



ORDINARY MEETING



Wednesday 7 November 2012





PO BOX 156
MUDGEE NSW 2850

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

Ph: 1300 765 002 or (02) 6378 2850
Fax: (02) 6378 2815

Email: council@midwestern.nsw.gov.au

31 October 2012

Dear Councillor

MEETING NOTICE
Ordinary Meeting
Wednesday, 7 November 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 17 October 2012	4
Item 4:	Matters in Progress	25
Item 5:	Mayoral Minute.....	30
Item 6:	General Business	31
	6.1 Notices of Motion	31
	6.1.1 Affordable housing	31
	6.1.2 Development of Red Hill	32
	6.1.3 Funds for doctor's house in Gulgong	33
	6.1.4 Redbank Creek Dam	34
	6.1.5 Wood smoke reduction	35
	6.1.6 Workers transport	36
	6.2 Reports	37
	6.2.1 DA 0114/2013 - Proposed Outdoor Deck and Gaming Area - Lawson Park Hotel - Corner Short and Church Street Mudgee	37
	6.2.2 Draft Development Control Plan 2012	48
	6.2.3 Adequacy Review of Environmental Assessment – Cobbora Coal Project	50
	6.2.4 Financial Assistance – Applications	69
	6.2.5 Names to be included on the Pre-Approved Street/Road Names List	81
	6.2.6 Naming of new roads in Bellevue Hill Estate subdivision	85
	6.2.7 Transfer of Closed Road	92
	6.2.8 Naming of Bridges on Lue Road	95
	6.2.9 Reduction in Swimming Pool Entry Fees	104
	6.2.10 Fees and Charges - Mudgee Town Hall	106
	6.2.11 Mudgee Sewerage Augmentation Progress Report	110
	6.2.12 Wet and Dry Plant Hire Tender 2010/05 Additional Contractor	124
	6.2.13 Mudgee Showground Management Committee Structure	126
	6.2.14 Mudgee Saleyards Management Committee	132
	6.2.15 Christmas lights	135
	6.2.16 Gulgong Town Hall 355 Committee - New Member	136
	6.2.17 Mudgee Sports Council	140
	6.2.18 Gulgong Sports Council	145
	6.2.19 Weeds Advisory Committee	149

6.2.20	MRTI Contract Renewal	153
6.2.21	Home and Community Care Services – Quarterly Report	161
6.2.22	Allegation of Breach of Code of Conduct	166
6.2.23	Equal Employment Opportunity and Workplace Diversity Policy	167
6.2.24	2011/12 Annual Report	170
Item 7:	Urgent Business Without Notice	171

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 17 October 2012

COUNCIL DECISION:

That the Minutes of the Ordinary Meeting held on 17 October 2012, Minute Nos 448/12 to 496/12 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 17 October 2012, commencing at 6.56 pm and concluding at 9.42 pm

PRESENT	Cr D Kennedy (Mayor), Cr P Cavalier, Cr EE Martens (AM), Cr PA Shelley, Cr JP Thompson, Cr MB Walker, Cr JK Weatherley, Cr JR Webb, Cr L White
IN ATTENDANCE	General Manager (W L Bennett), Group Manager Mid-Western Operations (B Cam), Group Manager Development and Community Services (C Van Laeren), Group Manager Finance and Administration (C Phelan), Executive Secretary (M Sutton), Manager Governance (I Roberts)
MEDIA REPRESENTATIVES	Mudgee Guardian / The Weekly (R Murray), Radio 2MG (M Heldon).

Item 1: Apologies

There were no apologies.

Item 2: Disclosure of Interest

Councillor Kennedy declared a pecuniary interest in Item 7.2.22 in that he has a business relationship with the owner of the business.

Councillor Kennedy declared a pecuniary interest in Item 9.1.2 in that he has a business relationship with the owner of the property.

Councillor Walker declared a pecuniary interest in Item 7.2.3 in that he believes that his brother may have a contractual relationship with the owner of this property.

Councillor Walker declared a pecuniary interest in Item 7.2.36 in that he is a contractor to this project.

Councillor Walker declared a pecuniary interest in item 9.1.4 as he is a contractor to the party subject to the verbal report by the General Manager

Item 3: Presentation of Financial Statements

Mr John O'Malley (Morse & Co), Council's Auditors gave a presentation on the audited financial statements, outlining Council's financial position.

Item 4: Confirmation of Minutes

448/12 **MOTION:** Shelley/Walker

That the Minutes of the Ordinary Meeting held on 26 September 2012 (Minute Nos. 371/12 to 447/12) be taken as read and confirmed.

The motion was put and carried.

Item 5: Matters in Progress

Safety Upgrade Works – Redbank Creek Dam

449/12 **MOTION:** Webb/Weatherley

That this matter be noted as completed.

The motion was put and carried.

Item 6: Mayoral Minutes

There was no Mayoral Minute.

Item 7: General Business

7.1 NOTICES OF MOTION

7.1.1 COUNCIL ELECTIONS

A0100055, A0100035

MOTION: Thompson/Martens

That:

That Council encourage the State Government (in relation to Council elections) that in future, pre-polling only last for one week prior to the elections. If agreed by Council, this proposal should be put to the Local Government Association by the Council representative, for consideration at its conference in Dubbo on 28-30 October.

The motion was withdrawn.

450/12 **MOTION:** Shelley/Cavalier

That Council write to the Local Government and Shires Association to seek its support for a review of the local government electoral legislation to modernise the laws, enable better use of technology and make the electoral process flexible so that what may be appropriate in large city-based political councils is not always appropriate for regional NSW.

The motion was put and carried.

7.1.2 MINING ROYALTIES FROM MINING-AFFECTED REGIONS OF COUNCIL

A0100055, A0100035

451/12 **MOTION:** Thompson/Martens

That:

- 1. Council seek support of the Local Government and Shires Association to request from the State Government that a percentage of mining royalties be spent in those Council areas affected by mining.**
- 2. Council ask the executive of the Local Government and Shires Association to support this position as a matter of policy.**

The motion was put and carried.

7.2 REPORTS TO COUNCIL

7.2.1 DA0018/2013 DEPOT, LOT 12 DP 1028008, 5 PRICE STREET, WOLLAR

A0100055, P1170162

452/12

MOTION: Walker/Weatherley**That:**

1. the report by Environmental Planner on the DA0018/2013 Depot, Lot 12 DP 1028008, 5 Price Street, Wollar be received;
2. Development Application DA0018/2013 for a Depot, Lot 12 DP 1028008, 5 Price Street, Wollar be determined by way of consent subject to the following conditions:

APPROVED PLANS

1. Development is to be carried out generally in accordance with site plan and the application received by Council on 17/07/2012 except as varied by the conditions listed herein. Any minor modification to the approved plans will require the lodgement and consideration by Council of amended plans. Major modifications will require the lodgement of a new development application.

AMENDMENTS

2. The plans are to be amended in the following manner:
 - a) To show that landscaping trees greater than 2 metres in mature height will be provided on the site inside the security fencing for the length of side and rear boundaries.
The amended plans are to be submitted to council for approval within one (1) month of the date of consent and the landscaping trees provided on site within three (3) months of the amended plans being approved by council.

GENERAL

3. The approved hours of operation for the use are 7am – 5pm Monday to Friday. The use is not approved to operate outside these hours or on public holidays.
4. The use must operate so there is no interference with the amenity of the neighbourhood by reason of the emission of any “offensive noise”, vibration, smell, fumes, smoke, vapour, steam, soot, ash or dust, or otherwise.
5. The construction of an all-weather vehicle access to the development, in accordance with the following minimum guidelines:
 - (i) a gate or stock grid (if applicable) set back a minimum distance of fifteen (15) metres from the edge of the traffic lane of the public road;
 - (ii) a minimum 4.0 metre wide compacted gravel driveway, extending from the edge of pavement on the public road to the entrance gate or stock grid;
 - (iii) a minimum 150mm thick, 4.0 metre wide concrete dish drain or 375mm diameter reinforced concrete pipe culvert with headwalls, located outside the clear zone, having the table drain directed through it.
 - (iv) the access shall be located such that adequate sight distances are achieved, as specified in the Austroads publication ‘Intersections at Grade’.
6. All earthworks, filling, building, driveways or other works, are to be designed and constructed (including stormwater drainage if necessary) so that at no time will any ponding of stormwater occur on adjoining land as a result of this development.
7. The proposed use involves the use of the premises as a depot to store equipment and vehicles while not in use. There is to be no manufacture or fabrication occurring onsite without Council approval.

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

Councillors	Ayes	Nayes
Cr Cavalier	✓	
Cr Kennedy	✓	
Cr Martens		✓
Cr Shelley	✓	
Cr Thompson	✓	
Cr Walker	✓	
Cr Weatherley	✓	
Cr Webb	✓	
Cr White	✓	

7.2.2 DA0038/2012 – PROPOSED DWELLING ADDITION – 67 LUE ROAD MUDGEE

A0100055, P0303663

453/12

MOTION: Walker/Weatherley

That:

1. the report by Council's Environmental Town Planner on the Development Application No. 0038/2012 – Proposed Dwelling Addition – 67 Lue Road Mudgee be received;
2. Development Application No. 0038/2012 – Proposed Dwelling Addition – 67 Lue Road Mudgee be determined by way of consent subject to the following conditions;

APPROVED DEVELOPMENT

1. This consent relates to the erection of a pavilion style dwelling addition and ancillary works, as illustrated on the plans, specifications and supporting documentation received by Council stamped with reference to this consent, as modified by the following conditions. The development shall be carried out in accordance with this consent.
2. The development is to be carried out generally in accordance with the stamped approved plans Ref, Wilson Residence, Drawing No. A1.01,A3.01, A3.02, A7.01, A7.02, A8.01, A0.03 Dated July 2012 prepared by Cameron Anderson Architects P/L including any Amendments made in red.

Notes:

Any alteration to the plans and/or documentation shall be submitted for the approval of Council. Such alterations may require the lodgement of an application to amend the consent under s96 of the Act, or a fresh development application. No works, other than those approved under this consent, shall be carried out without the prior approval of Council.

3. Where there is an inconsistency between the documents lodged with this application and the following conditions, the conditions shall prevail to the extent of that inconsistency.

GENERAL

4. If any Aboriginal artefacts are uncovered or identified during construction earthworks, such work is to cease immediately and the local aboriginal community and National Parks and Wildlife Service are to be notified.

(Note: A suitably qualified person would be required to be present during earthworks to identify whether any artefacts were uncovered).

5. The applicant shall, at their own expense, engage a registered surveyor to relocate any survey mark that may be disturbed by the development or any associated work. Any information regarding relocation should be supplied to the Land Titles Office and Council.
6. All building work must comply with the requirements of the Building Code of Australia 2012, Volume Two, together with the relevant Australian Standards and

also the Environmental Planning and Assessment Act, 1979, as amended, and Regulations.

7. Prior to the occupation of a new building, an Occupation Certificate must be obtained from the Principal Certifying Authority appointed for the erection of the building.

PRIOR TO THE COMMENCEMENT OF WORKS

8. Separate application must be made under Section 68 of the Local Government Act 1993, as amended, to Mid-Western Regional Council for all water supply, sewerage, and stormwater drainage work associated with the development. Full details must be submitted to the Council for approval prior to the issue of the commencement of works.
9. 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:
 - i) A Construction Certificate is to be obtained in accordance with Section 81A(2)(a) of the Act.
 - ii) 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.
 - iii) 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.
10. 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.
11. Toilet facilities are to be provided at or in the vicinity of the nominated work site and for this purpose provide either a standard flushing toilet or an approved sewage management facility.
12. A sign must be erected in a prominent position on any work site on which the erection of a building is being carried out;
 - i) Stating that unauthorised entry to the work site is prohibited, and
 - ii) Showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.
13. Runoff and erosion controls must be installed prior to clearing the site and incorporate:
 - i) Diversion of uncontaminated upslope runoff around cleared and/or disturbed areas and areas to be cleared and/or disturbed.
 - ii) 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.
 - iii) 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.
14. With the exception of work where there is in force an exemption under clause 187 or 188 of the Environmental Planning & Assessment Act 1979 all building work that involves residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, such a contract of insurance is to be in force. No work is to commence until a copy of a Home Owners Warranty or Owner/Builders Permit have been submitted to Council.

PRIOR TO THE ISSUE OF CONSTRUCTION CERTIFICATE

15. A Construction Certificate application must include working drawings of the structural elements of the proposed buildings within the development, prepared and certified by a practising Professional Structural Engineer. Full details are to be provided with the Construction Certificate application and detail compliance with Council's Flood Risk DCP in terms of flood compatible materials and structural design.
16. In accordance with the provisions of section 94A of the Environmental Planning and Assessment Act 1979 and the Mid-Western Regional Council Section 94A Development Contributions Plan, a levy of 1% of the cost of carrying out the development shall be paid to Council in accordance with this condition for the purpose of:

Traffic Management, Road Works, Open Space, Community Facilities and Plan Administration.

The levy is: \$2,500 based on the estimated cost of development of \$250,000.

CONDITIONS RELATING TO THE BUILDING WORK

17. Construction work noise that is audible at other premises is to be restricted to the following times.

Monday to Friday -- 7.00am to 6.00pm
Saturday -- 8.00am to 1.00pm
No construction work is permitted on Sundays and Public Holidays.
18. 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.
19. The selected plumber/drainer must provide Council with a drainage diagram detailing the location of the drainage system and the relevant connections.
20. All plumbing and drainage inspections must be carried out by Council prior to the covering of any trenches and/or wall/ceiling linings.
21. Building work is to comply with the requirements of clause 2.5 "Building in Saline Environments" contained in Council's Development Control Plan for "Residential Development" 2008 relating to the measures that must be implemented for the construction of house slabs and footings. The strength of the concrete used for the reinforced concrete floor slab must achieve a minimum 25MPa (N25).
22. The installation of the damp-proof membrane under each slab-on-ground construction must comply with NSW Clause 3.2.2.6 of the Building Code of Australia, Volume Two, 2010 regarding the use, installation and branding of a "high impact" damp-proof membrane.
23. The requirements of the submitted BASIX Certificates, number A143457 issued on 25 July, 2012 must be installed and/or completed in accordance with the commitments contained in that Certificate. Any alteration to those commitments will require the submission of an amended BASIX Certificate to the Council prior to the commencement of the alteration/s. Prior to the occupation of the building a written statement must be submitted to the Council confirming the installation/completion of those commitments.

PRIOR TO ISSUE OF THE OCCUPATION CERTIFICATE

24. All building or site works or other written undertaking or obligation indicated in the submitted plans and supporting documentation or otherwise required under the terms of this consent being carried out or implemented prior to the occupation of the premises.

25. Prior to the occupation of a new building, an Occupation Certificate is to be obtained from the Principal Certifying Authority appointed for the erection of the building.
26. Prior to the occupation of the building a written statement must be submitted to the Council confirming the installation/completion of those commitments.

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

Councillors	Ayes	Nayes
Cr Cavalier	✓	
Cr Kennedy	✓	
Cr Martens		✓
Cr Shelley	✓	
Cr Thompson	✓	
Cr Walker	✓	
Cr Weatherley	✓	
Cr Webb		✓
Cr White	✓	

7.2.3 DA 0049/2013 - PROPOSED SHED AND BUILDING ENVELOPE, LOT 6 DP 1150667, 239-241 ROBERTSON ROAD, SPRING FLAT

A0100055, P2068261

Councillor Walker declared a pecuniary interest in that he believes that his brother may have a contractual relationship with the owner of this property, left the meeting at 7.37 pm and did not participate in discussions or vote in relation to this matter.

454/12

MOTION: Shelley/Weatherley

That:

- A. the report by Manager Statutory Planning on the DA 0049/2013 Proposed Shed and building envelope, lot 6 DP 1150667, 239-241 Robertson Road, Spring Flat be received;
- B. That Development Application DA 0049/2013 Proposed Shed and building envelope, lot 6 DP 1150667, 239-241 Robertson Road, Spring Flat be granted development consent subject to the following conditions;

APPROVED DEVELOPMENT

1. The development is to be carried out in accordance with the approved stamped plans, except as otherwise provided by the conditions of this determination (Note:- modifications to the approved plans will require the lodgement and consideration by Council of a modification pursuant to Section 96 of the Environmental Planning and Assessment Act).

AMENDMENT

2. The proposed setback to the southern boundary is to be amended to 5 metres to ensure sufficient separation between the subject lot and the adjoining property.

BUILDING CONSTRUCTION

3. All building work must comply with the requirements of the National Construction Code 2012, Volume Two, together with the relevant Australian Standards and also the Environmental Planning and Assessment Act, 1979, as amended, and Regulations.
4. Full details must be provided with the Construction Certificate application.
5. 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.

6. Construction work noise that is audible at other premises is to be restricted to the following times.
 - Monday to Friday -- 7.00am to 6.00pm
 - Saturday -- 8.00am to 1.00pm
 - No construction work is permitted on Sundays and Public Holidays.
 7. The site must be provided with a waste enclosure (minimum 1800mm x 1800mm x 1200mm high) that has a lid or secure covering for the duration of the construction works to ensure that all wastes are contained on site. The enclosure is to be emptied periodically to reduce the potential for rubbish to be blown from the site. Council encourages the separation and recycling of suitable materials.
 8. Prior to the occupation of a new building, an Occupation Certificate is to be obtained from the Principal Certifying Authority appointed for the erection of the building.
 9. A sign must be erected in a prominent position on any work site on which the erection of a building is being carried out;
 - stating that unauthorised entry to the work site is prohibited, and
 - showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.
 10. The strength of the concrete used for the reinforced concrete floor slab must be 25MPa (N25)
 11. All stormwater is to discharge a minimum 3 metres from the building in such a way as to not adversely affect adjoining properties.
 12. The building shall be used for domestic purposes ancillary to the residential use of the land. The building shall not be adapted nor used for residential, commercial or industrial purposes without prior approval of Council.
 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:
 - Council is to give 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. The building is to be constructed using non-reflective building materials.
- C. That the General Manager or his delegate be given delegation to determine future applications for buildings within the subdivision (lots 1 to 8 DP 1150667) outside of the registered building envelope subject to assessment under Section 79C of the Environmental Planning and Assessment Act 1979 and notification to adjoining owners.

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

Councillors	Ayes	Nays
Cr Cavalier	✓	
Cr Kennedy	✓	
Cr Martens	✓	
Cr Shelley	✓	
Cr Thompson	✓	
Cr Weatherley	✓	
Cr Webb	✓	
Cr White	✓	

Councillor Walker returned to the meeting at 7.38 pm.

7.2.4 DEVELOPMENT APPLICATION 0013/2013 – 158 ROBERTSON STREET MUDGEES – SERVICED APARTMENTS

A0100055, P0768661

455/12

MOTION: Webb/Shelley

That it be noted that this matter was withdrawn.

The motion was put and carried.

7.2.5 CAERLEON PLANNING PROPOSAL & DEVELOPMENT CONTROL PLAN REVIEW OF SUBMISSIONS

A0100055, A0420236

456/12

MOTION: Shelley/Walker

That:

1. the report by Manager Strategic Planning on the Planning Proposal – Caerleon Planning Proposal and Development Control Plan be received;
2. Council endorse a revised Planning Proposal including amended zoning and lot size maps and the inclusion of a draft local provision relating to the site;
3. the revised Planning Proposal be forwarded to the Minister under section 58 of the Environmental Planning and Assessment Act requesting that the proposal proceed as amended and that the Minister make the plan in accordance with section 59 of the Act.
4. the Development Control Plan for the Caerleon Precinct amended as follows:
 - (i) to reduce the road carriageway widths from 8.0m to 7.5m carriageway and from 16m to 15m road reserve for residential local streets and reduce the verge widths for residential collector street from 4m to 3.5m and from 19m to 18m road reserve in table 2 to section 3.1
 - (ii) to reduce the buffer to the railway corridor from 50m to 40m in section 4.1;
 - (iii) to include both natural and engineered option of storm water drainage at the northern end of the site in section 7.1;
 - (iv) to include a maximum Gross Floor Area of 1280m² for a single tenancy in the B4 Mixed Use zone in section 6.1;
 - (v) to maintain a loop road on the concept plan; and
5. Council notify the Development Control Plan concurrent with the publication of the amending Local Environmental Plan for the Caerleon precinct.

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

Councillors	Ayes	Nayes
Cr Cavalier	✓	
Cr Kennedy	✓	
Cr Martens		✓
Cr Shelley	✓	
Cr Thompson	✓	
Cr Walker	✓	
Cr Weatherley	✓	
Cr Webb	✓	
Cr White	✓	

7.2.6 PLANNING PROPOSAL - 16 SYDNEY ROAD, MUDGEES

A0100055, A0420246

MOTION: Walker/Shelley

That:

1. the report by Manager Strategic Planning on the Planning Proposal - 16 Sydney Road, Mudgees be received;

2. Council prepare an amending Local Environmental Plan for 16 Sydney Road, Mudgee to provide for the development of a motel on the site via an addition to Schedule 1 of LEP 2012;
3. the Planning Proposal under section 55 of the Environmental Planning and Assessment Act for the rezoning of 16 Sydney Road, Mudgee be forwarded to the Department of Planning and Infrastructure seeking a Gateway Determination;
4. a further report be presented to Council upon the completion of the exhibition addressing any submissions.

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

Councillors	Ayes	Nayes
Cr Cavalier		✓
Cr Kennedy	✓	
Cr Martens		✓
Cr Shelley	✓	
Cr Thompson	✓	
Cr Walker	✓	
Cr Weatherley		✓
Cr Webb		✓
Cr White		✓

7.2.7 DRAFT SECTION 94 PLAN – DRAINAGE

A0100055, A0420128

457/12

MOTION: Shelley/Walker

That:

1. the report by Manager Strategic Planning on the amendment of the Draft Section 94 Contributions Plan be received;
2. the Draft Section 94 Contributions Plan be adopted and that an advertisement notifying the commencement of the Plan be placed in the local Newspaper in accordance with the requirements of the Environmental Planning and Assessment Act.

The motion was put and carried.

7.2.8 NSW OFFICE OF WATER GUIDELINES FOR RIPARIAN CORRIDORS ON WATERFRONT LAND

A0100055, A0170053

458/12

MOTION: Shelley/Martens

That:

1. the report by the Manager Statutory Planning on the NSW Office of Water Guidelines for Riparian Corridors be received;
2. Council write a letter to the Minister responsible for the NSW Office of Water raising concerns about the impact of the new guidelines on the development of land within the Local Government Area (specifically Mudgee) and the implications for ownership and maintenance of this land for Council.

The motion was put and carried.

7.2.9 FINANCIAL ASSISTANCE – APPLICATIONS

A0100055, A0140201

459/12

MOTION: Shelley/Martens

That:

1. the report by Financial Accountant on the 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, subject to those requirements being met, with the funding from the general financial assistance vote:

Mudgee Civilian Rifle & Small Bore Club Inc	\$1,067.32
Country Women's Association of NSW	\$2,500.00
Anglican Diocese of Bathurst Parish of Rylstone-Kandos	\$1,000.00
Gulgong Show Society	\$3,000.00
Kandos Rylstone Men's Shed	\$786.00

3. Council decline the financial assistance application from Jennifer Brown as the application does not satisfy the Financial Assistance Policy criteria.

The motion was put and carried.

7.2.10 MONTHLY DEVELOPMENT APPLICATIONS PROCESSING AND DETERMINED A0100055

- 460/12 **MOTION: Weatherley/Martens**
That monthly development application report for the month ending 30 September 2012 be received.

The motion was put and carried.

7.2.11 MONTHLY STATEMENT OF MID-WESTERN REGIONAL COUNCIL BANK BALANCES AND INVESTMENTS AS AT 30 SEPTEMBER 2012 A0100055, A0140304

- 461/12 **MOTION: Shelley/Martens**
That:
1. the investment report as at 30 September 2012 by the Manager Financial Planning be received;
2. the certification by the Responsible Accounting Officer be noted.

The motion was put and carried.

7.2.12 FINANCIAL RESERVES POLICY A0100055, A0140326

- 462/12 **MOTION: Martens/Walker**
That:
1. the report by the Manager Financial Planning on the Financial Reserves Policy be received; and
2. Council adopt the revised Financial Reserves Policy.

The motion was put and carried.

7.2.13 PRESENTATION OF FINANCIAL STATEMENTS 2011/12 A0100055, A0149933

- 463/12 **MOTION: White/Weatherley**
That:
1. The report by the Group Manager Finance & Administration on the presentation of the 2011/12 financial statements be received; and
2. Council congratulate staff both in respect of the excellent financial result and in having the statements completed in such a timely manner.

The motion was put and carried.

7.2.14 INFORMATION TECHNOLOGY ACCEPTABLE USE POLICY A0100055, A0070010

- 464/12 **MOTION: Shelley/Martens**
That:
1. the report by the Group Manager Finance & Administration on Acceptable Use of Information Technology be received; and
2. Council adopt the revised Acceptable Use of Information Technology Policy.

The motion was put and carried.

7.2.15 NAMING OF ROAD RESERVE OFF INDUSTRIAL AVENUE – ALLAN STEWART PLACE

A0100055, R0790141

MOTION: Webb/Shelley

That:

1. the report by Manager Revenue and Property on the naming of Allan Stewart Place be received;
2. Council formally approve the naming of Allan Stewart Place for the unnamed road reserve off Industrial Avenue.

465/12

AMENDMENT: Thompson/Walker

That Council determine that the unnamed road reserve off Industrial Avenue be named Engineers Road subject to the approval of the Geographical Names Board.

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

7.2.16 NAMING OF NEW UNNAMED ROADS OFF GREVILLEA STREET – HOLLINGSWORTH DRIVE,
ROY CROSS PLACE & HASLER PLACE

A0100055, R0790141

466/12

MOTION: Walker/Shelley

That:

1. the report by the Manager Revenue and Property on the naming of Hollingsworth Drive, Roy Cross Place and Hasler Place be received;
2. Council formally approve the naming of Hollingsworth Drive, Roy Cross Place and Hasler Place for the new road and cul-de-sacs off Grevillea Street.

The motion was put and carried.

7.2.17 NAMING OF ROAD RESERVE BETWEEN KILKENNY AVENUE AND MARSHFIELD LANE –
MARSHFIELD LANE

A0100055, R0790041

467/12

MOTION: Walker/Weatherley

That:

1. the report by Manager Revenue and Property on the naming of Marshfield Lane be received;
2. Council formally approve the naming of Marshfield Lane for the unnamed road reserve between Kilkenny Avenue and Marshfield Lane.

The motion was put and carried.

7.2.18 2012 CHRISTMAS CLOSE DOWN

A0100055, A0260003

468/12

MOTION: Shelley/Walker

That Council notes for information that the:

1. Council staff, Council administrative Centres and the Gulgong and Kandos Library will close for the Christmas holidays at 12 noon on Friday 21 December 2012, returning on Wednesday 2 January 2013;
2. Mudgee Library in the Stables to close on Friday 14th December at 6pm and re-open at the Town Hall on Wednesday January 2nd; and;
4. Public will be notified through the Community News and appropriate signs be affixed to the doors of Council's premises advertising of the closure period.

The motion was put and carried.

7.2.19 CAR PARK – COLLYER PARK

A0100055, R1157003

469/12

MOTION: Walker/Webb**That:**

1. the report by General Manager on the Car Park - Collyer Park be received;
2. Council approve in principle, the construction of a public car park at Collyer Park, at the rear of the doctors' surgery, subject to the following conditions:
 - Council being able to obtain the necessary easements across the adjoining landowner's property,
 - Negotiations with the owner of the South Mudgee Shopping Centre to determine the trigger point that warrants additional car park facilities in the future,
 - the design of a public car park being able to meet the criteria not to inhibit the efficient flow of stormwater;
 - the owners of the Doctors Surgery premise's fund the total cost of the development of the car park including all design and legal costs.
3. the General Manager be given the delegated authority to proceed with all necessary documentations and agreements to develop the car park if the conditions in paragraph 2 of this resolution are able to be met.

The motion was put and carried.

7.2.20 CHURCH STREET UPGRADE

A0100055, R1143008

470/12

MOTION: Walker/Shelley**That:**

1. the report by General Manager on the Church Street Upgrade be received;
2. Council amend the 2012/13 Operational Plan and Budget to allow for a comprehensive upgrade of Church Street Mudgee between Mortimer Street and Gladstone Street to reflect other sections of Church Street in the Mudgee CBD at a cost of \$1,046,500.00
3. Council approve the funding of the Church Street upgrade at \$1,046,500 in the 2012/13 Operational Plan and Budget to be \$114,000 from the Water Fund and \$932,500 from General Fund (acknowledging that \$350,000 is already including in the budget from General Fund).

The motion was put and carried.

7.2.21 COUNCIL REPRESENTATIVE ON MUDGEE REGIONAL TOURISM INC

A0100055, A0110015

471/12

MOTION: Weatherley/Shelley**That:**

1. the report by General Manager on the Council representative on Mudgee Regional Tourism Inc be received;
2. Council delegates comprise one Councillor (Councillor Kennedy) and the General Manager (or his nominee).

The motion was put and carried.

7.2.22 ROSS GRANATA MOTORS (AMBIAF P/L) WATER USAGE

A0100055, P0600811, A0141202, F0780106

Councillor Kennedy declared a pecuniary interest in that he has a business relationship with the owner of the business, vacated the Chair and left the meeting at 7.57 pm and did not participate in discussions or vote in relation to this matter. In his absence Councillor Webb assumed the Chair.

472/12

MOTION: Walker/Weatherley

That:

1. the Manager Revenue & Property report on the Ross Granata Motors (Ambiaf P/L) water usage be received;
2. Council write-off the sewer usage discharge account for Ross Granata Motors (Ambiaf P/L) for the sum of \$3,673.79; and
3. Council write-off the water usage charge of \$7,308.00 as shown on the water consumption notice dated 2 August 2012 and charge the property owner an amount based on the most recent water consumption notices.

AMENDMENT: Webb/Martens

That:

1. the Manager Revenue & Property report on the Ross Granata Motors (Ambiaf P/L) water usage be received;
2. Council write-off the sewer usage discharge account for Ross Granata Motors (Ambiaf P/L) for the sum of \$3,673.79; and
3. Council not write-off the water usage charge of \$7,308.00 as shown on the water consumption notice dated 2 August 2012.

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

Councillor Kennedy returned to the meeting at 8.15 pm and resumed the Chair.

7.2.23 MUDGEES PRESCHOOL PLAYGROUND EXPANSION

A0100055, A0820020

473/12

MOTION: White/Webb

That:

1. the report by the Economic Development Officer on the Mudgee Preschool Playground Expansion be received;
2. Council agree in principle to the lease of a section of Robertson Park to Mudgee Preschool;
3. As Robertson Park is Crown Land, with Council as Trust Manager, Council seek the consent of the Department of Primary Industries Crown Lands Division and the Minister for Lands to the lease of a section of Robertson Park to Mudgee Preschool;
4. Council authorises the General Manager to enter into a lease agreement;
5. Council amend the management plan for Robertson Park to allow for the extension of the pre-school and place that plan on public exhibition for 30 days;
6. Council liaise with the Mudgee Presschool in relation to appropriate fencing and landscaping.

The motion was put and carried.

7.2.24 PROCESS FOR TENDER FOR SUPPLY OF ELECTRICITY

A0100055, A0370029, A0100026

474/12

MOTION: Walker/Weatherley**That:**

1. the report by the Group Manager Finance & Administration on the process for tender for supply of electricity be received;
2. Council commence the process of a reverse auction for supply of electricity from 1 July 2013 for contestable metered sites and street lighting; and
3. Council commence the process of a standard tender for supply of electricity for small mass market sites.

The motion was put and carried.

7.2.25 AIRPORT CAR PARKING

A0100055, A04700025

475/12

MOTION: Walker/Cavalier**That:**

1. the report by the General Manager on Airport Car Parking be received;
2. that a report be presented to Council on the expansion of the carpark at the Mudgee Airport including the cost of such work.

The motion was put and carried.

7.2.26 POOL AMENITIES UPGRADES

A0100055, A0411202

476/12

MOTION: Walker/Thompson**That:**

1. the report by Business Manager Resources and Recreation for Swimming Pool Amenities Upgrades be received;
2. Council approves the General Manager to authorise variations up to 5% of the contract value in addition to the \$70,000 allowance for the provision of electrical works specified in the tender.
3. Council approves the removal of any asbestos found in the pool buildings as part of the renovation process and the costs of removal are to be included in the project costs. Council acknowledges these additional costs will be approximately \$8,000.

The motion was put and carried.

7.2.27 LOCAL GOVERNMENT ASSOCIATION CONFERENCE, DUBBO 28 – 30 OCTOBER 2012

A0100055, A0310009

MOTION: Thompson/Martens**That:**

1. the report by General Manager on the Local Government Association Conference, Dubbo 28-30 October 2012 be received;
2. Council approve four representatives to attend the Local Government Association Conference in Dubbo being:

Mayor Des Kennedy
General Manager - Warwick Bennett
Councillor Martens
Councillor Thompson

477/12

AMENDMENT: Shelley/Walker

That:

1. the report by General Manager on the Local Government Association Conference, Dubbo 28-30 October 2012 be received;
2. Council's representatives to attend the Local Government Association Conference in Dubbo be the Mayor and the General Manager (or his nominee).

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

7.2.28 GULGONG PEDESTRIAN CROSSING AND STOP SIGN

A0100055, R2047002, R2015002

MOTION: Webb/Martens

That:

1. the report by General Manager on the Gulgong Pedestrian crossing and Stop Sign be received;
2. Council allow a 6-month settling in period with no changes before deciding if community consultation is necessary.

478/12

AMENDMENT: Cavalier/Weatherley

That:

1. the report by General Manager on the Gulgong Pedestrian crossing and Stop Sign be received;
2. Council undertakes consultation in the form of a survey to gather feedback from the Gulgong community on the stops signs and pedestrian crossings at the intersections of Mayne and Herbert Streets.

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

7.2.29 CULTURAL DEVELOPMENT COMMITTEE

A0100055, A0420172

479/12

MOTION: Webb/Walker

That:

1. the report by Manager Community Development on the Cultural Development Committee be received;
2. Council note the minutes of the Cultural Development Committee meeting held on 16 July 2012.

The motion was put and carried.

7.2.30 DRAFT NSW LONG TERM TRANSPORT MASTER PLAN

A0100055, A0440009, A0170051

480/12

MOTION: Walker/Webb

That:

1. the report by General Manager on the Draft NSW Long Term Transport Master Plan be received; and
2. Council endorse the submission to Transport for NSW on the NSW Long Term Transport Master Plan.

The motion was put and carried.

7.2.31 MUDGEES CBD STREET TREE REPORT

A0100055, A0360003

481/12

MOTION: Walker/Weatherley**That:**

1. the report by Group Manager Mid-Western Operations on the Mudgee CBD Street Tree Project be received;
2. future planting in the streets running north/south planted with exotics species and the streets running east/west planted with native species (suitable for the specific location);
3. Council only replacing street trees when they shows signs of declining health;
4. Council focus on the immediate CBD with future capital works programmed.

AMENDMENT: Thompson/Martens

That Council plant more native species and not as many deciduous trees.

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

7.2.32 FAMILY DAY CARE POLICY

A0100055, A0060070

482/12

MOTION: Weatherley/Walker**That:**

1. the report by Manager Community Development on the Family Day Care Policy be received;
2. Council adopt the Family Day Care Policy.

The motion was put and carried.

7.2.33 KANDOS BICENTENNIAL MUSEUM

A0100055, A0060123

483/12

MOTION: Martens/Webb**That:**

1. the report by Manager Community Development on the Kandos Bicentennial Museum be received;
2. Council note the minutes of the Kandos Bicentennial Museum Committee meeting of 9 August 2012.

The motion was put and carried.

7.2.34 KANDOS CENTENARY WORKING PARTY

A0100055, A0310010

484/12

MOTION: Shelley/Walker**That:**

1. the report by Manager Community Development on the Kandos be received;
2. Council note the minutes of the Kandos Centenary Working Party of August 2012;
3. Council defer the printing of the Kandos Centennial book pending competitive quotes on various numbers of print runs.

The motion was put and carried.

7.2.35 MID-WESTERN REGIONAL YOUTH COUNCIL

A0100055, A0060048

485/12

MOTION: Walker/Shelley

That:

1. the report by the Manager Community Development on the Mid-Western Regional Youth Council be received;
2. Council note the minutes of the Mid-Western Regional Youth Council meeting held on 31 July 2012.

The motion was put and carried.

7.2.36 MUDGEETOWN HALL PROGRESS REPORT - SEPTEMBER

A0100055, P0159964

Councillor Walker declared a pecuniary interest in that he is a contractor to this project, left the meeting at 8.56 pm and did not participate in discussions or vote in relation to this matter.

486/12

MOTION: Weatherley/Shelley

That the report by Manager, Community Development on the Mudgee Town Hall Progress Report - September be received.

The motion was put and carried.

Councillor Walker returned to the meeting at 8.57 pm.

7.2.37 REGISTER OF RETURNS DISCLOSING INTERESTS OF COUNCILLORS AND DESIGNATED PERSONS

A0100055, A0110004

487/12

MOTION: Shelley/White

That:

1. the report by Manager Governance on the completion and lodgement of Returns disclosing interests of councillors and designated persons be received;
2. the Register of Returns disclosing interests of councillors and designated persons be tabled and it be noted that, with the exception of former Councillor Elwyn Lang, all Returns were submitted by the return date.

The motion was put and carried.

Item 8: Urgent Business Without Notice

8.1 Gulgong Hospital

A0100055, P1014062

488/12

MOTION: Webb/Martens

That this matter be dealt with as Urgent Business without Notice.

The Mayor having ruled the matter to be of great urgency, the motion was put and carried.

MOTION: Webb/Martens

That Council contact Western Area Health Board stating that in Council's view the original heritage section of the Gulgong Hospital should be retained to be used possibly as doctors and/or visitors rooms and that Council wishes to work with the Western Area Health Board with a view to obtaining heritage or other funding grants to assist the project.

3. **If the other party exercise their right to rescind the original contract, Council proceed with the purchase of approximately 4.9 hectares being Part Lot 1 DP861743 adjacent to the Mudgee Airport at a purchase price of \$43,103 per hectare plus GST (expected total purchase price of \$232,300);**
4. **The Group Manager Finance and Administration be given delegated authority to sign all documentation to complete the subdivision, the sale and the transfer the land into the ownership of Council;**
5. **Upon completion of the contract and the final determination of price Council amend the 2012/13 Operational Plan accordingly; and**
6. **Upon transfer of title to Council, public notice be given of the intention to classify the land as "Operational".**

AMENDMENT: Webb/

That:

1. the report by the Group Manager Finance & Administration on the acquisition of Part Lot 1 DP861743 in relation to the Mudgee Airport Subdivision be received;
2. Council proceed with the existing contract for the purchase of Part Lot 1 DP861743 for \$170,000 plus GST;
3. The Group Manager Finance and Administration be given delegated authority to sign all documentation to complete the subdivision, the sale and the transfer the land into the ownership of Council;
4. Upon completion of the contract and the final determination of price Council amend the 2012/13 Operational Plan accordingly; and

The amendment lapsed for want of a seconder. The motion was put and carried.

Councillor Kennedy returned to the meeting at 9.26 pm.

Urgent Business without Notice

9.1.3 Ulan Road Strategy

A0100055,R9214003,R9208006

493/12

MOTION: Shelley/Thompson
That this matter be dealt with as Urgent Business without Notice.

The Mayor having ruled the matter to be of great urgency, the motion was put and carried.

494/12

MOTION: White/Shelley

That:

1. **the report by the General Manager on the Ulan Road Strategy be received;**
2. **Council seeks legal advice in regard to its position with the Ulan Road Strategy**

The motion was put and carried.

9.1.4 Contractual Issues

A0100055, A0000015

Councillor Walker declared a pecuniary interest in that he has a contractual relationship with the contractor referred to in this matter, left the meeting at 9.35 pm and did not participate in discussions or vote in relation to this matter.

495/12

MOTION: Shelley/Weatherly
That this matter be dealt with as Urgent Business without Notice.

The Mayor having ruled the matter to be of great urgency, the motion was put and carried.

496/12

MOTION:**White/Shelley**

That the verbal report by the General Manager on contractual issues be noted.

The motion was put and carried.

Councillor Walker did not return to the meeting.

The Manager Governance announced the decisions taken in Confidential Session.

Closure

There being no further business the meeting concluded at 9.42 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 final draft plans are nearing completion and will be presented to Council next year. With the focus on delivering the Mudgee Sewer Works insufficient staff resources are available to review this scheme and make the recommendation to Council any earlier
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.	A list of names will be presented to Council in due course to recognise in the memorial walkways. Councillors have received a memo asking for names to be provided

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 and the DCP
Minimum rural lot size	Min No. 32/10 Ord Mtg 17/3/10	That 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 Mudjee	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.
Mudjee 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 Mudjee township (7km) suitable for the permanent location of the Mudjee motor cross track; 2. in the event suitable land is identified, Council assist the Mudjee Motor Cross Club to obtain a long term lease or any other suitable commercial arrangement to allow the establishment of a motor cross track;	Discussions have commenced with the Club and they are preparing a DA for a site off Buckaroo Lane

SUBJECT	RESOLUTION NO. & DATE	RESOLUTION	ACTION
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.	The DA is out on public exhibition and the water consultants have been employed. A meeting between the Mayors, General Managers and Senior Planners is programmed for the 5th November. The other Councils dont want full Councils to meet. RECOMMEND COMPLETION
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.	See above for comment RECOMMEND COMPLETION
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.	RMS has advised that they are reviewing the signage on both the Mid-Western Highway and the Golden Highway.
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.
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;	Report included in the October business paper RECOMMEND COMPLETION

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;	Land study capability work being organised. LEP amendment will be placed on public exhibition when land capability work complete.
Return of Royalties	Res. 151/12 Ord. Mtg. 18/4/2012	That Council continue to fight for the return of royalties for the region.	Council representatives continue to raise this at a State Government level at every possible occasion. Next meeting 1st November
Water allocations and transfers in Cudgegong and Macquarie Valleys	Res. 290/12	That Council invite the NSW Office of Water, Commissioner David Harriss and staff to attend the Council meeting on 15 August 2012 and that Council request that he bring with him the modelling data on the 2 gegalitre water transfers approved by State Water on behalf of the State Government owned Cobbora Coal project.	The Commissioner of Water will be attending this 7th November Council meeting. RECOMMEND COMPLETION
Camping at Mudgee Showground	Res. 304/12	That: 2. Council applies for development consent to allow camping at the Mudgee Showgrounds for up to a maximum of twenty five sites.	Development Application being collated ready for lodging.
Housing Affordability	Res. 307/12	That Council develop an Affordable Housing Policy and that a draft of this be presented to Council for consideration by December 2012.	A draft policy will be presented to the Council in December. A workshop of key stakeholders was held on Wednesday 24th October.
Strategy to assist community when large industry closes within our region	Res. 321/12	That Council develops a strategy in assisting our community when large industry closes within our region.	A report will be presented to Council in December

SUBJECT	RESOLUTION NO. & DATE	RESOLUTION	ACTION
Refurbishment of canteen and storage areas at Kandos Waratah Park	Res. 322/12	That Council get costing on refurbishing the canteen and storage areas in the canteen building at Kandos Waratah Park and bring back a report to Council. Costing to include flooring, fixtures, new appliances, guttering, roofing etc.	Report will be prepared for Council in next few months.
Church Street Upgrade	Res. 422/12	That consideration of this matter be deferred to permit an on-site inspection and an explanation of the works by Operations staff.	Report included in the October business paper. RECOMMEND COMPLETION
General Manager's Performance Agreement 2012-13	Res. 447/12	That consideration of this matter be deferred.	Awaiting Councillor feedback. Report from the Mayor included in this business paper
Airport car parking	Res. 475/12	That a report be presented on the expansion of the car park at the Mudgee Airport, including estimate costs	Report being prepared
Kandos Centenary Working Party	Res. 484/12	That Council defer the printing of the Centennial Book pending competitive quotes on various numbers of print runs	Further prices being sought
Gulgong Hospital	Res. 489/12	That Council notify the Western Area Board that it wishes any demolition of the building to be delayed for further information and to permit community consultation, including possible alternative uses of the old building.	Letter written to the Western Area Health Service to complete the Council request

Item 5: Mayoral Minute

Nil.

Item 6: General Business

6.1 Notices of Motion

6.1.1 Affordable housing

LISTED BY CR PERCY THOMPSON TO 7 NOVEMBER 2012 COUNCIL MEETING

6.1.1 Affordable housing

A0100055, A0100035

MOTION

That Council investigate a possible partnership agreement with affordable housing organisations and other appropriate parties for the supply of affordable housing in our Council area.

BACKGROUND

There appears to be an opportunity for Council to work with other organisations to help counteract the housing problem in our Council area.

Comments by General Manager

The Council has already resolved that a draft Affordable Housing Policy be presented to Council in December 2012 for their consideration (see Matters in Progress). Part of our process of developing an appropriate Affordable Housing Policy was to conduct a workshop of key stakeholders on Wednesday 24 October. At that workshop a number of good ideas were given to Council, and they will be included in the Draft Policy. The Draft Policy will also include some appropriate actions that Council may wish to consider, to achieve its outcome of that policy. Management is of the opinion that this Notice of Motion is pre-emptive and should be delayed until such time as the Draft Policy Position Paper is considered by Council in December.

RECOMMENDATION:

That the Notice of Motion on possible partnership agreements with Affordable Housing Organisations be deferred until Council has considered its Draft Policy position in December 2012.

24 October 2012

6.1.2 Development of Red Hill

LISTED BY CR PERCY THOMPSON TO WEDNESDAY 7 NOVEMBER 2012 COUNCIL MEETING

Development of Red Hill
A0100055, A0100035

MOTION

That Council make provision in the next quarterly review for funds to be made available for the development of Red Hill.

BACKGROUND

Council developed the Red Hill Development Committee some years ago, where funds were made available. However there were no funds made available last financial year and it appears to have been inadvertently left out of our last management plan.

Comments by General Manager

Funding at the last Operational Plan and budget was deferred pending the Red Hill Committee determining a list of projects that were affordable by Council. That list has not yet been prepared. A meeting of the Red Hill Committee has not yet been held.

22 October 2012

6.1.3 Funds for doctor's house in Gulgong

LISTED BY TO COUNCIL MEETING

Doctors house in Gulgong
A0100055, A0100035

MOTION

That Council seek funding through grants or other means in order to build a house for a doctor in Gulgong.

BACKGROUND

Council successfully supplies doctors' housing in both Mudgee and Rylstone, and a doctors house in Gulgong would contribute to retaining a doctor.

6.1.4 Redbank Creek Dam

LISTED BY CR PERCY THOMPSON TO 7 NOVEMBER 2012 COUNCIL MEETING

Redbank Creek Dam
A0100055, A0100035

MOTION

Before any remedial action is taken recommended by the Dam Safety Committee, that a comprehensive study be taken on the effects of such remedial action. Any recommendations should be advertised for public comment.

BACKGROUND

There has been a huge amount of damage done since the dam bank has been interfered with. Any possible changes to the bank could cause major problems downstream, and I feel that any recommended changes should be advertised for public comment.

Comments by General Manager

Part of the consultant's brief to determine the extent of the scope of works required at Redbank Creek Dam will include the need to minimise the impact of water flow downstream. The obvious answer is to put a control gate on the hole that exists to restrict the water flow in times of high rain fall. The consultant will be consulting with adjoining land owners and the Mudgee Golf Club.

RECOMMENDATION

That the final scope of works proposed at Redbank Dam be approved by Council before work commences and at that stage the Council determines if any further community or key stakeholder consultation is required.

22 October 2012

6.1.5 Wood smoke reduction

LISTED BY CR PERCY THOMPSON TO 7 NOVEMBER 2012 COUNCIL MEETING

6.1.5 Wood smoke reduction

A0100055, A0100035

MOTION

That Council look if there are any areas in our Council area where we can use funds from the Wood Smoke Reduction Program.

BACKGROUND

There is \$60,000 available if there's a need for it in our area.

Comments by General Manager

At the time of writing this report, Council staff have not had the opportunity to investigate the Wood Smoke Reduction Programme and any grant funding that maybe available. Council staff will undertake that work and will include publicity required in the Community News next autumn in time for the winter fire season.

24 October 2012

6.1.6 Workers transport

LISTED BY CR PERCY THOMPSON TO 7 NOVEMBER 2012 COUNCIL MEETING

6.1.6 Workers transport

A0100055, A0100035

MOTION

That Council investigate the cost of supplying appropriate parking areas for mine and other workers in Mudgee, Gulgong, Rylstone and Kandos, and encourage mine and other workers' management to supply buses to convey their workers to and from their worksites.

BACKGROUND

This would take a lot of traffic off the roads and make them much safer, and save lives and maintenance costs.

24 October 2012

6.2 Reports

6.2.1 DA 0114/2013 - Proposed Outdoor Deck and Gaming Area - Lawson Park Hotel - Corner Short and Church Street Mudgee

REPORT BY MANAGER STATUTORY PLANNING TO 7 NOVEMBER 2012 COUNCIL
MEETING

DA 0014/2012 Outdoor Deck
A0100055, P0019964

RECOMMENDATION

That:

1. the report by Manager Statutory Planning on the DA 0114/2013 - Proposed Outdoor Deck and Gaming Area - Lawson Pak Hotel - Corner Short and Church Street Mudgee be received;
2. That the requirement for an additional 10 car spaces, which would equate to \$164,418.00 in Section 94 contributions, be waived as the proposed development seeks to provide an outdoor smoking area for existing patrons, that the peak car parking demand for pubs is outside core business hours and the amount of contributions nearly equals the estimated development cost making the development uneconomical.
3. That Development Application No. 0114/2013 for the Proposed Outdoor Deck and Gaming Area - Lawson Pak Hotel - Corner Short and Church Street Mudgee be approved subject to the following conditions:

APPROVED PLANS

1. Development is to be carried out generally in accordance with the approved plans (Project No. 452, Drawing No. DA-01 and DA-02) drawn by Team 2 Design P/L dated 29 August 2012 except as varied by any conditions listed herein.

AMENDMENT

2. The proposed deck area is to be constructed behind the south western corner of the existing building to ensure that the deck is a secondary feature to the main hotel building.

BUILDING CONDITIONS

The following conditions must be complied with prior to the Principal Certifying Authority (PCA) issuing a Construction Certificate. The conditions are required to satisfy the PCA that the proposal is consistent with the applicable development consent, the Building Code of Australia and any Australian Standards that are relevant.

3. A registered Surveyors Certificate showing the boundaries of the site and the proposed building plotted thereon being submitted to the Principal Certifying Authority before construction is commenced.
4. Prior to commencing 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 and form 7 of schedule 1 to the Regulations.
 - c) Council is to be given at least two days notice of the date intended for commencement of building works, in accordance with Section 81A(2)(c) of the Act and Form 7 of Schedule 1 to the Regulations.
5. No trees on public property (footpaths, roads, reserves etc.) shall be removed or damaged during construction of the building – including the erection of any fences or hoardings.
6. The site shall be provided with a waste enclosure (minimum 1800mm X 1200mm) that has a lid or secure covering for the duration of the construction works to ensure that all wastes are contained on the site. The receptacle is to be emptied periodically to reduce the potential for rubbish to leave the site. Council encourages the separation and recycling of suitable materials.
7. A sign must be erected in a prominent position on any work site on which involved in the erection or demolition of a building is carried out;
 - a) stating that unauthorized entry to the work site is prohibited, and
 - b) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.
8. If the work involved in the erection/demolition of the building is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or building involves the enclosure of a public place a hoarding or fence must be erected between the work site and the public place. If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place. Any such hoarding, fence or awning is to be removed when the work has been completed.
9. 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 noise is permitted on Sundays or Public Holidays.
10. All building work must be carried out in accordance with the provisions of the Building Code of Australia, the Environmental Planning & Assessment Act 1979 and Regulations and the relevant Australian Standards.
11. 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.

12. **All mandatory inspections required by the Environmental Planning & Assessment Act and any other inspections deemed necessary by the Principal Certifying Authority being carried out during the relevant stage of construction.**

GENERAL CONDITIONS

These conditions are imposed to ensure that the use of the land and buildings are carried out in such a manner that is consistent with the aims and objectives of the planning instrument affecting the land.

13. **The rear area of the deck proposed to be used for gaming machines is to be screened in a manner that ensures that the gaming machines are not visible or audible. The volume control for all gaming machines in the outdoor area is to be maintained at half the maximum volume.**
14. **The outdoor deck area is not to be used to increase the number of gaming machines located onsite and no additional gaming machines are permitted.**
15. **No amplified music (including juke boxes, etc) is to occur within the outdoor deck area without the separate approval of Council.**
16. **Access to the subject building shall comply with the provisions of AS 1428 (Australian Standard) 2009, the National Construction Code and the Access to Premises Code.**
17. **The operation of the beer garden is not to exceed background noise levels by 5 dB(A).**
18. **All vehicles are required to enter and leave the site in a forward direction at all times. Signage to this effect is to be appropriately located within the site.**
19. **All loading and unloading in connection with the premises shall be carried out wholly within the site.**
20. **All exterior lighting associated with the development shall be designed and installed so that no obtrusive light will be cast onto any adjoining property or roadways, in accordance with Australian Standard 4282 "Control of the Obtrusive Effects of Outdoor Lighting".**

Executive summary

The application seeks to establish an outdoor deck area associated with the Lawson Park Hotel. The area of the proposed extension is approximately 45m² and is located on the Church Street frontage where the former drive thru liquor store was located. The site is located on the corner of Short and Church Streets and is a key element of the entrance to the Mudgee business centre from the north.

The hotel is a two-storey building with a prominent verandah covering the footpath on both the Church and Short Street frontages. There is an informal outdoor smoking area to the rear of the site and the application seeks to formalise a permanent and covered area for patrons to sit outside. The proposed deck area would also satisfy the smoking laws in terms of providing an outdoor facility.

The site is heritage listed in accordance with Mid-Western Regional LEP 2012 and is also within the Mudgee Heritage Conservation Area. The site is adjacent to the Regent Theatre which is also heritage listed.

The proposed works are located in part of the building that was extended from the original building and is therefore not as significant. The works are considered minor and would not require any structural alterations. The works include a new timber deck above the existing ground level, a balustrade at 1200 mm high and timber louvers around the proposed gaming area to screen the machines.

The application would require an additional 10 car spaces or a Section 94 contribution of \$16,418.00 per car space which in this instance would equate to \$164,418.00. It is proposed to vary the Development Control Plan by stating that no further car parking is required as the proposed development seeks to provide an outdoor smoking area for existing patrons, that the peak car parking demand for pubs is outside core business hours and the amount of contributions nearly equals the estimated development cost making the development uneconomical.

The application is being reported to Council because of the variation to the Development Control Plan and also due to the development involving outdoor gaming machines.

Detailed report

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

Mid-Western Regional Local Environmental Plan (LEP) 2012

The land is zoned Commercial core B3 pursuant to the Mid-Western Regional Local Environmental Plan 2012. The proposed development would be considered an ancillary structure to the existing use of the site and is permissible with development consent.

The proposed development is considered to be generally consistent with the other provisions of the LEP.

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

Council's Car Parking Development Control Plan (DCP)

The additional outdoor deck area would generate a car parking demand of 10 additional spaces. The assessment rate is 1 space per 4m² for licensed bar areas with an increase in floor area of 45m².

Clause 3.5 of the Car Parking DCP permits an exemption for minor additions/alterations up to 15m² in area. The proposed area does not comply with this area and therefore the development site would either need to provide the additional 10 spaces (not possible) or pay a contribution of \$16418.00 per car space which would equate to \$164,418.00.

Clause 3.9 allows Council to exempt development related to a heritage item from a parking requirement if the applicant can demonstrate that the conservation depends upon the use of this clause. This would be difficult to argue but it could be said that with the recent laws relating to smoking, there has been a need for pubs and hotel to remodel the use of their sites to comply with the standards and that patrons will leave if that option is not available.

Irrespective of the above clause, it is considered that a departure to the DCP could be supported in this instance for the following reasons;

- The proposed development is not likely to increase patrons to the site but rather just provide an area for patrons that smoke;
- The parking standards in the DCP were formulated some time ago and society has shifted with little tolerance of drink driving;
- The peak parking demand for a pub or hotel is likely to be between 5pm and 7pm where patrons may have a drink after work and drive home. At all other periods, patrons would be more likely to be dropped off and picked up. This peak time period is outside core business hours and there is likely to be more on street car parking available;
- The Section 94 Contributions are approximately \$164,000 and the estimated cost of the development is \$171,000 which makes the development uneconomical.

It is therefore recommended that a departure to the DCP be granted in accordance with the Recommendation.

Accessibility Development Control Plan (DCP)

Part of the development proposal includes rectifying some changes in floor levels from the original part of the pub to the former bottle shop. It is proposed to increase these floor levels to achieve level access throughout the site. The proposed deck would also be constructed to the same level and therefore accessibility would be enhanced. Access for all persons to the premises is only achievable from the rear due to the step up to the pub from the footpath.

2. IMPACT OF DEVELOPMENT

Context and Setting

The development is located on the northern edge of the Mudgee business centre and is adjacent to businesses, residences and public reserves.

The proposed works are considered to be relatively minor and involve the construction of a timber deck under an existing awning that was previously used as a drive thru bottle shop.

The proposed works are not considered to pose any detrimental impacts on the streetscape or appear out of context within the immediate locality.

Access, Transport and Traffic

The proposed development does not impact on access, traffic flows or car parking as the site is also provide with an alternate access of Short Street.

Heritage

The site is heritage listed and adjacent to other heritage listed items. The proposed use is considered compatible with the heritage listing of the building. The deck area is proposed to be constructed of timber and is considered to be an acceptable structure adjacent the heritage listed hotel and other adjacent buildings.

The location of the development is considered less sensitive from a heritage perspective as this part of the hotel is not original and was extended on to the hotel some time ago. There would be minimal impact on original fabric due to the later extension. It is proposed to amend the

development to reduce the footprint of the outdoor deck away from the street and corner of the pub.

Noise and Vibration

The proposed use of the decking area during later hours has the potential to create a noise impact, however due to the location of the deck on Church Street away from the residences in Short Street, it is not considered to be a significant issue.

3. SUITABILITY OF SITE FOR DEVELOPMENT

Does the proposal fit in the locality?

The proposed development is considered compatible with the locality.

Are the site attributes conducive to development?

The site is considered acceptable for the proposed development.

4. SUBMISSIONS MADE IN ACCORDANCE WITH ACT OR REGULATIONS

Public Submissions

No submissions were received.

Submissions from Public Authorities

Not applicable.

5. THE PUBLIC INTEREST

Federal, State and local government interests and community interests

The public interest is served by having dedicated areas where people can smoke rather than requiring patrons to stand out on the footpath.

6. CONSULTATIONS

Health & Building Section

No objection subject to standard conditions of consent.

OPTIONS

1. The application be approved as per the Recommendation.
2. The application be refused with reasons provided.
3. The application be approved with a different Recommendation.

Financial implications

Not applicable.

Strategic or policy implications

This is the second proposal for outdoor gaming machines within the local government area. Council may wish to formalise a policy in regard to the location or other standards for outdoor gaming machines.

It is also considered that the car parking requirement for hotels and pubs should be reviewed during the drafting of the new development control plan to identify current trends.

GARY BRUCE
MANAGER STATUTORY PLANNING

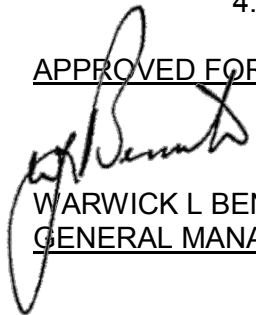


CATHERINE VAN LAEREN
GROUP MANAGER DEVELOPMENT AND
COMMUNITY SERVICES

25 October 2012

Attachments: 1. Locality Plan
2. Site Plan
3. Elevations
4. Proposed Amendment

APPROVED FOR SUBMISSION:



WARWICK L BENNETT
GENERAL MANAGER



Map Scale: 1:1,053

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.

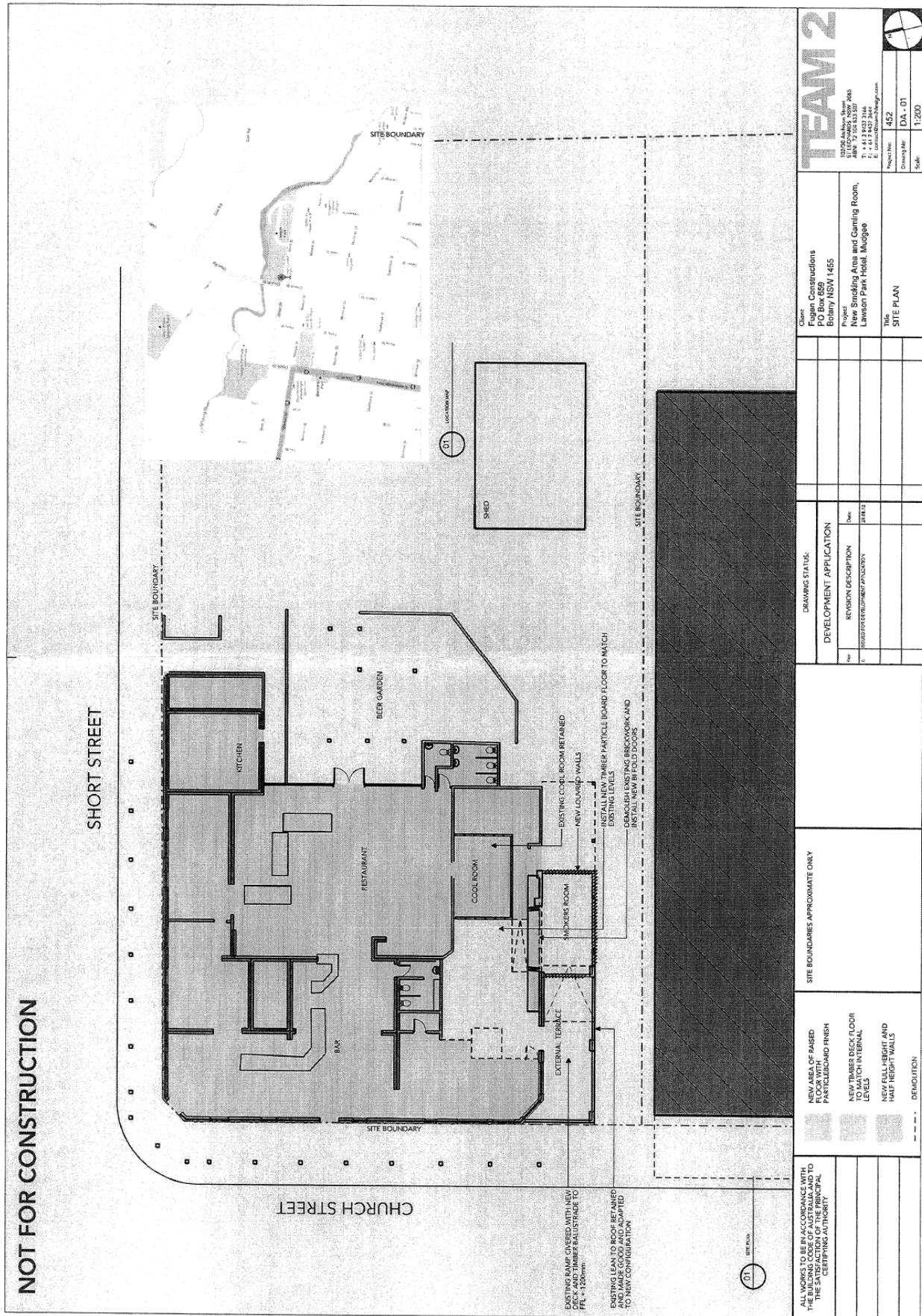
Legend

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

NORTH



Printed on Wednesday, 24 October 2012



TEAM 2
 10/12/11
 486 75 00 833 307
 F: 4 812 842 344
 E: info@team2design.com

Project: 452
 Drawing No: DA - 01
 Scale: 1:200

Client: Fagan Constructions
 PO Box 659
 Botany NSW 1465

Project: New Smoking Area and Canteen Room,
 Lawson Park Hotel, Mudgee

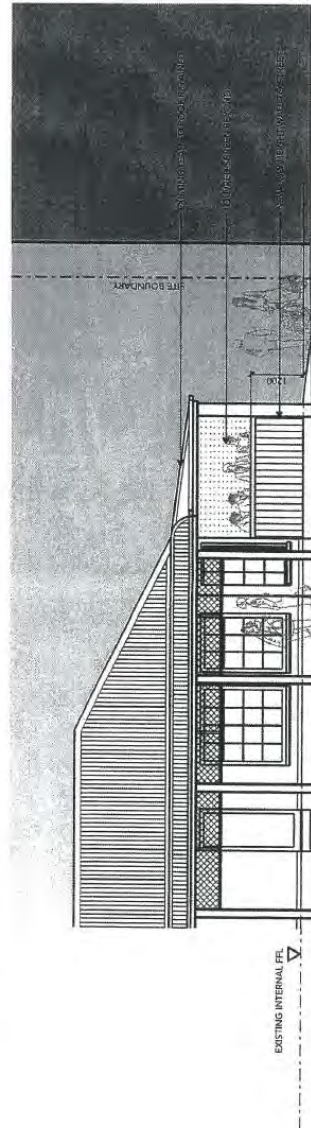
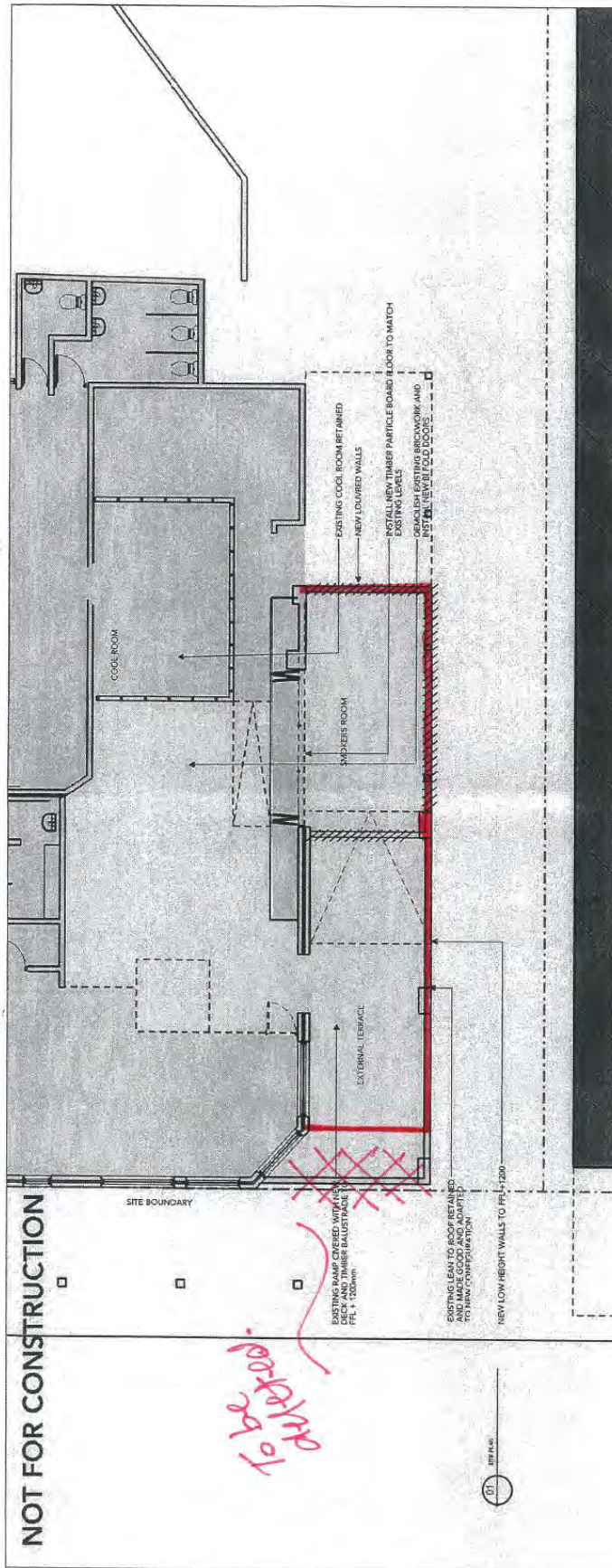
Title: SITE PLAN

DRAWING STATUS:	
DEVELOPMENT APPLICATION	
REVISION DESCRIPTION	DATE
ISSUED FOR DEVELOPMENT APPLICATION	04/11/12

SITE BOUNDARIES APPROXIMATE ONLY	
NEW AREA OF RAISED FLOOR WITH PARQUETBOARD FINISH	
NEW TIMBER DECK FLOOR TO MATCH INTERNAL LEVELS	
NEW FULL HEIGHT AND HALF HEIGHT WALLS	DEMOLITION

ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA AND TO THE SATISFACTION OF THE LOCAL COUNCIL CERTIFYING AUTHORITY

NOT FOR CONSTRUCTION



ALL WORKS TO BE IN ACCORDANCE WITH THE SATISFACTION OF THE PRINCIPAL CERTIFYING AUTHORITY	DRAWING STATUS: DEVELOPMENT APPLICATION		CLIENT: Pagan Constructions Bobany NSW 1465 PROJECT: New Smoking Area and Gaming Room, Lawson Park Hotel, Mudgee	TEAM 2 102/22 Anson Street, Mudgee NSW 2858 T + 61 2 8327 2144 F + 61 2 8327 2146 E. team2@team2mudgee.com.au
	REVISION DESCRIPTION No. REVISION FOR DEVELOPMENT APPLICATIONS Date	PROJECT NO: DA_02 SCALE: 1:100		
NEW AREA OF BASED FLOOR WITH PARTICLEBOARD FINISH	SITE BOUNDARIES APPROXIMATE ONLY	DEMOLITION	TYPICAL SECTION WALLS (AS SHOWN)	PROJECT NO: 452 DRAWING NO: DA_02 SCALE: 1:100

NOT FOR CONSTRUCTION

To be deleted

6.2.2 Draft Development Control Plan 2012

REPORT BY MANAGER STRATEGIC PLANNING TO 7 NOVEMBER COUNCIL MEETING

Draft Development Control Plan

A0100055, A0420143

RECOMMENDATION

That:

1. **the report by Manager Strategic Planning on the Draft Development Control Plan 2012 be received;**
2. **the Draft Development Control Plan be placed on public exhibition for the statutory period of 28 days;**
3. **a further workshop be held with practitioners during the exhibition period.**
4. **following the conclusion of the public exhibition period a report be presented back to council for consideration.**

Executive summary

As a consequence of the publication of the Comprehensive Local Environmental Plan (LEP) in August Council is required to review and prepare a comprehensive DCP for the whole LGA within 6 months. The purpose of this report is to present to Council a Draft Development Control Plan for consideration to allow the public exhibition of the Draft Plan. Copy of the Draft DCP is attached.

Detailed report

The purpose of the DCP is to provide detailed guidelines for the development and it is used in conjunction with the LEP to guide the form and character of development and to assist in managing development outcomes.

During the formulation of the Draft DCP several workshops have been held with Councillors. In addition, workshops were held with building and designer practitioners, and potential DCP provisions were discussed at the Affordable Housing Forum.

The Comprehensive DCP largely adopts the provisions of a range of DCPs that currently operate in the LGA. The Comprehensive DCP provides the opportunity to consolidate controls into one instrument providing greater clarity of the relevant controls.

New provisions that have been included in the Draft DCP include:

- *Fast-track* DA system to apply to Residential and Residential outbuilding and Dual Occupancy. The purpose of this system is to guarantee processing of DAs in these categories where they comply with the specified criteria within 21 days where no notification is required and 28 days where notification is required. The onus of the preparation of these DAs is placed on professional practitioners.
- Introduction of detailed stormwater controls.
- Introduction of controls for windfarms where they fall below the threshold for State Significant Development.

- General simplifications of controls to make them more user friendly.
- Introduction of controls to encourage the provision of *Affordable Housing*.

Financial implications

Not applicable

Strategic or policy implications


The Draft DCP is an important document to support the implementation of the Local Environmental Plan in providing guidelines for both the development industry and the community in terms of the expectation for development in the region. The transitional arrangements in the Environmental Planning and Assessment Regulation allow Council a period of 6 months from the publication of the Standard Instrument LEP in which to re-affirm its DCPs. Council will need to have the DCP in place by 10 February in order to meet this deadline and the commencement of the public exhibition is a critical milestone in the preparation of the DCP.

LIZ DENSLEY
MANAGER STRATEGIC PLANNING



CATHERINE VAN LAEREN
GROUP MANAGER DEVELOPMENT &
COMMUNITY SERVICES

APPROVED FOR SUBMISSION:



WARWICK L BENNETT
GENERAL MANAGER

Attachments: 1. Draft Development Control Plan 2012 (included at the end of the Business Paper)

6.2.3 Adequacy Review of Environmental Assessment – Cobbora Coal Project

REPORT COMPILED BY GROUP MANAGER DEVELOPMENT AND COMMUNITY SERVICE
TO 7 NOVEMBER 2012 COUNCIL MEETING

Cobbora

A0100055, A0420213

RECOMMENDATION

That:

1. **the report by Group Manager Development and Community Services on the Cobbora Coal Project be received;**
2. **Council submit a written objection, as per attachment 2 to this report, objecting to the Cobbora Coal project as described in Environment Assessment as exhibited.**

Executive summary

The exhibition of the Environmental Assessment for the Cobbora Coal Project Commence on Friday 5 October 2012 and concludes on Friday 16 November 2012. The Environmental Assessment (EA) has generally been prepared wholly by EMGA Mitchell McLennan with some technical expertise and comment being drawn from other consultants.

The Proponent is Cobbora Coal Holdings Pty Ltd (a NSW State government owned company) and the project has been classified as a transitional Major Project under Part 3A of the *Environmental Planning and Assessment (EP&A) Act 1979*. Council was given an opportunity to review the EA for adequacy against the Director General's Requirements (DGRs) with a report being presented to Council 1 August 2012.

The purpose of the report is to present to Council for consideration a draft response to the exhibition of the Environmental Assessment (see attachment 2 to this report). It should be noted that the submission is drafted in the form of an objection to the proposal based on the following areas of concern:

- Transport and Traffic;
- Rail Transport;
- Rail Crossing Safety;
- Rail Noise;
- Noise and Vibration;
- Social and Economic Impact; and
- Ground and Surface Water

Detailed report

History

On 5 January 2010 a major project application was submitted to the DoPI for the Cobbora Coal Project. On 11 February 2010 Council made a submission to the DoPI in response to the Draft Director General's requirements (DGRs) for the original Preliminary Environmental Assessment (PEA) with the DGRs being issued in March 2010 for the original project.

A Project Update Report dated 22 August 2011 was submitted to the DoPI with the purpose of this updated report being to provide a general update for stakeholders and to assist in the revision of the DGRs. The updated project description replaced the original as outlined in the PEA with these matters being reported to Council on 7 September 2011. Council made a further submission to DoPI and on 14 October 2011, the updated DGRs for the Cobbora Coal Project were issued.

A report that compared the requirements requested by Council and the matters included in the revised DGRs was presented to Council at its meeting of 16 November 2011. This report outlined a number of concerns that had been previously raised by Council that had not to date been addressed in either the revised DGRs or in any other way. It is considered that these issues and concerns should also be taken into account as part of the adequacy review.

Council considered a report in the 1 August 2012 that presented a draft submission on the adequacy review of the Environmental Assessment. As part of the adequacy review Council had retained the services of Gilbert and Sutherland to review the issues relating to water, including both ground and surface water. Council's submission was sent to the DoPI on the 2 August 2012. On the 26 September 2012 staff were advised that the exhibition of the EA would commence with only some of the revisions being undertaken of the EA. Via a letter Council raised concerns with the Minister and the DoPI regarding the failure of the DoPI to require the EA to be completely revised prior to exhibition. At a meeting with the staff of the DoPI and the Mayor, General Manager and Group Manager Development and Community Services on the 16 October 2012, the DoPI staff indicated that further information on the water issues was being sought and they gave an undertaking that Council would have an opportunity to refer this information to our consultant and make a detailed submission on the water issues. On the bases of this undertaking, a detailed submission on the water issues has not been included in the draft submission attached to this report. However, the draft submission does include an objection on the basis that the community and specific interest groups will not have the opportunity to review the material and therefore the community consultation is inadequate limiting the transparency of the process and contradicts the objects of the Environmental Planning and Assessment Act namely *to provide increased opportunity for public involvement and participation in environmental planning and assessment*.

The Project

The Project Application Area (PAA) is mainly in Warrumbungles LGA with smaller areas in Mid-Western Regional and Wellington LGAs. The Project footprint covers some 4,300 ha within the extended area of the PAA which is some 27,400 ha. The centre of the mining area is some 11 km south of Cobbora, 22 km south-west of Dunedoo, 60 km east of Dubbo, 58 km north-west of Mudgee and 26 km north-west of Gulgong. The Talbragar River is immediately north of the PAA and the Cudgegong River is in the south of the PAA with Sandy and Laheys Creeks also being contained within the PAA. The main access to the Project will be from the Golden Highway via a diversion of Spring Ridge Road.

The Project will include an open cut mine; a coal handling and preparation plant (CHPP); a train loading facility and rail spur; a mine infrastructure area; access road; water supply and storage and electricity supply network. The application seeks approval to extract 20 million tonnes per annum (Mtpa) of run-of-mine (ROM) coal to produce up to 12 Mtpa of product coal which will generally be made up of sales of up to 9.5 Mtpa primarily for power stations & 2.5 Mtpa for export or spot domestic market sale. It is anticipated that there will be an operation work force of around 300 people for the first two years of production which will increase steadily over the next ten years reaching a peak of about 590 people. There will be an average mine construction workforce of 350 people, peaking at 550, with temporary workers accommodation proposed as part of the project. A mine life of 21 years is proposed and it is anticipated that mine operations will commence in the first half of 2015 with peak production being reached by 2020.

The Cobbora Coal Project (the Project) will produce coal for Macquarie Generation, Origin Energy and Delta Energy for four (4) of the seven (7) large coal-fired power stations operating in NSW. Most of the coal contained within the exploration licence area cannot be economically extracted for export but meets the requirements for NSW power stations. CHC has 17 year coal supply contracts with the above mentioned electricity supply companies with these contracts supplying about 33% of all the coal used for electricity generation in NSW.

The EA states that the Project **will not** supply coal to the Mount Piper or Wallerawang power stations which are owned by Delta Energy.

The following areas are of particular concern to Council:-

Transport and Traffic – the EA states that the mining and infrastructure areas of the project will be sited in the northern parts of the PAA and therefore access will generally be via a new road from the Golden Highway. A number of roads have been identified for upgrading, modification, closure and / or realignment, most of which are outside of Mid-Western's control (see Figure 3.12). However, the EA states that the southern access to the site will be for light vehicle traffic only and will be maintained via the existing Spring Ridge Road and Laheys Creek Road.

Council Comment – a review of the Transport and Traffic assessment was carried out by Council's Roads Engineer and has highlighted a number of inadequacies with the report. The philosophy and assumption adopted by the consultants that there are already mining labour shortages for the expansion of the mines at Ulan, Wilpinjong and Moolarben and therefore there will be lower proportions of work related travel from Gulgong and Mudgee is flawed, because many of the companies that service the mines are already located in this area. These service industries are highly unlikely to relocate to Dubbo to service the Cobbora mine as it would take them further away from the existing established mines clustered at Ulan but also the proposed new mines for the Bylong area. Further, it is also likely that some people who already work in the mining industry and live in Gulgong or Mudgee and now travel to Ulan will gain positions at the new mine and change their travel pattern.

The consultants have severely underestimated the volume of traffic (both light and heavy) that will be travelling from the Mudgee/Gulgong area access the site via the southern route which means that adverse impacts to the network have not been adequately addressed. Council previously requested that travel distances and measures that would be implemented to address OHS issues in relation to those distances and the conditions of the routes should be addressed in the EA, this has not been dealt with adequately in terms of the southern route due to assumptions mentioned above. Further, the assessment of the condition of the road network that comprises the southern route is not considered satisfactory and it is considered that the previously requested detailed strategy for the upgrading and maintenance of the infrastructure and in particular Spring Creek Road is still required.

Further, the report states that truck deliveries would not use the Laheys Creek / Spring Creek Road route, suggesting that all heavy vehicles will be diverted via Dunedoo. This is another flawed assumption because provided the truck / delivery vehicle is legal then there is an entitlement for that vehicle to use any part of a road network that does not carry a weight restriction, eg a bridge loading. The Laheys Creek / Spring Ridge Road route is not encumbered by weight restrictions and therefore truck traffic would be able to legally use this route. The proposal to control heavy traffic on Laheys Creek Road "by signage will be prohibited from using this route to the mine" Any suggestion that the mines will police this by signage is unrealistic and truck traffic is not going to go out of their way to make deliveries when there is perfectly reasonable alternate route that is shorter and therefore this shorter route needs to be upgraded to accommodate the anticipated increase in traffic volumes and loads. This needs to be acknowledged and appropriate mitigation / remediation measures proposed to upgrade the affected roads, including the unsealed sections of the road network as increased volumes have significant impacts on the deterioration rates of such roads

which requires maintenance grading to be carried more frequently. Council maintains that the impact on the road network from Gulgong / Mudgee is still inadequate, and does not take into account the activity of mining related industries that are already located in this region that are likely to service the Cobbora mine.

Council also questions the contention that the use of bus transport and car pooling will be encouraged. The EA states the 210 construction commuting workers would equate to 133 car trips each way daily – there is an embedded assumption that there will be more than one person per vehicle for the majority of the work force, this is a flawed assumption. It is Council's experience that this has generally not been adopted by the workers for the Ulan cluster of mines, with the minimal car pooling that does occur having little or no noticeable reduction of the ever increasing volume of traffic using Ulan Road from Mudgee and to a lesser extent Cope Road from Gulgong.

In addition, Council queries the notion that construction will only be carried out by a program of 12 hour shifts from 6.am to 6pm because based on past experience with the mining cluster at Ulan – construction usually has a 24 hour construction phase even if only for part of the construction period. 24 hour construction will increase adverse affects, particularly road noise and other road impacts and should be addressed in the assessment of the project.

Council objects to the proposed Cobbora Coal project on the bases that the traffic assessment included in the EA is misleading and inadequate. Council considers that the reliance on signage to control traffic movement is unlawful and unrealistic and cannot be enforced. Council demands that both Laheys Creek Road and Spring Ridge Road be ungraded to a 10 metre wide formation with a 8 metre sealed prior to the commence of any construction work on site. In addition, Council requires that that a dilapidation report and a structural assessment be undertaken of both roads and to determine the upgrade required to enable both road to cope with heavy traffic movements.

Rail transport – the EA states that it is proposed to construct a new rail spur line from the Gulgong-Dunedoo rail line at Tallawang, a length of 28 km including a balloon loop. The spur line will pass through a rural area containing a number of rural residences. No rail crossings will be required on either public or private land with the line being built in a cutting under the Castlereagh Highway with a bridge over Laheys Creek Road.

The existing rail line (ARTC controlled) Tallawang to Ulan has a length of 45 km with the rest of the route following the Ulan to Newcastle rail line through Sandy Hollow. ARTC plan to improve the Ulan-Gulgong-Tallawang line in respect to axle loading with a 30 tonne axle load capacity required for coal haulage. At full production the power station customers will typically require four (4) return train trips a day (eight train movements) seven days per week from the mine. There will also typically be one (1) additional export coal train return trip to the Port of Newcastle each day. About 20% of these trains will deliver coal to the two Hunter Valley power stations (Bayswater & Liddell), with the remainder going to Port of Newcastle or power stations on the Central Coast via the RailCorp Newcastle to Sydney line from Woodville Junction to Eraring and Vales Point.

It has been acknowledged in the report that the capacity of the ARTC rail network for coal transport increases progressively east of Ulan. Three (3) additional passing loops have recently been constructed on the single track Muswellbrook to Ulan providing a total of twelve (12) existing passing loops at approximately 10-12 km intervals. Eight (8) additional passing loops or extension of existing passing loops have been identified on the ARTC Muswellbrook–Ulan line, mainly on the central “Wilpinjong to Mangoola” section.

On the double track sections east of Muswellbrook, additional tracks are being provided on the steeper gradients and on the busier sections near Maitland to improve timetable headway and the route capacity. These and other identified works have been programmed by ARTC to be

completed by 2015 and are intended to produce capacity increases on most sections of the Hunter Valley rail network.

Rail Crossing Safety – the EA contains an assessment of level crossing safety, for all existing active and passively protected level crossings has been carried out along the whole of the route adopting the criteria as set out in Level Crossing Assessment Model, ALCAM (Australian Transport Council 2010). The assessment is based against the generic collision risk rate which takes into account daily road and rail traffic volumes, road and rail geometry, visibility constraints and any risk reduction factors such as recent improvements to the crossing. In the Ulan, Gulgong and Tallawang areas, the level crossing with the highest road traffic volume currently is the Station Street crossing in Gulgong. It is stated that the road traffic volume at this crossing is in the range of 1,000 – 3,000 vehicles per day. This volume with the increase in the daily train traffic from 2 to 12 movements daily does not change the collision risk rate for this type of crossing control which is currently active control with flashing lights but no half boom barriers. There are two Ulan area level crossings, both have active control with flashing lights and bells but no half boom barriers, it is stated that the daily traffic volumes are currently in the range of 300-1000 vehicles per day. It is considered that these volumes do not warrant upgrade of these two crossings.

However, the report refers to the major investigation carried out by the NSW Parliament Staysafe Committee in 2009 of the current safety risk and priority for upgrading of all 1,460 level crossings on public roads in NSW. This study produced a priority ranking list of 300 level crossings where the need for upgrades was greatest. Three (3) of the level crossings along the route were included in this list with two being in the Newcastle area and the crossing at Station Street Gulgong being ranked 295.

Rail noise – the report acknowledges that there will be offsite noise impacts at night time to six (6) receptors (residences) that are within 30 m of the railway. The Proponents have committed to a number of mitigation and management measures, including ongoing purchase of properties along spur line or reach amenity agreements with willing landowners if EPA noise criteria are exceeded, use of acoustic barriers at two private owned homes who do not want to sell, undertake noise monitoring and ongoing assessment of mitigation along the route.

Council Comment - it is considered that the report does not include sufficient specific detail regarding the volume of mine related rail traffic from the Ulan cluster of mines, these details should include both all existing movements and any predicted increases in rail traffic from in particular the development of Ulan West and Moolarben Stage 2. Therefore the conclusions drawn in respect to the rail network's capacity to adequately accommodate increased rail traffic from this project cannot be tested. Further, the cumulative impact of the increasing volumes of rail traffic, taking into account the Ulan mine cluster has not been satisfactorily addressed in the EA.

The report does not specify the date or source of the road traffic counts that have been used to assess rail crossing safety. Council questions the volumes particularly for the two crossings on the Cope Road route, ie the one referred in the report as Station Street, Gulgong and the other as 10m west of Ulan Road. The rapid and continual expansion of the three (3) coal mines at Ulan has seen increasing volumes of road traffic not only between Mudgee and the mines along Ulan Road but also between Gulgong and Ulan along the Cope Road.

Council considers that the Station Street crossing **must** be upgraded to include half boom barriers. This is on the basis that it has been identified in the top 300, and it is likely that if an up to date traffic count were undertaken then the road traffic volumes are likely to be more than stated in the report. Further, it is considered that other crossings in the Gulgong vicinity should be similarly re-assessed, particularly the one on Spring Creek Road as there has been a relatively serious accident fortunately not fatal, at this crossing in the last twelve (12) months. A number of traffic counts taken by Council in the general area in early 2011 suggest that road traffic volumes are

continue to increase due not only to the expansion of the Gulgong township but also to traffic generated by mining and ancillary / associated industries.

Council previously requested that an assessment be made in terms of impact of rail transport on the township of Gulgong and in particular with regard to emergency vehicles and the standard of rail crossing previously highlighted by Council but not included in the DGRs. The report does not address any of these concerns.

Council objects to the Cobbora Coal Project as the Environmental Assessment fails to recognise the need to upgrade the crossing at Station Street which has been identified as a priority crossing for upgrade. In addition, the EA fails to recognised increases in traffic generated by increased mining activity in the area with a reliance placed on out of date traffic counts leading to an inadequate assessment of the upgrades required at other crossing including Spring Creek Road. Council demands that the crossing at Station Street Gulgong be upgraded to comply with a barrier standard that includes half boom barriers and that the other crossing be reassessed and upgraded.

Noise and vibration - the modelling adopted for the assessment of noise generated during construction and operation of the mine including rail and road traffic would appear to meet DGRs. However, this is a very technical field that should be independently reviewed by experts to ensure that the conclusions drawn, particularly in terms of potential for impact on receptors are reasonable.

Council Comment – as previously raised on a number of occasions Council considers that the existing Industrial Noise Policy needs to be reviewed as it is inappropriate for rural areas where background noise levels are significantly lower than the 35dBa threshold. Industrial noise therefore has much greater impacts on rural residences who are not use to living with noise at these levels. Council again requests that the above Policy be reviewed with a view to more accurately recording and reflecting background noise in rural areas with these being set as the threshold levels.

Council objects to the Cobbora Coal Project as the potential impact of noise is underestimated due to the application of the flawed Industrial Noise Policy.

Social and Economic – the Economic Assessment has been carried out by Gillespie Economics and the while the Social Assessment was undertaken by officers attached to the main consultancy. The Economic Assessment states that the project is estimated to have net benefits to Australia of between \$1,946M and \$2,138M and is therefore desirable and justified. It is also stated that costs and benefits may be distributed among a number of different stakeholder groups at the local, State and National level and include CHC shareholders; Commonwealth Government (various taxes); the NSW Government via royalties (estimated at \$407m or \$158M present value at 7% discount rate) to fund infrastructure and services across the State, including the local region; coal fired power generators and NSW electricity consumers through provision of lower cost electricity and local community in form of voluntary contributions. The Social Assessment estimates that only 10% (scenario 1) or 30% (scenario 2) of the operational workforce will be expected to come from the Mid-Western Regional LGA. It also states that workers who are re-locating with have a preference for larger centres, will a clear leaning towards Dubbo.

Council Comment – the social and economic assessments have been reviewed by Council's Economic Development Officer and found to be inadequate in a number of ways. Council does not accept the benefits and costs of the Project as identified in Table 2.3. This table does not include potential social and cultural costs which have an important impact at a local level. The note below the table indicates that costs will be mitigated, however there is insufficient evidence in the report to show how mitigation will reduce the costs to insignificant as is claimed.

Council has concerns that a number of social and cultural costs have not been adequately addressed in the report. This ranges from population growth which relies upon out of date data and where local services and facilities are not sufficiently upgraded to cope (particularly health, education and childcare services); labour skill shortages in both Dubbo and Mid-Western LGAs as both are close to or at full employment (if the local labour force is to provide up to 70% of the operational workforce, then this will impact on non-mining related business); impact on other industries (particularly agricultural and tourist oriented industries) through competition for scarce resources and visual impacts and finally loss of identity as a clean agricultural region. Council considers that an analysis of the costs and benefits should take into account the above concerns, which Council acknowledges may be difficult but that these costs should not be discounted out of hand.

The Social assessment states that only 10% (scenari01) or 30% (scenario 2) of the operational workforce will be expected to come from the Mid-Western LGA and also states that workers will have a preference to locate in larger centres. The Mid-Western LGA is the second largest centre and it would be expected that more than 10%- 30% of the operational workforce would be sourced from this area because Gulgong is approximately 25km from the Project site which result in considerably shorter travel times for those working 12 hour shifts; a considerable coal industry workforce, including ancillary and service industries are already located in this LGA. Our LGA is 3-4 hours travel from Newcastle and Sydney which is of benefit for those experienced workers from the Hunter region who may choose to leave their families in their established residence, travelling back to visit at the end of a working period.

The report states that the population of the Mid-Western region is expected to remain stable and then decline. Council rejects this information because it is out of date and does not reflect the future growth of the Region accurately. An independent assessment that has recently been undertaken by the NSW Government verified that the population of the Mid-Western LGA will exceed 30,000 by 2020 which represents 30% population growth or an average of 3.75% per annum. Further, the 2011 Census Data also supports this strong population growth, with population growth of 5.1% between Census periods and the Mid-Western LGA is the fastest growing LGA in the Orana Region (Dubbo had growth of 2.5% over the same period).

Council reject suggestion that there will be economic benefits associated with utilising unemployed labour resources. Council considers that these suggestions are flawed because the two largest LGAs in proximity to the Project are at or close to full employment levels. The local labour pool is non-existent and new jobs are likely to be filled by those already participating in the workforce putting considerable pressure on non-mining business in the region who cannot compete with mine wages.

Council disagrees with the distribution of benefits as the majority of coal mining royalties will be retained by the State with a very small percentage if any flowing to the local community. Council considers that the local cost / benefits analysis should be expressed as a percentage of the total costs and benefits such that it is clear what percentage of the estimated \$2,206M benefit will flow to the local community and what percentage of the \$249M in costs will be local. Council's reading of the report would suggest that local costs would appear to be close to 100% of the total, yet it receives only a small part percentage of benefits.

Council objects to the Cobbora Coal Project as the EA fails to identify the full social and economic impact on the Mid-Western Local Government Area or take into account the cumulative impact of mining. The EA fails to recognise the existing level of housing stress and access to medical and child care services being experienced in Mudgee and Gulgong and therefore does not identify measures to address these issues.

Project Justification – part of the Project justification is based on the arrangements that CHC has with Macquarie Generation, Origin Energy and Delta Energy to supply coal for a 17 year contract

period and that these contracts will supply about 33% of all the coal used for electricity generation in NSW. It is also stated that coal from Cobbora will be used for four (4) of the seven (7) large coal-fired power stations operating in NSW.

Council Comment – Council notes that on 3 July 2012 Delta announced the closure of Munmorah Power Station which is located in the Central Coast and forms one of the four identified in the report. The closure is as a result of decreasing energy demand in NSW which has created an excess in supply and Munmorah's place in the market place has been overtaken by newer and more efficient generators and alternative electricity sources. This surely puts into question the ongoing viability of the Project which is one of the concerns that Council has previously raised with this matter not being adequately addressed in the EA.

Council objects to the Cobbora Coal Project as there is adequate justification of the project in light of the numerous and unmitigated adverse impact on the environment and communities of the Mid- Western Local Government Area.

Voluntary Planning Agreement - the Statement of Commitments indicates that the Proponent will negotiate with the four councils (the three that are directly impacted by the PAA and the Upper Hunter due to rail transport impacts) to provide in kind and monetary to mitigate potential social effects of the Project.

Council comment – Council considers that it will be at a disadvantage when trying to negotiate an appropriate VPA for this area due to the flawed assumptions and conclusions that have been drawn in terms of the potential impacts of the Project on this area. The established model for negotiating VPAs is based on the agreed impact to infrastructure, which in this case has been estimated by the EA to be zero or minimal and a formula based on workforce numbers in terms of community contributions which has been estimated to be 10% for our area. Council disputes these figures and seeks an assurance from CHC that it will enter into meaningful negotiations in terms of infrastructure upgrades and that community contributions will be based on a census of those employees who lived in LGA.

Water Matters: As discussed previously in this report the Environmental Assessment is incomplete in relation to water. This has been acknowledged on at least two occasions by the DoPI. Whilst Council is relying on the DoPI's undertaking that the Council's consultants will have an opportunity to review the relevant data when it is available this same opportunity is not provided to the general community or other relevant stakeholder. Council considered that proceeding to exhibition with an incomplete EA is contrary to the object of the Environmental Planning and Assessment Act.

Council objects to the Cobbora Coal Project as the Environmental Assessment in relation to water issues, including ground and surface water, is incomplete. On this basis it is considered that the community consultation is inadequate, limiting the transparency of the process and contradicts the objects of the Environmental Planning and Assessment Act namely *to provide increased opportunity for public involvement and participation in environmental planning and assessment.*

Financial implications

It is acknowledged that mining contributes to the economy of a region, however there are also pressures placed on public and private resources of the community. Some of these costs can be directly attributed to the activity of the mining industry. The mines should not only acknowledge this but should also take on board that they have a responsibility to local communities to assist in mitigating those costs.

Currently there would seem to be an imbalance with Council and the local community bearing a disproportionate level of the burden created by mining activity in our region which will be further

exacerbated by the Cobbora project. This includes the direct costs to upgrading infrastructure and indirect costs such as upward pressure on housing costs and impacts on the local health system.

Council objects to the Cobbora Coal Project as its fails to adequately identify the true cost of the development to the local community. Council demands that the EA be reviewed to honestly assess the impacts and that infrastructure upgrade be required prior to the commencement of any construction work.

Strategic or policy implications

Generally it has been the case that mining applications and the determination of those applications have not adequately addressed the cumulative impacts that mining is having across the region, including impacts on other existing industries and long established uses, particularly agricultural pursuits and tourism as well as the cumulative impacts on the towns and villages. The EA for the Cobbora project also fails to adequately address these concerns and issues.

Council considers that the cumulative impacts have reached such a level that requires careful consideration and management through the development of a Regional Strategic Plan for our area and the placement of an Officer from Office of Environment & Heritage on a permanent basis in the region.

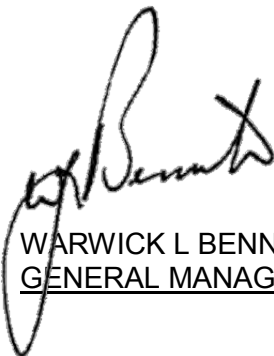


CATHERINE VAN LAEREN
GROUP MANAGER, DEVELOPMENT AND
COMMUNITY SERVICES

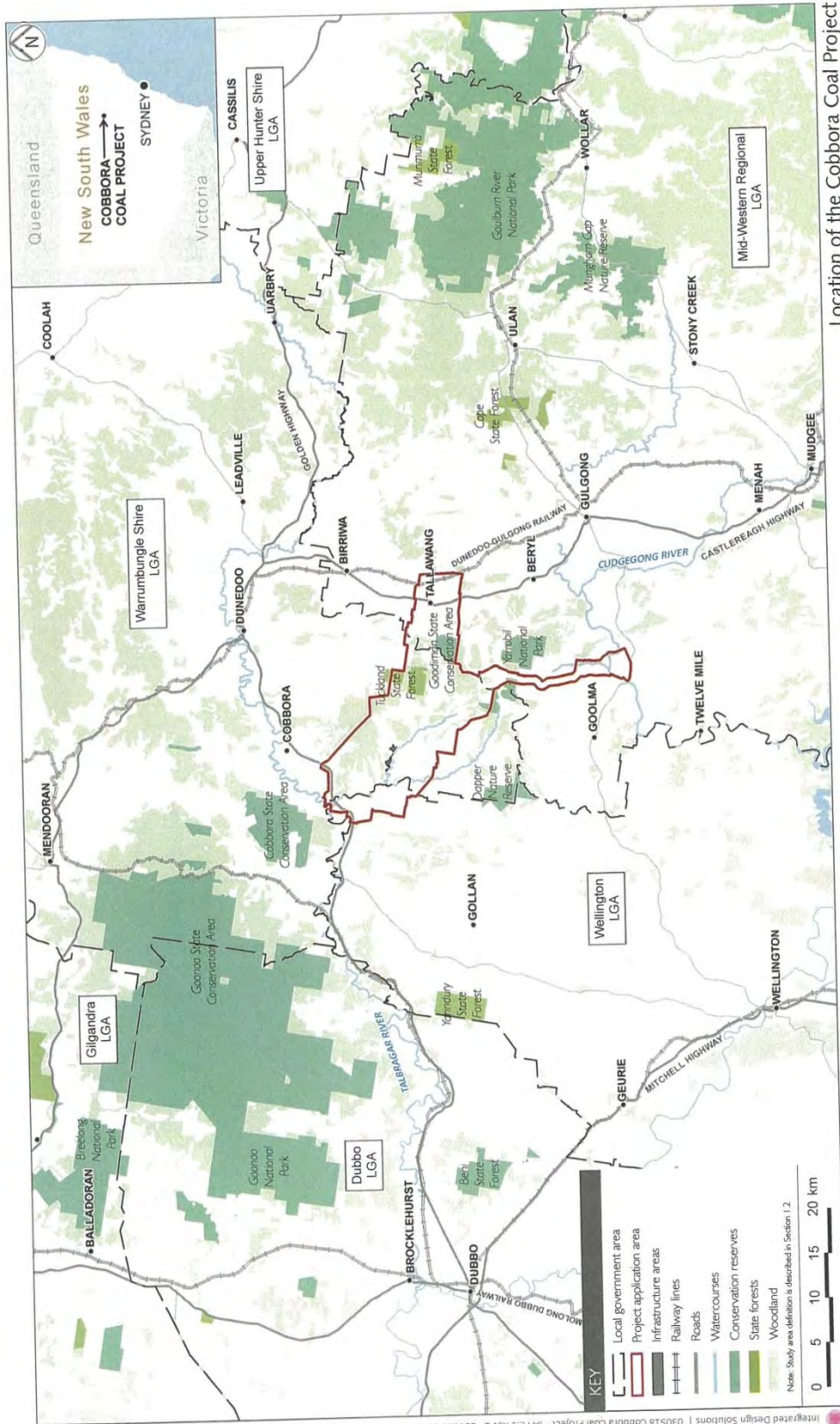
26 October 2012

Attachments: 1. Location maps
2. Draft Submission Letter

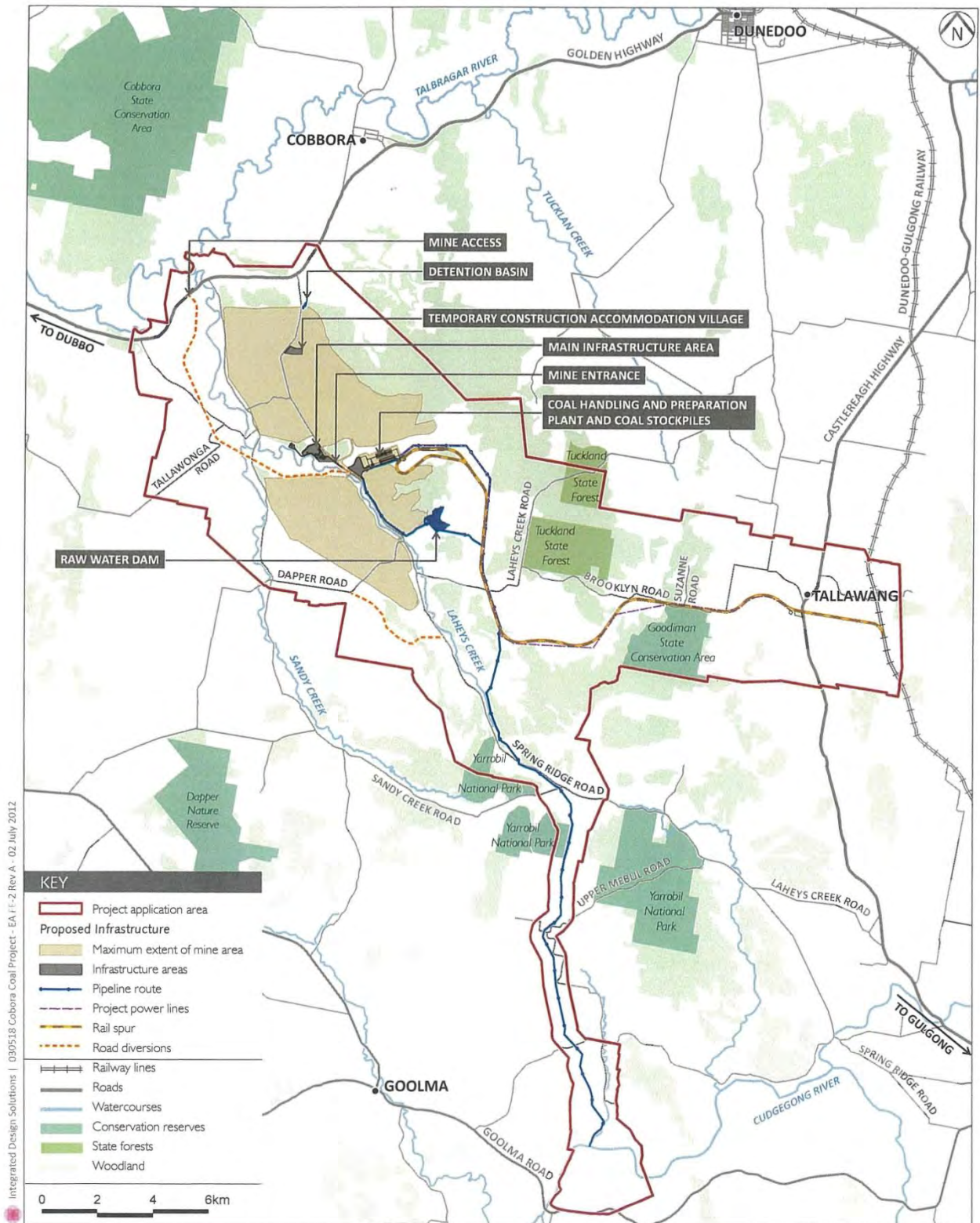
APPROVED FOR SUBMISSION:



WARWICK L BENNETT
GENERAL MANAGER



Location of the Cobbara Coal Project
 Cobbara Coal Project - Traffic Assessment
 Figure E.1



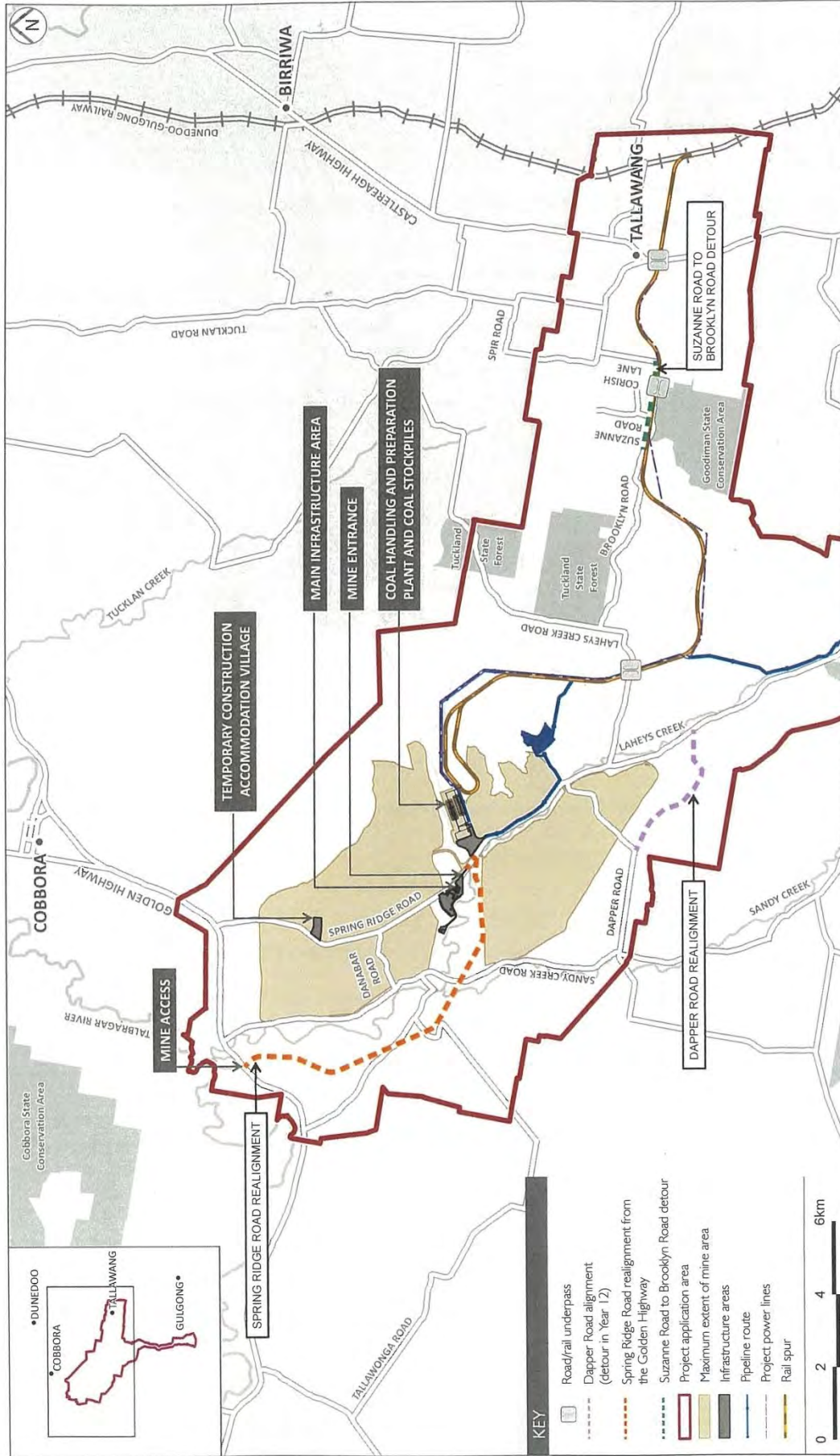
Integrated Design Solutions | 030518 Cobbara Coal Project - EA.F-2, Rev A - 02 July 2012

Indicative Project Layout

Cobbara Coal Project - Environmental Assessment

Figure E.2





Proposed Road Detours and Realignment for Mine Operations
 Cobboora Coal Project - Environmental Assessment
 Figure 3.12

ATTACHMENT 2



PO BOX 156
MUDGEES NSW 2850

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

Ph: 1300 765 002 or (02) 6378 2850

Fax: (02) 6378 2815

email: council@midwestern.nsw.gov.au

CVL :A0420213

8 November 2012

Department of Planning & Infrastructure
Major Projects – Mining & Industry
GPO Box 39
SYDNEY 2001

Attention Stephen O'Donoghue

Dear Sir / Madam

COUNCIL OBJECTION TO COBBORA COAL MINE PROJECT (10 0001)

I refer to the above Project and the exhibition of the Environmental Assessment. Council objects the Cobbora Coal Project as currently outlined in the Environmental Assessment. Council's objection is based on the following areas of concern:

- Transport and Traffic;
- Rail Transport;
- Rail Crossing Safety;
- Rail Noise;
- Noise and Vibration;
- Social and Economic Impact; and
- Ground and Surface Water

Transport and Traffic – the EA states that the mining and infrastructure areas of the project will be sited in the northern parts of the PAA and therefore access will generally be via a new road from the Golden Highway. A number of roads have been identified for upgrading, modification, closure and / or realignment, most of which are outside of Mid-Western's control (see Figure 3.12). However, the EA states that the southern access to the site will be for light vehicle traffic only and will be maintained via the existing Spring Ridge Road and Laheys Creek Road.

Council Comment – a review of the Transport and Traffic assessment was carried out by Council's Roads Engineer and has highlighted a number of inadequacies with the report. The philosophy and assumption adopted by the consultants that there are already mining labour shortages for the expansion of the mines at Ulan, Wilpinjong and Moolarben and therefore there will be lower proportions of work related travel from Gulgong and Mudgee is flawed, because many of the companies that service the mines are already located in this area. These service industries are highly unlikely to relocate to Dubbo to service the Cobbora mine as it would take them further away from the existing established mines clustered at Ulan but also the proposed new mines for the Bylong area. Further, it is also likely that some people who already work in the mining industry and

live in Gulgong or Mudgee and now travel to Ulan will gain positions at the new mine and change their travel pattern.

The consultants have severely underestimated the volume of traffic (both light and heavy) that will be travelling from the Mudgee/Gulgong area access the site via the southern route which means that adverse impacts to the network have not been adequately addressed. Council previously requested that travel distances and measures that would be implemented to address OHS issues in relation to those distances and the conditions of the routes should be addressed in the EA, this has not been dealt with adequately in terms of the southern route due to assumptions mentioned above. Further, the assessment of the condition of the road network that comprises the southern route is not considered satisfactory and it is considered that the previously requested detailed strategy for the upgrading and maintenance of the infrastructure and in particular Spring Creek Road is still required.

Further, the report states that truck deliveries would not use the Laheys Creek / Spring Creek Road route, suggesting that all heavy vehicles will be diverted via Dunedoo. This is another flawed assumption because provided the truck / delivery vehicle is legal then there is an entitlement for that vehicle to use any part of a road network that does not carry a weight restriction, eg a bridge loading. The Laheys Creek / Spring Ridge Road route is not encumbered by weight restrictions and therefore truck traffic would be able to legally use this route. The proposal to control heavy traffic on Laheys Creek Road "by signage will be prohibited from using this route to the mine" Any suggestion that the mines will police this by signage is unrealistic and truck traffic is not going to go out of their way to make deliveries when there is perfectly reasonable alternate route that is shorter and therefore this shorter route needs to be upgraded to accommodate the anticipated increase in traffic volumes and loads. This needs to be acknowledged and appropriate mitigation / remediation measures proposed to upgrade the affected roads, including the unsealed sections of the road network as increased volumes have significant impacts on the deterioration rates of such roads which requires maintenance grading to be carried more frequently. Council maintains that the impact on the road network from Gulgong / Mudgee is still inadequate, and does not take into account the activity of mining related industries that are already located in this region that are likely to service the Cobbora mine.

Council also questions the contention that the use of bus transport and car pooling will be encouraged. The EA states the 210 construction commuting workers would equate to 133 car trips each way daily – there is an embedded assumption that there will be more than one person per vehicle for the majority of the work force , this is a flawed assumption .It is Council's experience that this has generally not been adopted by the workers for the Ulan cluster of mines, with the minimal car pooling that does occur having little or no noticeable reduction of the ever increasing volume of traffic using Ulan Road from Mudgee and to a lesser extent Cope Road from Gulgong.

In addition, Council queries the notion that construction will only be carried out by a program of 12 hour shifts from 6.am to 6pm because based on past experience with the mining cluster at Ulan – construction usually has a 24 hour construction phase even if only for part of the construction period. 24 hour construction will increase adverse affects, particularly road noise and other road impacts and should be addressed in the assessment of the project.

Council objects to the proposed Cobbora Coal project on the bases that the traffic assessment included in the EA is misleading and inadequate. Council considers that the reliance on signage to control traffic movement is unlawful and unrealistic and cannot be enforced. Council demands that both Laheys Creek Road and Spring Ridge Road be ungraded to a 10 metre wide formation with a 8 metre sealed prior to the commence of any construction work on site. In addition, Council requires that that a dilapidation report and a structural assessment be undertaken of both roads and to determine the upgrade required to enable both road to cope with heavy traffic movements.

Rail transport – the EA states that it is proposed to construct a new rail spur line from the Gulgong-Dunedoo rail line at Tallawang, a length of 28 km including a balloon loop. The spur line will pass

through a rural area containing a number of rural residences. No rail crossings will be required on either public or private land with the line being built in a cutting under the Castlereagh Highway with a bridge over Laheys Creek Road.

The existing rail line (ARTC controlled) Tallawang to Ulan has a length of 45 km with the rest of the route following the Ulan to Newcastle rail line through Sandy Hollow. ARTC plan to improve the Ulan-Gulgong-Tallawang line in respect to axle loading with a 30 tonne axle load capacity required for coal haulage. At full production the power station customers will typically require four (4) return train trips a day (eight train movements) seven days per week from the mine. There will also typically be one (1) additional export coal train return trip to the Port of Newcastle each day. About 20% of these trains will deliver coal to the two Hunter Valley power stations (Bayswater & Liddell), with the remainder going to Port of Newcastle or power stations on the Central Coast via the RailCorp Newcastle to Sydney line from Woodville Junction to Eraring and Vales Point.

It has been acknowledged in the report that the capacity of the ARTC rail network for coal transport increases progressively east of Ulan. Three (3) additional passing loops have recently been constructed on the single track Muswellbrook to Ulan providing a total of twelve (12) existing passing loops at approximately 10-12 km intervals. Eight (8) additional passing loops or extension of existing passing loops have been identified on the ARTC Muswellbrook-Ulan line, mainly on the central "Wilpinjong to Mangoola" section.

On the double track sections east of Muswellbrook, additional tracks are being provided on the steeper gradients and on the busier sections near Maitland to improve timetable headway and the route capacity. These and other identified works have been programmed by ARTC to be completed by 2015 and are intended to produce capacity increases on most sections of the Hunter Valley rail network.

Rail Crossing Safety – the EA contains an assessment of level crossing safety, for all existing active and passively protected level crossings has been carried out along the whole of the route adopting the criteria as set out in Level Crossing Assessment Model, ALCAM (Australian Transport Council 2010). The assessment is based against the generic collision risk rate which takes into account daily road and rail traffic volumes, road and rail geometry, visibility constraints and any risk reduction factors such as recent improvements to the crossing. In the Ulan, Gulgong and Tallawang areas, the level crossing with the highest road traffic volume currently is the Station Street crossing in Gulgong. It is stated that the road traffic volume at this crossing is in the range of 1,000 – 3,000 vehicles per day. This volume with the increase in the daily train traffic from 2 to 12 movements daily does not change the collision risk rate for this type of crossing control which is currently active control with flashing lights but no half boom barriers. There are two Ulan area level crossings, both have active control with flashing lights and bells but no half boom barriers, it is stated that the daily traffic volumes are currently in the range of 300-1000 vehicles per day. It is considered that these volumes do not warrant upgrade of these two crossings.

However, the report refers to the major investigation carried out by the NSW Parliament Staysafe Committee in 2009 of the current safety risk and priority for upgrading of all 1,460 level crossings on public roads in NSW. This study produced a priority ranking list of 300 level crossings where the need for upgrades was greatest. Three (3) of the level crossings along the route were included in this list with two being in the Newcastle area and the crossing at Station Street Gulgong being ranked 295.

Rail noise – the report acknowledges that there will be offsite noise impacts at night time to six (6) receptors (residences) that are within 30 m of the railway. The Proponents have committed to a number of mitigation and management measures, including ongoing purchase of properties along spur line or reach amenity agreements with willing landowners if EPA noise criteria are exceeded, use of acoustic barriers at two private owned homes who do not want to sell, undertake noise monitoring and ongoing assessment of mitigation along the route.

Council Comment - it is considered that the report does not include sufficient specific detail regarding the volume of mine related rail traffic from the Ulan cluster of mines, these details should include both all existing movements and any predicted increases in rail traffic from in particular the development of Ulan West and Moolarben Stage 2. Therefore the conclusions drawn in respect to the rail network's capacity to adequately accommodate increased rail traffic from this project cannot be tested. Further, the cumulative impact of the increasing volumes of rail traffic, taking into account the Ulan mine cluster has not been satisfactorily addressed in the EA.

The report does not specify the date or source of the road traffic counts that have been used to assess rail crossing safety. Council questions the volumes particularly for the two crossings on the Cope Road route, ie the one referred in the report as Station Street, Gulgong and the other as 10m west of Ulan Road. The rapid and continual expansion of the three (3) coal mines at Ulan has seen increasing volumes of road traffic not only between Mudgee and the mines along Ulan Road but also between Gulgong and Ulan along the Cope Road.

Council considers that the Station Street crossing **must** be upgraded to include half boom barriers. This is on the basis that it has been identified in the top 300, and it is likely that if an up to date traffic count were undertaken then the road traffic volumes are likely to be more than stated in the report. Further, it is considered that other crossings in the Gulgong vicinity should be similarly re-assessed, particularly the one on Spring Creek Road as there has been a relatively serious accident fortunately not fatal, at this crossing in the last twelve (12) months. A number of traffic counts taken by Council in the general area in early 2011 suggest that road traffic volumes are continue to increase due not only to the expansion of the Gulgong township but also to traffic generated by mining and ancillary / associated industries.

Council previously requested that an assessment be made in terms of impact of rail transport on the township of Gulgong and in particular with regard to emergency vehicles and the standard of rail crossing previously highlighted by Council but not included in the DGRs. The report does not address any of these concerns.

Council objects to the Cobbora Coal Project as the Environmental Assessment fails to recognise the need to upgrade the crossing at Station Street which has been identified as a priority crossing for upgrade. In addition, the EA fails to recognised increases in traffic generated by increased mining activity in the area with a reliance placed on out of date traffic counts leading to an inadequate assessment of the upgrades required at other crossing including Spring Creek Road. Council demands that the crossing at Station Street Gulgong be upgraded to comply with a barrier standard that includes half boom barriers and that the other crossing be reassessed and upgraded.

Noise and vibration - the modelling adopted for the assessment of noise generated during construction and operation of the mine including rail and road traffic would appear to meet DGRs. However, this is a very technical field that should be independently reviewed by experts to ensure that the conclusions drawn, particularly in terms of potential for impact on receptors are reasonable.

Council Comment – as previously raised on a number of occasions Council considers that the existing Industrial Noise Policy needs to be reviewed as it is inappropriate for rural areas where background noise levels are significantly lower than the 35dBa threshold. Industrial noise therefore has much greater impacts on rural residences who are not use to living with noise at these levels. Council again requests that the above Policy be reviewed with a view to more accurately recording and reflecting background noise in rural areas with these being set as the threshold levels.

Council objects to the Cobbora Coal Project as the potential impact of noise is underestimated due to the application of the flawed Industrial Noise Policy.

Social and Economic – the Economic Assessment has been carried out by Gillespie Economics and the while the Social Assessment was undertaken by officers attached to the main consultancy. The Economic Assessment states that the project is estimated to have net benefits to Australia of between \$1,946M and \$2,138M and is therefore desirable and justified. It is also stated that costs and benefits may be distributed among a number of different stakeholder groups at the local, State and National level and include CHC shareholders; Commonwealth Government (various taxes); the NSW Government via royalties (estimated at \$407m or \$158M present value at 7% discount rate) to fund infrastructure and services across the State, including the local region; coal fired power generators and NSW electricity consumers through provision of lower cost electricity and local community in form of voluntary contributions. The Social Assessment estimates that only 10% (scenario 1) or 30% (scenario 2) of the operational workforce will be expected to come from the Mid-Western Regional LGA. It also states that workers who are re-locating with have a preference for larger centres, will a clear leaning towards Dubbo.

Council Comment – the social and economic assessments have been reviewed by Council's Economic Development Officer and found to be inadequate in a number of ways. Council does not accept the benefits and costs of the Project as identified in Table 2.3. This table does not include potential social and cultural costs which have an important impact at a local level. The note below the table indicates that costs will be mitigated, however there is insufficient evidence in the report to show how mitigation will reduce the costs to insignificant as is claimed.

Council has concerns that a number of social and cultural costs have not been adequately addressed in the report. This ranges from population growth which relies upon out of date data and where local services and facilities are not sufficiently upgraded to cope (particularly health, education and childcare services); labour skill shortages in both Dubbo and Mid-Western LGAs as both are close to or at full employment (if the local labour force is to provide up to 70% of the operational workforce, then this will impact on non-mining related business); impact on other industries (particularly agricultural and tourist oriented industries) through competition for scarce resources and visual impacts and finally loss of identity as a clean agricultural region. Council considers that an analysis of the costs and benefits should take into account the above concerns, which Council acknowledges may be difficult but that these costs should not be discounted out of hand.

The Social assessment states that only 10% (scenerio1) or 30% (scenario 2) of the operational workforce will be expected to come from the Mid-Western LGA and also states that workers will have a preference to locate in larger centres. The Mid-Western LGA is the second largest centre and it would be expected that more than 10%- 30% of the operational workforce would be sourced from this area because Gulgong is approximately 25km from the Project site which result in considerably shorter travel times for those working 12 hour shifts; a considerable coal industry workforce, including ancillary and service industries are already located in this LGA. Our LGA is 3-4 hours travel from Newcastle and Sydney which is of benefit for those experienced workers from the Hunter region who may choose to leave their families in their established residence, travelling back to visit at the end of a working period.

The report states that the population of the Mid-Western region is expected to remain stable and then decline. Council rejects this information because it is out of date and does not reflect the future growth of the Region accurately. An independent assessment that has recently been undertaken by the NSW Government verified that the population of the Mid-Western LGA will exceed 30,000 by 2020 which represents 30% population growth or an average of 3.75% per annum. Further, the 2011 Census Data also supports this strong population growth, with population growth of 5.1% between Census periods and the Mid-Western LGA is the fastest growing LGA in the Orana Region (Dubbo had growth of 2.5% over the same period).

Council reject suggestion that there will be economic benefits associated with utilising unemployed labour resources. Council considers that these suggestions are flawed because the two largest LGAs in proximity to the Project are at or close to full employment levels. The local labour pool is non-existent and new jobs are likely to be filled by those already participating in the workforce

putting considerable pressure on non-mining business in the region who cannot compete with mine wages.

Council disagrees with the distribution of benefits as the majority of coal mining royalties will be retained by the State with a very small percentage if any flowing to the local community. Council considers that the local cost / benefits analysis should be expressed as a percentage of the total costs and benefits such that it is clear what percentage of the estimated \$2,206M benefit will flow to the local community and what percentage of the \$249M in costs will be local. Council's reading of the report would suggest that local costs would appear to be close to 100% of the total, yet it receives only a small part percentage of benefits.

Council objects to the Cobbora Coal Project as the EA fails to identify the full social and economic impact on the Mid-Western Local Government Area or take into account the cumulative impact of mining. The EA fails to recognise the existing level of housing stress and access to medical and child care services being experienced in Mudjee and Gulgong and therefore does not identify measures to address these issues.

Project Justification – part of the Project justification is based on the arrangements that CHC has with Macquarie Generation, Origin Energy and Delta Energy to supply coal for a 17 year contract period and that these contracts will supply about 33% of all the coal used for electricity generation in NSW. It is also stated that coal from Cobbora will be used for four (4) of the seven (7) large coal-fired power stations operating in NSW.

Council Comment – Council notes that on 3 July 2012 Delta announced the closure of Munmorah Power Station which is located in the Central Coast and forms one of the four identified in the report. The closure is as a result of decreasing energy demand in NSW which has created an excess in supply and Munmorah's place in the market place has been overtaken by newer and more efficient generators and alternative electricity sources. This surely puts into question the ongoing viability of the Project which is one of the concerns that Council has previously raised with this matter not being adequately addressed in the EA.

Council objects to the Cobbora Coal Project as there is adequate justification of the project in light of the numerous and unmitigated adverse impact on the environment and communities of the Mid- Western Local Government Area.

Voluntary Planning Agreement - the Statement of Commitments indicates that the Proponent will negotiate with the four councils (the three that are directly impacted by the PAA and the Upper Hunter due to rail transport impacts) to provide in kind and monetary to mitigate potential social effects of the Project.

Council comment – Council considers that it will be at a disadvantage when trying to negotiate an appropriate VPA for this area due to the flawed assumptions and conclusions that have been drawn in terms of the potential impacts of the Project on this area. The established model for negotiating VPAs is based on the agreed impact to infrastructure, which in this case has been estimated by the EA to be zero or minimal and a formula based on workforce numbers in terms of community contributions which has been estimated to be 10% for our area. Council disputes these figures and seeks an assurance from CHC that it will enter into meaningful negotiations in terms of infrastructure upgrades and that community contributions will be based on a census of those employees who lived in LGA.

Water Matters - As discussed previously in this report the Environmental Assessment is incomplete in relation to water. This has been acknowledged on at least two occasions by the DoPI. Whilst Council is relying on the DoPI's undertaking that the Council's consultants will have an opportunity to review the relevant data when it is available this same opportunity is not provided to the general community or other relevant stakeholder. Council considered that proceeding to exhibition with an incomplete EA is contrary to the object of the Environmental Planning and Assessment Act.

Council objects to the Cobbora Coal Project as the Environmental Assessment in relation to water issues, including ground and surface water, is incomplete. On this basis it is considered that the community consultation is inadequate, limiting the transparency of the process and contradicts the objects of the Environmental Planning and Assessment Act namely *to provide increased opportunity for public involvement and participation in environmental planning and assessment.*

Financial Implications - It is acknowledged that mining contributes to the economy of a region, however there are also pressures placed on public and private resources of the community. Some of these costs can be directly attributed to the activity of the mining industry. The mines should not only acknowledge this but should also take on board that they have a responsibility to local communities to assist in mitigating those costs.

Currently there would seem to be an imbalance with Council and the local community bearing a disproportionate level of the burden created by mining activity in our region which will be further exacerbated by the Cobbora project. This includes the direct costs to upgrading infrastructure and indirect costs such as upward pressure on housing costs and impacts on the local health system.

Council objects to the Cobbora Coal Project as it fails to adequately identify the true cost of the development to the local community. Council demands that the EA be reviewed to honestly assess the impacts and that infrastructure upgrade be required prior to the commencement of any construction work.

Generally it has been the case that mining applications and the determination of those applications have not adequately addressed the cumulative impacts that mining is having across the region, including impacts on other existing industries and long established uses, particularly agricultural pursuits and tourism as well as the cumulative impacts on the towns and villages. The EA for the Cobbora project also fails to adequately address these concerns and issues.

Council considers that the cumulative impacts have reached such a level that requires careful consideration and management through the development of a Regional Strategic Plan for our area and the placement of an Officer from Office of Environment & Heritage on a permanent basis in the region.

Should you have any queries in relation to this matter please contact Catherine Van Laeren or myself on 6378 2850.

Yours faithfully

WARWICK L BENNETT
GENERAL MANAGER

6.2.4 Financial Assistance – Applications

REPORT BY FINANCIAL ACCOUNTANT TO 7 NOVEMBER 2012 COUNCIL MEETING

Document1

A0100055, A0140201

RECOMMENDATION

That:

1. the report by Financial Accountant on the 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, subject to those requirements being met, with the funding from the general financial assistance vote:

Mudgee Show Society	\$3,000
Rylstone-Kandos Show Society	\$3,000
Pioneer Auxiliary Ladies	\$500
Pool entrance fees – school swimming lessons	\$5,000

3. Council provide \$1,000 staff assistance to the Kandos Rylstone Touch Football Association by removing the posts as requested
4. Council note that the request for assistance from the Mudgee Model Aircraft Club will be addressed as part of the State Roads Shoulder Maintenance Program;
5. Council refer the request from the Mudgee Platoon of the Australian Army Cadets to the Mudgee Showground Management Committee; and
6. Council decline the request for financial assistance from the Friendly Faces Helping Hands Foundation.

Executive summary

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

Detailed report

Provision is made in Council's Financial Assistance Policy for community not for profit organisations, group and individuals which offer a significant contribution to the social, economic and/or environmental well being of the Community.

Following are excerpts from submissions for financial assistance, together with staff comments on the applications.

Mudgee Show Society

The Mudgee Show Society is requesting financial assistance for their 2013 annual show. As previous years indicate, Council has donated the amount of \$3,000 and it is recommended we grant the same amount this year.

Rylstone-Kandos Show Society

The Rylstone-Kandos Show Society is seeking continued financial support for their show due to be held on the 23rd February 2013. It is recommended that Council donate the amount of \$3,000.00 in accordance with previous years' donations.

Pioneer Auxiliary Ladies (P.A.L.S)

The P.A.L.S is a group of ladies who raise money to provide equipment and facilities for the care and comfort of the elderly citizens at Pioneer House Aged Care Home. At present they are raising funds to provide emergency blankets in which are used to facilitate a quick evacuation of the residence in case of emergency. They would like to request financial assistance in which will assist in purchasing more of these blankets. Each blanket costs approximately \$100, and to date some 20 blankets have been purchased. In previous years, individual Councillors have donated part of their discretionary funds to Pioneer House. No amount was specified however it is recommended Council grant the amount of \$500.

Kandos Rylstone Touch Football Association

The Kandos Rylstone Touch Football Association is requesting that the rugby league goal posts be removed from Kandos Waratah Park for the duration of their competition season. The estimated cost of doing so is \$500 to remove the posts, and a further \$500 to reinstate them. It is recommended that Council grant \$1,000 of in-kind works to carry out the request.

School Swimming Lessons

Council has received a request from Hargraves Public School requesting that fees be waived for their students participating in swimming lessons. Council's current policy position is that pool admission for students undertaking 'Learn to Swim' classes is free. However, swimming lessons or programs undertaken by schools that are distinct from 'Learn to Swim' are not covered, and this request is seeking to have that changed. Rather than consider individual requests from schools across the region, it is recommended to Council that pool admission fees be waived for students attending swimming lessons during school hours as part of a school program. The estimated cost of doing so is \$2 x 2,500 students.

Mudgee Model Aircraft Club

Mudgee Model Aircraft Club is a not-for-profit club with 10 members. They are seeking financial assistance to repair, by way of some road base, the access to the Club's premises which becomes impassable after rain and assistance in improving the runway area is required also. It is estimated that the cost of the works would be approximately \$500, and can be undertaken as part of Council's State Roads Shoulder Grading program. Mid-Western Operations can undertake the work prior to Christmas, within existing program funding allocations.

Australian Army Cadets

The Mudgee Army Cadet Unit is a youth organisation under the control of the Department of Defence. In recent years, the Mudgee Army Cadet Unit has paraded at the Mudgee High School, however there are restrictions regarding training that can be conducted and storage availability to the cadets. The Cadet Unit is looking for a new location to house a storage facility and conduct training and wish to express interest in utilising the Mudgee Showgrounds and the Pines (Flirtation Hill). There are a number of elements to the request including:

- Use of the Mudgee Showgrounds for training and storage;
- Use of the Dining Hall at the Showgrounds;
- Utilisation of the Pines for training;
- Construction of a storage and administration facility at the Showgrounds;
- Storage space for shipping containers; and
- Financial assistance.

It is recommended that this request be referred to the Mudgee Showground Management Committee for consideration, prior to Council considering the necessary planning requirements or requests for assistance.

Friendly Faces Helping Hands Foundation

The Friendly Faces Helping Hands Foundation is a Narrabri based organisation that helps people across Australia when they require medical treatment away from home. They are requesting financial assistance from a number of local government authorities. To date, Moree Plains Shire Council have committed to \$5,000 over two years. The request also seeks inclusion in things like the Community Service Directory and website links. This has been forwarded on to the relevant staff for consideration. Given the limited funds available for grants and donations each year, and the fact that this organisation is not based in our local government area, we are not recommending that a financial donation be made.

Financial implications

Funding of \$117,000 is provided in the Operational Plan for Financial Assistance. \$102,136.28 has been allocated to date, including \$8,000 committed to Orana Arts as part of Council's Delivery Program, leaving a balance of \$14,863.72. Should Council approve the donations in accordance with the recommendation, a balance of \$2,363.72 will remain.

Strategic or policy implications

Council's Financial Assistance Policy applies.

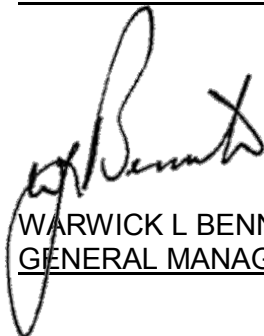
NEIL BUNGATE
FINANCIAL ACCOUNTANT

CLARE PHELAN
GROUP MANAGER,
FINANCE & ADMINISTRATION

25 October 2012

Attachments: 1. Requests for financial assistance

APPROVED FOR SUBMISSION:



WARWICK L BENNETT
GENERAL MANAGER

**Mudgee Show Society**

PO Box 199, Mudgee NSW 2850 – Phone: 02 63724 099 – Fax: 02 63 724 08

Email: Secretary@mudgeeshow.org.au

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

15th October 2012Mid Western Regional Council
Attention: Finance Department
PO Box 156
Mudgee NSW 2850

Dear Council,

RE: Mudgee Show 2013

Mudgee Show Society would like to thank the Council for the generous financial support at this years show.

As requested to assist with the application process of the suggested \$3000 sponsorship approval for the 2013 show, I am sending this letter for your team to act upon with a suggested invoice enclosed. Should you have any questions, please don't hesitate to contact myself or Wendy Harmer on the above listed number.

I look forward to your reply.

Kind Regards

A handwritten signature in cursive script that reads "All Beer".

Allison Beer
Secretary
Mudgee Show Society

RYLSTONE-KANDOS SHOW SOCIETY INC.

President:

Bruce Richardson
Ph: 6379 7288
0428 637 993

Secretary:

Carolyn Cannon
PO Box 11 RYLSTONE NSW 2849
Ph/Fax: (02) 6379 1250 (Office)
(02) 6379 7718 (Home)
Email: rylkanss@bigpond.com

17 October 2012

Mid-Western Regional Council
Warwick Bennett, General Manager
PO Box 156
MUDGEE NSW 2850



Dear Mr Bennett

RYLSTONE-KANDOS SHOW SPONSORSHIP **SATURDAY 23 FEBRUARY 2013**

On behalf of the President, Bruce Richardson, and the Committee of the Rylstone-Kandos Show Society I would like to ask for your continuing support of the Rylstone-Kandos Show. The Show is the largest community event of the year in Rylstone and Kandos, a day enjoyed by everyone of every age. Without the generous support of our sponsors the Show would struggle to continue and our reinvestment in the Showground facilities would not be possible. I once again invite you to choose from one of the enclosed Sponsorship Packages so that you may contribute to the presentation of the 2013 Show.

Your 2012 sponsorship contribution was a grant for \$3000. If you are happy to contribute the same again or want to change your sponsorship, simply fill in the enclosed Sponsorship Form and return it to the Show Office, with your cheque, by 12 November 2012. If you wish to pay via the internet our bank details are BSB 032 657, Account 105735. Please include your surname for reference.

On 8 March 2014 Rylstone-Kandos Show Society will be hosting the Zone Showgirl Final. Our Zone consists of Group 12 (Castlereagh) and Group 3 (Hunter River) Shows, totalling 23 Show Societies. It is our intention to work towards making this a truly memorable event by concentrating considerable resources on our local Showgirl competitions over the next two years. This year we are combining the Major Sponsors' Dinner with the Showgirl presentation, earlier than in past years so as to meet Showgirl requirements. The dinner will be on 8 December 2012 so your prompt reply to this letter is important if you would like to come to this special function

It is important that the replies are in by 12 November 2012 as we also want to make sure sponsors are given the appropriate recognition in the Schedule, which we have to get to the printers well before Christmas. Please don't hesitate to call us and discuss which section of the Show to place your sponsorship and what sort of advertisement you would like in the Schedule. If you require a Tax Invoice please either telephone/email me and I will arrange that for you. If you have already sent Carolyn your sponsorship for 2012, thank you not only for your generosity but for your speediness.

Thank you again for your support and we look forward to seeing you at the 2013 Show.

Kind regards

Stephen Evans (0427 794 503)

P.A.L.S.
Pioneer Auxiliary Ladies
Pioneer House Aged Care, Court Street, Mudgee 2850

Secretary: *Marie Maclean*
Phone: 6372 3801

Mr D Kennedy
Mayor
Mudgee Shire Council
Market Street
Mudgee 2850



Dear Mr Kennedy,

I am writing to you on behalf of the PALs group, which as you are aware is a group of Ladies who raise money to provide equipment and facilities for the care and comfort of our elderly citizens in Pioneer House Aged Care Home.

We are at present raising funds to provide emergency blankets. These are blankets that are placed under the mattress of the High Care residents beds to facilitate a quick evacuation of the resident in case of emergency. They enable the staff to evacuate without the problem of having to manoeuvre beds out of the building.

We have purchased some of these blankets with proceeds from our card parties etc. but we are wondering if you or council could possibly assist us with a donation towards purchasing more of them. We would be most grateful if this were possible.

Thank you in advance from the ladies PALs for considering this request.

Yours Sincerely



Marie McLean
Secretary

Secretary
Kandos Rylstone Touch Football Association
C/95 Louee Street
Rylstone 2849

Mid-Western Regional Council
77 Louee Street
Rylstone 2849

04/10/2012

To Whom It May Concern,

I am writing on behalf of the Touch association to request that the Rugby League goal posts be removed from the Kandos sports ground for the duration of our competition commencing on the 11th of October and finishing on the 11th of April 2013. We have been told by previous committee members that this has been the practice for past competitions due to the safety concerns for players. As of today the goal posts are still in place. If it is no longer possible to have them removed could you please advise me or the touch association as soon as possible as the fields require marking and lines will have to be adjusted.

Regards,

Nicole O'Brien
Secretary
Kandos Rylstone Touch Association
Ph- 0447791889



Hargraves Public School
Merinda Street
HARGRAVES NSW 2850



The school with the heart of gold

Phone: 6373 8524

Fax: 6373 8609

hargraves-p.school@det.nsw.edu.au

To Whom It May Concern

I am writing to express my concern about the recent decision by Council to charge school students, for pool entry during school swimming schemes.

As you will be aware, Hargraves Public School is a small, isolated rural school with limited access to the facilities such as the Mudgee Pool. Our school population consists of families who are low income earners and face much financial hardship. As you can imagine, driving to Mudgee for regular swimming lessons is virtually impossible for all of our families. Hence, the only opportunity for swimming lessons for all of our students is to participate in our own 'Swim School' each year.

Our P&C kindly provide hard earned funds for us to hire a bus which only takes a portion of our students to the pool. Teachers and some parents have to drive the rest of the children in their cars. A sizable sum of money is outlaid to get the children to town to enable them to take part in our swimming lessons and now our Council is going to charge us for pool entry as well for the children who can already "swim." Unlike the larger schools in town, we do not have enough staff to leave the children who can already swim at school. We need to bring all, or none of our students. To deny us free entry to the pool for all our 29 students is a serious case of prejudice against rural children. Our families do not get the opportunity to use many Council facilities, living so far out of town and it seems highly unfair that some of our children will now be asked to pay to use this council facility during school hours. Where is the justice in this?

It is with deep regret that unfortunately we will have to seriously question the viability of our 'Swim School', which will have serious implications for our students now and in the future. Statistics show that childhood drowning in rural areas is on the rise yet your actions may result in a number of children never being given the opportunity to learn to swim. Many of our children out here would not learn to swim if it were not for the school swimming lessons that we provide.

I ask you to reconsider your introduction of entry fees for students who are participating in school swimming schemes.

Yours Sincerely

Jane Rae (Principal)

MUDGEE MODEL AIRCRAFT CLUB

C/- A. Saunders Hon. Secretary
25 Bayly Street,
LUE.
NSW2850

30th September, 2012

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



Dear Sir,

I am writing to you on behalf of the Mudgee Model Aircraft Club which was formed in 1989 and operated from a model airfield near Mt. Frome.

The Club relocated to the Bellinfante Travelling Stock Reserve in 1992 and has operated from this location since then, flying every Sunday (weather permitting).

We are a non-profit club with ten enthusiastic members at present.

The purpose of this correspondence is to seek Council's assistance to repair, by means of some road base, the access to our Club premises which becomes impassable after rain and also some assistance in ameliorating the runway area.

As mentioned above we are a non-profit Club with few members and although we have held several fund raising raffles to assist us to purchase a new ride-on mower for the runway, we are a long way from achieving our goal.

We are a nationally recognised sport/recreation club and in the time that the Club has existed, we have never burdened Council with any request for assistance.

On behalf of the Club I would respectfully request that Council look favourably on assisting the Club either by a donation or grant or by supplying some earth fill and machinery to improve our access and runway.

Yours sincerely,



A. Saunders

Secretary

**AUSTRALIAN ARMY CADETS****1 Platoon (Mudgee)****205 Army Cadet Unit**

Post Office Box 670, Mudgee, NSW, 2850.

Unit Reference: 205 ACU - M/12/A030

Councillor Des Kennedy,
Mayor, Mid-Western Regional Council.
C/- Mid-Western Regional Council.
PO Box 156,
Mudgee, N.S.W. 2850.



**REQUEST FOR USAGE OF THE MUDGEE SHOWGROUNDS & THE PINES BY
 THE MUDGEE ARMY CADET UNIT.**

The Mudgee Army Cadet Unit is a youth organisation under the control of the Department of Defence that has served the Youth & Community of Mudgee since 1874, & is one of the oldest Cadet Units in the country.

In recent years, the Mudgee Army Cadet Unit has paraded at the Mudgee High School, however there are restriction regarding training that can be conducted & storage facilities available to the Cadets. Also, with the impending retirement & relocation of our Commanding Officer we will lose our existing storage facilities. Consequentially, the Mudgee Army Cadet Unit is now looking for a new location to house a storage facility & conduct training.

On behalf of 1 Platoon – Mudgee, 205 Army Cadet Unit, I wish to formally express an interest in utilising the Mudgee Showgrounds & the Pines (Flirtation Hill) for the purposes of permanently housing 1st Platoon – Mudgee, and conducting Army Cadet Training. The 1st Platoon – Mudgee, wishes to specifically utilise the Dining Hall on Tuesday Nights (excluding school holidays), & occasionally weekends, for Classroom Training, Administration, & a unit Canteen, and the Showgrounds & Pines grounds for Military Drill, Navigation & Fieldcraft & other practical (out of classroom) Training.

I am of the understanding that some financial levies may apply to the 1 Platoon – Mudgee's usage of Dining Hall. Please advise the contact officer below, of details regarding: restrictions on usage or movements within the area; costs or levies; or anything else regarding the cadet unit's possible future usage. The Australian Army Cadets is a not-for-profit organisation, with a limited funding base, which have been eroded further with recent Department of Defence budgetary cutbacks.

On behalf of the Mudgee Army Cadet Unit, I wish to request the following support from the Mid-Western Regional Council:

- Approval to utilise the Mudgee Showgrounds, for both training & storage;
- Agreement to utilise the Dining Hall at the Mudgee Showgrounds, for training, administration & as a unit canteen;
- Approval to utilise the Pines (Flirtation Hill) for training;
- Endorsement to erect a storage & administration facility at the Showgrounds, of a design & location to be agreed upon at a later date;
- Temporary storage space to house 5x Storage Shipping Containers (approx 6^{feet} Wide x 8^{feet} Long x 6^{feet} High), until a permanent storage facility can be constructed; &
- Financial assistance & support to assist with fundraising & grant applications for a new storage facility at the showgrounds, current cost estimates are approximately \$35, 000.

The Australian Army Cadets is a youth organisation that is involved with progressive training of youth members (aged 12½ - 20 years of age), in military and adventurous activities, with training & youth development opportunities in a military style environment. Training includes Military Drill, Navigation, Ratel (Radio Telephony), Leadership, Fieldcraft, Shooting & First Aid. Senior Cadets have access to Promotions Courses allowing Cadets to be qualified for promotion to leadership positions & ranks within their respective units. The 1st Platoon – Mudgee, also supports important community commeration days such as ANZAC Day, Remembrance Day, & Long Tan Commerations, and regularly supports the Returned Services League & Legacy.

I look forward to discussing the future of the Mudgee Army Cadet Unit with you soon.

Yours Sincerely,



ALEN LUCIC.

Lieutenant (Australian Army Cadets),
Platoon Commander, 1st Platoon (Mudgee), 205 Army Cadet Unit.

October 9th, 2012.

Home Phone: (02) 6372 7661, (silent number),
Work Phone: (02) 6372 4717, (unlisted number),
Mobile: (0418) 618 344,
Postal Address: Post Office Box 670, Mudgee, N.S.W. 2850.
Cadetnet Email: Alen.Lucic@cadetnet.gov.au ,
Home Email: acal02@bigpond.net.au or,
Work Email: alucic@ambulance.nsw.gov.au .



Friendly Faces Helping Hands Foundation

“Happy Valley”
1223 Black Mtn Creek Rd
Maules Creek
Boggabri NSW 2382
Phone: 0457 175 888
Email: friendlyfaces.info@gmail.com
ABN: 69 148 945 322
www.friendlyfaces.info



Dear Cr Des Kennedy,

Thank you for your support and interest in the Friendly Faces Helping Hands Foundation at the Country Mayors Association conference in Sydney recently.

I really enjoyed discussing the benefits and background of our foundation with such a wonderful group of community representatives, and I was overwhelmed by the amazing monetary support the association offered.

Our foundation depends largely on the generosity of donors to survive and we are hoping that your council will come on board as an individual sponsor to help us continue our work.

Friendly Faces Helping Hands is based near Narrabri but helps people all over Australia when they need to seek medical treatment away from home.

Moree Plains Shire Council was the first local government to sponsor us with an initial instalment of \$3000, followed by another \$2000 promised for 2013. We are seeking similar support from other local councils. Collectively, their support will make a big difference in the level of support we can offer people who need our services.

We are also seeking to have Friendly Faces Helping Hands Foundation listed in your Community Service Directory and our logo and link on your Council website. This will assist all your constituents and make all shires more sustainable.

To make our job a little easier, we hoped you could also please email us a link to your council's community directory, which will enable us to connect people with the services they need in your local area.

We hope your council will view our DVD presentation and discuss our request during its next meeting and look forward to hearing from you.

Kind regards,
Kelly Foran

CEO
Friendly Faces Helping Hands Foundation

6.2.5 Names to be included on the Pre-Approved Street/Road Names List

REPORT BY MANAGER REVENUE & PROPERTY TO 7 NOVEMBER 2012 COUNCIL MEETING

Street Naming – Names for inclusion in the Pre-Approved List
A0100055, R0790141

RECOMMENDATION

That:

1. **the report by the Manager Revenue and Property on names to be included on the Pre-Approved Street/Road Names List be received;**
2. **Council approve the inclusion of Oldfield on the pre-approved street/road names list for use at a later date.**

Executive summary

Street/Road naming submissions are often made by the public that do not relate to a new road or street or are submitted when there are no new roads or streets being named.

Detailed report

Council, being the Roads Authority, is required to name new or unnamed streets and roads. Street/Road naming submissions are often made by the public that do not relate to a new road or street or are submitted when there are no new roads or streets being named.

Council has received a submission suggesting a family name for consideration when naming streets in the Gulgong area. It is requested that Oldfield be approved for inclusion in Council's Pre-Approved Street/Road Names List for future use.

Financial implications

Not applicable.

Strategic or policy implications

The Geographical Names Board has been advised of the submitted name and has no objection.

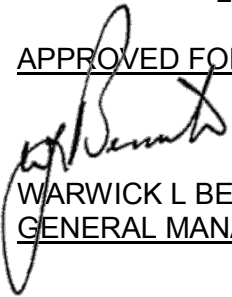
DIANE SAWYERS
MANAGER REVENUE AND PROPERTY

CLARE PHELAN
GROUP MANAGER
FINANCE & ADMINISTRATION

19 October 2012

Attachments: 1. Correspondence received from the Geographical Names Board
2. Submission

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: Carolyn Atkins

16th October 2012

Your Ref: CA: R0790141
Our Ref: T02/0175 2012 - 168



Dear Madam,

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

I refer to your letter of 11th October 2012 which proposed the following public road name:

OLDFIELD STREET

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 I 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 16/10/12'.

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

ATTACHMENT 2

6 /10/201
Mudgee Council
Mudgee N.S.W



John Oldfield
13 Leonard St
Dubbo N.S.W.
2830

Dear Sir

My reason for writing this letter to ask the Mudgee Council is it possible for the Council to name a street or park or give some recognition to the Oldfield generation in Gulgong, who have had a past history in bygone years.

There is nothing in the town to my knowledge that relates to this Endeavour of the Oldfield generations past history.

My great, grandfather [Richard Oldfield] came to Australia as free citizen and settled in Windsor for a while then resettled in Gulgong when the gold rush was on, married a girl [Mary Ann Field] he was not a successful gold miner so he acquired a stamping or rock crushing machine and with the help of his sons he crushed rocks in Gulgong and Mebul. Now grandfather [George Oldfield] carried on rock crushing until it was not viable and acquired a horse and coach run to Gilgandra and Mudgee from Gulgong with the help of my father [William Ernest Oldfield]. Years later Cobb and Co. Acquired the coach run from George Oldfield and William Oldfield my father become a whyaldra shire council employee. While on the council in Gulgong he was a horse and dray worker/road maintenance and grader driver [War broke out, went to Darwin as a grader driver on the air field grading aerodromes when Darwin was bombed] returned to shire council and eventually became garbage carter for many years under health inspector [John Gudgeon.]. When our dad William [Bill] Oldfield retired the Mudgee council presented dad with a watch at a dinner for his 30 odd years to the council also 25 years in the Gulgong fire brigade

The Oldfield generation history in Gulgong started about the year 1865 until the year 1972 which is one hundred and seven years in Gulgong.

Once again the Oldfield family would appreciate Mudgee councils thoughts on this request.

Regards

John Oldfield
13 Leonard Street
Dubbo N.S.W
2830

6.2.6 Naming of new roads in Bellevue Hill Estate subdivision

REPORT BY MANAGER REVENUE AND PROPERTY TO 7 NOVEMBER 2012 COUNCIL MEETING

Street Naming – New Roads in stages 15 16 & 17 of the Bellevue Hill Estate Subdivision
A0100055, R0790141

RECOMMENDATION

That:

1. **the report by the Manager Revenue and Property on the naming of the new roads in Bellevue Hill Estate subdivision;**
2. **Council name;
Road 1 – Eleanor Dark Court;
Road 2 – Grant Bruce Court &
Road 3 – Xavier Court;**
3. **the names of Resolution and Endeavour be included in Council's Pre-Approved list for future use.**

Executive summary

Stages 15, 16 & 17 of the Bellevue Hill Estate subdivision off Bellevue Road in Mudgee includes three new streets. Addressing requirements for the new subdivisions will necessitate the naming of the new roads within the subdivisions.

Detailed report

Council, being the Roads Authority, is required to name new or unnamed streets and roads. The purpose of this report is to provide a list of names submitted by the original developer and the public from which Council can choose one name for each unnamed street.

The original developer, Mr Aarts, put a lot of thought into the names of these roads and, keeping to his Australia Author theme for the rest of the subdivision, the following names were submitted:

Eleanor Dark Court for Eleanor Dark (1901-1985), author of *The Timeless Land* amongst others.
Grant Bruce Court for Mary Grant Bruce (1878-1958), author of the *Billabong* series of books, *Golden Fiddles* and many more.
Xavier Court for Xavier Herber (1901-1984), author of *Poor Fellow My Country*, *Capricornia* and several others.

Council wrote to neighbours of stages 15, 16 & 17 of the subdivision on 31/8/12 requesting their naming suggestions. Public consultation was also invited in an advertisement placed in the September issue of the *Community News*. Submissions closed on 12/10/12 and during this period 1 submission was received with the following names suggested:

Resolution Avenue, Endeavour Court

Financial implications

Cost of Gazettal notice at an approximate cost of \$60. This cost is included in the 2012/13 Operational Plan. Purchase and installation of three street signs 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 these streets will allow for future addressing whenever it should be required. Section 162 of the Roads Act (1993) state 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 the submitted names and has no objection to them.

In accordance with Council's Road Naming Policy, the names that Council endorses for new streets in the Bellevue Hill Estate 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 – Roads & Maritime Services, inviting submissions in writing for a period of 21 days.

At the expiration 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 names, and Gazettal of the new street names.

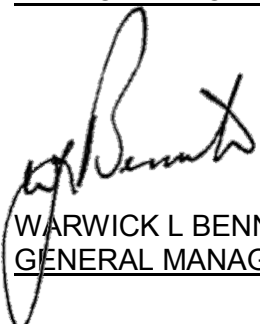
DIANE SAWYERS
MANAGER REVENUE AND PROPERTY

CLARE PHELAN
GROUP MANAGER
FINANCE & ADMINISTRATION

23 October 2012

- Attachments:*
1. Correspondence received from the Geographical Names Board
 2. Submissions (in order of receipt)
 3. Map of the road to be named off Bellevue Road.

APPROVED FOR SUBMISSION:



WARWICK L BENNETT
GENERAL MANAGER



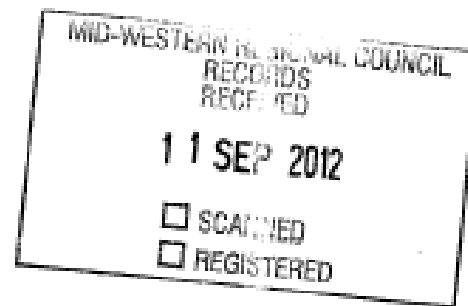
Land & Property Information

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: Carolyn Atkins

3rd September 2012



Your Ref: CA: R0790141
Our Ref: T02/0175 2012 - 139

Dear Madam,

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

I refer to your letter of 31st August 2012 which proposed the following public road names:

DARK COURT, GRANT BRUCE PLACE, XAVIER COURT

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 I there is no objection to their use, providing they do not refer specifically to any living persons.

Yours Faithfully

A handwritten signature in black ink that reads "Bob Davis" followed by the date "03/09/12".

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



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: Carolyn Atkins

17th October 2012

Your Ref: CA: R0790141
Our Ref: T02/0175 2012 - 139



Dear Madam,

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

I refer to your letter of 16th October 2012 which proposed the following public road names:

RESOLUTION AVENUE, ENDEAVOUR COURT

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

Bob Davis 17/10/12

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

Willem Aarts Sub-trust
180 Gross River Road, Gross Wold, NSW, 2753
Phone 61 +2 45 72 22 01
Fax 61 +2 45 72 22 03

The General Manager,
Mudgee Shire Council,
P.O. Box 156,
Mudgee, NSW, 2860.

Friday, 7 May 2004

Attention Mr. G. German

Dear Graham,

Re: Naming of streets, Bellevue Hill Estate.

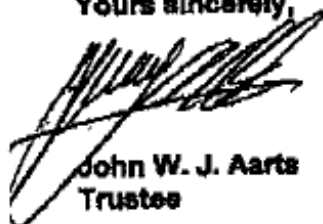
Having looked at the general naming of streets in Mudgee, I discovered that there was no area that had a generic theme, e.g. authors, flora or fauna, artists, etc.

I should like to submit that honouring a group of people such as authors would be an appropriate gesture, so I am submitting a number of author names, as follows:

- 1 (Patrick) White Circle
- 2 (Mary) Durack Court
- 3 (Kit) Denton Close
- 4 (Kylie) Tennant Close
- 5 (Eleanora) Darke Court
- 6 (florencia) James Close
- 7 (Frank) Hardy Crescent
- 8 (Vance) Palmer Avenue
- 9 ~~(Golin) Simpson Place~~ - Willem Place
- 10 ~~(Eather) O'Brien Court~~ - John Aarts Court
- 11 (Mary) Grantbruze Place
- 12 (Banjo) Patterson Avenue
- 13 (Xavier) Herbert Court

The numbers above are also noted on a road map of the area for your reference.

Yours sincerely,



John W. J. Aarts
Trustee

WILLEM AARTS SUB TRUST
ABN 85 749 091 997
"THETFORD PARK"
1591 MUTTON FALLS ROAD O'CONNELL NSW 2795
Phone: +61 (02) 6337 5065 Fax: +61 (02) 6337 5024

2 October, 2012

Ms Carolyn Atkins
Property Support Officer
Mid-Western Regional Council
PO Box 156
MUDGEES NSW 2850

By Fax: (02) 6378 2815

Dear Ms Atkins,

STREET NAMES FOR BELLEVUE HILL ESTATE – STAGES 15, 16 & 17

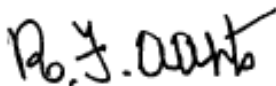
Thank you for your letter dated 31 August, 2012 in relation to the above.

As per your letter, the following names were suggested for the above stages:-

- Stage 15: Grant Bruce Place. We prefer Resolution Avenue .
- Stage 16: Dark Court. We prefer Endeavour Close.
- Stage 17: Xavier Court. We're OK with this.

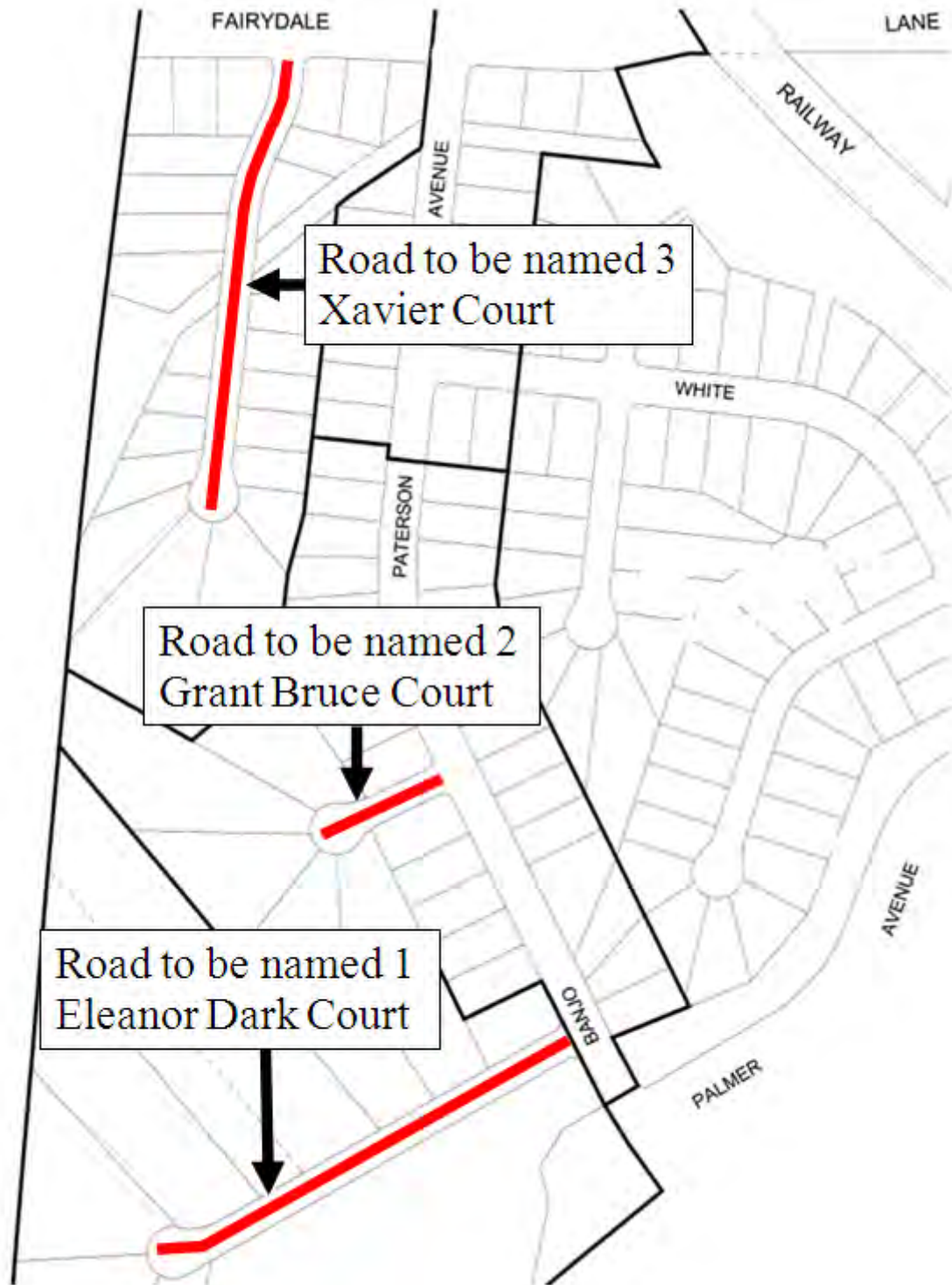
I look forward to hearing from you.

Yours faithfully,



Ruth Aarts





6.2.7 Transfer of Closed Road

REPORT BY MANAGER REVENUE AND PROPERTY TO 7 NOVEMBER 2012 COUNCIL MEETING

Transfer of Closed Road Camerons Road Running Stream
A0100055, R0790175

RECOMMENDATION

That:

1. **the report by Manager Revenue & Property on the transfer of residual land created from a plan of road closing and opening along Camerons Road Running Stream be received;**
2. **that Council authorise the transfer of Lot 8 DP 1030302 to the ownership of the adjoining property owner;**
3. **that the Common Seal of Council be affixed to all necessary documentation to facilitate the transfer.**

Executive summary

Residual land identified as Lot 8 DP 1030302 created from a plan of road closure and opening along Camerons Road Running Stream is now required to be transferred into the ownership of the adjoining property owner.

Detailed report

In 2001, the former Mudgee Shire Council carried out the realignment of Camerons Road through adjoining private property. Through negotiation with the affected property owner, the matter entailed Council formalising a road opening over their land in conjunction with the closure of a section of unformed Council road reserve that was to be transferred to their ownership as part of the agreed compensation.

The closed road reserve is now identified as Lot 8 DP 1030302 and only recently vested into the ownership of Mid-Western Regional Council. Council is now required to transfer the ownership of this parcel of land to the adjoining land owner to satisfy conditions of the original agreement and to finalise this matter.

The document to facilitate the transfer of ownership will require execution under the Common Seal of Council.

Financial implications

Solicitor costs (estimated \$300).

Strategic or policy implications

Not applicable.

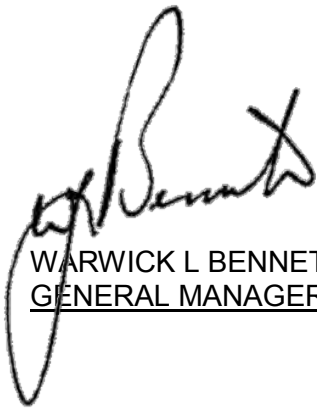
DIANE SAWYERS
MANAGER REVENUE AND PROPERTY

CLARE PHELAN
GROUP MANAGER,
FINANCE & ADMINISTRATION

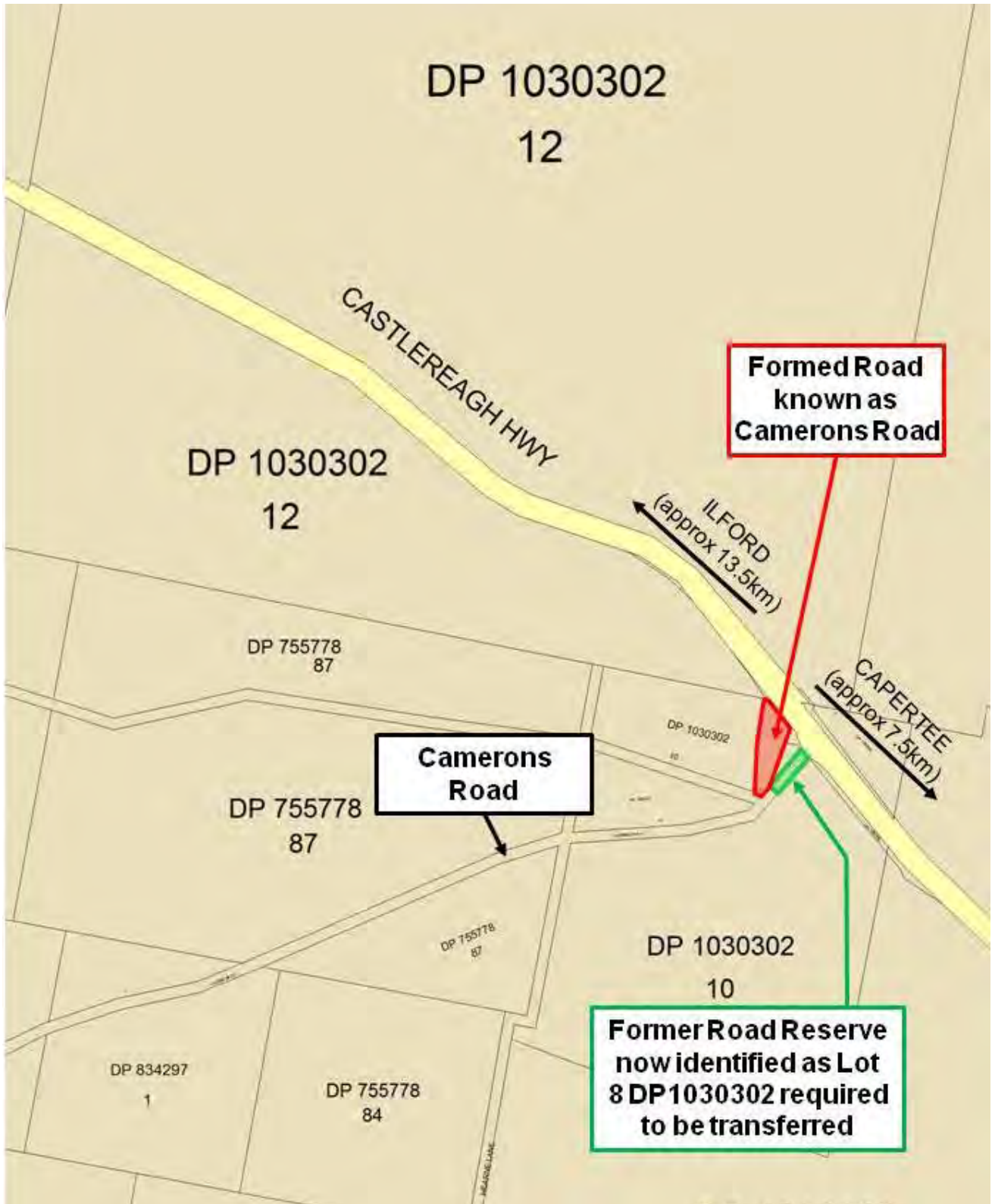
8 October 2012

Attachments: 1. Map of Road Closure and Road Opening

APPROVED FOR SUBMISSION:

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

WARWICK L BENNETT
GENERAL MANAGER



6.2.8 Naming of Bridges on Lue Road

REPORT BY MANAGER REVENUE AND PROPERTY TO 7 NOVEMBER 2012 COUNCIL MEETING

Place Naming – Bridges on Lue Road between Mudgee and Lue – Preliminary Report
A0100055, R0001005 R001004 R0790041

RECOMMENDATION

That:

1. **the report by the Manager Revenue and Property on the naming of bridges on Lue Road be received;**
2. **Council name these Bridges the following:**
 - Bridge 1 - Railway Crossing Bridge**
 - Bridge 2 - Havilah Bridge**
 - Bridge 3 - Grey Gums Bridge**
 - Bridge 4 - Scottys Bridge**
 - Bridge 5 - Henry Gawthorne Bridge**

Executive summary

In June a letter was received from Lue/Havilah Bushfire Brigade suggesting that the five bridges between Lue and Mudgee on Lue Road be named to assist all emergency services to pinpoint reported incidents.

Detailed report

The Lue/Havilah Bushfire Brigade has suggested the naming of the five bridges between Lue and Mudgee to assist motorists, especially tourists and motor bike clubs who use Lue Road on weekends, who would not be aware of distances from town to town if they have to call 000 to report an incident. Unfortunately accidents do occur on Lue Road, as do floods and fires. Naming the bridges would assist the public to easily identify the location of an incident as well as assisting all emergency services and 000 operators to clarify and relay information in relation to incident locations along Lue Road between Lue and Mudgee.

Council wrote to the neighbours of the bridges on 3/9/12 and advertised in the September Community News for naming suggestions. Submissions closed on 12/10/12 with five additional submissions received.

The names suggested for the bridges on Lue Road between Lue and Mudgee by Lue/Havilah Bushfire Brigade are as follows:

Bridge 1 - The first bridge from Lue towards Mudgee at the Railway Crossing is known locally as Railway Crossing Bridge.

Bridge 2 - The next bridge from Lue towards Mudgee past the Havilah Church is known locally as Havilah Bridge.

Bridge 3 - The following bridge from Lue towards Mudgee is known locally as Grey Gums Bridge. An additional submission has suggested Quarry Bridge or Mt Knowles Bridge.

Bridge 4 - The next bridge on a bend from Lue towards Mudgee is known locally as Scotty's Bridge.

Bridge 5 - No suggestion was included for the final bridge towards Mudgee however several suggestions were included in submissions – Mills Bridge, Hunt Bridge, Hensleys Bridge, Ronbilly Bridge, Bluebells Bridge, Peppercorn Bridge and Henry Gawthorne Bridge.

Financial implications

Cost of Gazettal notice plus 10 name signs at an approximate cost of \$1200. These costs are included in the 2012/2013 Management Plan.

Strategic or policy implications

Council has the authority to name bridges and the naming of these bridges will assist in identifying locations along Lue Road when reporting incidents to 000 and will assist emergency services in locating incidents along Lue Road.

Council currently has no policy in relation to the naming of Bridges. Unlike road naming and place naming, the Geographical Names Board does not have any authority over the naming of Bridges and this is entirely in Council's purview. Therefore, using Council's Road Naming Policy as a reference, notice of the proposed names 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 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, 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 names, and Gazettal of the new names.

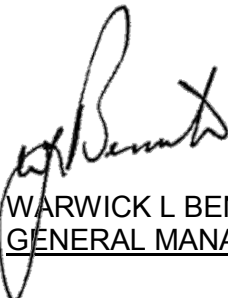
DIANE SAWYERS
MANAGER REVENUE & PROPERTY

CLARE PHELAN
GROUP MANAGER,
FINANCE & ADMINISTRATION

16 October 2012

- Attachments:*
1. Submissions (in order of receipt)
 2. Map of the locations of each bridge along Lue Road.

APPROVED FOR SUBMISSION:



WARWICK L BENNETT
GENERAL MANAGER

ATTACHMENT 1

LUE/HAVILAH BUSHFIRE BRIGADE



PRESIDENT	-Tom Combes	63736416
SECRETARY	-Peter Krull	63736482
CAPTAIN	-Steve Battye	63736331
SNR. DEPT CAPTAIN	-Terry Kavanagh	63736569
TREASURER	-Peter Kurtz	63736462

SECRETARY –
“Wandarra” Lue Rd.,
LUE NSW 2850

TREASURER –
“Bylo” Swanston St.,
LUE NSW 2850

Mr. A Albanna,
Mid-Western Regional Council,
Market Street,
Mudgee NSW 2850

26TH June, 2012



Dear Ahmed,

Further to our discussion on 13th June 2012, it was put forward to this Brigade on the same night at their Executive meeting, the issue regarding the naming of the bridges between Lue and Mudgee. It was passed unanimously at this meeting to submit suggested names for the four bridges which will assist all emergency services to pinpoint reported incidents.

As mentioned, a lot of accidents unfortunately occur on this road, as do floods and fires, which lead to cutting off bridges. We also have a lot of tourists and motor bike clubs, especially on weekends, who use this road and would not be aware of distances from town to town if they have to call 000 to report an incident. With the naming of the bridges it would assist us all in these matters as well as help 000 operators to clarify and relay information for this section of the road.

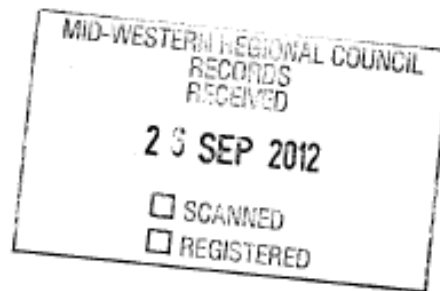
The first bridge from Lue towards Mudgee is at the Railway Crossing. We thought it may be confusing to put a name to this one as most people refer to it as “The Railway Crossing”. It is therefore suggested to leave this one unnamed. The next bridge is passed the Havilah Church, and is simply referred to as “The Havilah Bridge”. The following bridge was referred to as “Grey Gums Bridge”, which was what it was referred to in a fire a year or so ago and the floods which caused the road to be cut off. The next bridge is on a bend where there was a fatality many years ago, which all the locals refer to it as “Scotty’s Bridge”. Leaving the final bridge, towards Mudgee, which we really did not have a name for as it was too confusing with the other bridge over the Cudgegong River on Rocky Waterhole Road. Even though it is close to Rocky Waterhole Road, maybe you may have something in mind. It also has its share of accidents over the years. This is where the mail truck hit a tree last year and closed off half the road.

I hope these suggestions may be of assistance to you, however, should you need clarity of these names or have any further suggestions, please do not hesitate to contact myself.

Regards,
PETER KRULL, Secretary.

Mr Nigel R. Mills
20 Jervis St
Ermington NSW 2115

Carolyn Atkins
Property Support Officer
Mid-Western Regional Council
PO Box 156
Mudgee NSW 2850



23 September 2012

Dear Carolyn,

I am writing in reply to your letter regarding the naming of unnamed bridges on the Lue Rd between Lue and Mudgee. I would like to put forward the following suggestions for Bridge 5 (which was yet to be named):

1. **MILLS BRIDGE** – The Mills family have continuously lived along the Lue Rd since approximately 1885/86 (as can be found in the Cudgegong Municipal Rate Books held at the Mudgee Historical Society). My great-grandfather Reuben Mills and great-great-uncle Thomas Mills first settled in the Mudgee district in 1875 and contributed to the development of Mudgee in many ways, they were both alderman in the Cudgegong council during the 1890s/early 1900s. Reuben was also a member of the Mudgee and District Agricultural Association for many years. He was a shareholder in the Mudgee Dairy Company and a major supplier to it. My grandfather Alfred James Mills was a longstanding councillor for the Cudgegong Shire between 1942 – 1953, and at one point was Deputy President of the Shire. My father Harvey Mills ran a pastoral property, also along the Lue Rd, for over 40 years (next door to Havilah). In keeping with the Mills family continual landholdings along the Lue Rd I currently own a farm in close proximity to Bridge 5 (703 Lue Rd). Also my Aunt Mary Mills property "Wilgowrah" is close by, as well as my cousin Peter Mills property "Wandana".
2. **HUNT BRIDGE** or **HENRY HUNT BRIDGE** – Henry Hunt lived not far from where Bridge 5 is now located. Henry Hunt lived at this location from 1878 until his death many years later in 1906. While the Mudgee railway line was under construction he operated an Inn from his home called the "Old Oak Inn" as well as a farming operation. This house still stands today (782 Lue Rd).

Yours sincerely,

Nigel Mills

MID-WESTERN REGIONAL COUNCIL
RECORDS
RECEIVED
27 SEP 2012
 SCANNED
 REGISTERED

'Yippyio'
Dolomite Rd
Mount Knowles
2850.

To: ~~General Manager,~~

re: Bridge names submissions;

Bridge 3: "Quarry Bridge",
as the waterhole/quarry has
been a known landmark for
years.

OR Bridge 3: "Mt Knowles Bridge"
as it is located near the
Mt Knowles siding

Bridge 5: "Hensley's Bridge"
as property own by family for
many years.

Maureen Dixon.



"BOOMANA"
617 LUR RD

MUDGEE. 2850.

OCT 1ST.

THE GENERAL MANAGER
MIDWESTERN REGIONAL COUNCIL
P.O. BOX 156
MUDGEE 2850.



Dear Sir/Madam,

Thankyou for your letter dated Sept 3 concerning the naming of bridges along the Lur Rd between the townships of Mudgee and Lur.

We would be pleased if you would consider the following possibilities for BRIDGE 5.

- A. RONBILLY BRIDGE
- B. BLUEBELLS BRIDGE
- C. PEPPER CORN BRIDGE

Yours faithfully

M ROBB. (Margaret ROBB)

per daughter (JENNY)

J. Robb

12th October 2012

647 Lve Road
Mudgee NSW 2850

Dear Sir or Madam,

We would like to suggest the following name for Bridge n° 5 on the Lve Road - 'Henry Gawthorne Bridge'.

The reasons are:

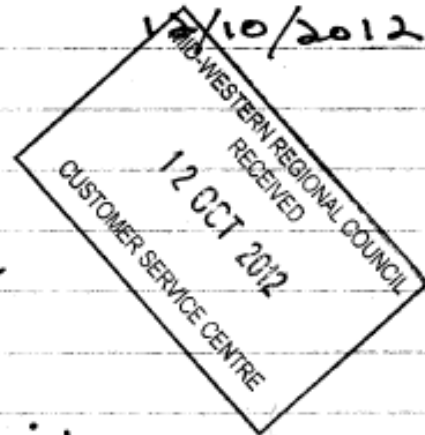
- Henry Gawthorne's cottage the oldest residential cottage still standing outside of Mudgee is the closest property to the bridge.
- He was a resident in this cottage from 1863.
- The land where the bridge now is belonged to him.

Yours Sincerely,
Kerri & Wayne Latimore

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

647 Lutz Road
Mudgee 2850

10/10/2012



Mid Western Shire Council
Mudgee NSW.
Attn: The General Manager

Dear Sir,

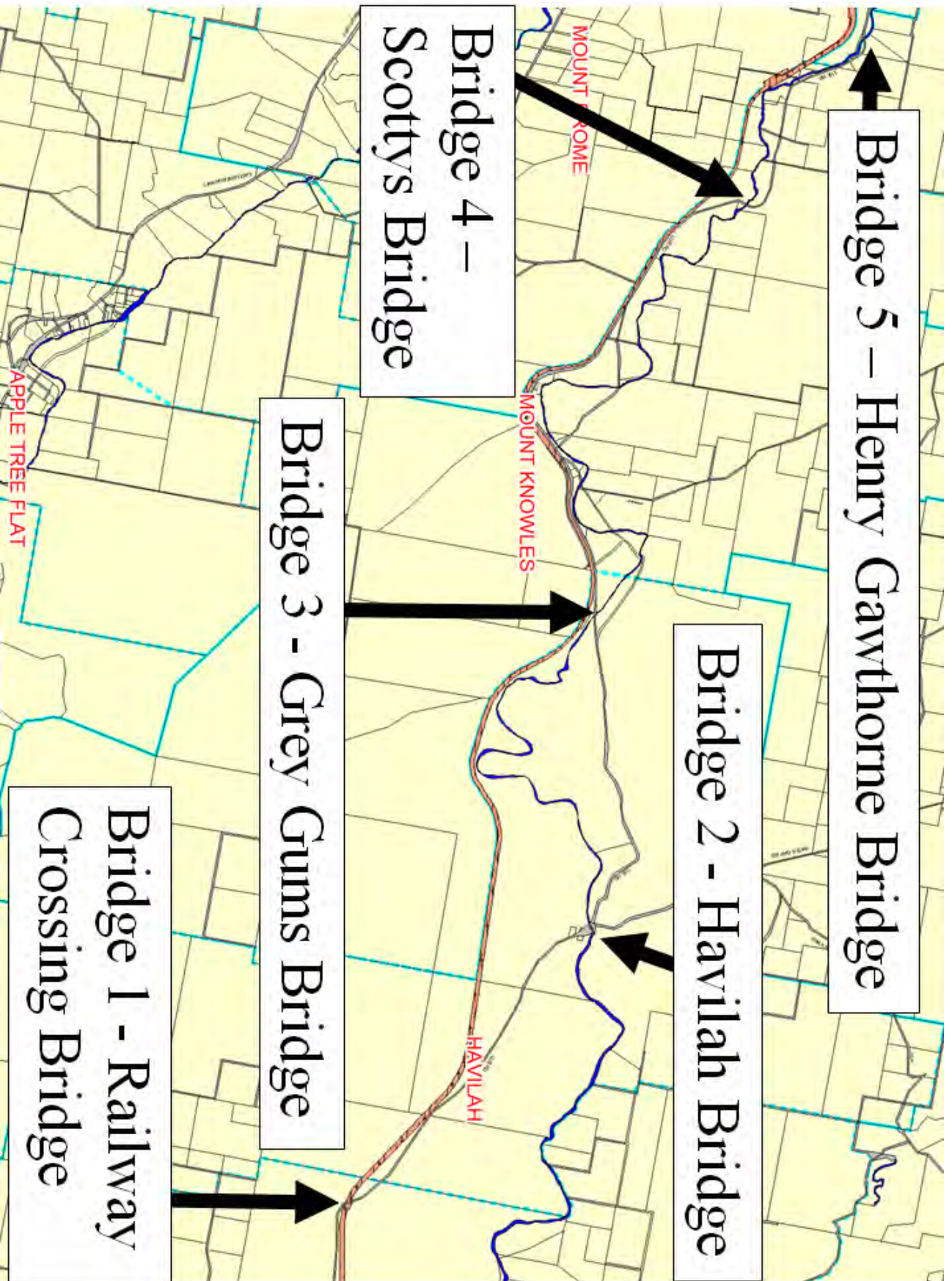
Re-naming of Bridge

The bridge near our home is to be named and we would like to suggest the name "HENRY GAUTHORNE BRIDGE" as our home is called Gauthorne Cottage and was built in 1863. This would ensure besides the home that he built the naming of the bridge would do him an honour. We trust this is in keeping with the criteria for the bridge naming.

Yours Sincerely,
Sally

W. K. Hartman

* Henry Gauthorne built home located 200 metres from bridge.



6.2.9 Reduction in Swimming Pool Entry Fees

REPORT BY GENERAL MANAGER TO COUNCIL MEETING

REPORT - Reduction in Swimming Pool Fees - Council 2012

A0100055, A0640002

RECOMMENDATION

That:

1. **the report by General Manager on the reduction in swimming pool entry fees be received;**
2. **that the swimming pool entry fees be reduced by 50% for the 2012/2013 swimming season;**
3. **that patrons that have already paid for season tickets be reimbursed for half the original cost of that ticket;**
4. **that the income recognised in the 2012/13 Operation Plan and Budget be reduced by \$71,000.**

Executive summary

Due to the continued works at the three Olympic swimming pools there will be a lack of facilities that will be endured for an extended period into the current swimming season. As not all the facilities at the three swimming pools, nor the swimming pools themselves, will be available for the whole season there should be a reduction in the fees and charges for this season only.

Detailed report

Works will continue on both the swimming pools and the amenities block for several months and patrons will have reduced access to the swimming pool facilities such as change rooms, permanent toilet blocks, canteen and recreation areas.

Consideration was given to completely removing entry fees for this season however this will create a safety risk if too many patrons attend due to the ratio of lifeguards available to swimmers and the capacity of the pool to take additional swimmers. Additionally too many swimmers would place additional strains on the already limited facilities.

The Division of Local Government, Department of Premier and Cabinet, provides a recommended minimum standard of safety at swimming pool through their "Practice Note 15". Royal Lifesaving Australia also provide a "Guidelines for Safe Pool Operations" that although not law, is a prime point of reference for the legal community when issues in the aquatic industry go to court, particularly in relation to the provision of supervision by lifeguards. It has been examined and referred to in various Coroners and Magistrates courts across the country. These documents are utilised by Council to determine both the number of swimmers allowed in a pool at one time and also the number of lifeguards required per number of swimmers, and allowing free entry could pose a serious safety risk.

Season tickets have been on sale for some time and records have been maintained of these sales and that if this recommendation is accepted then pre purchased tickets should also be entitled to the reduction in fees.

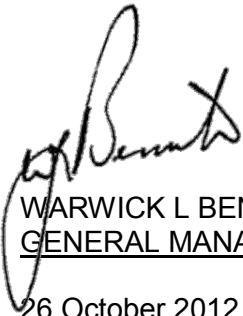
Financial implications

The current budgeted income for this financial year is as per the table below and this projected income would be halved resulting in a budget adjustment of \$71,000.

Swimming Pool	2012/13 Approved Budget	2012/13 Proposed Budget
Mudgee	\$105,000	\$52,500
Gulgong	\$25,000	\$12,500
Kandos	\$12,000	\$6,000

Strategic or policy implications

Not applicable.



WARWICK L BENNETT
GENERAL MANAGER

26 October 2012

Attachments: Nil

6.2.10 Fees and Charges - Mudgee Town Hall

REPORT BY MANAGER COMMUNITY DEVELOPMENT TO 7 NOVEMBER 2012 COUNCIL MEETING

Fees and Charges - Mudgee Town Hall
A0100055, A0140341, P0159964

RECOMMENDATION

That:

1. the report by Manager Community Development on the Fees and Charges - Mudgee Town Hall be received;
2. Council endorse the fees (inclusive of GST) as set out in the table below:

Town Hall Theatre

Auditorium, Green Room and Dressing Rooms (all upper floor & equipment)

Business/Private Rate	per half day (4 hrs max)	\$320.00
	per day	\$600.00
	per week (Mon-Sun)	\$2,100.00

Not-for profit Rate	per half day (4 hrs max)	\$120.00
	per day	\$200.00
	per week (Mon-Sun)	\$600.00

Auditorium only

Business/Private Rate	per half day (4 hrs max)	\$250.00
	per day	\$450.00
	per week (Mon-Sun)	\$1,800.00

Not-for profit Rate	per half day (4 hrs max)	\$80.00
	per day	\$150.00
	per week (Mon-Sun)	\$450.00

Green Room only

Business/Private Rate	per half day (4 hrs max)	\$80.00
	per day	\$150.00

Not-for profit Rate	per half day (4 hrs max)	\$40.00
	per day	\$70.00

Mudgee Library

Library Training Room

Business/Private Rate	per half day (4 hrs max)	\$80.00
	per day	\$150.00

Not-for profit Rate	per half day (4 hrs max)	\$40.00
	per day	\$70.00

Library Meeting Rooms

Business/Private Rate	per hour	\$10.00
-----------------------	----------	---------

Not-for profit Rate	per hour	\$5.00
---------------------	----------	--------

Executive summary

With the renovations to the Mudgee Town Hall building nearing completion, consideration needs to be given to the fees that will be charged for the hire of the various facilities within the building.

These fees are recommended to Council for review and endorsement. Where possible, they have been developed to be equivalent to other similar Council facilities throughout the region and also take into consideration the significant investment to upgrade not only the building but also the sound and stage lighting equipment in the Town Hall Theatre.

Detailed report

The renovations to the Town Hall building have provided some additional spaces for use by the public. While previously the Town Hall Theatre area was leased to the Mudgee Performing Arts Society, the intention is for Council to manage the operation, maintenance and booking of these areas. Therefore new fees and charges need to be determined for the use of the Theatre Auditorium, the Green Room, the training room in the library and the two meeting rooms in the library.

The Theatre Auditorium is designed to be used for a variety of different options: live theatre productions, musical recitals, exhibitions, presentations and lectures. Some of these uses will require the use of the kitchenette, the Green Room and the dressing rooms and some will not. Therefore, a fee schedule has been designed to allow for the use of the entire Theatre area or the Theatre Auditorium or Green Room individually.

<i>Town Hall Theatre</i>		
<i>Auditorium, Green Room and Dressing Rooms (all upper floor & equipment)</i>		
<i>Business/Private Rate</i>	<i>per half day (4 hrs max)</i>	<i>\$320.00</i>
	<i>per day</i>	<i>\$600.00</i>
	<i>per week (Mon-Sun)</i>	<i>\$2,100.00</i>
<i>Not-for profit Rate</i>	<i>per half day (4 hrs max)</i>	<i>\$120.00</i>
	<i>per day</i>	<i>\$200.00</i>
	<i>per week (Mon-Sun)</i>	<i>\$600.00</i>
<i>Auditorium only</i>		
<i>Business/Private Rate</i>	<i>per half day (4 hrs max)</i>	<i>\$250.00</i>
	<i>per day</i>	<i>\$450.00</i>
	<i>per week (Mon-Sun)</i>	<i>\$1,800.00</i>
<i>Not-for profit Rate</i>	<i>per half day (4 hrs max)</i>	<i>\$80.00</i>
	<i>per day</i>	<i>\$150.00</i>
	<i>per week (Mon-Sun)</i>	<i>\$450.00</i>
<i>Green Room only</i>		
<i>Business/Private Rate</i>	<i>per half day (4 hrs max)</i>	<i>\$80.00</i>
	<i>per day</i>	<i>\$150.00</i>
<i>Not-for profit Rate</i>	<i>per half day (4 hrs max)</i>	<i>\$40.00</i>
	<i>per day</i>	<i>\$70.00</i>

Half day (up to 4 hours), full day and weekly rates have been recommended. Therefore if it is a not for profit evening musical recital that requires the use of the Green Room but little set up time then the cost may be \$120.00. If the green room is not required, it may only be \$80.00. For theatre productions with a number of rehearsals, performances and more extensive set up with sets and storage of costumes, it may be more beneficial to look at a weekly rate.

The information available suggests that these charges are commensurate with previous charges for not-for-profit groups. Under the Mudgee Performing Arts Society lease, the charges for the

Auditorium were \$150 for a day session; \$170 to include the evening; and \$50 for a rehearsal. The rates for the Green Room were \$30 for the first two hours and \$10 per hour after that.

The Not for profit rate is available to schools, youth organisations, not-for-profit community groups and organisations and local artists (as with other Council buildings, an assessment of an individual as a local artist could be determined in consultation with Mudgee Arts Inc). In accepting this rate, groups should be aware that there is a requirement for the rooms to be left in a clean and tidy state.

The hire charges for the auditorium include the use of the new stage lighting and sound equipment available in the Town Hall. It is expected that this equipment will be cared for appropriately and any issues or problems reporting to Council immediately.

It should be noted that if only the Auditorium or the Green Room is hired then hirers will need to share the amenities and kitchenette.

The bond of \$516.00 is applicable to hire of the Town Hall Theatre and will be enforced under the same conditions as other community buildings.

The renovation and extension of the library has also allowed for a training room facility and two meeting rooms to be available. These facilities will be access through the library and will be available during library opening hours.

<i>Mudgee Library</i>		
<i>Library Training Room</i>		
<i>Business/Private Rate</i>	<i>per half day (4 hrs max)</i>	<i>\$80.00</i>
	<i>per day</i>	<i>\$150.00</i>
<i>Not-for profit Rate</i>	<i>per half day (4 hrs max)</i>	<i>\$40.00</i>
	<i>per day</i>	<i>\$70.00</i>
<i>Library Meeting Rooms</i>		
<i>Business/Private Rate</i>	<i>per hour</i>	<i>\$10.00</i>
<i>Not-for profit Rate</i>	<i>per hour</i>	<i>\$5.00</i>

The Training Room will remain locked if not in use as there is likely to be some equipment housed in that area. If there are no bookings for the smaller meeting rooms they will be available for casual library use, for example, by groups of students studying together. It would be expected that private tutors would pay for the use of the rooms.

It is expected that bookings for the Theatre will be coordinated by Council's Customer Services and bookings with the rooms within the Library will be taken by the library staff.

While there may be limited use of these areas before the end of the financial year, any adopted fees would also be assessed as part of the regular annual review of Council's fees and charges and considered again for the 2013-14 financial year.

Financial implications

Funds through this schedule of fees replace the previous amount raised through the lease of the Theatre to the Mudgee Performing Arts Society. It is anticipate that in future years there will be a small increase in the income stream generated from these fees. Fees raised will be used to offset the maintenance costs for the Town Hall building.

Strategic or policy implications

It is at Council's discretion to charge for the use of the community facilities that it owns.

SIMON JONES
MANAGER COMMUNITY DEVELOPMENT



CATHERINE VAN LAEREN
GROUP MANAGER, DEVELOPMENT AND
COMMUNITY SERVICES

23 October 2012

APPROVED FOR SUBMISSION:



WARWICK L BENNETT
GENERAL MANAGER

6.2.11 Mudgee Sewerage Augmentation Progress Report

REPORT BY BUSINESS MANAGER SERVICES TO 7 NOVEMBER 2012 COUNCIL MEETING

Mudgee Sewerage Augmentation Progress Report to Council September & October 2012

A0100055, F0740001

RECOMMENDATION

That the report by Business Manager Services on the Mudgee Sewerage Augmentation Progress Report be received.

Executive summary

Attached for Council's information is a progress report on the construction of the Mudgee Sewage Treatment Plant, Putta Bucca Pump Station and Power Supplies contracts. Monthly progress reports will be provided to Council for the duration of the project.

Detailed report

The attached report contains relevant information on expenditure and project programme.

Financial implications

Contract variations for the Mudgee Sewage Treatment Plant construction to date amount to \$179,869.92 (ex GST).

Strategic or policy implications

Not applicable.

CLAIRE CAM
BUSINESS MANAGER SERVICES



BRAD CAM
GROUP MANAGER, OPERATIONS

APPROVED FOR SUBMISSION:



WARWICK L BENNETT
GENERAL MANAGER

26 October 2012

Attachments:

1. Contract No 0901709 – Project Status Report – September & October 2012

MUDGE SEWERAGE AUGMENTATION
Contract No.0901709 - Construction of a New Sewage Treatment Plant
Contract No.1101275 – Upgrade of Putta Bucca SPS and Associated Works
Contract No.1102539 – Power Supply Upgrades

Project Status Report
September-October 2012



Report No. 13

Issue Date: 25 October 2012

Prepared by: Claire Cam
Principal's Authorised Person

Contents

EXECUTIVE SUMMARY – STP Construction Contract.....	2
1. Project Status	3
1.1 Work Progress during September & October 2012	3
1.1.1. Aeration and Catch Balance Tanks.....	3
1.1.2. UV Disinfection Structure	3
1.1.3. Inlet Works and Septage Receiving Structure	3
1.1.4. Chemical Storage Area	3
1.1.5. Pipework and Pump Stations	3
1.1.6. Amenities Building	3
1.2 Photographs	3
1.3 Work Activities planned for November 2012.....	5
1.2.1. Aeration and Catch Balance Tanks.....	5
1.2.2. Inlet Works.....	5
1.2.3. Amenities Building	5
1.2.4. UV Disinfection Structure	5
1.2.5. Sludge Lagoons.....	5
2. Work Health and Safety	6
3. Project Variations.....	6
4. Progress Payments.....	8
5. Program	8
6. Contractual Issues	8
7. Summary of Contract for Putta Bucca Pump Station Upgrade	9
7.1 Project Variations.....	9
8. Summary of Contract for Power Supply Upgrade.....	11
8.1 Project Variations.....	11

EXECUTIVE SUMMARY – STP Construction Contract

Contract No.	0901709
Principal Contractor	Precision Civil Infrastructure ABN 16 097 107 956
Original Contract Sum (ex GST)	\$13,699,295.45
Approved Cost of Variations Total	\$179,869.92
Current Contract Sum	\$13,879,165.37
Contract Payments to Date	\$6,354,364.11
Total Project Cost Expended	45.8%
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	99 calendar days (19.4%)
Contract Completion Date	8 April 2013
Calendar Days Elapsed	444
Calendar Days Remaining	165
Total Project Time Expended	72.9%

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 work-as-executed drawings.

1. Project Status

1.1 Work Progress during September & October 2012

1.1.1. Aeration and Catch Balance Tanks

The internal surfaces of the aeration and catch balance tanks have been assessed and all minor defects rectified during September and October. Walkways located on top of the tank walls are currently under construction. The anoxic zone block wall has been laid during October.

1.1.2. UV Disinfection Structure

The Contractor has completed steel fixing and poured all walls of the UV disinfection structure during October.

1.1.3. Inlet Works and Septage Receiving Structure

The fixing of steel reinforcement, pouring of concrete walls and installation of handrails for the inlet works structure has been completed during October. Earthworks for the septage receiving structure were completed in September, the reinforced concrete base has been completed and steel reinforcement fixed for the septage receiving structure walls during October.

1.1.4. Chemical Storage Area

Construction of the reinforced concrete bund structure for storage of Ferrous Sulphate commenced in September, with the bund walls being poured in October.

1.1.5. Pipework and Pump Stations

The Contractor has started construction of maintenance chambers on the discharge pipeline during October. The base and walls have also been constructed for the supernatant pump station. A concrete blinding layer has been poured in preparation for commencement of the wastewater return pump station structure.

1.1.6. Amenities Building

Cabinetry for the laboratory and kitchen has been installed during September. The switchroom floor supporting structure has been installed and the verandah roof has been sheeted.

1.2 Photographs



Photograph 1. Preparation of sludge lagoons prior to installation of HDPE membrane liner.



Photograph 2. Concrete works complete and handrail installed at inlet works. Construction of formwork for septage receiving facility.

1.3 Work Activities planned for November 2012

1.2.1. Aeration and Catch Balance Tanks

The Contractor plans to complete construction of walkways during November and then fill the tanks with water to test the structures for water tightness.

1.2.2. Inlet Works

The internal walls and floor of the inlet works will be sealed prior to water testing the structure during November. The site will be prepared ready for installation of the odour control unit. Concrete works for the septage receival structure will continue during November.

1.2.3. Amenities Building

The Contractor plans to install flooring, wall tiling and plumbing fixtures during November.

1.2.4. UV Disinfection Structure

The UV system will be installed in the UV channel during November.

1.2.5. Sludge Lagoons

The Contractor has scheduled for the sludge lagoon liners to be installed during November.

2. Work Health and Safety

The Contractor reported two Work Health and Safety incidents in September and October of which one incident was reported to Workcover. The incident involved the overturning of a forklift that was on site to unload a delivery truck. The operator sustained minor injuries resulting in one day lost time. Under the Work Health and Safety legislation, the incident is classified as a 'notifiable incident'.

3. Project Variations

A number of requests for variations related to electrical works have been discussed during September and October including the relocation of the generator connection box, replacement of ducted air-conditioning in the main switchroom with split system air conditioning, alterations to the fire alarm system and separation of PLC and telemetry design. These requests for variations are currently being assessed.

One Request for Variation has been assessed and approved during October:

- The construction of all 1800mm diameter pump wells and maintenance chambers insitu in accordance with structural design certification instead of installation of pre-cast pump wells and maintenance chambers in accordance with the design drawings. There is no time or cost implication to the Contract associated with approval of this variation.

Total cost of variations to date = \$179,869.92 (1.31%).

Table 1 provides a summary of all approved variations to date for the Contract.

Table 1. Approved Variations Contract No. 0901709

Variation No.	Agreed Scope of Works	Approved by	Cost (ex GST)
1	Works Insurance Policy minimum \$20M	Brett Corven	\$0.00
1a	Professional Indemnity Insurance Policy \$1.5M	Brett Corven	\$0.00
2	Install an additional two 5m wide access gates.	Brett Corven	\$0.00
3	Switchroom sub-floor walls to be reinforced concrete.	Brett Corven	\$0.00
4	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	Supply & install and additional strand of barbed wire on the security fencing.	Brett Corven	\$0.00
6	Redesign, supply and install underdrain system and perimeter drain to drain seepage to atmosphere.	Warwick Bennett	\$141,086.17
7	Hourly rate for drafting to produce Construction Issue plans.	Brad Cam	\$5,330.00
8	Odour control lids – change from Aluminium to FRP.	Brad Cam	\$0.00
9	Increase concrete cover from 50mm to 65mm on reinforcement for surfaces in contact with sewage.	Brad Cam	\$0.00
10	Replace Iwaki dosing pumps with Grundfos DME 60 pumps.	Brad Cam	\$0.00
11	Provide additional concrete to match height of balance tank north and south wall thinning to eastern wall.	Brad Cam	\$0.00
12	Supply and install FRP grated walkway along centre wall of aeration tanks to allow installation of aerator cabling beneath the grating, decreasing WH&S risk during maintenance.	Warwick Bennett	\$30,720.75
13	Change stopboard frames material from aluminium to stainless steel.	Warwick Bennett	\$2,200.00
14	Cast insitu reinforced concrete 1800mm diameter pump wells and maintenance chambers	Warwick Bennett	\$0.00

4. Progress Payments

Progress Claim No. 11 for a sum of \$828,087.27 (ex GST) was received on the 10th October 2012. The progress claim has been assessed and a progress payment of \$616,614.10 (ex GST) has been approved and paid.

5. Program

The Principal and Principal Contractor are currently discussing an extension of time claim required due to a key mechanical item supply delay. The decanters had been scheduled to arrive onsite ready for installation in mid January 2013. The decanters are now unable to be delivered to site until late February.

The existing completion date for the project is 8 April 2013. The above extension of time required has not yet been confirmed, and will be advised during November.

6. Contractual Issues

The claim for extension of time as discussed above will impact the Contract for Putta Bucca Pump Station Upgrade, such that final connection of the pump station to the new sewage treatment plant will be delayed. The impact of this delay is currently being discussed with both the Principal Contractors for both Contracts.

7. Summary of Contract for Putta Bucca Pump Station Upgrade

Contract No.	1101275
Principal Contractor	Poonindie P/L t/a Ted Wilson & Sons
Original Contract Sum (ex GST)	\$2,436,710.00
Approved Cost of Variations Total	(\$21,821.82)
Current Contract Sum	\$2,414,888.18
Contract Payments to Date	\$127,936.36
Total Project Cost Expended	5.3%
Date of Contract	28 June 2012
Original Contract Duration	40 weeks (280 calendar days) Milestone 1: 6 weeks Milestone 1+ 2: 32 weeks Milestone 3: 6 weeks Milestone 4: 2 weeks
Approved Extensions of Time Claims	3 Days
Contract Completion Date	7 April 2013
Calendar Days Elapsed	119
Calendar Days Remaining	164
Total Project Time Expended	42.0%

7.1 Project Variations

The following table summarises the variations approved for Contract No. 1101275.

Table 2. Approved Variations Contract No. 1101275

Variation No.	Agreed Scope of Works	Approved by	Cost (ex GST)
1	Change fencing material from coated PVC to galvanised.	Warwick Bennett	(\$625.45)
2	Standardise Flanges and include pressure monitoring in valve chamber	Warwick Bennett	(\$16,567.27)
3	Replacement of autoclose gate with chain links (gate operation process not functional)	Warwick Bennett	(\$343.64)
4	Replace gatic lids on emergency overflow chamber with gas-tight aluminium lids with safety grating to allow single person operation.	Warwick Bennett	\$2,509.09
5	Remove valve chamber grating and replace with hand rail and provision for chamber access.	Warwick Bennett	(\$6,794.55)

8. Summary of Contract for Power Supply Upgrade

Contract No.	1102539
Principal Contractor	Large Industries P/L t/a JLE
Original Contract Sum (ex GST)	\$352,145.00
Approved Cost of Variations Total	\$20,870.00
Current Contract Sum	\$373,015.00
Contract Payments to Date	\$50,000.00
Total Project Cost Expended	13.4%
Date of Contract	28 June 2012
Original Contract Duration	12 weeks
Approved Extensions of Time Claims	100 calendar days *
Contract Completion Date	29 December 2012
Calendar Days Elapsed	119
Calendar Days Remaining	65
Total Project Time Expended	64.7%

* Extension of time of approximately 100 days will be required due to circumstances outside of the control of the Contractor or Principal. Essential Energy changed their approved substation supplier after the design and tender period. Approximated extension of time to the Contract will be confirmed once the new substation supplier advises delivery date.

8.1 Project Variations

Two Requests for Variation has been approved for Contract No. 1102539. They are as follows:

- The cost associated with the change of substation supplier as required by Essential Energy is \$20,000.00 (ex GST). The newly approved supplier, Tyree Industries, has a longer lead time in comparison to that originally allowed in the Contract. The substations (2) are not expected to be delivered to site until mid December.

- JLE have undertaken temporary low voltage works at the Putta Bucca Sewage Pump Station that were required to allow continued operation of the sewage pump station before the power supply upgrade is completed. The cost of the works was \$870 (ex GST). There is no extension of time associated with this variation.

6.2.12 Wet and Dry Plant Hire Tender 2010/05 Additional Contractor

REPORT BY BUSINESS MANAGER WORKS TO 7 NOVEMBER 2012 COUNCIL MEETING
WET AND DRY PLANT HIRE TENDER 2010_05 ADDITIONAL CONTRACTOR
A0100055, A0411005

RECOMMENDATION

That:

1. the report by Business Manager Works on the Wet and Dry Plant Tender 2010/05 Hire Additional Contractor be received;
2. Council accepts the additional contractors for tender 2010/05 for the provision of Wet and Dry plant hire in accordance with clause 178 of the *Local Government (General) Regulation 2005* as listed below for incorporation into Councils Preferred Suppliers List for Wet Hire;

EXCAVATOR

Cutting Edge Earthmoving and Excavations	Excavator	Caterpillar 305CCR/2008
--	-----------	----------------------------

TIPPER

Cutting Edge Earthmoving and Excavations	Rigid Tipper	Ford LTS9000/1990
--	--------------	----------------------

Executive summary

At the Council meeting of the 15 September 2010 following a detailed tender process Council resolved to accept a list of contractors that met the requirements of the tender for either wet or dry plant hire over a three year contract. Part of the resolution allowed additional contractors to be added to the preferred suppliers list by resolution of Council.

This report is recommending one additional contractor be included on the preferred suppliers list after having received the required information from the contractor.

Detailed report

Council has received a request by a contractor to be included on Council's preferred suppliers list. The contractor has completed the relevant documentation and been assessed in accordance with the tender evaluation process. The process was provided to Council at the time of accepting the original tender and can be provided to Councillors again on request. It involved the following steps:

- The Tender Assessment Panel undertook an objective analysis of tenderers' ability to meet both mandatory and desirable criteria.
- The tendered information and specific questions were listed under the evaluation criteria and weighted in order of importance to the overall evaluation. Team members scored the tenders against the criteria in accordance with the Evaluation Plan.

As a result of this process, the additional supplier will be incorporated into the preferred suppliers list.

Financial implications

The costs of the projects carried out using wet and dry plant hire are recognised in the Management Plan under the maintenance and construction of Councils assets.

Strategic or policy implications

The contractors are required at times to meet the Councils maintenance and capital works program.

SALLY MULLINGER
BUSINESS MANAGER WORKS

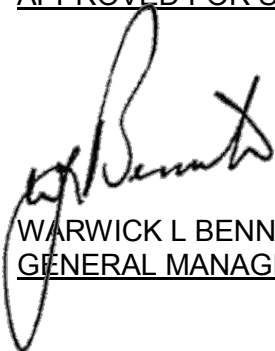


BRAD CAM
GROUP MANAGER, OPERATIONS

11 October 2012

Attachments: Nil

APPROVED FOR SUBMISSION:



WARWICK L BENNETT
GENERAL MANAGER

6.2.13 Mudgee Showground Management Committee Structure

REPORT BY GROUP MANAGER OPERATIONS TO COUNCIL MEETING 07 NOVEMBER 2012

Mudgee Showground Management Committee Structure
A0100055, A0100012

RECOMMENDATION

That:

1. **the report by Group Manager Operations on the Mudgee Showground Management Committee structure be received;**
2. **the following structure for Mudgee Showground Management Committee be adopted:**

Mid-Western Regional Councillor	- 1 delegate
Mid-Western Regional Council Group Manager Operations	- 1 delegate
Mudgee Show Society	- 1 delegate
Poultry Groups	- 1 delegate
Livestock and other animal users	- 1 delegate
Mid Western Working Horse Assoc	- 1 delegate
Mudgee Pony Club	- 1 delegate
Dressage Club	- 1 delegate
Building and Ground Users	- 1 delegate
3. **the Council call for nominations from various clubs and users to fill the delegate positions for the next four years**
4. **the attached terms of reference for the Mudgee Showground Management Committee be adopted**

Detailed report

The current Mudgee Showground Management Committee comprises of only one delegate representing horse interests.

A meeting held in August 2012 with the Mayor, General Manager, Group Manger Operations, Clr Webb and the Pony Club raised concerns that one horse delegate could not represent the interest of the Pony Club, Mid Western Working Horse and Dressage Club.

It was agreed that a delegate from Pony Club, Mid Western Working Horse and Dressage Club should be part of the structure of the Mudgee Showground Management Committee.

As a new structure is proposed and the start of a new four year term of Council, it is appropriate that all delegate positions become vacant

Financial implications

Not applicable.

Strategic or policy implications

Option One

The terms of reference for the Mudgee Showground Management Committee remain unchanged at;

Mid-Western Regional Council	– 2 delegates
Manager Operations	- 1 delegate
Mudgee Show Society	– 1 delegate
Livestock and other animal groups	– 1 delegate
Building users	– 1 delegate
Mudgee equestrian users	– 1 delegate

Option Two - recommended

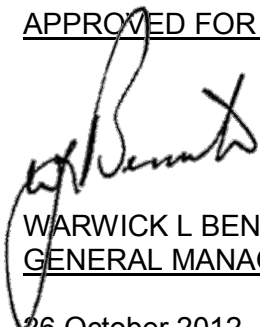
The terms of reference for the Mudgee Showground Management Committee are revised to;

Mid-Western Regional Councillor	– 1 delegate
Mid-Western Regional Council Group Manager Operations	– 1 delegate
Mudgee Show Society	– 1 delegate
Poultry Groups	– 1 delegate
Livestock and other animal users	– 1 delegate
Mid Western Working Horse Assoc	– 1 delegate
Mudgee Pony Club	– 1 delegate
Dressage Club	– 1 delegate
Building and Ground Users	– 1 delegate



BRAD CAM
GROUP MANAGER, OPERATIONS

APPROVED FOR SUBMISSION:



WARWICK L BENNETT
GENERAL MANAGER

26 October 2012

- Attachments:*
1. Existing Terms of Reference
 2. Revised Terms of Reference

**Mid Western Regional Council
Mudgee Showground Management Committee - TERMS OF REFERENCE**

PREAMBLE

Mid Western Regional Council appreciates the advice, voluntary time, commitment, interest and dedication demonstrated by members of its Advisory Committees. Council will give serious consideration to recommendations stated in the minutes of Advisory Committees. Such recommendations are considered in the context of Council's Management Plan and budgetary considerations at an operational and strategic level.

COUNCIL CONTACT

The Manager Operations is the Council contact officer for the Committee.

RESPONSIBILITIES

The Mudgee Showground Management Committee will be responsible for the *care, control and management* of the Mudgee Showground, incorporating the grounds, buildings and facilities contained therein. The responsibilities in respect of this area are as follows:

- a) The Mudgee Showground Management Committee will:
- Allocate the use of the various areas and facilities at the Showground to any organisation, group or person it sees fit (User Groups – refer section “c” below). These groups will be accountable to the Committee for their appropriate use of the facilities. *A list of bookings should be included in the minutes of each meeting.*
 - Ensure that the grounds and associated facilities are not abused in any way by organisations or persons to whom they have been allocated and that the grounds and facilities are left in a clean and tidy state.
 - Consider forward planning for the Mudgee Showground and formulate a list of priorities for improvement works. Each item is to be costed (Council staff may assist in the development of estimates). The list of costings is to be submitted to the Council with the minutes of the December meeting.
 - Submit a list of recommended fees and charges for the use of the Showground. The list shall be submitted to the Council with the minutes of the March meeting.

When formulating the recommendations, the Committee shall take into account: -

- i) The ability of each organisation to pay;
 - ii) The more money generated, the more improvements Council will be able to carry out.
- Actively promote the use of the grounds and facilities both within the local community and to other state and national groups that may be potential users.

- Submit proposals for minor improvements to the Manager Operations for consideration. Urgent ground improvement works shall be submitted via Council's Works Request System.
 - Collect all fees and charges arising from the use of the grounds and associated facilities.
- b) Mid-Western Regional Council will be responsible for:
- Regular mowing and watering of the grounds
 - Receiving and recording bookings for use of the facilities vi the Mid-Western Customer Service desk.
 - Building maintenance (note that the Committee is encouraged to promote 'working bee's' to undertake minor maintenance activities such as painting etc)
 - Any major maintenance or works in respect of the Showground.
- c) User Groups will be responsible for:
- The appropriate use of the grounds and associated facilities, ensuring they are not abused in any way and that they are left in a clean and tidy state.

COMPOSITION OF COMMITTEE

The Committee shall comprise the following:

Mid-Western Regional Council	– 2 delegates
Manager Operations	- 1 delegate
Mudgee Show Society	– 1 delegate
Livestock and other animal groups	– 1 delegate
Building users	– 1 delegate
Mudgee equestrian users	– 1 delegate

FREQUENCY OF MEETINGS

The committee shall meet at least once per month.

QUORUM

The quorum for meetings of the Committee shall be four (4) delegates.

DELEGATIONS

The committee will be permitted to arrange minor repairs up to \$500. Any repairs in excess of this figure must be referred to the Council via the Manager Operations.

FINANCIAL ARRANGEMENTS

The Committee shall present its books of account to the Council annually for audit by 31 August in each year.

**Mid Western Regional Council
Mudgee Showground Management Committee - TERMS OF REFERENCE**

PREAMBLE

Mid Western Regional Council appreciates the advice, voluntary time, commitment, interest and dedication demonstrated by members of its Advisory Committees. Council will give serious consideration to recommendations stated in the minutes of Advisory Committees. Such recommendations are considered in the context of Council's Management Plan and budgetary considerations at an operational and strategic level.

COUNCIL CONTACT

The Manager Operations is the Council contact officer for the Committee.

RESPONSIBILITIES

The Mudgee Showground Management Committee will be responsible for the *care, control and management* of the Mudgee Showground, incorporating the grounds, buildings and facilities contained therein. The responsibilities in respect of this area are as follows:

- a) The Mudgee Showground Management Committee will:
- Allocate the use of the various areas and facilities at the Showground to any organisation, group or person it sees fit (User Groups – refer section “c” below). These groups will be accountable to the Committee for their appropriate use of the facilities. *A list of bookings should be included in the minutes of each meeting.*
 - Ensure that the grounds and associated facilities are not abused in any way by organisations or persons to whom they have been allocated and that the grounds and facilities are left in a clean and tidy state.
 - Consider forward planning for the Mudgee Showground and formulate a list of priorities for improvement works. Each item is to be costed (Council staff may assist in the development of estimates). The list of costings is to be submitted to the Council with the minutes of the December meeting.
 - Submit a list of recommended fees and charges for the use of the Showground. The list shall be submitted to the Council with the minutes of the March meeting.

When formulating the recommendations, the Committee shall take into account: -

- iii) The ability of each organisation to pay;
 - iv) The more money generated, the more improvements Council will be able to carry out.
- Actively promote the use of the grounds and facilities both within the local community and to other state and national groups that may be potential users.

- Submit proposals for minor improvements to the Manager Operations for consideration. Urgent ground improvement works shall be submitted via Council's Works Request System.
 - Collect all fees and charges arising from the use of the grounds and associated facilities.
- b) Mid-Western Regional Council will be responsible for:
- Regular mowing and watering of the grounds
 - Receiving and recording bookings for use of the facilities vi the Mid-Western Customer Service desk.
 - Building maintenance (note that the Committee is encouraged to promote 'working bee's' to undertake minor maintenance activities such as painting etc)
 - Any major maintenance or works in respect of the Showground.
- c) User Groups will be responsible for:
- The appropriate use of the grounds and associated facilities, ensuring they are not abused in any way and that they are left in a clean and tidy state.

COMPOSITION OF COMMITTEE

The Committee shall comprise the following:

Mid-Western Regional Councillor	– 1 delegate
Mid-Western Regional Council Group Manager Operations	– 1 delegate
Mudgee Show Society	– 1 delegate
Poultry Groups	– 1 delegate
Livestock and other animal users	– 1 delegate
Mid Western Working Horse Assoc	– 1 delegate
Mudgee Pony Club	– 1 delegate
Dressage Club	– 1 delegate
Building and Ground Users	– 1 delegate

FREQUENCY OF MEETINGS

The committee shall meet at least once per month.

QUORUM

The quorum for meetings of the Committee shall be four (4) delegates.

DELEGATIONS

The committee will be permitted to arrange minor repairs up to \$500. Any repairs in excess of this figure must be referred to the Council via the Manager Operations.

FINANCIAL ARRANGEMENTS

The Committee shall present its books of account to the Council annually for audit by 31 August in each year.

6.2.14 Mudgee Saleyards Management Committee

REPORT BY GROUP MANAGER OPERATIONS TO 7 NOVEMBER 2012 COUNCIL MEETING

Mudgee Saleyards Management Committee
A0100055, A0100047, F0720036

RECOMMENDATION

That:

- 1. the report by Group Manager Operations on the Mudgee Saleyards Management Committee be received;**
- 2. That the minutes for the Mudgee Saleyards Management Committee ordinary bi-monthly meeting held on 18 October 2012 be noted;**

Executive summary

The purpose of this report is to advise council of the considerations and recommendations of the Mudgee Saleyards Management Committee ordinary bi-monthly meeting held on 16 August 2012.

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

Detailed report

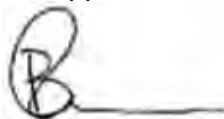
Not applicable.

Financial implications

Not applicable.

Strategic or policy implications

Not applicable.

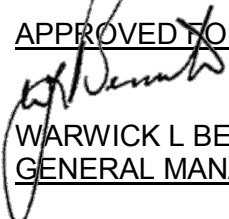


BRAD CAM
GROUP MANAGER OPERATIONS

25 October 2012

Attachments: 1. Minutes of the Mudgee Saleyards Management Committee ordinary monthly meeting 18 October 2012.

APPROVED FOR SUBMISSION:



WARWICK L BENNETT
GENERAL MANAGER



Minutes

PO BOX 156
MUDGEE NSW 2850

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

Ph: 1300 765 002 or (02) 6378 2850

Fax: (02) 6378 2815

email: council@midwestern.nsw.gov.au

**MINUTES OF THE MUDGEE REGIONAL SALEYARDS COMMITTEE MEETING HELD ON
18 OCTOBER 2012 COMMENCING AT 9.35am AND CONCLUDING AT 10.27am**

Present Cr John Webb (Chair), Terry McDonald (Selling Agent), Brad Cam (Council), Cr John Weatherly, Bob Kearins (NSW Farmers Association), Barry Clapham (Transport Rep), John Little (NSW Farmers Association-Gulgong)

In Attendance: Danielle Ogden (Minute Secretary)

Cr John Webb opened the meeting at 9.35am and thanked all for attending.
All agreed that Cr Webb was to continue as chair

1. APOLOGIES

Jason Pearce

Moved: Terry McDonald 2nd John Weatherly

2. MINUTES OF PREVIOUS MEETING

Recommendation: That the minutes of the meeting held on 16th August 2012 be accepted.

Moved: Barry Clapham 2nd Terry McDonald

3. MATTERS ARISING FROM MINUTES OF THE MEETING ON 16th August 2012

- 1) Indicator Board – now under control.
- 2) Signage on Main Road – Rob Duffy is in the process of making the sign & will be putting on existing V-frame.
- 3) New cattle crush – Terry provided quote for \$10,440, incl GST plus \$300 to deliver. Head restrainers would be an extra \$5-800. All agreed that Brad is to look into & make decision.
- 4) Review of response plan – Brad to find out for next meeting what is the necessity of the plan.
- 5) Review of safety procedure following escaped cow – Terry wrote a letter to Brad outlining procedure. Brad mentioned Workcover were inspecting the saleyards in October. Signage was suggested & reviewed after meeting.
- 6) Avdata locks for toilets & showers – Quote provided. Decided to leave as is for the time being.

Moved: John Weatherly 2nd Bob Kearins



PO BOX 156
MUDGEE NSW 2850

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

Ph: 1300 765 002 or (02) 6378 2850
Fax: (02) 6378 2815
email: council@midwestern.nsw.gov.au

4. CORRESPONDENCE

NIL

5. GENERAL BUSINESS

Statistics

Budget down from last 2 years. The target of \$250,000 was met.
New air conditioner & crush planned for this financial year.
Cattle throughput down for the year

Andrew White from the Beef Improvement Association – no longer a part of saleyards committee. Danielle to contact Livestock Squad Agent at Mudgee Police & see if he is interested in attending future committee meetings.

Avdata fees – Barry Clapham thanked Brad for his assistance in rectifying the Avdata fees. A mistake was made & the wrong cost had been charged. Charges for water are now 48 cents/minute

Terry McDonald discussed current issues with the running of the Binnaway Abattoir. Many local businesses will be affected as will the saleyards if this has to close down. It is hoped that they will be able to sell the Abattoir.

Moved: Terry McDonald 2nd: John Little

6. BUSINESS WITHOUT NOTICE

None

7. DATE OF NEXT MEETING__ 20th December 2012

Meeting closed 10.27am

6.2.15 Christmas lights

REPORT BY GENERAL MANAGER TO 7 NOVEMBER 2012 COUNCIL MEETING

Christmas lights

A0100055, A0030019

RECOMMENDATION

That:

1. **the report by General Manager on the Christmas lights be received;**
2. **Council install Christmas lights in the towns of Gulgong, Kandos, Mudgee and Rylstone to the value of \$20,000 to be funded from Council's Strategic Initiative Fund.**

Detailed report

Last year, Council installed Christmas lights in the four towns of Gulgong, Kandos, Mudgee and Rylstone. There were some concerns with the brightness of the lights which seemed to be not as effective as they could have been, because they got lost amongst the leaves of the trees.

This year, we have been able to secure much brighter lights and as a bonus, at a much lesser cost. This report is recommending that Council install Christmas lights in these four towns at a cost of \$20,000. This year we will be connecting the lights to electricity rather than relying on solar power as we did last year. This will involve some negotiations with store owners in our town.

The breakdown of costs is as follows:

Purchase of lights	\$6,000
Installing and removing lights	\$10,500
Electricity and reimbursement to store owners	\$3,500
TOTAL	\$20,000

Financial implications

The cost of installing lights in our four towns is \$20,000 and can be funded from Council's Strategic Initiative Fund which has an annual budget of \$20,000, which has not been spent to date.

Strategic or policy implications

Nil.


WARWICK L BENNETT
GENERAL MANAGER

23 October 2012

Attachments: Nil.

6.2.16 Gulgong Town Hall 355 Committee - New Member

REPORT BY MANAGER RESOURCES AND RECREATION TO 7 NOVEMBER 2012
COUNCIL MEETING
GULGONG TOWN HALL 355 COMMITTEE COUNCIL REPORT
A0100055,A0061133

RECOMMENDATION

That:

1. **the report by Manager Resources and Recreation on the Gulgong Town Hall 355 Committee - New Member be received;**
2. **that Mr Bill Clifford (Men's Shed representative) be accepted as a member of the Gulgong Memorial Hall Committee.**

Executive summary

The purpose of this report is to advise Council of the considerations and recommendations of the Gulgong Memorial Hall Committee Meeting held on 2nd October 2012.

As stated in the minutes, a motion was put forward to accept Mr Bill Clifford as part of the committee, the vote was unanimous and Mr Willis accepted the position.

Financial implications

Not applicable.

Strategic or policy implications

Not applicable.

JULIAN GEDDES
MANAGER RESOURCES AND RECREATION



BRAD CAM
GROUP MANAGER, OPERATIONS

26 October 2012

Attachments: 1. Memorial Hall minutes 2nd October 2012

APPROVED FOR SUBMISSION:



WARWICK L BENNETT
GENERAL MANAGER

Gulgong Memorial Hall Meeting 2nd October, 2012

Opened 4.10pm

Present: Charles Vassel (Small Towns Events Co-ordinator), Maureen Trgo (Eisteddfod Committee Representative), Michael Byron (Chamber of Commerce President), Gina Byron (Chamber of Commerce Treasurer), Chris Hannaford (Chamber of Commerce Vice-President), Bill Clifford (Men's Shed Representative), Julian Geddes (Mid-western Regional Council Hall Co-ordinator), Pauline Hannaford (Eisteddfod Representative)

Apologies: Cheryl Vassel, Julian Geddes

Minutes of last meeting 11th September 2012, read and accepted as correct, Bill Clifford, seconded Charles Vassel

Correspondence in: Nil

Correspondence out: nil

General business arising from the minutes of 11th September 2012:

Bill Clifford's request to be a member of the Gulgong Memorial Hall Committee is to go before the Mid Western Regional Council to be accepted. Bill has been accepted as a member by the current Gulgong Memorial Hall Committee. Julian Geddes will attend to this. Bill should receive a letter confirming his acceptance as a member. THIS HAS NOT HAPPENED. This needs to be addressed by Julian Geddes.

Cleaner's contract still unsatisfactory. Inspection by Julian Geddes and Chris Hannaford to be conducted after today's meeting. Decision as to what is to be done is to be made by Julian Geddes. According to Julian (when I rang him on the 2nd of October, 2012 as to whether he was coming to the meeting or not, he stated when I asked him about the toilets 'the toilets weren't that bad') This was reinspected by Bill Clifford and Chris Hannaford on 2nd of October, 2012. No cleaning appears to have been done in the toilets. There are new calcification stains on the floors. This needs attention due to health reasons and cleaned in the correct manner. This will become a health issue. Needs to be addressed by Julian Geddes

Issue of missing chairs is still ongoing. Julian Geddes to follow up with equipment officer in Mid Western Council as to how many chairs the Hall should have. Surely it should equal the amount of seated persons that can be in the Hall? Seating capacity is 330. Julian to follow up. We still need a new curtain track. Julian Geddes to check as we, the current committee, we were under the impression that a quite was being done for all the Halls in the area last January, 2012. Julian to follow up.

As part of our community liaison with the public:

A letter is to be sent to both the Gulgong Men's Shed and the Step-Up Dance Studio regarding the dates of the Gulgong Prince of Wales Eisteddfod, 2013.

The dates are as follows:

- Dance: Eisteddfod needs the Memorial Hall and the Gulgong Men's Shed from Saturday 5th of May 2013 (set up day) until and including Saturday 11th of May 2013.
- Speech and Drama: Eisteddfod needs the Memorial Hall for Choral Verse Speaking during the week of 22nd of May to 24th of May, 2013, for one morning session.

- Music: Instrumental and vocal – eisteddfod needs the memorial Hall for Choirs and Bands during the week of Tuesday 28th of May to 30th of May, 2013 for one long morning session.

Address to Gulgong Men's Shed is PO Box 322, Gulgong 2852, or this can be hand delivered to the Shed in Holterman Street, Gulgong

Address for Nicole Hensley's Dance Studio 'Step-Up Dance Academy' would be the Gulgong Memorial Hall and will need to be delivered by hand, as no postal address for the Dance Studio.

THIS HAS BEEN ACTIONED BY CHERYL VASSEL

Chair trolley has been sent to Mudgee for the workshop boys to repair. NOT RETURNED AS THIS DATE, 2ND OCTOBER, 2012. THIS IS NEEDED FOR THE TOWN FORUM ON 10TH OF OCTOBER, 2012.

Men's Shed proposal plan is still not resolved; this is in regard to their commitment to the Hall and their involvement with the Community. The rent is still being paid regardless of the lack of 'trade-offs' for work done, i.e. putting out chairs. Julian to check up with Kelly regarding this issue No answer yet.

Main business: Christmas Party in the Park,
Date 15th December, 2012, start time 5.30 pm.

These are the decisions and the progress so far:

Funds have not been received (\$2,500.00). Apparently the Christmas Party Committee (under the banner of the Chamber of Commerce) is to request payment, even though the Committee is under the impression that the amount has been approved.

Entertainment – Jenny Drury. Jenny has accepted the job as a solo.

Rides – the name of our amusement supplier is Leo Nitto and according to an email received today, 12th September, is going to supply three rides for \$850.00, same price as last year.

Billy carts – Gulgong Men's Shed Bill Clifford. The Men's Shed will need help to run this part of the event. THIS IS UNDER CONTROL. BILLY CART READY.

Hay for the billy carts – Chris Hannaford and Percy Thompson – under control

Barbecue – Gulgong men's Shed Bill Clifford. The Men's Shed will need volunteers with cooking and serving. MEN'S SHED HAVE RECEIVED ANOTHER BARBECUE SO THAT IT WILL BE EASIER TO THE THE COOKING FOR THE CHRISTMAS PARTY.

Drink/water pistols – Maureen Trgo – under control

Lolly bags, in clip lock bags – Pauline Hannaford and Maureen Trgo – under control. Suggested fairies as helpers to give out the bags. Maybe some of our dancers from Step-Up Dance Studio would like to be fairies. Pauline Hannaford to ask Nicole Hensley closer to the date.

Decoration in the park – the Vassels

The Raffle – design has been okayed – to go to Print Storm this week – Gina Byron.

The Chocolate Wheel – butchers are not advertising the hams at this stage, however hams will be ordered. Other donated goods (Gina & Michael Byron and Peter Willis)

All tickets are \$2.00 each. TICKETS ARE NOW READY AND ARE BEING DISTRIBUTED AT THIS STAGE.

Advertising and other items:

Papers Weekly and Guardian to be advised of the Party later, say middle of November, 2012, stating date and time and helpers wanted. MIKE BYRON HAS PRODUCED AN ADVERTISEMENT, WILL NOT DO TO PRINT UNTIL WE SORT OUT SANTA PHOTOS

Gossip to advertise for helpers for the running of the Christmas Party – Charles Vassel.

Flyers – apparently Gina has some but not at meeting. SEE ABOVE

Santa Claus – suggested Les Andrews. Bill Clifford to approach. Needs to be able to stay around for the children after giving out the lolly bags. LES ANDREWS NOT AVAILABLE SO BILL CLIFFORD SUGGESTED ROB BARTON – HE WILL ASK ROB DURING THE WEEK AND THEN WE WILL NEED A SANTA COSTUME TO FIT SANTA.

BECAUSE..... Photos with Santa for the children. Allan Walker to be approached.....50/50 deal with the Gulgong Primary School – Charles Vassel ALLAN WALKER NOT INTERESTED, BUT JULIE GILLAN IS, SO BACK TO CHARLES VASSEL TO SORT OUT ASAP.

Carols be Candlelight. Pauline Hannaford spoke to Jori Ryan and she made an executive decision not to have the carols on 15th December, 2012. We need to send a letter as part of our community liaison to Rev. Ryan stating the day of the Christmas party. THIS HAS BEEN ACTIONED BY CHERYL VASSEL

Address for the Manse of the Anglican Church of England is Reverend Jori Ryan, Bayley Street, Gulgong 2852. This may not be delivered as we do not have an exact street number.

Also what address are we using as a return address, or are we just going to hope or hand deliver?

OTHER BUSINESS ARISING FROM CHRISTMAS PARTY:

Gulgong Men's Shed would like to sell their raffle tickets for Fuel Vouchers. This is not to be drawn on the day but when all the tickets are sold. This was accepted as long as there is clear signage as to what is happening with that particular raffle. Motion by Chris Hannaford, approved by all the committee members in attendance.

Meeting closed at 4.42pm

Next meeting is 4pm in the Gulgong Men's Shed on 6th of November starting at 4pm

6.2.17 Mudgee Sports Council

REPORT BY GROUP MANAGER MID-WESTERN OPERATIONS TO 7 NOVEMBER 2012 COUNCIL MEETING

Mudgee Sports September
A0100055, A0360013

RECOMMENDATION

That:

- 1. The report by Group Manager Operations on the Mudgee Sports Council be received;**
- 2. That the minutes for the Mudgee Sports Council ordinary monthly meeting & the Mudgee Sports Council AGM held on 24 September 2012 be noted.**

Executive summary

Not applicable.

Detailed report

The purpose of this report is to advise Council of the considerations and recommendations of the Mudgee Sports Council Meeting & the Mudgee Sports Council AGM held on 24 September 2012. The Sports Council receives an updated Works Request and Matters in Progress report together with updated financial details each month prior to their meeting. A copy of the Works Requests and Matters in Progress are attached for Council information.

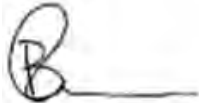
There are no further matters arising that require consideration by Council at this time, noting that specific requests/recommendations are forwarded to Council under separate cover providing detailed information on requirements. Operational matters raised will be dealt with in due course when staff receives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

Financial implications

Not applicable.

Strategic or policy implications

Not applicable.

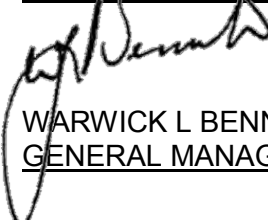


BRAD CAM
GROUP MANAGER OPERATIONS

17 October 2012

- Attachments:*
1. Minutes of the Mudgee Sports Council Ordinary Meeting 24 September 2012
 2. Updated Works Request and Matter in Progress List
 3. Minutes of the Mudgee Sports Council AGM Meeting 24 September 2012

APPROVED FOR SUBMISSION:



WARWICK L BENNETT
GENERAL MANAGER

Sports Council Meeting.
Glen willow Netball Meeting Room
24.09.2012
19:00

Present: K. Lang, J. Johnson, P. Mitchell, G. Azar, T. Kastelein, D. Snyder, D. Scales, J. Yeo, R. Golden, G. Robinson, A. Walker, N. Toohey, C. Kurtz, B. Harris (Mudgee Guardian), R. Lang, R. Smith, M. O'Keefe, & G. Bartrim.

Apologies: T. Ford Moved K. Lang seconded R. Lang.
Minutes from previous meeting requiring an amendment.

Amendments: Minutes from previous meeting to read \$450 to be paid to Kurtley Golden to attend National Soccer titles.

Minutes read as true and correct: K. Lang seconded C. Kurtz.

Business arising from previous minutes:

1. Cricket- locks have been cut.
2. Cricket met with council re watering of pitches.
3. Council will remove league posts from the Victoria Park grandstand storage area; the posts will be taken to Glen Willow.

Treasurer's report:

1. \$54,000 in account approx.

Secretary Report:

1. Request from Ultimate Frisbee for keys for Glen Willow, they are playing Monday nights. **Motion:** That Ultimate Frisbee is given light key, Amenities and BBB Key. Moved T. Kastelein, seconded D. Scales. Carried. Ultimate Frisbee is also required to pay Affiliation fee, and player fee's Adult \$30, U/18 \$12.
2. Application from Anytime Fitness for a Boot Camp at Victoria Park, they are happy to move to Cahill Park if there is a problem with Victoria Park, there is a clash as Junior Cricket is running coaching clinics. Geoff to clarify with council who is required to pay fee's when non sporting groups use grounds.

Works Requests:

1. Mudgee Hockey request clarification on what will be happening with the green areas at West End, as they are looking to Turf one of the Netball courts, Geoff to follow up.
2. Horses seen on Walker's oval, getting over broken fence at the gym.
3. Broken sprinkler near Menchin ST on the first Hockey field
4. Glen Willow -Access door western side amenities block still broken.

5. Fire extinguishers still not checked.
6. The eves still not repaired Victoria Park amenities.

General Business:

1. Rugby has fixed the perimeter fence, and internal fence at Jubilee
2. Request from Cricket for someone from the actual sporting body to be contacted when grounds are closed by council; also request that a representative from sports council is also involved. **Motion:** When closing of fields that a member of the sport, sports council and council staff to be present to make the final decision. Moved R. Golden seconded C. Kurtz, carried.
3. Proposal from Etherington's Macquarie Valley Juice re offer of water, juice at a discounted price to sporting bodies, this would be offered to every sport.
4. Is there an opportunity to place a stop sign at the entrance to Glen Willow so that traffic has to stop before entering Pitt's Lane, also street lights are required along Pitts Lane and the entrance to Glen willow. **Motion:** Sports council recommends the placement of Stop signs on the Glen Willow/ Pitts Lane entrance as a matter of urgency. Moved K. Lang seconded D. Snyder. Carried.
5. Question are cricket covers considered ground improvements- no.
6. Australian Cricket veterans coming to Mudgee and Gulgong on the 9th December 2012, there will be a Sportsman dinner to be organised by Mudgee Cricket on the 8th December, there is also the offer of a \$1000 Cricket Scholarship for 1 lucky junior cricket player
7. Please could all sports bodies think about their sports awards nomination especially those that have just finished for the winter, Geoff will forward nomination forms to all sports bodies and schools.

Meeting Closed 19:40
Next meeting to be held
29th October 2012.

MUDGEES SPORTS COUNCIL				
Works Requests				
Requested	Date	By Whom	Action Taken	Status
Fencing loose at Cahill Park near Grandstand	30/01/2012	MSC		In Progress
Glen Willow - Netball leak at northern entry	27/02/2012	MSC	Advised Caretaker	In Progress
Request from Mudgee Netball for Aluminium seating around Netball courts.	30/07/2012	MSC	New bench seats ordered	In Progress
Sports council request as a matter for urgency that Fire Extinguishers be checked and if not present be installed in all user group venue's.	30/07/2012	MSC	Investigating with Total Fire	In Progress
Lights need replacing at Jubilee, Greg Bartram offered his scissor hoist.	30/07/2012	MSC	Will investigate with Electrician	In Progress
Cricket asked that curator not mow over pitches.	27/08/2012	MSC	Meeting with Curator 12/09/12 all watering and maintenance sorted.	Completed
Cricket, no water at racecourse	27/08/2012	MSC	Water Fixed	Completed
AFL asked that ceiling in Vic Park needs repair.	27/08/2012	MSC	Works on drainage and roof at Vic park to be undertaken by R Hayes	In Progress
Access door on Western side Glen Willow amenities needs new lock.	27/08/2012	MSC	R Hayes to look at list of maintenance items for Glen Willow	In Progress
Disabled toilet at Glen Willow amenities needs new lock.	27/08/2012	MSC	R Hayes to look at list of maintenance items for Glen Willow	In Progress
Lights at Vic Park above bike track "Some need replacing"	27/08/2012	MSC	To be investigated	New
Mudgee Hockey request clarification on what will be happening with the green areas at West End, as they are looking to Turf one of the Netball courts, Geoff to follow up.	24/09/2012	MSC		New
Horses seen on Walker's oval, getting over broken fence at the gym.	24/09/2012	MSC		New
Broken sprinkler near Menchin Sit on the first Hockey field	24/09/2012	MSC		New
Glen Willow -Access door western side amenities block still broken.	24/09/2012	MSC		New
Fire extinguishers still not checked.	24/09/2012	MSC		New
The eaves still not repaired Victoria Park amenities. **** Graftiti is removed as best we can without painting whole structures	24/09/2012	MSC		New
Matters in Progress				
Requested	Date	By Whom	Action Taken	Status
Rubbish strewn around small bins at Cahill Park	2/05/2011	MSC	SULO BINS will be installed week ending next to Grand stand 28/09/12	Completed
Recycle bins missing from Victoria Park also the chain which locked the bins to the post		MSC	Recycle bins not being installed due to normal rubbish being put in them, more sulo bins will be installed - SULO BINS will be installed week ending 28/09/12	Completed
For Future Budget Consideration (ie no current funding)				
Requested	Date	By Whom	Comments / Cost	Status
Victoria Park - Two lights are out on the Eastern Tower and a locking switch is required for the tower. It has its own on/off switch.	4/04/2011	MSC	Major works required for future budget consideration	In Progress
Post and rail needs replacing near storage shed Walker's oval		MSC	May put bollards there dependant on budget	In Progress

Sports Council Meeting.
AGM
Glen willow Netball Meeting Room
24-09-2012
18:40

Present: P. Mitchell, K. Lang, M. O'Keefe, R. Golden, C. Kurtz, N. Toohey, G. Bartrim, G. Robinson, T. Kastelein, G. Azar, D. Snyder, D. Scales, J. Yeo, A. Walker, B. Harris (Mudgee Guardian), R. Lang, R. Smith & J. Johnson.

Apologies: T. Ford. Apologies accepted. Moved J. Yeo seconded K. Lang
Previous minutes read as true and correct- J. Johnson seconded C. Kurtz.

Business arising from previous minutes:

1. Nil

Treasurer's report:

1. Approx \$54,000 in account, council has taken approx. \$6000 from the \$9000 banked.

President's Report:

1. Another wonderful year with the opening of the Glen Willow Grandstand and field, this gave us the opportunity to hold the City/Country match as well as the Australian/ New Zealand Touch football competition.

Election of Office bearer's for 2012/13

Roger Lang to the chair.

President: Peter Mitchell- Nominated: J. Johnson, seconded R. Golden- elected.

Vice President: Greg Bartrim- Nominated C. Kurtz seconded N. Toohey.

Kathy Lang- Nominated J. Johnson seconded J. Yeo. Vote required with Greg **Bartrim elected.**

Secretary: Geoff Robinson- Nominated P. Mitchell seconded K. Lang- elected.

Treasurer: Kathy Lang- Nominated T. Kastelein seconded J. Yeo- elected.

Publicity: Darren Synder- Nominated J. Johnson seconded K. Lang- elected.

Minute Secretary: Jenny Johnson- Nominated K. Lang, seconded R. Golden- elected.

General Business:

1. Affiliation fee: **Motion:** move to leave affiliation fee same as last year. Moved K. Lang seconded R. Golden.
2. Meetings to continue on the last Monday of the calendar month at the Netball Clubhouse.

Meeting closed 19:00

6.2.18 Gulgong Sports Council

REPORT BY GROUP MANAGER MID-WESTERN OPERATIONS TO 7 NOVEMBER 2012 COUNCIL MEETING

Gulgong Sports September
A0100055, A0360003

RECOMMENDATION

That:

1. **the report by Group Manager Mid-Western Operations on the Gulgong Sports Council be received;**
2. **That the minutes for the Gulgong Sports Council ordinary monthly meeting held on 12 September 2012 be noted.**

Executive summary

The purpose of this report is to advise Council of the considerations and recommendations of the Gulgong Sports Council Meeting held on 12 September 2012. The Sports Council receives an updated Works Request and Matters in Progress report together with updated financial details each month prior to their meeting.

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

Detailed report

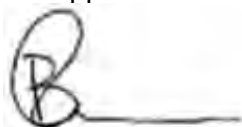
Not applicable.

Financial implications

Not applicable.

Strategic or policy implications

Not applicable.

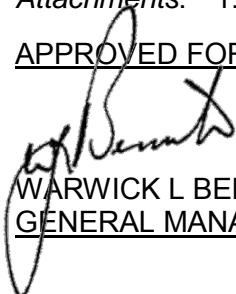


BRAD CAM
GROUP MANAGER MID-WESTERN
OPERATIONS

17 October 2012

Attachments: 1. Minutes of the Gulgong Sports Council Ordinary Meeting 12 September 2012

APPROVED FOR SUBMISSION:



WARWICK L BENNETT
GENERAL MANAGER

Gulgong Sports Council
Monthly Meeting held Gulgong High School
Wednesday 12th September, 2012



Meeting Opened: 7:00pm

Apologies: Nicola Barnes – Secretary.

Present: Craig Holden – President, Brian Gudgeon - Senior Cricket, Betty Rae - Dog Obedience, Charlie Rae - Volunteer, Carl Rissler - Gulgong Public School, P. Thompson – MWRRC, Rev Murphy -Dog Obedience, Lyn Hawkins- Volunteer, Neil Doherty- Cricket.

Motion 1 – “That the minutes be accepted as read”

Moved: C. Rissler

Seconded: C. Rae

All in favour – motion moved and carried.

Council Business:

1. Garbage bins are still not being emptied on a regular basis, sports council volunteers still emptying bins for weekend use, why is this happening as we always had a regular service every week, these bins need to be attended to, every Monday and Friday at both sporting ovals.
2. All pot holes in the bitumen at the entrance to Billy Dunn, Rotary Park and alongside the swimming pool need to be filled in with coal mix as they are now major holes and a **Safety Hazard**.

Finance Report:

Opening Balance: \$2432.72

Income: L.A Hawkins \$38.50 Affiliation Fees

Expenditure: Gulgong Timber & H'ware \$191.87 (paint and access)

Daphne Keen 560.00 (cleaning Billy Dunn Grandstand)

Motion 2 – “That the treasurer’s report be accepted.”

Moved: B. Gudgeon

Seconded: D. Seis

All in favour – motion moved and carried

Correspondence:

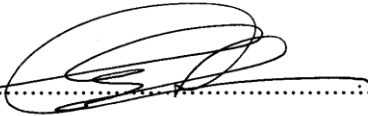
1. Dog Obedience Report

General Business:

1. Need to buy/organize two fridges – one for Victoria Park and one for Billy Dunn Oval.
2. Nominations need for sports awards to be attended to as there are very few that have come in for 2012.
3. Letter to be sent to all clubs that use fridges and freezers must be turned off when not in use; the following clubs need to be addressed, Jnr and Snr League and a letter to all clubs that use Council facilities.
4. Certificates and letters to be sent to all clubs schools and business that have supported us during the year.
5. Old pie ovens to go to tip from Vic Pk, check with Jnr League if not required.

Meeting closed: 7.50pm

Craig Holden – President



Gulgong Sports Council
Cash Dissection Sheet

Date:

Cash Analysis

Notes			Coin	Cheques	Total	
				\$ 38.50	\$	38.50
Name	Bank	Chq No	Deb	GST	EXC GST	TOTAL
L A Hawkins	Family First	562483		\$ 3.50	\$ 35.00	\$ 38.50

Revenue Description					Total	\$	38.50
Revenue Description	Deb Type	Charge	GST	Total			
Ground Fees	860			\$ -			
Player's fees	861			\$ -			
Other-Ground Fees	862			\$ -			
Affiliation Fees	863	\$ 35.00	\$ 3.50	\$ 35.00			
Donations	864			\$ -			
Other-Combined SB	865			\$ -			
PA Hire Fees	866			\$ -			
Other-PA	867			\$ -			
	Total	\$ 35.00	\$ 3.50	\$ 35.00			

Signatures:

Gulgong Sports Council



Cashier

.....

6.2.19 Weeds Advisory Committee

REPORT BY GROUP MANAGER OPERATIONS TO COUNCIL MEETING 07 NOVEMBER 2012

Weeds Advisory Committee Structure
A0100055, A0130079

RECOMMENDATION

That:

1. **the report by Group Manager Operations on the Weeds Management Committee structure be received;**
2. **the following structure for Weeds Management Committee be adopted:**

Mid-Western Regional Councillor	– 1 delegate
Mid-Western Regional Council Group Manager Operations	– 1 delegate
Chief Weeds Officer OR Manager Resources and Recreation	– 1 delegate
Community Members	– 3 delegates
3. **the Council call for nominations from community members to fill the delegate positions for the next four years**
4. **the attached terms of reference for the Weeds Management Committee be adopted**

Detailed report

As a new structure is proposed and the start of a new four year term of Council, it is appropriate that all community delegate positions become vacant.

The terms of reference reflect that the committee be named the Weeds Advisory Committee and that this committee meet at least every 3 months.

Financial implications

Not applicable.

Strategic or policy implications

Option One

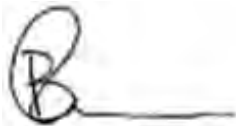
The terms of reference for the Weeds Management Committee remain unchanged at:

- Three (3) elected Councillors
- Group Manager Community and Corporate Services
- Manager Governance or Chief Weeds Officer
- Three members from special interest groups (special interest groups such as the Farmers Federation and the Serrated Tussock Working Party)

Option Two – recommended

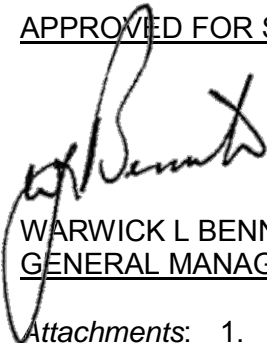
The terms of reference for the Weeds Management Committee are revised to:

- Mid-Western Regional Councillor – 1 delegate
- Mid-Western Regional Council Group Manager Operations – 1 delegate
- Chief Weeds Officer OR Manager Resources and Recreation – 1 delegate
- Community Members – 3 delegates



BRAD CAM
GROUP MANAGER, OPERATIONS

APPROVED FOR SUBMISSION:



WARWICK L BENNETT
GENERAL MANAGER

- Attachments:*
1. Existing Terms of Reference
 2. Revised Terms of Reference

MID-WESTERN REGIONAL COUNCIL

MWRC NOXIOUS WEEDS ADVISORY COMMITTEE

TERMS OF REFERENCE

PREAMBLE

Mid-Western Regional Council appreciates the advice, voluntary time, commitment, interest and dedication demonstrated by members of its Advisory Committees. Council will give serious consideration to recommendations stated in the minutes of Advisory Committees. Such recommendations are considered in the context of Council's Management Plan and budgetary considerations at an operational and strategic level.

RESPONSIBILITIES

The MWRC Noxious Weeds Control Advisory Committee will provide advice and recommendations to Council on matters relating to the strategic operation of noxious weeds control. These include:

- Review the overall strategic direction of noxious weed control in MWRC to ensure desired outcomes are being achieved.
- Review the Management Plan for Class 4 Noxious Weed control in MWRC.
- Liaise with external agencies eg DPI, Macquarie Valley Weeds Advisory Committee, to lobby for a more proactive approach towards better noxious weed control.
- Provide recommendations on the educating landholders of their responsibilities

COMPOSITION OF COMMITTEE

The Committee shall comprise the following members:

Three (3) elected Councillors
Group Manager Community and Corporate Services
Manager Governance or Chief Weeds Officer
Three members from special interest groups (special interest groups such as the Farmers Federation and the Serrated Tussock Working Party)

FREQUENCY OF MEETINGS

The Committee shall meet at least once a month.

DELEGATIONS

Nil

FINANCIAL ARRANGEMENTS

Nil

SECRETARIAL SUPPORT

The minutes of meetings shall be recorded and distributed by secretarial resources provided from the Council.

MID-WESTERN REGIONAL COUNCIL
MWRC WEEDS ADVISORY COMMITTEE

TERMS OF REFERENCE

PREAMBLE

Mid-Western Regional Council appreciates the advice, voluntary time, commitment, interest and dedication demonstrated by members of its Advisory Committees. Council will give serious consideration to recommendations stated in the minutes of Advisory Committees. Such recommendations are considered in the context of Council's Management Plan and budgetary considerations at an operational and strategic level.

RESPONSIBILITIES

The MWRC Weeds Advisory Committee will provide advice and recommendations to Council on matters relating to the strategic operation of noxious weeds control. These include:

- Review the overall strategic direction of noxious weed control in MWRC to ensure desired outcomes are being achieved.
- Review the Management Plan for Class 4 Noxious Weed control in MWRC.
- Liaise with external agencies eg DPI, Macquarie Valley Weeds Advisory Committee, to lobby for a more proactive approach towards better noxious weed control.
- Provide recommendations on the educating landholders of their responsibilities

COMPOSITION OF COMMITTEE

The Committee shall comprise the following members:

Mid-Western Regional Councillor	– 1 delegate
Mid-Western Regional Council Group Manager Operations	– 1 delegate
Chief Weeds Officer OR Manager Resources and Recreation	– 1 delegate
Community Members	– 3 delegates

FREQUENCY OF MEETINGS

The Committee shall meet at least every 3 months.

DELEGATIONS

Nil

FINANCIAL ARRANGEMENTS

Nil

SECRETARIAL SUPPORT

The minutes of meetings shall be recorded and distributed by secretarial resources provided from the Council.

6.2.20 MRTI Contract Renewal

REPORT BY ECONOMIC DEVELOPMENT OFFICER TO 7 NOVEMBER 2012 COUNCIL MEETING

MRTI CONTRACT RENEWAL
A0100055, A0820020

RECOMMENDATION

That:

1. **the report by the Economic Development Officer on the MRTI Contract Renewal be received;**
2. **Council advise Mudgee Regional Tourism Inc that it wishes to enter into negotiations for the renewal of a 3 year contract for the provision of tourism services, but that the contract provisions will be amended (including price to be set at \$180,000) to allow for active marketing of the Mid-Western Region as a tourism destination to be undertaken by Council as part of region wide marketing activities;**
3. **Pursuant to Section 55(3)(i) of the Local Government Act 1993, the Council resolves not to publicly advertise the tender of tourism visitor services for this region as there is no other provider in the region that can realistically undertake this service and that when the contract was last tendered, no tenderer from within the region indicated any interest in providing this service, and thus a satisfactory result would not be achieved by inviting tenders;**
4. **Council undertakes the wholistic marketing function in accordance with Council's Economic Development Strategy for the whole region effective from 1 July 2013 covering business, tourism, events, industry, and the region as a great place to live work, invest and visit.**

Detailed report

Mudgee Region Tourism Inc (MRTI) provides Visitor Information Services for the Mid-Western Region Local Government Area with the primary objective of promoting the LGA as a tourism destination. MRTI provides these services under a 3 year contract with Council. This contract is due to expire on 30 June 2013.

The purpose of this report is review the contract with MRTI, give consideration to the renewal of that contract and to assess alternative options for renewal of the tourism services contract and to consider how these services fit within region wide marketing and promotional initiatives.

Definition of Services

The current contract defines the key services as:

- The active marketing of the LGA as a tourist destination both within and outside the LGA
- The provision of tourism information relating to the LGA to visitors and prospective visitors to the LGA and to tourism related services providers (essentially the operation of Visitor Information Centres and operation of a tourism membership organisation for local tourism services providers)

- The production and distribution of visitor information publications and other promotional presentations in whatever form both within and outside the LGA

All of these services are intended to encourage and stimulate tourism within the LGA.

Options for Renewal

The options for renewing the MRTI contract are as follows:

1. Renew As Is
Under this option, a further 3 year contract would be negotiated with MRTI. There would be no major changes in the services provided or in the key performance reporting requirements of the contract. The contract fee would remain the same (ie. \$327,000 p.a. plus CPI).
2. Renew with Amendments to Remove the Active Marketing of the LGA
Under this option, a further 3 year contract would be negotiated with MRTI. However, the contract would be amended to remove responsibilities to undertake active marketing of the LGA. It is proposed that these marketing services would be provided as part of region wide marketing activities undertaken by Council. The contract fee would be reduced by a substantial amount to reflect the removal of marketing the region as a tourism destination from the contract.
3. Renew with More Focused Marketing KPIs to Achieve Region Wide Marketing Objectives
Under this option, a further 3 year contract would be negotiated with MRTI. There would be no major changes in the services provided. However, there would be greater emphasis placed on the key performance indicators required under the contract, so that the marketing outcomes are more closely monitored and aligned with region wide marketing objectives. The contract fee would remain the same (ie.\$327,000 p.a. plus CPI) as there would be no change to the actual services to be provided.

Council will recall that 3 years ago this contract was publicly tendered. All contracts issued by Council over the value of \$150,000 must be publicly tendered unless exemptions are granted under Section 55 (3) of the Local Government Act. Part (i) of this section states that publicly advertised tenders do not apply to the following contacts:-

- (i) *a contract where, because of extenuating circumstances, remoteness of locality or the unavailability of competitive or reliable renderers', a council decides by resolution (which states the reasons for the decision) that a satisfactory result would not be achieved by inviting tenders*

It is recommended to Council that a publicly advertised tender is no longer required as there is not an alternative supplier for the tourism visitor services as was evident when Council advertised by way of tender process when the contract was previously advertised.

Marketing the Region

Marketing the Region is one of the key principles identified in the Economic Development Strategy. Promoting a positive image of the Region as a place to live, work, invest and visit has significant flow on effects for successful economic development, industry and business activities.

Stakeholders

A number of key stakeholders undertake marketing and promotional activities which impact the image or reputation of the Region, they include:

- Council – marketing the Region to live, work and invest
- Mudgee Regional Tourism Inc (MRTI) – marketing the Region for tourism
- Mudgee Wine Grape Growers Association Inc (MWGGI) – marketing the Region for local wine produce
- Mudgee Fine Foods Inc (MFFI) – marketing the Region for local food produce
- Business groups – marketing the Region (and individual towns) for business activities

In addition to the above, marketing is undertaken at the micro level by individual businesses, sporting organisations, events and community groups etc.

Current Challenges

There are a number of current challenges faced by stakeholders in marketing the Region:

- Lack of coordination between stakeholders - the majority of the above stakeholders rely on the efforts of volunteers who are also engaged in their own private business or employment activities. This means that many things need to be planned on the run and with limited collaboration both within individual stakeholder groups and between stakeholder groups
- Limited resources of individual stakeholders - time and money are the key constraints facing individual stakeholders in carrying out the marketing and promotional activities they would ideally like to conduct
- Membership driven objectives – the majority of stakeholder groups are membership based and thus only market their members. Little or no emphasis is placed on the wider perspective of marketing the Region
- Individual approaches – the individual stakeholder groups do not take a wholistic approach to marketing (this will always be expected as this is not their primary focus) and for many reasons will not change direction to accommodate new opportunities or more modern day marketing techniques

What this leads to?

The challenges outlined above, have the following implications:

- Significant duplication of activities and funds - because there are a number of different stakeholders engaged in marketing activities and collaboration between all stakeholders is not high, there is often a duplication of marketing efforts
- Inefficient use of available resources - it follows from above, that if a number of stakeholders are undertaking marketing activities and these marketing activities are not well planned or co-ordinated, then the resources are not being used efficiently. Better economies of scale could be achieved if resources were pooled
- Missing gaps and opportunities – with many stakeholders involved in marketing the Region and no lead organisation taking a top level approach, opportunities may be missed because individual stakeholders assume another organisation already has the information and is looking after it
- Inconsistent messages about the Region – when marketing is undertaken from a membership based organisation it may result in inconsistent messages about the whole Region. As the marketing usually focuses on specific parts of the Region, it may not be representative of all aspects of the Region. It also fosters a "not our job mentality"

There are a number of examples that can be cited, which demonstrate the shortfalls in the current practice of marketing the Region.

A Wholistic Approach to Marketing the Region

In considering the current challenges, it is clear that the Region is not being marketed as effectively or as widely as it could be. Given the growth in the Region, it is also evident that a new approach to marketing the Region wholistically needs to be adopted so that the Region can maximise the opportunities that lie ahead.

A wholistic or "big picture" approach to marketing the Region needs to be focused on promoting and strengthening ALL industries and ALL towns in the Region. Every industry and every town and village in the region makes a valuable contribution to the region's economy and every town and village makes a valuable contribution to the Region's identity.

The long term sustainability and viability of the Region relies upon the Region maintaining its unique and diverse economic base and having a good mix of businesses to support it. If the Region has a strong brand (ie. identity and reputation) it will make it more resilient to any future economic downturns or industry closures.

Role of MRTI

As discussed above, the current 3 year contract for MRTI expires on the 30 June 2013. Part of the current contract requires MRTI to undertake active marketing of the LGA as a tourist destination.

Although in theory it makes logical sense that MRTI undertake active marketing of the LGA as a tourist destination, management has concerns that because the organisation is membership based in practice, the desired Region wide marketing outcomes for tourism are not being achieved.

For example the current MRTI website lists only 2 cafes in the whole Region. Whilst it is acknowledged that this is probably due to the fact that these two cafes are the only members who have taken up the paid advertising opportunity, it is an issue from a big picture marketing perspective. A potential visitor looking at the website would form the opinion that other towns or villages in the Region (Gulgong, Rylstone, Kandos or Running Stream) do not have cafes. There are also a number of restaurants not mentioned which could turn potential visitors away if they were planning their visit and wanted a range of eating experiences across the Region.

These comments are not a criticism of MRTI, because not all of the cafes and restaurants in the Region are members of MRTI or don't pay for the additional website services available. But it does highlight the difficulties related to marketing the Region by a membership based organisation.

As MRTI prioritises marketing outcomes for the benefits of its members above outcomes that benefit the whole Region, regional wide marketing opportunities may be missed. For example, the Rylstone Street Feast was not mentioned on the MRTI website until the middle of October, despite tickets released for sale on 17 September. The Flavours of Mudgee Festival was not referenced in the "What's On" section of the MRTI website until the Thursday prior to the event (ie. 2 days before). The "Must See and Do" section only has categories for Mudgee, Gulgong and Hill End. It does not have a "Must See and Do" section for Rylstone or Kandos. The recent Motorfest held in Mudgee which has visitors from all around the State also did not appear on the MRTI monthly "What's-On" brochure. These are just some of the examples noted.

This report recommends that when the current contract for tourism services expires, that Council remove the responsibilities to undertake active marketing of the LGA from the list of key services. It is proposed that these marketing services would be provided as part of Region wide marketing activities undertaken by Council. Under this proposal, the marketing would be conducted on a regional wide basis where all ratepayers can benefit and not from a membership base.

The budget for regional marketing in the 2012 MRTI profit and loss statement is \$180,908. The actual expenditure for the period ending 30th June 2012 was \$170,413.

Role of Council

Council is in the best position to undertake the role of region wide marketing for a number of reasons:

- It has a community wide focus and passion for the entire Region and therefore, is not focused solely on the marketing and promotion of any single industry or town
- All ratepayers would have the opportunity to leverage from the region wide marketing undertaken
- Council's efforts would be seen as impartial because it is not a membership based organisation (where the outcomes are driven purposefully by the needs and interests of members)
- It has a dedicated team with relevant skills and experience to undertake an annual marketing program
- The marketing would be driven by professional staff and not restricted to those with the passion to continually volunteer for marketing related activities
- Region wide marketing will only happen if Council takes a leadership role in delivering the desired marketing objectives

Benefits of Marketing the Region

There are significant benefits for the community to be obtained from region wide marketing activities. The benefits include:

- Assisting in the attraction and retention of a skilled labour force - marketing can assist in promoting the employment opportunities that exist in the Region and can make it easier for individual businesses in all industries to find employees
- Promoting the lifestyle qualities of the Region - marketing can assist in communicating all of the great lifestyle benefits that exist for those living in or looking to move to the Region (short travel times to work, no traffic lights, friendly community, great sporting facilities, beautiful parks and open space, central location etc). This was highlighted to Council staff at the Country Living Expo in August
- Encouraging investment in the Region - marketing can assist in raising the profile of the Region to potential investors or businesses looking to expand or relocate from their existing location. It also helps to open up external markets for the range of locally produced products and services. Encouraging investment from outside the Region helps to sustain economic activity and offset economic leakages
- Attracting visitors to the Region - marketing can assist in promoting the Region's tourism offerings and highlighting dates of all key events and activities across the Region

Marketing in Other Regions

The challenges of region wide marketing are not unique to this Region. It is a common theme across many parts of regional NSW. A number of other Council's have recognised the importance of promoting their Region at a wholistic level. Dubbo City Council has a City Image department,

Orange City Council contributes to Taste Orange, Bathurst is reviewing its overall marketing strategy, the EvoCities campaign was launched 18 months ago etc.

In all cases, there has been a strong reliance upon Council taking the lead and driving the marketing and promotional activities undertaken.

Proposed Annual Marketing Program

If the current tourism contract is amended as discussed above, and the role of active marketing of the region as a tourism destination undertaken in-house as part of region wide marketing activities, the funds from the reduced fee would be redirected to fund an annual marketing program.

A proposed annual marketing program could be made of the following:

- Radio campaign - an investment of up to \$50,000 per year for a regular and ongoing radio advertising campaign on one or a number of the Sydney or Canberra based commercial radio broadcasts. The marketing campaign would include a number of radio ads per week which could be changed regularly to reflect an upcoming event (eg. Wine and Food Festival, Rylstone StreetFeast, Henry Lawson Festival) or a themed message relevant to the Region (eg. live, work, invest, visit)
- Promotional events locally and outside the Region - a series of promotional events (eg. 6) would be planned on an annual basis as a tool for marketing the Region. A budget of approximately \$20,000 per event would be allocated. This would include:
 - Building on the current marketing efforts for events outside the Region such as Pymont Uncorks Mudgee
 - Building on the success of 2 new Council managed events (Country & Regional Living Expo and the Flavours of Mudgee Festival). The success of both events demonstrates the benefits and ability of Council to take a leadership role and undertake marketing that benefits the entire community. If budget permits, staff would like to target 2 x Flavours events next year.
 - Holding 3-4 pop up events across the state (eg. Canberra, Newcastle, Brisbane, in shopping centres or Pitt Street Mall in Sydney), at locations which have not previously been targeted in marketing of the Region
- Billboards – up to \$25,000 allocated for 4 x billboards promoting the Region around the state. Consistent brand and messaging would be used to tie together all marketing efforts
- Newsletter - \$2,500 would be provided for the design and distribution of a regular e-newsletter to an external database providing detailed information about the Region and all of the opportunities, local products and services available
- Website – there are opportunities to build on the existing Council website and tailor economic development and events pages to be consistent with the theming and messaging of region wide marketing. Approx \$2,500 would be required for further development work
- Social media - an area that has untapped potential and opportunity and is relatively inexpensive where staff have the necessary skills and experience

Whilst the estimated cost of the above activities is \$200,000, the extent to which these activities can be performed in-house depends on the amount by which the tourism contract fee is reduced. The amount made available to fund the annual marketing program would be the full amount that is redirected from the reduced contract fee. Ideally, this would be \$200,000 to include all of the above activities.

Where To From Here

Council may wish to consult with all relevant stakeholders to seek their input into this concept. In particular Council needs to commence the negotiation of a new tourism contract with MRTI from 1 July 2013.

If Council decides to pursue a region wide marketing campaign which includes tourism marketing, the annual contract fee to MRTI would be reduced. MRTI's current budget for regional marketing is \$180,908 p.a., so it would be recommended that the contract for tourism services be reduced by this amount to \$147,000 (ie. \$327,000 - \$180,000). This would allow MRTI to continue operating as a viable membership tourism organisation but with no KPI's to deliver on marketing the Region. Total income would remain at around \$600,000 for the relevant member services MRTI provides. The funds from the reduced contract fee would be used by Council to establish a marketing program with an annual budget of approximately \$200,000, but market the whole Region's activities not just the members of MRTI.

The new contract with MRTI would include:

- Operating Visitor Information Centres
- Producing the tourism visitor guide
- Maintaining a membership website
- Handling accommodation bookings and enquiries
- Selling merchandise
- State tourism industry representative body

These functions are membership related services.

Alternative Options

The alternative to the recommendations in this report is for Council to continue with the status quo or an amended contract of service with MRTI that would continue to deliver marketing on behalf of the Region but only on a membership based philosophy.

Summary

No single stakeholder group in the Region has put its hand up to take the responsibility for marketing the Region at the big picture level in the last 10 years. The marketing conducted by individual stakeholder groups has not changed significantly over a similar period and the reliance on the same volunteers over a number of years has led to a certain level of apathy and fatigue towards marketing activities.

Given the growth in the Region and the critical importance of maintaining a diverse economic base to achieve long term economic sustainability, it is management belief that Council must take the lead role in Marketing the Region. It should not be the responsibility of a membership organisation to undertake the marketing of all aspects of the region.

Whilst the preferred option for funding the proposed annual marketing program is to reduce the amount of the tourism contract when it is up for renewal, the fact that these resources plus more will be reallocated directly into marketing activities that promote the Region as a place to live, work, invest and visit, means that the objectives of marketing the LGA as a tourism destination can still be satisfied and enhanced. In addition, MRTI will have the opportunity to leverage from these events and maximise the benefits it delivers to its membership. It is important to note that no other membership organisation in the Region receives the same level of financial support that MRTI members enjoy. However, this report recommends the continuation of a high level of financial support to ensure the viability of MRTI.

Financial implications

Not applicable until the key stakeholders discussions are complete.

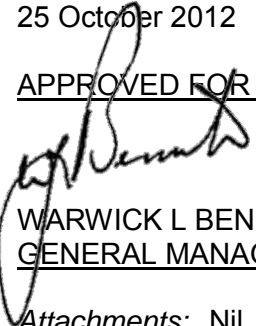
Strategic or policy implications

Not applicable at this time.

JULIE ROBERTSON
ECONOMIC DEVELOPMENT OFFICER

25 October 2012

APPROVED FOR SUBMISSION:



WARWICK L BENNETT
GENERAL MANAGER

Attachments: Nil.

6.2.21 Home and Community Care Services – Quarterly Report

REPORT BY CUSTOMER SERVICE MANAGER TO 7 NOVEMBER 2012 COUNCIL MEETING

Home and Community Care Services – Quarterly Report

A0100055, A0060205, A0060202, A0060204, A0060048, A0060203, A0060069

RECOMMENDATION

That:

- 1. the report by Customer Service Manager on the Home and Community Care Services be received;**
- 2. Council note the activity reports from the Home and Community Care funded services.**

Executive summary

This report seeks to inform Council of the activities undertaken by the Home and Community Care funded services that are auspiced by Council. These services are Host Family Respite Care, Home Modification and Maintenance; Mudgee Meals on Wheels and Mudgee Community Transport. The report covers the period July to September 2012.

Detailed report

Mid-Western Regional Council auspices four services that are known as Home and Community Care (HACC) Services. These services are funded under the HACC Program which is jointly funded by State and Federal Government and administered by the NSW Department of Human Services (Ageing, Disability and Home Care).

Community Transport Services are the exception to this as they are administered by the Department of Transport & Infrastructure and while the majority of funding comes through the HACC Program, there is also additional funding provided by the Department of Veterans Affairs, NSW Health through the Western Area Local Health Network and through the Department of Transport & Infrastructure directly.

Financial implications

Not applicable.

Strategic or policy implications

Not applicable.


WARWICK L BENNETT
GENERAL MANAGER

26 October 2012

Attachments: 1. HACC Quarterly Report to Council Jul-Sep 2012

**MUDGEES COMMUNITY TRANSPORT - QUARTERLY UPDATE
JULY – SEPTEMBER 2012****Transport figures Q3/2012**

573 trips classed as Health Related Transport trips.
1,285 trips classed as Home and Community Care trips.
812 trips classed as Community Transport Program trips.
54 trips classed as Department of Veterans Affairs trips.
Total: 2,724 trips

There have been 62 unmet requests for transport, of which 52 were for health-related transport.

MDS reporting and quarterly reporting

MDS reporting to funding providers will be completed by the 26 October deadline for the third quarter of 2012.

Recruitment of volunteers

An extensive recruitment drive for volunteers commenced in late August 2012. To date, five new drivers have commenced and I have another four applications pending (ie, subject to criminal history background checks). Unfortunately, one of the five new drivers has been assessed as being unsuitable for the driving tasks, however we will keep him on our books and call on him for carer assistance when necessary. Two of the other four drivers have fairly restrictive availability.

Rectification works to Mudgee taxi rank

An application has been submitted for funding for rectification works to the Mudgee taxi rank pursuant to the Country Passenger Transport Infrastructure Grant Scheme. The value of the grant being sought is \$17,750.00.

Successful funding application

We have been notified by Transport for NSW that our application for Community Health transport funding has been approved. The funding is worth \$2,000 and we are currently in talks with Community Health how to best utilise the funds.

Fiona Turner – Community Transport Coordinator

HOST FAMILY RESPITE - QUARTERLY UPDATE JULY – SEPTEMBER 2012

Respite Care Provided

Respite Care provided during the quarter was as follows:

- July - 280 hours of care given to 15 clients by 8 couples and 4 individual volunteers
- August - 316 hours of care given to 12 clients by 6 couples and 5 individual volunteers
- September - 156 hours of care given to 11 clients by 3 couples and 5 individual volunteers

(not necessarily the same clients or volunteers each month).

Fifty nine of those hours were given to siblings of children with a disability under our Sibling Support Program funded by Commonwealth Respite & Carelink Centre.

Demand for the service was lower in September due to illness in a number of families (client and volunteer) and also the school holidays had an impact with people being away. One volunteer was married during the school holidays much to the delight of the client another is about to give birth. Having a new baby in the home will be an enriching experience for the client she cares for.

Promotion

New up-dated and improved brochures have been developed along with new posters to advertise the Service. These have been distributed in Gulgong, Mudgee and Rylstone/Kandos and have been very well received.

An article was placed in Community News about the Service and this has resulted in the recruitment of one new volunteer who will commence care this month. Two other people are to complete the necessary documentation, screening and training this month prior to being linked with clients. This is a really good outcome.

Meetings Attended:

- Interagency
- Disability/HACC Service Providers Network
- Child & Family Network
- Orana Community Services Forum

General:

Considerable time is spent meeting with individual client families and volunteers each month along with others involved with our clients such as the Social Worker at Community Health, School Teachers and ADHC staff to ensure the best care is given to clients.

Judy Blackman – Host Family Respite Coordinator

**HOME MODIFICATIONS AND MAINTENANCE SERVICE - QUARTERLY UPDATE
JULY – SEPTEMBER 2012**

This quarter involved providing 5.5 hours of maintenance to 4 clients and \$11,152.98 of modifications for 20 clients. Work was carried out in Mudgee, Kandos, Rylstone, Coonabarabran Lue, Coolah, Dunedoo and Mendooran.

Modifications

This quarter saw the completion of works of the following:

- Several grab rails installed in the shower, toilet & kitchen in Rylstone
- A ramp extended and side hand rails installed for a client in Kandos
- Installation of grab rails & hand held shower in bathroom for a client in Coonabarabran
- Installation of a handrail at the rear steps and 2 grabrails in shower for client in Mudgee
- Installation of 3 ramp wedges, shower curtain & track and grab rail in shower for a client in Gulgong
- Major shower modification, install wedges at front access & bathroom, replace bathroom door & install 4 blocks to raise arm chair for client in Coonabarabran
- Supply & install 2 handrails, one grab rail and secure existing rail for client in Mudgee
- Supply & fit 2 handrails at rear door for a client in Kandos
- Supply & fit concrete step at rear door, grab rail in shower, handrail at rear steps & fit a hand held shower hose for a client in Coolah
- Supply & fit 2 grab rails for a client in Kandos
- Supply & fit grab rails in shower, install step wedges for a client in Kandos
- Install grab rails in bathroom, shower, toilet & hallway. Reverse toilet door to open outwards for a client in Kandos
- Supply & fit hand rail at rear steps for a client in Mudgee
- Supply & fit ceramic taps, doorstops & unit number for a client in Mudgee
- Install a bath cover for a client in Mudgee
- Reconstruct rear verandah floor with timber to match existing flooring for a client in Mendooran
- Supply & fit a grab rail in shower for a client in Mudgee
- Supply & fit two grab rails Mudgee
- Supply & install hand rail at rear access, supply & fit two grab rails in bathroom

Maintenance

- Removal of shower doors and supply a weighted shower curtain for a client in Coonabarabran
- Garden maintenance for a client in Mudgee
- Install draft excluder to door for a client in Mudgee
- Adjust laundry door & glue down loose vinyl tiles Mudgee

John McCrea – Home Modifications and Maintenance Service Coordinator

**MEALS ON WHEELS - QUARTERLY UPDATE
JULY – SEPTEMBER 2012**

Hot delivered meals	July	336
	Aug	352
	Sep	293

TOTAL 981

Frozen delivered meals	Jul	136
	Aug	118
	Sep	90

TOTAL 344

VOLUNTEERS

July	8 Groups	12 Individual volunteers
August	12 Groups	8 Individual volunteers
September	10 Groups	8 Individual volunteers

Margaret O'Keefe – Meals on Wheels Coordinator

6.2.22 Allegation of Breach of Code of Conduct

REPORT BY GENERAL MANAGER TO 7 NOVEMBER 2012 COUNCIL MEETING

conduct

A0100047, A0000014

RECOMMENDATION

That the report by the General Manager on the Allegation of a Breach of Code of Conduct be received.

Detailed report

Prior to the Council election, I received an allegation that a Councillor had breached the Code of Conduct. I determined to refer this matter to a Conduct Reviewer.

The Conduct Reviewer has completed his investigation into this allegation and has determined that there was no case to answer.

The parties to this complaint have been informed of the Conduct Reviewer's decision.

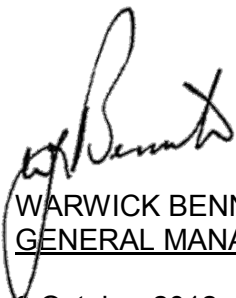
As there was no breach found it is considered inappropriate to list the names of the persons involved. However I am required by the Code of Conduct to advise Council that a complaint has been received and dealt with.

Financial implications

Not applicable.

Strategic or policy implications

Not applicable.



WARWICK BENNETT
GENERAL MANAGER

9 October 2012

Attachments: Nil.

6.2.23 Equal Employment Opportunity and Workplace Diversity Policy

REPORT BY MANAGER ORGANISATIONAL DEVELOPMENT TO 7 NOVEMBER 2012
COUNCIL MEETING

Council Report Equal Employment Opportunity and Workplace Diversity Policy
A0100055, A0100021

RECOMMENDATION

That:

1. **the report by Manager Organisational Development on the Equal Employment Opportunity and Workplace Diversity Policy be received;**
2. **Council adopt the revised Equal Employment Opportunity and Workplace Diversity Policy**

Executive summary

Amendments have been made to the Equal Employment Opportunity and Workplace Diversity Policy as part of the review process defined in the Equal Employment Opportunity Management Plan.

Detailed report

The policy has been updated to include references to Council's core values and the revised Prevention of Discrimination, Harassment and Bullying Policy, Code of Conduct and Workplace Environment Statement. Details of Council's Contact Officers have been included consistent with the Prevention of Discrimination, Harassment and Bullying Policy.

The intent of the policy remains the same, in that Council will provide a work environment free from unlawful discrimination, harassment and bullying and where we will recognise and respect the diverse social and cultural backgrounds of all employees, Councillors and customers.

Financial implications

Not applicable.

Strategic or policy implications

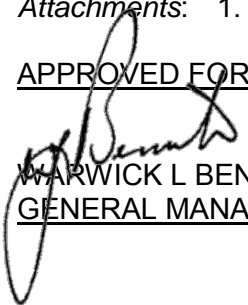
Not applicable.

MICHELE GEORGE
MANAGER ORGANISATIONAL
DEVELOPMENT

19 October 2012

Attachments: 1. Equal Employment Opportunity and Workplace Diversity Policy

APPROVED FOR SUBMISSION:


WARWICK L BENNETT
GENERAL MANAGER

	POLICY	ADOPTED Council: Review Date:
	Equal Employment Opportunity (EEO) and Workforce Diversity	REF: HRM.1C REV: 3 FILE No. A0100021

OBJECTIVE

To provide a work environment which is free from unlawful discrimination, harassment, bullying, victimisation and/or vilification, where employment decisions are based on merit and individuals are treated fairly, where each individual has the opportunity to progress to the extent of their ability.

POLICY

Mid-Western Regional Council is an equal opportunity employer committed to providing:

- Fair practices in the workplace; Employment and selection decisions based on the person who has the skills, knowledge, personal qualities and experience to best fit the job requirements.
- Management decisions made without bias;
- Recognition of and respect for the social and cultural backgrounds of all employees, Councilors and customers;
- Employment practices which create employee satisfaction and commitment. A workplace environment that is consistent with our core values of Respect, Integrity and Recognition.

In order to achieve our objective, Mid-Western Regional Council will:

- Develop and implement an Equal Employment Opportunity Management Plan;
- Incorporate the EEO-principles of respect, diversity, equality and merit into all relevant policies and procedures;
- Base all selection decisions on merit and the individual's ability to meet the requirements of the position;
- Provide training and development that is consistent with the principles of equity and that supports Council's EEO objectives;
- linked to the employee, Council and customer needs;
- Provide an efficient workplace free from bullying, harassment and discrimination;
- Promote EEO and workplace diversity throughout Council to ensure that every employee is aware of and understands Council's policies on EEO related matters;
- Provide effective mechanisms to resolve complaints.

Mid-Western Regional Council does not tolerate any form of discrimination. Such behaviour is in breach of Council's Prevention of Discrimination, Harassment and Bullying Policy, Code of Conduct and Workplace Environment Statement. Under Federal and State-state anti-discrimination legislation laws it is against the law to discriminate against people because of their; discrimination in employment on the following grounds is against the law:

- Race, including colour, ethno-religious background or nationality
- Sex, including pregnancy and breast feeding
- Transgender
- Marital or domestic status

- Disability, including physical, mental and intellectual disability
- Carer's and family responsibilities
- Sexuality
- Age
- Religious belief or activity
- Trade Union activity
- Political belief or activity

• <u>Race, colour, ethnicity</u>	• <u>Political belief or activity</u>
• <u>Pregnancy</u>	• <u>Trade Union activity</u>
• <u>Sex</u>	• <u>Parental Status</u>
• <u>Age</u>	• <u>Homosexuality (actual or presumed)</u>
• <u>Marital Status</u>	• <u>Carer's responsibilities</u>
• <u>Disability (past, present or possible future)</u>	• <u>Transgender (actual or presumed)</u>
• <u>Religion</u>	

CONSEQUENCES OF A BREACH OF THIS POLICY

Formatted: Font: Bold

Any breach, or alleged breach, of this policy will be treated seriously and will be investigated promptly, confidentially and impartially, and may result in disciplinary action. Discipline may involve a warning, transfer, counselling, demotion or dismissal, depending upon the circumstances.

CONTACT OFFICERS

Formatted: Font: Bold

Contact Officers can provide the first point of contact for someone who may be experiencing discrimination, bullying or harassment. The role of a Contact officer is to:

- Provide information on discrimination, bullying and harassment
- Provide information on the options available to deal with complaints
- Investigate a complaint
- Carry out training and awareness raising programs

Council's Contact Officers are the:

- Manager Organisational Development
- Human Resources Officer
- OHS Coordinator

6.2.24 2011/12 Annual Report

REPORT BY MANAGER GOVERNANCE TO 7 NOVEMBER 2012 COUNCIL MEETING

Annual Report

A0100055, A0320002

RECOMMENDATION

That:

- 1. the report by the Manager Governance on the 2011/12 Annual Report be received;**
- 2. Council adopt the 2011/12 Annual Report.**

Executive summary

To consider the 2011/12 Annual Report.

Detailed report

The local government legislation provides that by the end of November in each year a council must prepare a report as to its achievements with respect to the objectives and performance targets set out in its management plan for that year. The legislation also prescribes specific information that must be included in a council's annual report. The legislation also provides that a copy of a council's annual report must be made available to the Minister.

A copy of the Annual Report is attached at the end of this business paper for Councillors only. At this stage the document excludes the Financial Statements and State of the Environment Report which will be included as links on Council's website. Members of the community can view the document on the Council's web site or ask for a hard copy at any Council service centre.

Financial implications

Not applicable.

Strategic or policy implications

Not applicable.

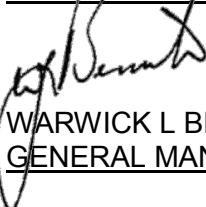


IAN ROBERTS
MANAGER GOVERNANCE

4 October 2012

Attachments: 1. 2011/12 Annual Report (included at the end of the Business Paper)

APPROVED FOR SUBMISSION:



WARWICK L BENNETT
GENERAL MANAGER

URGENT BUSINESS WITHOUT NOTICE

As provided by Clauses 19 & 20 of Council's Code of Meeting Practice (Clause 14 LGMR).

GIVING NOTICE OF BUSINESS

19. (1) The Council must not transact business at a meeting of the Council:
- (a) unless a Councillor has given notice of the business in writing at least two (2) days prior to the day on which the agenda and business paper is prepared and delivered to Councillors; and
 - (b) unless notice of the business has been sent to the Councillors in accordance with Clause 6 of this Code. (see Section 367 LGA & Clause 14(1) LGMR)
- (2) Subclause (1) does not apply to the consideration of business at a meeting if the business:
- (a) is already before, or directly relates to a matter that is already before the Council (see Clause 14(2)(a) LGMR); or
 - (b) is the election of a chairperson to preside at the meeting as provided by Clause 12(1) (see Clause 14(2)(b) LGMR); or
 - (c) is a matter or topic put to the meeting by the chairperson in accordance with Clause 21 (see Clause 14(2)(c) LGMR); or
 - (d) is a motion for the adoption of recommendations of a committee of the Council; (see Clause 14(2)(d) LGMR); or
 - (e) relates to reports from officers, which in the opinion of the Chairperson or the General Manager are urgent;
 - (f) relates to reports from officers placed on the business paper pursuant to a decision of a committee that additional information be provided to the Council in relation to a matter before the Committee; and
 - (g) relates to urgent administrative or procedural matters that are raised by the Mayor or General Manager.

BUSINESS WITHOUT NOTICE

20. (1) Despite Clause 19 of this Code, business may be transacted at a meeting of the Council even though due notice of the business has not been given to the Councillors. However, this can happen only if:
- (a) a motion is passed to have the business transacted at the meeting; and
 - (b) the business proposed to be brought forward is ruled by the Chairperson to be of great urgency. Such a motion can be moved without notice. (see Clause 14(3) LGMR)
- (2) Despite Clause 30 of this Code, only the mover of a motion referred to in subclause (1) can speak to the motion before it is put. (see Clause 14(4) LGMR)

Item 7: Urgent Business Without Notice