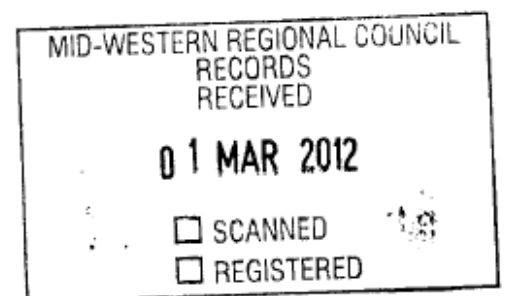
Mid Western Regional Council Administration Centre
PO Box 156
Mudgee NSW 2852

Dear Sir/Madam

I Jason Warner resident and Business owner in the Mid Western Regional Council
would like to make a submission that the Goolma Sportsground be named the BEDE DOHERTY
MEMORIAL SPORTSGROUND.

Sincerely,


Signature



"Tralee"
602 Gorries Ln
Goolma NSW 2852
Phone (02 63740310
Fax (02 63740382

29 February 2012

Mid Western Regional Council Administration Centre
PO Box 156
Mudgee NSW 2852

Dear Sir/Madam

I Timothy Warner rate payer and Business owner in the Mid Western Regional Council would like to make a submission that the Goolma Sportsground be named the **BEDE DOHERTY MEMORIAL SPORTSGROUND**.

Sincerely,



Signature



02 63745144

"Roine"
Gollan Rd
Goolma NSW 2852
Phone (02) 63745144

29th February 2012

Mid Western Regional Council Administration Centre
PO Box 156
Mudgee NSW 2852

Dear Sir/Madam

I Peter Doherty resident and property owner at Goolma would like to make a submission that the Goolma Sportsground be named the BEDE DOHERTY MEMORIAL SPORTSGROUND.

Sincerely,

P. Doherty
Signature



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"Roine"
Gollan Rd
Goolma NSW 2852
Phone (02) 63745144

29th February 2012

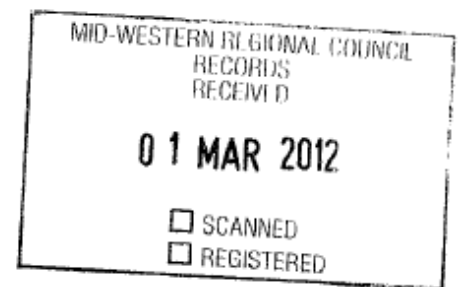
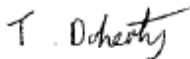
Mid Western Regional Council Administration Centre
PO Box 156
Mudgee NSW 2852

Dear Sir/Madam

I Tina Doherty resident and property owner at Goolma would like to make a submission that the Goolma Sportsground be named the **BEDE DOHERTY MEMORIAL SPORTSGROUND**.

Sincerely,

Signature



GOOLMA CRICKET CLUB
C/O NEIL DOHERTY
PINEVIEW GOOLMA NSW 2852

TELEPHONE: 0263 740235
FAX: 0263 740398

1ST MARCH 2012

The General Manager,
Mid Western Regional Council,
P.O. Box 156,
MUDGEE NSW 2850

Dear Sir,

RE: GOOLMA SPORTSGROUND

Please find enclosed a copy of a letter sent to Goolma Amenities Committee on 21st November 2009 requesting that consideration be given to naming Goolma Sportsground the Bede Doherty Sportsground

A motion was passed at the Annual General Meeting of the Goolma Cricket Club on 14th October 2009 that a letter be sent to Goolma Amenities Committee requesting that they support the naming of the Sportsground

The following supporting information is supplied.

Bede was President of the Goolma Cricket Club from 31st August 1979 until 20th September 2009. Bede was also a selector from 1971 till 1986.

Bede was also an active member of the Goolma Tennis Club for over 40 years and was a member of the Goolma Sports Carnival committee that organized the School's sports carnival at Goolma.

Bede also mowed the sportsground at Goolma for a number of years.

He was also president of the Goolma Cycle Club for a number of years which organized the Christmas party each year at Goolma.

Thank you for your consideration of this matter.

Yours faithfully,



Neil Doherty,
Secretary



Please note that the letter referenced by Mr Doherty is the letter submitted by Lesley Tink & is the second letter included in these submissions

Yamble
Goolma Rd
Goolma NSW 2852
28th February 2012

Mid-Western Regional Council Administration Centre
PO Box 156
Mudgee NSW 2850

Dear Council

Re: submission re the naming of the Goolma Sportsground

As a resident of the Goolma area and community member I propose the naming of the Goolma Sportsground to be:

Bede Doherty Memorial Oval

Bede was a true gentleman whom even in his later years always enjoyed community and the fellowship of community sport. We often met at sporting events and functions where his enthusiasm for the continuation of Goolma cricket and tennis never waned.

A true community leader whom should be honoured by the sportsground naming.

Yours



Nicholas Wake



Aquila
Goolma Rd
Biraganbil NSW 2852
28th February 2012

Mid-Western Regional Council Administration Centre
PO Box 156
Mudgee NSW 2850

Dear Council

Re: submission re the naming of the Goolma Sportsground

As a resident of the Goolma area and community member I propose the naming of the Goolma Sportsground to be:

Bede Doherty Memorial Oval

When we first moved to the Goolma area Bede Doherty, whom at that stage must have been in his 70's, put to us to get involved in the community by joining the Goolma Tennis and Cricket Clubs.

I could not name anyone in any community that I have known to dedicate so much to local sport and the community. I recognise his legacy living on through his family's ongoing dedication to the community and local sport and feel the renaming would be appropriate reward and thanks to the devoted man.

Yours



Stuart Clifford



Aquila
Goolma Rd
Biraganbil NSW 2852
28th February 2012

Mid-Western Regional Council Administration Centre
PO Box 156
Mudgee NSW 2850

Dear Council

Re: submission re the naming of the Goolma Sportsground

As a resident of the Goolma area and community member I propose the naming of the Goolma Sportsground to be:

Bede Doherty Memorial Oval

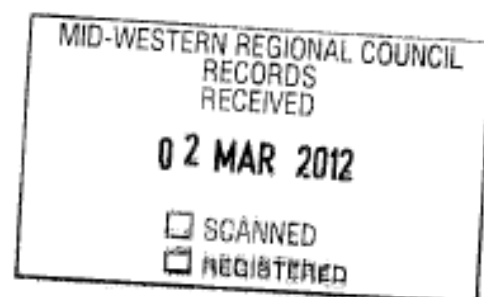
Bede was a true gentleman whom even in his later years always enjoyed community and the fellowship of community sport. He would be a regular at cricket and tennis even though his body no longer allowed him to play.









I believe the renaming would secure the legacy of one of the true gentlemen of Goolma and his love and dedication to community sports.

Yours



Soolan Clifford



 Email	Reply	Options
From: Helm Pty <helmpy@hotmail.com>		Friday, 02 March 2012 04:30 PM
To: <council@midwestern.nsw.gov.au>		
Subject: Goolma Sportsground Submissions		
 Insert	 Attach	 Document
 Workbook	 Template	 Spelling
		 Print

To whom It May Concern

In relation to the submissions for the proposed name of the Goolma sportsground, I feel that it would be in the interest of the community to hold a public meeting to discuss the proposed names and gauge the community feedback by having a vote.

There are several stakeholders in relation to this matter and as a former Councillor, there was some discussion at the time of negotiation between the parties for the sale of the sportsground; that the sportsground would be named in honor of the Ryan family.

Please advise of the outcome of this matter and I would be happy to assist with any further information.

Yours sincerely

Harold Martin

6.2.19 7A Henry Bayly Drive

REPORT BY MANAGER GOVERNANCE

7A Henry Bayly Drive
A0100055, R0790175

RECOMMENDATION

That:

1. **the report by the Manager Governance on the investigation the possibility of making 7A Henry Bayly Drive Mudgee a park be received;**
2. **Council not proceed to make 7A Henry Bayly Drive Mudgee a park;**
3. **Council formally classify 7A Henry Bayly Drive Mudgee (Lot 1 DP1159379) as “operational” land;**
4. **the General Manager market the property for sale at \$150,000 inclusive of GST and the General Manager having delegated authority to negotiate a sale under the Councils normal guidelines.**
5. **all necessary documentation associated with the transfer and sale of this land be executed under Common Seal.**

Executive summary

To consider a report on the possibility of making 7A Henry Bayly Drive, Mudgee a park.

Detailed report

A report (a copy of which is attached), was presented to the Council Meeting on 15 February 2012 canvassing the possible sale of the un-necessary road reserve at the western end of Nicholson Street Mudgee, being Lot 1 DP1159379 and known as 7A Henry Bayly Drive Mudgee. At that meeting the Council resolved:

“That council investigate the possibility of making 7A Henry Bayly Drive, Mudgee (Lot 1, DP1159379) a park.”

Apart from the cost of developing this area as a park and its ongoing maintenance there would be the additional costs involved in the installation and ongoing maintenance of playground equipment. On top of this, the uncovered watercourse at the eastern end of the block presents a public liability risk particularly as Council, in making it a park would be effectively warranting to the public that the land would be safe to use as a park. This watercourse will either need to be capped or cordoned off so it cannot be accessed – preferably the former as the latter will still not totally eliminate the risk.

The property has been value at \$150,000 inclusive of GST.

Financial implications

As part of the budget initiatives for the 2012/13 financial year an amount of \$5,000 was included to develop this site for public recreation while an additional \$80,000 was included to install playground equipment.

It is noted that Council did not support this initiative.

Strategic or policy implications

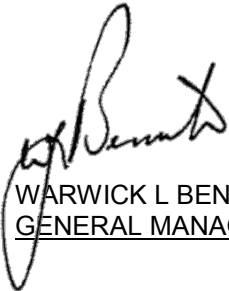
Not applicable.



IAN ROBERTS
MANAGER GOVERNANCE
12 March 2012

Attachments: 1. Copy of report to Council Meeting on 15 February 2012

APPROVED FOR SUBMISSION:



WARWICK L BENNETT
GENERAL MANAGER

PROPOSED SALE – 7A HENRY BAYLY DRIVE MUDGEE

REPORT BY MANAGER GOVERNANCE
7A HENRY BAYLY DRIVE
A0100055, R0790175

RECOMMENDATION

That:

1. the report by Manager Governance on the road closure and sale of 7A Henry Bayly Drive Mudgee (Lot 1 DP1159379) be received.
2. Council formally classify 7A Henry Bayly Drive Mudgee (Lot 1 DP1159379) as “operational” land.
3. the General Manager market the property with authority to negotiate within 10% of the recommended sale price.
4. all necessary documentation associated with the transfer and sale of this land be executed under Common Seal.

EXECUTIVE SUMMARY

This report relates to a proposal to market a former unnecessary road reserve.

DETAILED REPORT

In 2007 Council lodged a road closure application with what was then the Crown Lands office to close a section of unnecessary and unformed Council road reserve located off Nicholson Street between Henry Bayly Drive and Cox Street Mudgee. Once closed, Council’s intention was to market and sell the land to the public for residential development.

An aerial photograph of the subject land is appended (Attachment 1). The land is now identified as Lot 1 DP1159379 and addressed as 7A Henry Bayly Drive Mudgee.

At commencement of investigations by Crown Lands on the feasibility of the proposed road closure, they notified adjoining property owners and invited comment on the proposal. As a result one objection was received from adjoining property owners Mr David and Mrs Elizabeth McLean (Attachment 2 & 3).

Crown Lands sought comment from Council in relation to the points raised by Mr & Mrs McLean and Council’s response is appended (Attachment 4). Based on Council’s response, Crown Lands determined approved the closure, with the land to vest in the ownership of Mid-Western Regional Council. In gazetting the closure and transfer to Council, Crown Lands classified the land as “operational”.

The subject land is currently zoned Medium Density Residential under the Interim LEP 2008 (proposed General Residential under the Draft LEP) and has a total area of 2536 sq m. The land is impeded by easements for overhead powerlines, sewer lines and drainage lines and has an issue with the northern boundary fence not being correctly located on the perimeter of block. A

valuation was provided in May 2011. (Attachment 5 – in the confidential section of the Business Paper.

Council is now required to formally classify the land as “operational”. Once that has been done Council can market the property.

FINANCIAL IMPLICATIONS

Marketing and Sale of the Land

STRATEGIC OR POLICY IMPLICATIONS

N/A

IAN ROBERTS
MANAGER GOVERNANCE
2 February 2012

APPROVED FOR SUBMISSION:

WARWICK BENNETT
GENERAL MANAGER

Attachments: Attachment 1 – Map depicting section of Road to be closed and sold – highlighted red
Attachment 2 – Email objection by David & Elizabeth McLean
Attachment 3 – Subsequent letter of objection by David & Elizabeth McLean
Attachment 4 – Council response to issues raised by David & Elizabeth McLean

0.

Lyn Cattle

From: Anne [ccsp@hwy.com.au]
Sent: Tuesday, 30 December 2008 3:44 PM
To: CL Dubbo
Subject: Road closure

copy

Dear Ms Birks,

Regarding Reference No W400955

Having received the letter dated 3rd Dec 2008, but having been away from our home for much of the time between then and now, it is been impossible to find out some relevant information about what is described in the letter. It was hoped that we would have been able to attend to this within the specified time after gaining information about the matter. With Mid Western Council closed until 5th Jan and your office closed until 8th January, it is impossible to clarify some points and to provide an objection (if it seemed necessary after receiving relevant information) to your office within the stated time frame. With the Christmas and New Year closure of the Offices, adequate time does not allow for attending to this matter. I have phoned your Office and also the mobile but have not been able to access any information.

We are most concerned that we are unable to access the information and attend to this matter as we have been living here since 1977 and owned the land since 1973 and feel we may be negatively impacted upon by this proposal.

We hope that consideration will be given to a late response/objection because of the seasonal/holiday times preventing us to gain information and making a response.

I look forward to your reply when your Office opens.

Yours sincerely

E. Anne McLean and David J McLean

ATTACHMENT

Vignia Birks
Property Officer
Crown Lands Division Dubbo
PO Box 865
DUBBO 2830

Dear Ms Birks,

In reference to the letter (Reference No W400955) regarding the closure of Nicholson Street, between Henry Bayly Dr and Cox St, Mudgee, we would like to make an objection as well as highlight some concerns about the proposal.

We have owned the land with the boundary north of the road since 1973, and have built our home situated with an orientation as a corner block, so that we would gain access to the back of our property via a side entrance. As the road has never been used as such in all the time we have lived here, we have used a four metre strip along our southern boarder as a garden and as storage, as well as maintaining this area. Our objection therefore, to the closure of the road as described in the plan attached, is that the use of this strip of land would cease, and particularly, access to the back of our own property would be prevented.

Also there are some concerns that we have, namely:

- With the closure of the road, what is proposed for the use of the land and what will be the impact on our own environment.
- With power lines traversing the northern boundary of the road, what impact will this have on the development of the space as well as on our own environment.
- Since there has been significant development of the area south of this road over the recent years, this space has been affected by greatly increased water run-off, soil deposits and over growth of vegetation. In turn, our own property too, has been affected as well as damage to the boundary fence.
- Five years ago, our home incurred substantial water damage as a result of water run-off from this road during heavy rain in Mudgee. There has been no rectification of this problem, other than by us to the 4 metre strip already mentioned.
- Despite many requests to Mid-Western Regional Council (Mudgee Council and its previous names) to attend to the issues mentioned as a result of the development, there has been little done to improve the environment. Therefore, we are most concerned about what happens after the closure of the road and who has responsibility for the water management and its impact on our property. Over the years we have photographed this area showing the changes. These are available if necessary.

We realize the timeframe is outside what was stated in the letter, but having emailed and spoken to your Office, and considering the Christmas and New Year holidays, we hope and trust that these concerns and objections will be considered. We look forward to your reply.

Yours sincerely



David and Elizabeth McLean

Mrs Virginia Birks
Property Officer

Department of Lands
PO Box 865
Dubbo NSW 2830

Dear Virginia,

OJECTIONS TO ROAD CLOSURE APPLICATION W400955

With reference to your correspondence dated 19 February 2009, please find Council's response to the objection received for the above matter from David and Elizabeth McLean outlined below.

Mr and Mrs McLean are indeed maintaining an area 2.8 metres wide of the road reserve adjacent to Lot 3, but this area has been fenced from the rest of the area, and cannot be accessed by the Council slasher, so therefore it requires hand mowing by Mr and Mrs McLean. The neighbours on the other side of the road reserve also mow the slashed area close to their fence, but this is a practical measure when a vacant block adjoins suburban housing, as the mown grass level improves visibility, lessens intrusions of grass seeds into their gardens, and helps lessens the risk of snakes, attracted by the conditions in the storm water drain and the nearby Flirtation Hill Reserve, from entering the back yard.

There is a brick boundary wall that encloses the area from the house sited on Lot 3 Section 53 DP 565712 to the northern side of the Nicholson St Road Reserve, and there is no access from this lot to the Road Reserve, as the land is accessed from Henry Bayly Drive. The house on Lot 4 Section 53 DP 565712 faces Cox Street, and does not require access from Nicholson Street. This lot has a triangular section to the rear south-west corner of the land that has no vehicular access due to the storm water channel, but pedestrian access from Cox Street is possible, as this area is landscaped.

The items that seem to be "stored" in the reserve currently consist of an untidy heap of wood and branches that appear to have been cut from trees or old fence posts, and other heaps further down the block. [See attached photo - northern boundary]. Mr and Mrs McLean own both blocks to the north of the road reserve in question, so there is plenty of space available within the boundaries of their properties for the items being "stored" in the road reserve. It should be noted that all other residents have to make arrangements for the storage of building items or garden debris on another person's property if their own land does not have enough space available, and Council discourages any resident from using adjoining reserves for any form of "storage", particularly heaps that could encourage rats and snakes.

Council is hoping to foster the development of the land in the Nicholson Street Road Reserve to address the issue of vacant land, situated in an area that is rapidly upgrading the density and quality of the housing available, and therefore the expectations of the local residents are also becoming higher. Some factors that need to be considered for the future of this land include:

- This reserve will not be developed as a road because of its location near another cross street, and the cost of bridging the known stormwater drainage that traverses the block.
- The land is situated in an area with some very large block sizes, and is too close to a large reserve to consider the cost of maintaining a park for local residents.
- Council is unable to maintain the height of the grass at a level that is considered adequate when the neighbours are installing, and maintaining, immaculate gardens.
- A "wild" stormwater channel causes problems of mosquitoes, snakes, rabbits, mice and other vermin for the surrounding residents.

Therefore, facilitating an infill development that maintains the appearance of the neighbourhood is becoming a priority. There should be no impact on the environment of Lots 3 and 4 except for the need to contain all the material required for building, or generated by garden maintenance, within

their own land, and they should see an improvement in the maintenance and appearance of the neighbouring block.

Whatever is developed on this land will require the lodgement of a Development Application, and as neighbours, Mr and Mrs McLean will be invited to make submissions on the possible impact of any development at that time. The Development Application process assesses the impact of potential changes in stormwater flow, and often the opportunity is taken to improve longstanding drainage problems whilst work for the new development is being done.

The route of the power lines that is situated within the northern side of the road reserve will not change unless Country Energy change their infrastructure at sometime in the future. This issue will also be a factor in the consideration of any development application for this land.

Mr and Mrs McLean's complaints about the stormwater drainage, and possible damage to their property, are not relevant to this matter as:

- There is approximately 536 square metres of stormwater channel that cuts across the Nicholson Street road reserve, draining the higher area, including Flirtation Hill, surrounding the road reserve and Mr & Mrs McLean's land.
- Mr and Mrs. McLean bought their land with full knowledge that the area had a natural drainage flow running diagonally across Lot 4, and partially into Lot 3.
- Council maintains this area by slashing the banks where possible, weed control, and occasionally emptying sediment buildup from the channel.
- The conclusion of the development phase for the surrounding residential subdivisions has slowed the deposition of sediment in the stormwater channel, and reduced the risk of stormwater overflowing the banks of the channel.
- There is correspondence on file showing that the stormwater issue was being discussed in 2005, as there are two works requests logged regarding stormwater damage to their property in that time, and it appears that Mr and Mrs McLean in 2005 were advised that if they wished to install pipes to contain the stormwater flow through their property, they could do so.
- At that time, Council offered to pay for the extension of the stormwater piping into the road reserve if the McLean's proceeded with the enclosure of the storm water channel across their property, to further mitigate the effects of occasional high rainfall in the surrounding area, on their land.
- This offer was not required as the McLean's did not move the stormwater flow underground.

Therefore, the proposed road closure will not create the detrimental effects as outlined by Mr and Mrs McLean as the potential development on any site will need to consider the provision of appropriate buffers, access, storm water drainage and other matters within the actual development application.

I hope this is a satisfactory response to the issues outlined in Mr & Mrs McLeans' objection to the closure of this road and that the Department of Lands looks favourably on our application and approves the road closure, and subsequent transfer of this land to Council.

Should you have any queries in relation to this matter please contact either Kelly Spice or myself on 6378 2850.

Yours faithfully
LEA MARHEINE
MANAGER PROPERTY SERVICES

6.2.20 Kandos Bicentennial Museum Committee

REPORT BY MANAGER COMMUNITY DEVELOPMENT

Kandos Bicentennial Museum Committee - February
A0100055, A0060123

RECOMMENDATION

That:

1. **the report by the Manager Community Development be received;**
2. **Council accept the minutes of the Kandos Bicentennial Museum Committee meeting held on 9 February 2012;**
3. **Council introduce a fee of \$20 (inclusive of GST) to be included in the Fees and Charges schedule for basic research enquiries undertaken by the Kandos Bicentennial Museum.**

Executive summary

The Committee meets to promote and coordinate the operation of Kandos Bicentennial Museum. The next meeting will take place on 12 April 2012.

Detailed report

Colin provided an update to the Committee on the progress of works being carried out at the Museum and that a Country Arts Support Program (CASP) grant is being applied for to have a mural painted on another wall of the museum.

A letter was received from Aussie Tours advising of dates and numbers of guests expected.

Leanne Wicks advised the Committee that she had completed a Certificate IV in Museum Studies and was planning to do further studies on the topic of military objects across all wars in Kandos and Rylstone and that this would include memorials in halls and churches. Leanne asked the committee if she could use the wireless internet capability at the Museum for her continuing studies and the Committee agreed.

Promotion of exhibition space within the Museum was discussed including the possible naming of the new exhibition room. An exhibition on Queen Peggy and King Jimmy Lambert has been booked for this space for May 2012.

Other matters discussed are contained in the minutes and attached hereto.

Financial implications

Not applicable.

Strategic or policy implications

Not applicable.

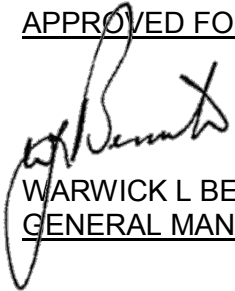
SIMON JONES
MANAGER COMMUNITY DEVELOPMENT



CATHERIVE VAN LAEREN
GROUP MANAGER DEVELOPMENT AND
COMMUNITY SERVICES

Attachments: 1. Minutes of the Meeting of the Kandos Bicentennial Museum held on 9.2.12.

APPROVED FOR SUBMISSION:



WARWICK L BENNETT
GENERAL MANAGER

**MINUTES OF MEETING OF THE
KANDOS BICENTENNIAL INDUSTRIAL MUSEUM
HELD ON THURSDAY 9 FEBRUARY 2012**

PRESENT: Pam O'Connor, Bruce Fleming, Colin Jones, Marie Ford, Peg Butler, Leanne Wicks, Lesley Pennell

Council Staff: Simon Jones, Virginia Handmer (minutes)

1. **WELCOME:** Simon Jones declared the meeting open at 2.10pm and welcomed everyone.

2. **APOLOGIES:** Cr Esme Martens, Ivy Tomlinson, Bob Tomlinson, Noel Costello
a. Moved: Bruce Fleming Seconded: Leanne Wicks **Apologies Accepted**

3. **ADOPTION OF PREVIOUS MINUTES OF 8th DECEMBER 2011**

a. Moved: Peg Butler Seconded: Pam O'Connor **Minutes Accepted**

4. MATTERS ARISING FROM THE MINUTES

4.1 Upgrade works

Colin Jones provided an update on the works:

- The exhibition panels still need text added.
- The work is behind schedule and Colin will contact the Ministry regarding an extension to the time for the funding.
- Once the exhibition area is finalised, the portico and entrance will be addressed

Note: The expenditure budget for the upgrade works for 2011/12 is \$90,152.

As at 1st of February, \$37,602 has been spent with \$52,549 still to spend.

4.2 Mural

A CASP grant is being applied for to have a mural painted on another wall of the museum; it is hoped that Bucryus will be interested in doing this together with youth from the area. The application is supported with letters from the Museum Committee and other community groups such as KYAC.

4.3 Auction at the Cement works

On the 29th February goods will be auctioned at Kandos Cement Works; Colin Jones and Bruce Fleming will inspect items on the 28th prior to the auction.

4.4 Donations from the Kandos Cement Works

Items discussed as per accession report. A couple of items have come through already. Other items waiting until March 2012 when the buildings will be fully cleared.

4.5 Kandos Cement Display

Information on this proposal has been provided to Cement Australia – Colin is waiting on a response from them.

4.6 Fees and Charges Policy for new exhibition area

This has been deferred until the completion of the upgrade works.

4.7 Aussie Sights Tour Group

A letter has been sent to Aussie Tours. Two tours expected:

Sat 10 March 10am	Aussie Sights Tour	25 people	Morning Tea
Sat 27 March TBC	Topp Tours	35 TBC	NO FOOD

4.8 Trees on Jacques Street

Virginia has put in a works request to get these trimmed.

5. CORRESPONDENCE

- Enquires re BP Salt (soldier)
- Laurie Perelli (Isabella Plains) re Dawsons; Leanne Wicks to reply
- Denise Jamieson correcting information of the Rylstone Historical Society calendar
- DE North book; request dealt with by Noel
- Claudia Agnews comments about Jessie Hickman
- Ray Leech; re Mother Eileen Theresa Leech (dealt with in the past)
- Booking from Topp Tours for 27 March 30-35 Seniors at \$3 per person (96339562/0428284725) volunteers to provide morning tea and be in attendance please.

These items led to a discussion about the need for a system of dealing with correspondence.

- History correspondence (who does this?) These generally would not need to come to the committee
- Committee items are tabled and discussed at meetings
- The need for a research officer was discussed. A form letter needs to be developed acknowledging receipt of the enquiry and that there is now a cost associated with each enquiry (\$20 and a stamped addressed envelope for the returning of information).

Motion: That Council institute a research fee of \$20 per enquiry undertaken by the Kandos Bicentennial Museum.

Moved: Pam O'Connor Seconded: Leslie Pennell

Motion Carried

6. ACCESSION REPORT

Pam O'Connor spoke to her report which will be attached to these minutes. She asked for petty cash for plastic sleeves and assistance to put postcards from Mrs Kearins shop into them.

Acceptance of the Accession Report

Moved: Pam O'Connor Seconded: Leanne Wicks

Motion Carried

7. TREASURER'S REPORT

Copy of report attached to minutes

Acceptance of the Treasurer's Report

Moved: Peg Butler Seconded: Bruce Fleming

Motion Carried

8. GENERAL BUSINESS

8.1 Leanne Wicks Museum studies

Leanne told the committee that she has completed certificate 4 in Museum studies and is planning to do a PhD on the topic of Military Objects across all wars in Kandos and Rylstone. This will include memorials in halls and churches.

Leanne asked the committee if she can use the wi-fi at the museum for her continuing study.

Motion: That the Kandos Museum Committee support Leanne Wicks study and allow her the use of wireless internet at the Museum with her own computer.

Moved: Pam O'Connor Seconded: Bruce Fleming

Motion Carried

8.2 View Club Mudgee and teaching at Lue School

Leanne Wicks is speaking at View Club in Mudgee on the 2nd of March on the new Museum exhibition space and asked if she could take some books to sell on behalf of the Museum. (Bob to order). She would also like to take some props such as a cross stitch, and will fill out the necessary form.

Teaching at Lue School; Leanne is teaching at Lue school one day a week and has asked for some 'seconds' to teach pupils about setting up an exhibition.

8.3 Exhibition space

8.3.1 There is a need to develop a document listing the square metres and linear metres of the room, also what security is provided so it can then be promoted as a suitable venue for travelling exhibitions and general use. Possible naming of the room was discussed.

8.3.2 There was discussion that a plaque should be acquired in memory of Peter McQuiggan and the work he did towards the establishment of the Museum.

8.3.3 An exhibition is booked for the exhibition space; an exhibition on Queen Peggy and King Jimmy Lambert. The grant for this exhibition must be spent by May.

9. Other Items

9.1 Kandos Centenary Meeting Monday 4.30 pm on 20 February at Kandos CWA hall. It is hoped that a working party will be formed from that meeting and that the group will work with other community groups (such as the Museum Committee) to develop evens to mark the centenary.

9.2 The museum shop needs more postcards

9.3 Peg Butler raised the matter of street signage saying that the intersection near the Police Station did not have a sign for "Kandos". The committee was informed that this may be because by this time travellers have already passed the big blue entrance signs for Kandos on the Bylong Valley Way (both directions).

9.4 Items from the Cement works - Bruce Fleming presented some stationary items to the Committee

9.5 Photograph of Floyd Richards -Bruce Fleming presented a photo of Floyd Richards, the manager of the cement works in 1919 who donated cement for the church (now Museum).

10. ACTION LIST

Item	Responsibility
Fees and charges for exhibition space on the agenda when upgrade works are completed	Virginia Handmer
Cash register needs service (in Dubbo)	Colin Jones
Letter to be sent when DVD received	Virginia Handmer
Kandos Cement Display proposal given to company	Colin Jones
Works request for lopping of trees on Jaques Street (done in 2011 but being followed up) works request TR0076/2012	Virginia Handmer
Recommendation to Council regarding research fee	Simon Jones

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

Next meeting: Thursday 12 April 2012 at 2pm at the Kandos Museum.

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