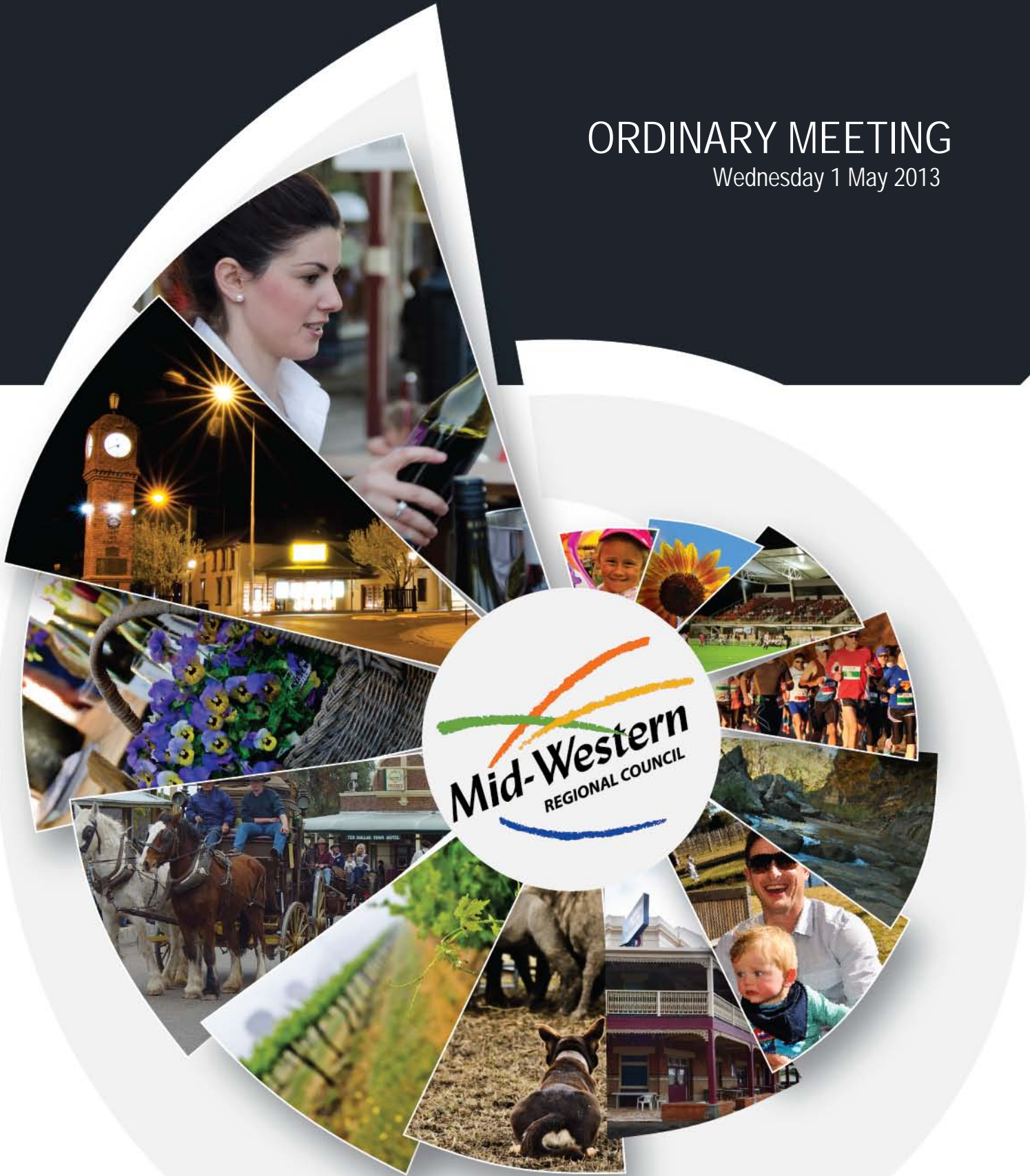


ORDINARY MEETING

Wednesday 1 May 2013





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
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Email: council@midwestern.nsw.gov.au

24 April 2013

Dear Councillor

MEETING NOTICE
Ordinary Meeting

Wednesday, 1 May 2013

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

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Item 1: Apologies

Item 2: Disclosure of Interest

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

Item 3: Confirmation of Minutes

3.1 Minutes of Ordinary Meeting held on 17 April 2013

COUNCIL DECISION:

That the Minutes of the Ordinary Meeting held on **Error! Reference source not found.**, Minute Nos 141/13 to 153/13 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 April 2013, commencing at 6.05 pm and concluding at 6.49 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 (Deputy Mayor), Cr L White.
IN ATTENDANCE	Acting General Manager (B Cam), Acting Director Mid-Western Operations (S Mullinger), Director Development and Community Services (C Van Laeren), Director Finance and Administration (C Phelan), 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 Walker declared a pecuniary conflict of interest in Item 6.2.1 in that his brother is associated with the applicant in relation to the proposed construction of the shed.

Councillor Thompson declared a non-pecuniary conflict of interest in Item 6.2.1 because of a family connection.

Item 3: Confirmation of Minutes

141/13 **MOTION:** Shelley/Cavalier

That the Minutes of the Ordinary Meeting held on 3 April 2013 (Minute Nos. 121/13 to 140/13) be taken as read and confirmed.

The motion was put and carried.

Item 4: Matters in ProgressTourist Regional Signage142/13 **MOTION:** Shelley/Cavalier**That Min. No. 545/11 be noted as completed.***The motion was put and carried.*Fridge Buy Back Scheme143/13 **MOTION:** Shelley/Cavalier**That Min. No. 90/13 be noted as completed.***The motion was put and carried.***Item 5: Mayoral Minutes**

There was no Mayoral Minute.

Item 6: General Business

3.2 6.1 NOTICES OF MOTION

There were no Notices of Motion.

3.3 6.2 REPORTS TO COUNCIL

6.2.1 DA0383/2013 SHED FOR STORAGE OF EARTHMOVING EQUIPMENT AND TRUCKS, LOT 8 DP
252962, 53 PEPPERCORN LANE, BUCKAROO, 2850

A0100056, P0306364

Councillor Walker declared a pecuniary conflict of interest in that his brother is associated with the applicant in relation to the proposed construction of the shed, left the meeting at 6.06 pm and did not participate in discussions or vote in relation to this matter.

Councillor Thompson declared a non-pecuniary conflict of interest because of a family connection, left the meeting at 6.06 pm and did not participate in discussions or vote in relation to this matter.

144/13 **MOTION:** White/Martens**That:**

1. the report by the Environmental Planner on DA 0383/2013 Shed for Storage of Plant Trucks, Lot 8 DP 252962 be received;
2. the development application DA 0383/2013 Shed for Storage of Plant Trucks, Lot 8 DP 252962 be refused for the following reasons:
 - a) The proposed development is defined as a Truck Depot and is a prohibited use in the R5 Large Lot Residential zone under the Mid-Western Regional Council Local Environmental Plan 2012.
 - b) The proposed development is inconsistent with the objectives of the R5 Large Lot Residential zone under the Mid-Western Regional Council Local Environmental Plan 2012 as it does not support residential housing in a rural setting, will affect the visual and scenic quality of the area; does not support orderly urban development; increases the need for infrastructure expansions by requiring the upgrade of Peppercorn Lane; and will create conflict in the zone by introducing an industrial style development into a residential area.
 - c) The proposed development is inconsistent with Clause 6.5 Terrestrial Biodiversity as it requires the removal of approximately 500m² of trees which are identified as being part of a High Biodiversity Sensitivity Area under Map BIO_006 of the Mid-Western Regional Council Local Environmental Plan 2012 and may be valuable habitat for flora and fauna and can be avoided on site.

- d) The proposed development is likely to have an impact on surrounding residences in terms of noise, vibrations and dust from servicing and heavy vehicles travelling along Peppercorn Lane and Buckaroo Road. These impacts could be significant as the time and frequency of traffic movements could not be reasonably controlled if approved and the use has the potential for 32 employees.
- e) The design of Peppercorn Lane and its intersection with Buckaroo Road is deficient for safe use by heavy vehicles and local traffic as loaded heavy articulated vehicles cannot manoeuvre into Peppercorn Lane and local light traffic cannot safely pass or manoeuvre off Peppercorn Lane if it is being utilised by a heavy vehicle.
- f) The design of Peppercorn Lane and its intersection does not meet the minimum standards under AUSTRROADS Guidelines for the lowest average daily use road and would need to be upgraded to safely facilitate the traffic movements from the Truck Depot and surrounding residences simultaneously.
- g) The proposed development will have a negative social impact on the area by effecting the expected Large Lot Residential amenity of adjoining and surrounding landholders as detailed in the numerous submissions that were received objecting to the development.

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

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

Councillors Walker and Thompson returned to the meeting at 6.07 pm.

6.2.2 PLANNING PROPOSAL – BOTOBOLAR

A0100056, P1197362

145/13

MOTION: Shelley/Cavalier

That:

1. the report by the Director Development and Community Services on the Planning proposal – Botobolar be received;
2. Council advise the applicant that the rezoning in accordance with the Department of Planning and Infrastructure's letter dated 12 March 2013 is unlikely to be supported, however if they wish to pursue this course of action, the following issues will need to be addressed in a planning proposal:
 - The area to be rezoned. The letter from the DoPI indicates a broader area for rezoning other than the subject site.
 - Address the inconsistency with the CLUS and justification of identification of an additional area in terms of demand and suitability above areas already identified as opportunity areas.
 - Analysis of the impact on Class I-III land.
 - Analysis of general land capability and specifically the impact on ground water vulnerability and high biodiversity areas.
 - The strategic justification and identification of the merit of this area for rezoning for rural lifestyle development as opposed to other areas within the LGA and assessment of the land against the criteria established in the comprehensive land use strategy.
 - Investigation on any impact on existing infrastructure. and pay the applicable fee of \$7,733.
3. Council advise the applicant that an alternate approach should be considered in terms of preparing a planning proposal that seeks to amend Clause 4.2A of the

Mid-Western Regional LEP 2012 to facilitate the erection of a dwelling on the land.

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	✓	

6.2.3 DRAFT STATE ENVIRONMENTAL PLANNING POLICY (MINING, PETROLEUM PRODUCTION AND EXTRACTIVE INDUSTRIES) AMENDMENT (COAL SEAM GAS) A0100056, A0040006

146/13

MOTION: Shelley/White

That:

1. the report by the Director Development and Community Services on the Draft State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) Amendment (Coal Seam Gas) be received; and
2. Council make a submission as outlined in the attachment to this report.

The motion was put and carried.

6.2.4 DEPARTMENT OF PLANNING AND INFRASTRUCTURE PERFORMANCE MONITORING A0100056, A0170041

147/13

MOTION: Walker/Martens

That the report by the Director Development and Community Services on the Department of Planning and Infrastructure Performance Monitoring be received.

The motion was put and carried.

6.2.5 DRAFT COMMUNITY PLAN, DELIVERY PROGRAM/OPERATIONAL PLAN, AND RESOURCING STRATEGY A0100056, A0149939

MOTION: Shelley/Cavalier

That:

1. the report by the Director, Finance and Administration on the Draft Community Plan, Delivery Program/Operational Plan, and Resourcing Strategy be received;
2. Council endorse the draft Towards 2030 Community Plan to go on public exhibition for a period of 28 days commencing Friday 19 April 2013;
3. Council endorse the draft Delivery Program 2013/14 - 2016/17 and draft Operational Plan 2013/14 to go on public exhibition for a period of 28 days commencing Friday 19 April 2013;
4. a further report be presented to Council following the exhibition period including a review of any submissions received.

AMENDMENT: Webb/Martens

That:

1. the report by the Director, Finance and Administration on the Draft Community Plan, Delivery Program/Operational Plan, and Resourcing Strategy be received;

2. Council endorse the draft Towards 2030 Community Plan to go on public exhibition for a period of 28 days commencing Friday 19 April 2013;
3. Council endorse the draft Delivery Program 2013/14 - 2016/17 and draft Operational Plan 2013/14 utilising the approach in Rating Model No. 5 with the shortfall funded from the proposed Church Street upgrade with Church Street to be treated with a "rubber" reseal and with the balance of funds from the proposed Church Street upgrade to go to rural road resheeting, to go on public exhibition for a period of 28 days commencing Friday 19 April 2013;
4. a further report be presented to Council following the exhibition period including a review of any submissions received.

148/13

AMENDMENT: Kennedy/White

That:

1. **the report by the Director, Finance and Administration on the Draft Community Plan, Delivery Program/Operational Plan, and Resourcing Strategy be received;**
2. **Council endorse the draft Towards 2030 Community Plan to go on public exhibition for a period of 28 days commencing Friday 19 April 2013;**
3. **Council endorse the draft Delivery Program 2013/14 - 2016/17 and draft Operational Plan 2013/14, utilising the approach in Rating Model No. 6, to go on public exhibition for a period of 28 days commencing Friday 19 April 2013;**
4. **a further report be presented to Council following the exhibition period including a review of any submissions received.**

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

6.2.6 ACQUISITION OF LAND OR INTERESTS IN LAND POLICY AND LEASING & LICENSING OF COUNCIL PROPERTY POLICY REVIEWS

A0100056, A0100021

149/13

MOTION: Walker/Martens

That:

1. **the report by the Revenue & Property Manager on the Acquisition of Land or Interests in Land Policy and Leasing & Licensing of Council Property Policy Reviews be received;**
2. **Council adopt the revised Acquisition of Land or Interests in Land Policy and the revised Leasing & Licencing of Council Property Policy.**

The motion was put and carried.

6.2.7 MONTHLY STATEMENT OF MID-WESTERN REGIONAL COUNCIL BANK BALANCES AND INVESTMENTS AS AT 31 MARCH 2013

A0100056, A0140304

150/13

MOTION: Walker/Cavalier

That:

1. **the investment report as at 31 March 2013 by the Manager Financial Planning be received;**
2. **the certification by the Responsible Accounting Officer be noted.**

The motion was put and carried.

6.2.8 RED HILL RESERVE WORKING PARTY - MARCH 2013

A0100056, P0860011

151/13 **MOTION:** **Shelley/Cavalier****That:**

1. the report by the Director Operations on the Red Hill Reserve Working Party be received;
2. note the minutes of the Meeting of the Red Hill Reserve Working Party meeting held on 7 March 2013.

*The motion was put and carried.***Item 7: Urgent Business Without Notice**

3.4 7.1 Australians for Australia – Mudgee Hospital

A0100056, F0610001, A0140201

152/13 **MOTION:** **Thompson/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.*153/13 **MOTION:** **Shelley/Weatherley****That Council make a contribution to the Mudgee Hospital of \$5,000 from the general financial assistance vote.***The motion was put and carried.***Item 8: Confidential Session**

There were no matters discussed in Confidential Session.

Closure

There being no further business the meeting concluded at 6.49 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.	With the focus on delivering the Mudgee Sewer Works insufficient staff resources are available to review this scheme
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.	No determination as yet.
Return of Royalties	Res. 151/12 Ord. Mtg. 18/4/2012	That Council continue to fight for the return of royalties for the region.	Expressions of Interest have been lodged with the State Government.

Item 5: Mayoral Minute

Nil.

Item 6: General Business

6.1 Notices of Motion

Nil.

6.2 Reports

6.2.1 DA 0007/2013 – Proposed Change of use to Machinery Hire and Fabrication Premises, Lot 5, Lot 6, Lot 7, & Lot 8 DP 35972, 61-65 Ilford Road Kandos

REPORT BY THE GRADUATE PLANNER TO 1 MAY 2013 COUNCIL MEETING

DA0007/2013 - Proposed Change of use to Machinery Hire and Fabrication Premises, 61-65 Ilford Road Kandos
A0100056, P1585262

RECOMMENDATION

That:

- A. the report by the Graduate Planner on the DA 0007/2013 – Proposed Change of use to Machinery Hire and Fabrication Premises, Lot 5, Lot 6, Lot 7, & Lot 8 DP 35972, 61-65 Ilford Road Kandos be received;
- B. Development Application for the establishment of Machinery Hire and Fabrication Premises at Lot 5 , Lot 6, Lot 7 & Lot 8 DP 35972 61-65 Ilford Road Kandos is granted development consent subject to the following conditions:

APPROVED DEVELOPMENT

1. Development is to be carried out generally in accordance with stamped plans received with Development Application DA0007/2013 received by Council on 12 February 2013 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.

CAR PARKING

2. Car parking within the development is to comply with the following:
 - i) Each parking space is to have minimum dimensions of 5.5m x 2.6m;
 - ii) Each disabled car parking space is to be in accordance with the provisions of Clause D3.5 of the Building Code of Australia and Australian Standard as 2890.1 – 2004;
 - iii) All car parking spaces are to be line-marked and sealed with a hard standing, all weather material and must be maintained in a satisfactory condition at all times;
 - iv) Off street parking is to be encouraged by the placement of prominent signs indicating the availability of parking.
3. The aisle widths, internal circulation, ramp widths and grades of the carpark are to generally conform to the Roads and Traffic Authority guidelines and Australian Standard AS2980.1 – 2004. Details of compliance are to be shown on the relevant plans and specifications.

HEALTH AND BUILDING

4. **An application for a Building Certificate under Section 149D of the Environmental Planning & Assessment Act 1979 is to be submitted to Council for existing open bay shed.**

GENERAL

5. **Hour of operation are generally not exceed 7.30am – 4.30pm Monday to Friday and 8.00am to 1.00pm Saturday and no trading is to occur on Sundays and Public Holidays. Should an extension to these hours be sought on an ongoing basis a S.96 application for modification of consent will be required to be submitted to Council.**
6. **All loading and unloading in connection with the premises shall be carried out wholly within the site.**
7. **All vehicles to enter and leave the site in a forward direction at all times.**
8. **All car parking and associated driveway works to be completed prior to occupation of the development.**
9. **No display of goods is to take place from public areas or footpath fronting the premises.**
10. **Future use of the site for spray painting facilities will be subject to a separate development application detailing facilities to be provided.**
11. **All vehicles fitted with a reversing beacon are to be upgraded to a new broadband quaker beacon.**
12. **A 2.1 Metre high impervious (colorbond or wooden) fence is to be erected along the Northern boundary from the building line to the Western corner and for the length of the Western boundary.**

Executive summary

The proposed development is the establishment of a Machinery Hire and Fabrication Premises. The hire service, currently exists on the site with the applicant upgrading the use, to account for manufacturing and maintenance of the machines. The development is proposing to utilise the existing building infrastructure on the site.

The premises contains two large shed's, one open bay style storage shed and one smaller enclosed shed used for manufacturing and maintenance. The enclosed shed has been designed and used for industrial purposes. The open bay shed used for storage is a new building which has been erected without Council consent. The Recommendation includes a condition of consent that a building certificate must be attained under section 149D of the environmental Planning and assessment Act 1979 for the structure.

12 car parking spaces are proposed, for both staff and visitor parking. These parks are required to be formed to council car parking standards.

The development is bordered to the North, South and West by land used for residential purposes. To the east of the development, is land used for Public Recreation known as Simpkins Park.

A noise assessment carried out by Wilkinson Murray in January 2013 indicates that the proposed use would increase noise levels at surrounding residential addresses, however mitigation measures have been proposed to reduce the noise impacts to a level which is suitable for a residential area.

Detailed report

This application has been assessed using the matters for consideration set down by Section 79C – Evaluation of the Environmental Planning and Assessment 1979, Council policies and adopted Strategies. The assessment supports approval of the application and has identified the following key issues which are elaborated upon below.

MID WESTERN REGIONAL LOCAL ENVIRONMENTAL PLAN 2012

The land is zone RU5 Village in accordance with the Mid-Western Regional Local Environmental Plan 2012 (LEP 2012). The proposed development has been assessed in terms of the LEP, these considerations are summarised below.

Clause 2.3 - Zone objectives and Land Use Table

The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone. The relevant objectives of the RU5 zone are;

- *To provide for a range of land uses, services and facilities that are associated with a rural village.*
- *To promote development that is sustainable in terms of the capacity of infrastructure within villages.*

Comment:

The proposed use of the site will be Machinery hire and fabrication, which is classified as an industrial activity in accordance with the LEP 2012. The site has been used for various industrial uses and for bulky storage for many years. A change of use from machinery hire premises, to a machinery hire and fabrication premises will ensure that the business has the capabilities to maintain the existing machinery and work on new products without outsourcing labour services. The proposed use for machinery hire and fabrication does not intensify the sites contribution to local infrastructure.

The proposed change of use is for Industrial purposes. The objectives of the zone do not specifically mention Industry however; as a use permitted within the zone it is reasonable to conclude that the LEP envisages that Industrial activities will be carried within the Village. The proposal is considered to be consistent with the objectives of the zone.

DEVELOPMENT CONTROL PLAN OR COUNCIL POLICY – CAR PARKING

The proposed development was lodged last year prior to the implementation of Development Control Plan 2012 and is therefore subject to the provisions of Development Control Plan – Car Parking 2008 - Commenced 15 February 2008 (the DCP).

Clause 3.1 of the Car Parking Policy indicates that for Industries, Warehouses and Bulk Stores Where greater than 50% is used for storage and or open storage areas; parking shall be provided at a rate of 1 space per 2 staff or 1 space per 100m² gfa. The approximate area of shedding on

site is 480m² with approximately 260m² being a storage shed the developer would be required to provide 5 parks to be consistent with council's car parking policy.

The applicant has proposed to supply 12 car parks for both customer and employee use. The number of parks provided exceeds the rate prescribed by the DCP and is there considered adequate for the development.

DEVELOPMENT CONTROL PLAN OR COUNCIL POLICY – NOTIFICATION POLICY

The proposed development was lodged last year prior to the implementation of Development Control Plan 2012 and is therefore subject to the provisions of Development Control Plan – Notification Policy 2008 - Commenced 15 February 2008 (the DCP).

- The development was notified in accordance with the Mid-Western Regional Council Notification policy from 18 February 2013 until 6 March 2013. One submission was received, with the issues addressed below:

Issue Raised	Staff Comment
Hours of Operation	CGB has applied to operate from 7am to 7pm, in a village zone this could be considered unreasonable as the zone is designed to allow the operation of businesses in small residential communities, the effect which the development has on the existing residents should be considered. It would be considered suitable for the business to operate for a period of 7.30am until 4.30pm on Monday to Friday with Saturday morning trading permitted..
Noise	Wilkinson Murray conducted a noise assessment at the site and recommended that the applicant install a 2.1 metre high solid fence and gate along the North and West boundaries to mitigate noise impacts as a result of the development. Also vehicles are to be equipped with a broadband quaker reversing beacon to reduce the invasive noise emitted. The gate along Lloyd Avenue is to remain closed unless a large vehicle is entering or exiting the site.
Fumes as a result of grinding welding & spray painting.	The dust from grinding and welding will be reduced with the erection of an impervious fence as recommended by Wilkinson Murray. A site inspection carried out on site 09 April 2013 Applicants were asked where painting occurs on site. They advised that no large scale painting occurs on the site. It will be compulsory for any future development which includes spray painting to provide a development application detailing the process and facilities to be supplied.

SECTION 94 & 64 CONTRIBUTIONS

The proposal does not create any additional dwelling rights or allotments and therefore no contributions are payable.

The likely impact of the proposed development on the natural and built environment and social and economic impacts in the locality.

Context and setting – regional and local context(a) Context and Setting

To the North and South of the site are vacant blocks to which there dwellings adjacent. The Western side of the site is abutted by a dwelling while to the East is the Ilford road and Simpkins Park.

(b) Access, transport and traffic

The site can be accessed to the North from Lloyd Avenue and the east from Ilford Road. The gate in Lloyd Avenue is to remain closed unless in use.

(c) Public domain

The development is an industrial site being located in a Village zone, the use of the site is current and this application is for an extension of the use from machinery hire premises to machinery hire and fabrication.

(i) Air and Microclimate

The development will not create any adverse affects on Air quality or cause microclimatic effects

(j) Flora & fauna

The development application indicates that there will be not be any removal of vegetation. A search of cadastral data has revealed that there are no sensitive species of flora or fauna located on or in close proximity to the site.

(k) Waste

The development will not generate excessive waste, the proposal is considered to produce less waste then the prior use a vehicle wrecking yard.

(m) Noise & vibration

Wilkinson Murray, Acoustics and Air have conducted a Noise assessment of work shop facilities at 61-65 Ilford Road Kandos with test running from 5 December 2012 until 11 December 2012. The report predicts that when in operation the workshop increases the noise level by 7dBA at 11 Lloyde Avenue. Preventative measures of a solid (lapped timber of Colourbond) 2.1m high fence installed on the Northern and Western Boundaries and vehicle reversing alarms should be fitted with broadband quaker alarms to prevent disturbance. This will reduce the possibility of future impacts on neighbouring buildings.

(n) Natural Hazards

There are no natural hazards associated with the site.

(o) Technological hazards

There are no technological hazards involved with the development.

(p) Safety, security and crime prevention

The change of use does not change existing safety and security measures.

(q) Social impact in the locality

The development provides manufacturing employment opportunities within Kandos. The noise created by the manufacturing could have social impacts however mitigation steps as indicated by Wilkinson Murray will be implemented to sufficiently negate the affects.

(r) Economic impact in the locality

The development will create employment in manufacturing helping to generate sustainable employment opportunities within Kandos.

(s) Site design and internal design

The site is located with two entrance points ensuring all vehicles can enter and exit in a forward direction. The open style shed and 12 metre set back from established building will create an easily accessible development. The gate along the northern access shall remain closed unless immediately in use, to help mitigate against noise impacts on neighbouring properties.

(t) Construction

There is no construction work is associated with the development.

(u) Cumulative Impacts

There are no cumulative impacts as a result of the development

SUITABILITY OF SITE FOR DEVELOPMENT

(a) Does the proposal fit in the locality?

The site has been historically used for industrial and storage purposes. One submission was received during the notification period against the development. Issues included operating times, noise impacts and fumes resulting from grinding welding and painting. A noise impact assessment was requested of the applicant and carried out by Wilkinson Murray on the applicant's behalf.

The assessment indicates that the use of the site for fabrication and machinery hire will result in an approximate increase in noise level of 7dBa at the nearest residential dwelling. Wilkinson Murray have proposed mitigation measures which should sufficiently reduce the impacts including the erection of a 2.1metre high, solid fence and Gate along the North and West boundaries and fitting vehicles with new broadband quaker reversing alarms. This will reduce noise and the solid fence will prevent low flying particles from travelling past the site boundary towards nearby residential buildings.

These mitigation measures along with new trading hours to be imposed will significantly reduce the impacts of the development which the submission is appealing against.

(b) Are the site attributes conducive to development?

The relatively flat site provides sufficient vehicular access to and from the site with both access points entering a sealed road. Current infrastructure on the site is adequate to support the site use a fabrication and machinery hire premises. It is therefore considered that the site attributes are conducive to the development.

Financial implications

Not applicable.

Strategic or policy implications

Not applicable.

GLEN MATHEWS
ENVIRONMENTAL PLANNER

CATHERINE VAN LAEREN
DIRECTOR DEVELOPMENT AND
COMMUNITY SERVICES

18 April 2013

Attachments: 1. Locality Plan
2. Site Plan
3. Noise Assessment
4. Public Submission

APPROVED FOR SUBMISSION:



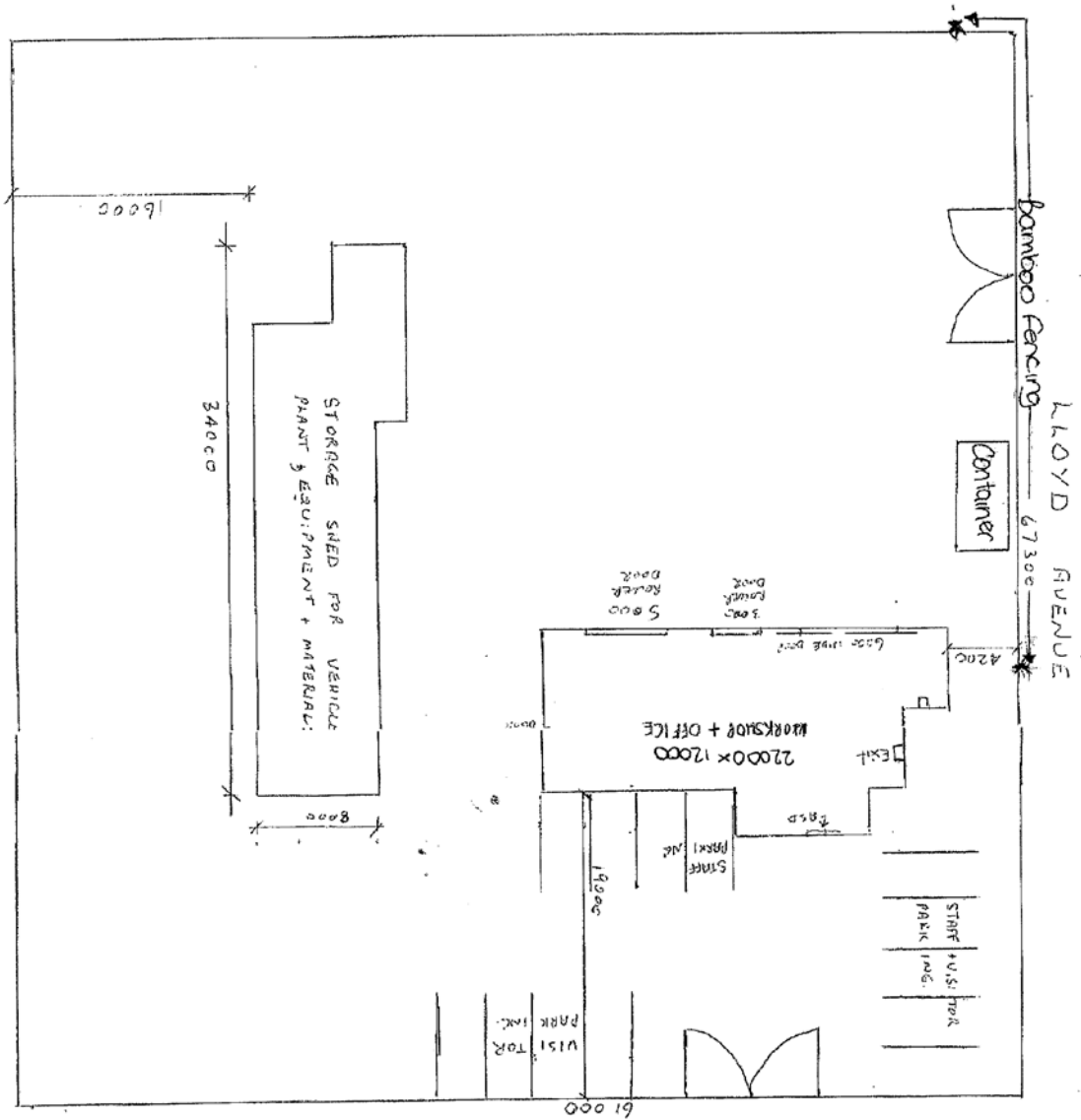
BRAD CAM
ACTING GENERAL MANAGER



Map Scale: 1:2,158

Locality Plan 61- 65 Ilford Road Kandos Lot 5 Lot 6 Lot 7 & Lot 8 DP 35972
DA0007/2013 Change of use for manufacturing

page 1



page 2

LLOYD ROAD

CGB SERVICES
 Lots 5, 6, 7 + 8
 61 - 65 LLOYD ROAD
 KANDOS NSW 2848
 Site Plan Scale 1:2:



61-65 ILFORD ROAD KANDOS
NOISE ASSESSMENT OF WORKSHOP FACILITY

REPORT NO. 12332
VERSION A

JANUARY 2012

PREPARED FOR
CGB SERVICES
61-65 ILFORD ROAD
KANDOS NSW 2848

61-65 Ilford Road Kandos
Noise Assessment Of Workshop Facility

Report No. 12332 Version A

DOCUMENT CONTROL

Version	Status	Date	Prepared By	Reviewed By
A	Draft	19/12/2013	RH	JW
A	Final	8/2/2013	JW	JW

Note

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Quality Assurance

We are committed to and have implemented AS/NZS ISO 9001:2008 "Quality Management Systems – Requirements". This management system has been externally certified and Licence No. QEC 13457 has been issued.

**AAAC**

This firm is a member firm of the Association of Australian Acoustical Consultants and the work here reported has been carried out in accordance with the terms of that membership.

**Celebrating 50 Years in 2012**

Wilkinson Murray is an independent firm established 50 years ago originally as Carr & Wilkinson. In 1976 Barry Murray joined founding partner Roger Wilkinson and the firm adopted the name which remains today. From a successful operation in Australia, Wilkinson Murray expanded its reach into Asia by opening a Hong Kong office early in 2006. 2010 saw the introduction of our Queensland office and 2011 the introduction of our Orange office to service a growing client base in these regions. From these offices, Wilkinson Murray services the entire Asia-Pacific region.



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GLOSSARY OF ACOUSTIC TERMS

Most environments are affected by environmental noise which continuously varies, largely as a result of road traffic. To describe the overall noise environment, a number of noise descriptors have been developed and these involve statistical and other analysis of the varying noise over sampling periods, typically taken as 15 minutes. These descriptors, which are demonstrated in the graph below, are here defined.

Maximum Noise Level (L_{Amax}) – The maximum noise level over a sample period is the maximum level, measured on fast response, during the sample period.

L_{A1} – The L_{A1} level is the noise level which is exceeded for 1% of the sample period. During the sample period, the noise level is below the L_{A1} level for 99% of the time.

L_{A10} – The L_{A10} level is the noise level which is exceeded for 10% of the sample period. During the sample period, the noise level is below the L_{A10} level for 90% of the time. The L_{A10} is a common noise descriptor for environmental noise and road traffic noise.

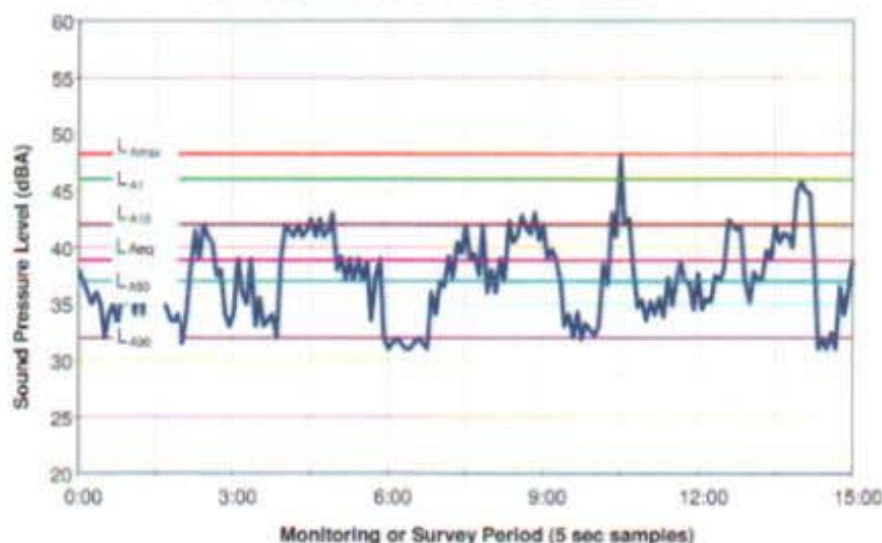
L_{A90} – The L_{A90} level is the noise level which is exceeded for 90% of the sample period. During the sample period, the noise level is below the L_{A90} level for 10% of the time. This measure is commonly referred to as the background noise level.

L_{Aeq} – The equivalent continuous sound level (L_{Aeq}) is the energy average of the varying noise over the sample period and is equivalent to the level of a constant noise which contains the same energy as the varying noise environment. This measure is also a common measure of environmental noise and road traffic noise.

ABL – The Assessment Background Level is the single figure background level representing each assessment period (daytime, evening and night time) for each day. It is determined by calculating the 10th percentile (lowest 10th percent) background level (L_{A90}) for each period.

RBL – The Rating Background Level for each period is the median value of the ABL values for the period over all of the days measured. There is therefore an RBL value for each period – daytime, evening and night time.

Typical Graph of Sound Pressure Level vs Time



1 INTRODUCTION

An application has been lodged with Mid-Western Regional Council for the modification of current operating hours for CGB Services Pty Ltd of 61-65 Ilford Road Kandos. Current operating hours are 9am to 4:30pm, the proposed new operating hours proposed are 7am to 4:30pm.

As part of the application to change the operating hours Council requested a noise report assessing the potential impact at the closest residential properties (receivers).

This report documents the process of establishing appropriate noise criteria, as per the NSW EPA *Noise Guide for Local Government* (NGLG); predicting noise levels at the nearby residential receivers and providing recommended ameliorative measures, in the case where the criteria are exceeded.

2 SITE DESCRIPTION

The location of the subject site is 61-65 Ilford Road Kandos. The site consists of an office, workshop, outdoor shed and an equipment yard.

The site is located on the corner of Loyde Avenue and Ilford Road Kandos. Receivers are located both to the west and northwest of the subject premises (12 and 11 Loyde Avenue, respectively). An aerial view of the site and surrounds is shown in **Figure 2-1**.

Figure 2-1 Site Layout



3 BACKGROUND NOISE LEVELS

3.1 Background Noise Levels

In order to establish the background noise levels at nearby residential receivers, unattended background noise monitoring was conducted at 11 Loyde Avenue between Wednesday 5th December and Tuesday 11th December 2012. The subject land and all receiver locations share very similar ambient noise environments, and therefore; the background noise levels measured at 11 Loyde Avenue are representative of those for all nearby receiver locations.

The noise monitoring equipment used for these measurements consisted of an ARL215 environmental noise logger set to A-weighted, fast response, continuously monitoring over 15-minute sampling periods. This equipment is capable of remotely monitoring and storing noise level descriptors for later detailed analysis. The equipment calibration was checked before and after the survey and no significant drift was noted.

The logger determines L_{A1} , L_{A10} , L_{A90} and L_{Aeq} levels of the ambient noise. L_{A1} , L_{A10} and L_{A90} are the levels exceeded for 1%, 10% and 90% of the sample time respectively (see Glossary). The L_{A1} is indicative of maximum noise levels due to individual noise events such as the occasional pass-by of a heavy vehicle. This is used for the assessment of sleep disturbance. The L_{A90} level is normally taken as the background noise level during the relevant period.

The Rating Background Noise Level (RBL) for the area is shown in **Table 3-1**.

Table 3-1 Rating Background Noise Levels (RBL)

Receiver	RBL (dBA)		
	daytime (7.00am-6.00pm)	evening (6.00pm-10.00pm)	night time* (10.00pm-7.00am)
All	32	33	27

* The INP recommends that if background noise levels are less than 30 dBA then 30dBA should be used to develop intrusive noise criteria.

Daily plots of the noise logger data can be found in Appendix A.

4 NOISE CRITERIA

The *Noise Guide for Local Government* (NGLG) recommends a noise criterion to reduce the potential for the operational noise from this type of facility to cause a nuisance. The NGLG suggests that the operational noise from the site not exceed the background noise level (RBL) by more than 5dBA. This criterion is to be applied at any receiver location during the daytime is shown in **Table 4-1**.

Table 4-1 Operational Noise Criterion (dBA)

Receiver	Time Period ¹	RBL	Intrusiveness Criterion $L_{Aeq,15min}$
All	Daytime	32	37

Note: 1. Daytime 7.00am–6.00pm

5 SOURCE NOISE LEVELS

Noise sources associated with the operation of the workshop facility have been identified as follows:

Indoor Noise Sources

- Cold Saw;
- Pneumatic rattle gun;
- Arc welder; and
- Hand Tools and Angle grinder (5 inch).

Outdoor Noise Sources

- Reversing Alarm;
- Commercial vehicle (ute);
- Hand Tools; and
- Cummins truck engine.

Noise monitoring of the equipment was conducted during a site visit and the resulting sound power levels and their operating durations are presented in **Table 5-1**.

Table 5-1 Noise Levels for Indoor Sources ($L_{Aeq,15min}$ - dBA)

Equipment	Continuous Sound Power	Operating Time
Cold Saw	103	30 minutes per day
Rattle Gun	99	10 minutes per day
Welder	80	60 minutes per day
Angle Grinder and hand tools	100	60 minutes per day
Commercial vehicle (ute)	88	Moves in and out twice per day
Small truck plus reversing alarm	103	Moves in and out twice per day
Cummings Engine for vacuum machine	92	Every two weeks for 15 minutes

None of the equipment operates continuously. Based on discussions with the client, an operating schedule has been used which represents the most intense foreseeable use of these tools in any 15 minute period. A time interval of 15 minutes is used as this corresponds to the $L_{Aeq,15min}$ noise descriptor. For example, the operation of a rattle gun lasts ten to fifteen seconds, but may be repeated a number of times during a 15 minute period. The continuous sound power level of each piece of equipment is corrected for the period of time over which it will operate.

6 PREDICTED NOISE LEVELS

The following section assesses the potential for noise impact at the closest residential receivers.

The most affected receivers to the site are at 11 and 12 Lloyd Avenue. A Colorbond fence exists on the boundary between the subject site and 12 Lloyd Avenue. The predicted noise levels calculated using the CADNA-A noise model at these locations are shown in **Table 6-1**.

Table 6-1 Predicted Noise Levels

No.	Receiver		Time Period ¹	L _{Aeq,15min}	Criteria	Complies
	Address					
1	11 Lloyd Avenue		Daytime	44	37	No
2	12 Lloyd Avenue		Daytime	40	37	No

The predicted noise levels at the most affected receivers at 11 and 12 Lloyd Avenue, exceed the daytime criteria 7am to 6pm. A number of assumptions are used to allow the prediction to be made which are generally conservative; that is, they are likely to result in predicted noise levels that are marginally higher than those in practice. However, as there is an exceedance of 7 dBA at 11 Lloyd Avenue, to reduce noise levels within the noise criterion, it is recommended that a solid (lapped timber or Colorbond) 2.1m fence/gate be installed on the northern and western boundary of the site as shown in **Figure 6-1**. Vehicles with reversing alarms should also be fitted with new broadband quaker reversing alarms to prevent disturbance.

Figure 6-1 Site Layout



7 CONCLUSION

Operational noise impacts associated with the workshop facility CGB Services at 61-65 Ilford Road Kandos are predicted to currently exceed the intrusiveness noise criterion as recommended in the NSW EPA *Noise Guide for Local Government*.

The following noise mitigation is recommended to ensure compliance with the noise criterion:

- 2.1m fence/gate (lapped timber or Colorbond fence) be installed on the northern and western boundary; and
- company vehicles with reversing alarms should be fitted with new broadband quaker reversing alarms

Noise complaint re DA0007/2013 61 - 65 Ilford Road Kandos - Proposed industrial activity. C G B services
Kandos - Anthony Kelly

From: Anthony Kelly <cymbalta@live.com>
To: <council@midwestern.nsw.gov.au>
Subject: Development application DA0007/2013. Proposed industrial activity. C G B services Kandos
Date: Wednesday, 06 March 2013 12:02 AM

The general manager. Anthony Kelly 11lloyd ave Kandos 2848 ph 63796041. Mob 0403456019. C G B services opened over 12months ago as a labourer and machine hire company.we have never had a problem with them.then roughly eight months ago they started bringing in truck loads of steel.coming into the site at 5am starting trucks leaving them running for 15 minutes while my three school age children try to sleep.at this point I will ad that my home is roughly 15 meters from where they have taken up grinding,welding,spray painting on a daily basis.on top of the continuous noise that drives us mad we have to put up with the fumes that come straight threw our home.my 5 and 6 year old's bed rooms face C G B services.we have to close the kids bed room windows quite often .thats when I contacted glen Mathews and Simon Staines and sent a formal letter of complaint back in August 2012 upon receiving that letter I'm to believe both glen and Simon attended the site of C G B services and observed them manufacturing steel among other things and told them they were not approved for manufacturing and to halt.which they obviously ignored seems like C G B services think they can do what they want.which I can demonstrate with 2 hours of video tape showing there blatant disrespect for me and my family.i would like to arrange a time for both Simon and glen to view this footage. Before any decision is made,video doesn't lie.one last thing C G B services has applied to change there hours from 7am to 7pm given that we all live in a village i don't think this is appropriate.we all lived here before they come here.they have done nothing but break the rules and lie to the people of Lloyd ave and deceived you the council and ignored your order to stop manufacturing.it is my opinion that C G B services had no intention of ever just running a labour and machine hire plant the best they could do was put up a couple of sheets bamboo screening.i trust that I will be kept up to date on this matter and informed of any meetings to do with this as I had to ring Simon to get a copy of the application.

Anthony Kelly 5/3/2013

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6.2.2 Development Application DA0350/2013 Subdivision, Lot 2771 DP 1167933, 11 Cudgegong Road, Rylstone

REPORT BY THE ENVIRONMENTAL TOWN PLANNER TO 1 MAY 2013 COUNCIL MEETING
COUNCIL REPORT DA0350-2013 SUBDIVISION - 11 CUDGEGONG ROAD RYLSTONE
A0100056, DA0350/2013

RECOMMENDATION

That:

1. the report by the Environmental Town Planner on the Development Application DA0350/2013 Subdivision, Lot 2771 DP 1167933, 11 Cudgegong Road, Rylstone be received;
2. the report by the Environmental Town Planner and the Determination from the Council Meeting on Development Application DA0350/2013 Subdivision, Lot 2771 DP 1167933, 11 Cudgegong Road, Rylstone be forwarded to the Director-General of the Department of Planning and Infrastructure for concurrence;
3. Development Application DA0350/2013 Subdivision, Lot 2771 DP 1167933, 11 Cudgegong Road, Rylstone be approved subject to the concurrence of the Department of Planning and Infrastructure and subject to the following conditions:

APPROVED PLANS

- 1 Development is to be carried out generally in accordance with stamped plans and the Application received by Council on 19 February 2013 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 subdivision plans submitted to council with the subdivision certificate application must show clearly the building envelope in the north eastern portion of the western lot modified such that it does not encroach on the location of endangered ecological communities on site.
- 3 The subdivision plans and Section 88b instrument submitted to council with the subdivision certificate application must include a restriction that any Bushfire Asset Protection Zone or Waste Water Disposal System required for a dwelling does not extend beyond the boundaries of the building envelope of the western lot.

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 is required to be present during earthworks to identify whether any artefacts were uncovered).

PRIOR TO THE ISSUE OF THE SUBDIVISION CERTIFICATE

- 5 A linen plan and two (2) copies are to be submitted to Council for approval and endorsement by the General Manager.
- 6 Under the Environmental Planning & Assessment Act, 1979, a Subdivision Certificate is required before the linen plan of subdivision can be registered with the Land Titles Office.
- 7 **NOTE:** Council's fee to issue a Subdivision Certificate is set out in Council's fees and charges and for this development is \$280 at the date of determination.
- 8 In accordance with the provisions of section 94(1)(b) of the Environmental Planning and Assessment Act 1979 and the Mudgee Shire Council Section 94 Contribution Plan, a contribution shall be paid to Council in accordance with this condition for the purpose of:

	Rate	No of Lots	Total
Transport Management			
Traffic Management	\$611	2	\$1,222
Open Space			
Local Open Space	\$0.00	2	\$0.00
District Open Space	\$2,365	2	\$4,730
Community Facilities			
Library Buildings	\$228	2	\$456
Library Resources	\$274	2	\$548
Administration			
Plan Administration	\$532	2	\$1,1064
TOTAL PAYABLE	\$4010	2	\$8,020

- 9 If the Subdivision Certificate is not issued, for any reason whatsoever, within twelve (12) months of the date of determination, then the charges and contributions contained in this consent, may be increased to the current rate at the time of payment.
- 10 Prior to the issue of a Subdivision Certificate:
 - a) all contributions must be paid to Council and all works required by the consent be completed in accordance with the consent, or
 - b) an agreement be made between the developer and Council;
 - i) as to the security to be given to Council that the works will be completed or the contribution paid, and
 - ii) as to when the work will be completed or the contribution paid.

CONSTRUCTION REQUIREMENTS

- 11 All works are to be constructed at the full cost of the developer, in a manner consistent with Aus-Spec #1 and Council's standard drawings.

- 12 **Safe Intersection sight distance (SISD) requirements outlined in the Austroads Guide to Road Design Part 4A and relevant RMS supplements should be provided in both directions at the vehicular access point servicing the proposed lots from Cudgegong Road. For a 100km/h speed zone the minimum SISD is 250 metres.**
- 13 **A basic right (BAR) turn treatment as shown in Figure 7.5 of the *Austroads Guide to Road Design: Part 4A* shall be provided in Cudgegong Road at the access to both lots. The widened shoulder is to be sealed and built for a 100km/h speed environment to provide a reasonable level of safety for traffic turning into the proposed lots and to allow following traffic an area to pass the right turning vehicle on the left hand side;**
- 14 **A basic left (BAL) turn treatment as shown in Figure 8.2 of the *Austroads Guide to Road Design: Part 4A* shall be provided at the access to both lots. The BAL facility will also need to be sealed and built for a 100km/h environment.**
- 15 **The construction of an all-weather vehicle access to each lot in the development. The accesses from Cudgegong Road servicing the development shall be constructed in accordance with *Austroads Guide to Road Design: Part 4 Figure 7.4 'standard rural property access'* and any relevant RMS Supplements.**

The access should be sealed a minimum of 10 metres from the edge of the travel lane in Cudgegong Road, match existing road levels and not interfere with existing road drainage. The access shall have the following minimum specifications:

- a) **a gate or stock grid (if applicable) set back a minimum distance of fifteen (15) metres from edge of the traffic lane of the public road;**
 - b) **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;**
 - c) **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.**
- 16 **The access shall be formed as to provide a lay-by on the departure of the access for use as school bus/mail service shelter.**
 - 17 **All works shall be undertaken at full cost to the developer to the satisfaction of Mid-Western Regional Council.**
 - 18 **The subdivision works are to be inspected by the Council (or an Accredited Certifier on behalf of Council) to monitor compliance with the consent and the relevant standards of construction, encompassing the following stages of construction:**
 - a) **Installation of vehicle accesses**
 - b) **Construction of basic right (BAR) turn treatment**
 - c) **Construction of basic left (BAL) turn treatment**
 - d) **Practical Completion**
 - 19 **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.

- 20 Prior to issue of the Subdivision Certificate, Council is to be supplied with:**
- a) A certificate from an energy provider indicating that satisfactory arrangements have been made for provision of electricity supply to the subdivision.**
 - b) A certificate from a communication provider indicating that satisfactory arrangements have been made for provision of telephone services to the subdivision.**

Executive summary

The application seeks approval for a subdivision and a building envelope for the lot created. The site is located on the outskirts of Rylstone, is split by the Cudgegong Road and is heavily vegetated on both sides of the road.

The subdivision will recreate the portions of the site on either side of the road as their own lots. The eastern lot will have an area of 28.42 hectares for the future construction of an Eco Village, and the western lot will have an area of 34.22ha for the future construction of a dwelling as restricted by the proposed building envelope.

The western lot will not meet the minimum lot size of 40ha in accordance with the Local Environmental Plan. Accordingly the western lot is proposed as a sub-minimal lot and the application seeks an 'exception to a development' standard as allowed under Clause 4.6 the plan.

The minimum lot size development standard is considered unreasonable and unnecessary in this instance primarily because:

- the site is marginally less than that required,
- the site is not suitable for agriculture which the 40ha requirement historically protects,
- the R2 Low Density Residential zone permits dwellings on such sites without regard to minimum lot sizes,
- the lot has the size and dimensions required for necessary asset protection zones and waste water disposal for a dwelling, and
- the R2 Low Density Residential zone permits high intensity developments which are not suitable on the site due to its ecological values. Thereby the large lot size is redundant in facilitating such developments.

Having regard for these considerations, the exception to the development standard is supported and it is recommended that the application is approved and forwarded to the Director-General for concurrence.

The application has been referred to council for determination due to the application seeking a variation to the 40ha minimum lot size for the western lot to be created.

Detailed report

PROPOSED DEVELOPMENT:

The application seeks approval for a subdivision of the site and a building envelope for the lot created.

The site is located on the southern outskirts of Rylstone. It has an area of 62.64 hectares is split by the Cudgegong Road and is heavily vegetated on both sides of the road.

The site was purchased by Rylstone Eco Village Pty Ltd and rezoned by Council under the Mid-Western Regional Council Local Environmental Plan 2012 to R2 Low Density Residential with a view to facilitating construction of an eco village in the future.

Subsequent investigations by Rylstone Eco Village Pty Ltd have determined that the western portion of the site is surplus to the needs to the eco village.

The subdivision is proposed to recreate the portions on either side of the road as their own lots, retain the eastern lot for the eco village, add-value to the western lot with a building envelope, and to allow the disposal of the western lot which is surplus to requirements.

In particular, the subdivision proposes:

- Creation of eastern lot with an area of 28.42ha for future eco village,
- Creation of western lot with area of 34.22ha, and
- Building envelope in north eastern portion of western lot in close proximity to Cudgegong Road.

ASSESSMENT:

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

1. REQUIREMENTS OF REGULATIONS AND POLICIES:

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

Part 2 Permitted and Prohibited Development

The site is zoned R2 Low Density Residential under the provisions of the Mid-Western Regional Local Environmental Plan 2012 (MWRC LEP 2012). Subdivision is permitted with consent in any zone under the plan.

Part 4 Principle Development Standards

Clause 4.1 Minimum Subdivision Lot Size

Under Clause 4.1 Minimum Subdivision Lot Size any lots created by subdivision must comply with the minimum lots size specified for the site under the relevant Minimum Lot Size Map. The relevant map LSZ_009A specifies the minimum lots size for the eastern portion of the site as 4000m² and 40 hectares for the western portion of the site.

As the western portion of the site will be recreated as a Lot with an area of 38.22ha, less than the 40hectares specified in the map, an exception to the minimum lots size development standard is required.

Clause 4.2A Erection of Dwelling Houses on Land in Certain Zones

Clause 4.2A provides the mechanism by which sites may have dwelling entitlements under the MWRC LEP 2012. The clause does not apply to R2 Low Density Residential zones.

Even though the western lot will be a sub minimal lot, it will have a dwelling entitlement by virtue of its zoning. The R2 Low Density Residential zone is a zone which is geared to allow single dwellings.

Clause 4.6 Exceptions to Development Standards

The objective of Clause 4.6 is to provide an appropriate degree of flexibility in applying development standards to achieve better outcomes for and from development.

Consent may be granted to a development which contravenes a development standard provided the following considerations have been addressed:

Consideration	Compliance / Planning Comment
Written request from applicant which justifies the variation.	Complies. Request provided as part of Statement of Environmental Effects (SEE) submitted with application.
Compliance with development standard is unreasonable or unnecessary in the circumstances of the case.	<p>Complies. Compliance with the Minimum Lot Size of 40 hectares for the western lot is unreasonable and unnecessary for following reasons:</p> <ul style="list-style-type: none"> • Western Lot is 34.22ha, only 5.78 ha less than the 40ha requirement i.e. marginally less. • 34.22ha provides sufficient area for waste water disposal area on the site for a single dwelling. • The site is hilly, rocky and highly vegetated with standing vegetation. It is not suitable for agricultural uses which the 40ha minimum lot size historically relates to. • The standing vegetation is identified as a High Biodiversity Sensitivity Area under the LEP Maps and has been identified by ecological consultants as containing endangered ecological communities. Accordingly substantial portions are not suitable for high density development that a large minimum lot size might facilitate. • The R2 Low Density Residential zone allows numerous high intensity developments on the site beyond a single dwelling such as Boarding Houses, Child Care Centres, Health Consulting Rooms, Hospitals, Hostels, Education Facilities, Neighbourhood shops etc. • As dwelling entitlements in the R2 Low Density Residential zones are not linked to the Minimum Lot Sizes under Clause 4.2A of the MWRC LEP 2012 the minimum lot size of 40hectares is redundant in regulating a dwelling on the site.
Sufficient Environmental Planning Grounds to justify contravening the development standard	<p>Complies. There are sufficient environmental planning grounds to justify contravening the development standard as follows:</p> <ul style="list-style-type: none"> • The site is not suitable for agricultural uses which the 40ha lot size historically protects. • The site has sufficient area for disposal of waste water associated with a dwelling on the site. • A dwelling is permissible on the site regardless of the lot size. • A building envelope is proposed in the north east

Consideration	Compliance / Planning Comment
	corner of the site where it and a 40m asset protection zone will not harm endangered ecological communities. <ul style="list-style-type: none"> • High intensity developments permissible on the site would require substantially more removal of standing vegetation than a house.
Concurrence of the Director-General has been obtained.	Concurrence of the Director-General is required to be obtained following a council determination of the development such that the Director General can have regard for the determination. If approved by council a copy of the report and determination will be forwarded to the Director General for concurrence. This is a recommendation of the report.

Clause 6.5 Terrestrial Biodiversity

The subject site is identified as High and Medium Sensitivity Biodiversity areas under the LEP Maps.

Under Clause 6.5 council must consider if the development is likely to have any adverse impact on the ecological value and significance of the flora and fauna on the land and its habitat potential.

In this regard an Environmental Assessment of the western lot was undertaken by Applied Ecology. It identified that the site contains endangered ecological species. However the building envelope provides an area of approximately 1400m² outside of this where a dwelling could reasonably be located with no significant impact on the ecological qualities of the site.

Beyond the building envelope limiting the area where a dwelling could be proposed, the subdivision itself will have no impact on the ecological value of the site.

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

Development Control Plan 2013

The Part 7.2 Rural Subdivision controls of the DCP 2013 apply to the development as the lots to be created have an area greater than 2ha.

The lots to be created comply with the rural subdivision controls, primarily because:

- The lots are not suitable for agriculture,
- The lots retain significant dimensions for a dwelling and disposal of its waste water on site,
- The lots have frontage to a sealed road,
- The western lot is greater than 500m from the water and sewer services on the outskirts of Rylstone,
- The building envelope provides an area of ~1400m² for a dwelling where it will not affect endangered ecological communities on site including a 40m asset protection zone as required by the bushfire assessment,
- The subdivision in itself will not require the removal of vegetation on site,
- The actual impact of the dwelling on flora and fauna can be assessed in detail when the development application for a dwelling in the envelope is proposed, and

- The subdivision in itself will not enhance the bushfire threat on site. A Bushfire Safety Approval (BFSA) with no conditions has been provided by the NSW RFS to this effect.

2. IMPACT OF DEVELOPMENT

(a) Context and Setting

The subdivision will have no impact on the context and setting of the site as it is already traversed by Cudgegong road and appears as two separate lots in practice. The future development of a house on the western lot will require only a small proportion of the vegetation on site to be removed.

(b) Access, transport and traffic

The lots created have frontage to Cudgegong Road. Standard crossovers will be required to be provided for each lot as a condition of consent.

(d) Utilities

The lots to be created do not have access to reticulated services. A future dwelling on the western lot will be required to have on site water and waste disposal.

(e) Heritage

The site was surveyed by the North East Warradjuri Company. A statement provided clarified that no cultural objects were observed during the survey. Notwithstanding the subdivision itself will not physically disturb the site.

(j) Flora & fauna

The subdivision itself will have no impact on the ecological values of the site. A future dwelling can be located on the building envelope such that it also has no impact on the endangered ecological communities on the site.

(n) Natural Hazards

The NSW RFS provided a bushfire safety authority for the subdivision which included no conditions.

3. SUITABILITY OF SITE FOR DEVELOPMENT

(a) Does the proposal fit in the locality

The proposal fits in the locality.

(b) Are the site attributes conducive to development

The site attributes are conducive to the development.

4. SUBMISSIONS MADE IN ACCORDANCE WITH ACT OR REGULATIONS

(a) Public Submissions

One submission was received in relation to the subdivision. The submission objected to the development on the basis that a dwelling on a western lot may fetter the operations of the adjoining vineyard to the west.

The subdivision will not fetter these adjoining operations as a building envelope has been proposed with creation of the western lot approximately 500m to the east of the western boundary. The separation of the building envelope from the western boundary has been necessary due to the location of endangered ecological communities on site. Thereby the site naturally restricts any dwelling on the site being a significant distance from the vineyard.

(b) Submissions from public authorities

No submissions were received from public authorities.

5. THE PUBLIC INTEREST

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

The subdivision will not affect federal, state or local government interests and community interests.

6. CONSULTATIONS

(a) Technical Services

Raised no objection to the subdivision subject to the following conditions being included on the permit.

Financial implications

Not applicable.

Strategic or policy implications

Not applicable.



CATHERINE VAN LAEREN
DIRECTOR, DEVELOPMENT & COMMUNITY SERVICES

ALEX NOAD
ENVIRONMENTAL TOWN PLANNER

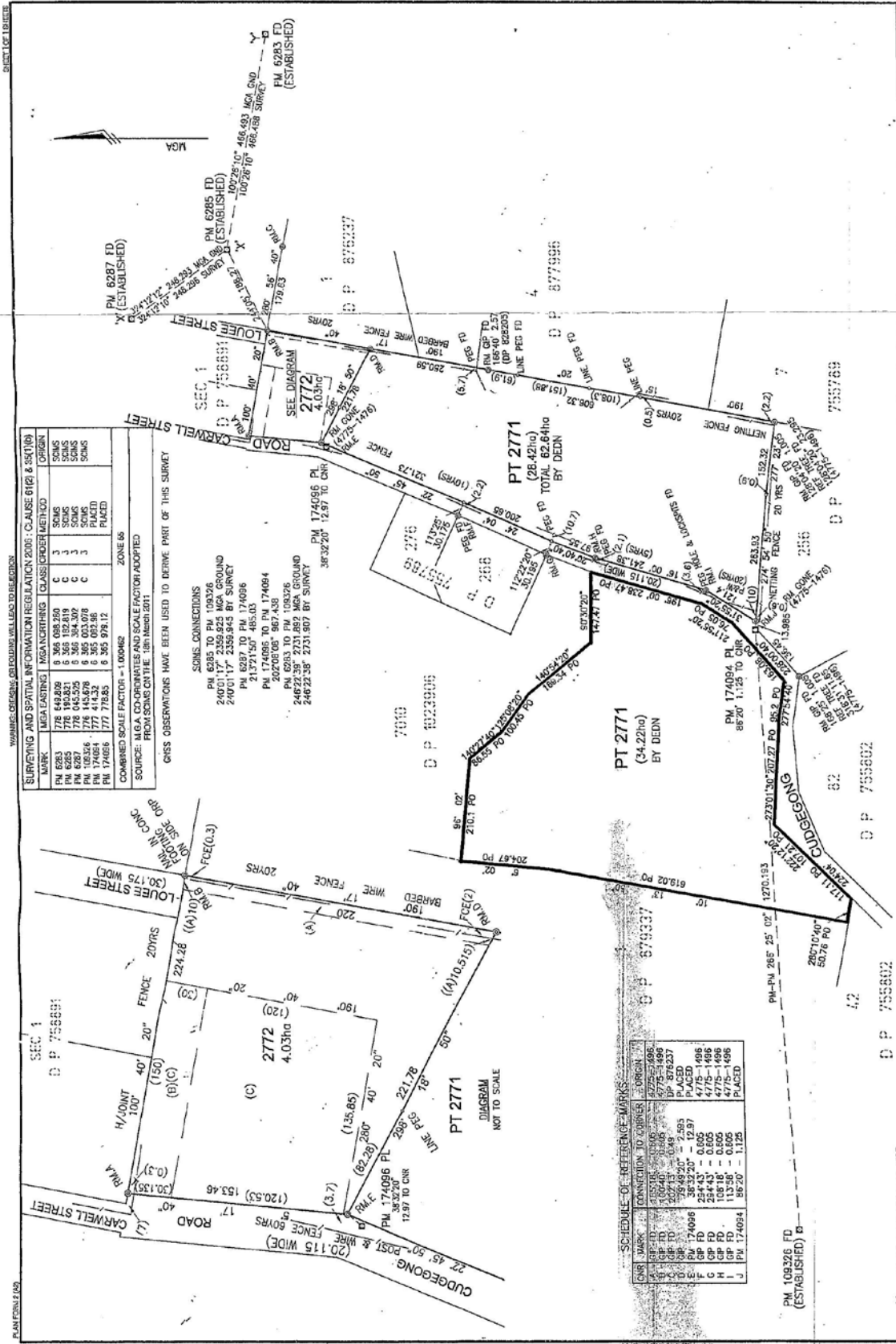
19 April 2013

Attachments: 1. Locality Plan
2. Subdivision Plan
3. Vegetation Community Mapping & Building Envelope Plan

APPROVED FOR SUBMISSION:



BRAD CAM
ACTING GENERAL MANAGER



SURVEYING AND SPATIAL INFORMATION REGULATION 2005 - CLAUSE 61(2) & 54(1)(b)

MARK	MEASURING	FASTENINGS	CLASS	ORDER	METHOD	ORIGIN
PM 6283	778	648	209	3	SOMES	SOMES
PM 6287	778	648	209	3	SOMES	SOMES
PM 174084	777	414	32	3	SOMES	SOMES
PM 174086	777	414	32	3	SOMES	SOMES
PM 174088	777	414	32	3	SOMES	SOMES

COMBINED SCALE FACTOR = 1.00002
SOURCE: M.G.A. CO-ORDINATES AND SCALE FACTOR ADAPTED FROM SOMES CONT. 18/11/2011

CHASS OBSERVATIONS HAVE BEEN USED TO DERIVE PART OF THIS SURVEY

SOME CONNECTIONS:
 PM 6285 TO PM 108326
 240° 01' 17" 2359.945 BY SURVEY
 240° 01' 17" 2359.945 BY SURVEY
 PM 6287 TO PM 174086
 213° 21' 57" 485.03
 PM 174086 TO PM 174084
 202° 05' 06" 967.438
 PM 6283 TO PM 108326
 246° 22' 38" 2731.897 BY SURVEY
 246° 22' 38" 2731.897 BY SURVEY

SCHEDULE OF REFERENCE MARKS

MARK	CONNECTION TO SURVEY	ORIGIN
A	108326	4775-486
B	108326	4775-486
C	108326	4775-486
D	108326	4775-486
E	174086	4775-486
F	174086	4775-486
G	174086	4775-486
H	174086	4775-486
I	174086	4775-486
J	174086	4775-486

REG:R69712 / Doc:DP 1167933 P / Rev:25-Aug-2013 / OK / Prc:01-sep-2011 11:43 / Pgs:ALL / S. 1 of 3

PLAN FORM 128

PLAN OF SUBDIVISION OF LOT 277 IN DP 755769

Surveyor: ANDREW C. BURSE
 Date of Survey: 16.02.2011
 Surveyor's Ref: H023M0-0P1
 (COD REF: H023M0-0P1-001-019)

Registered: 25.8.2011
 Locality: RYLLSTONE
 Subscription No: 50036 (2011) 6030
 Length as a metre: 6030

L.G.A.: MID WESTERN REGIONAL COUNCIL
 DP1167933 P

10 20 30 40 50 60 70 80 90 100 110 120 130 140 150

Scale of mm

RESULTS

TASK ONE

Vegetation Community Mapping

A total of 17 vegetation types were identified in the western block (Figure 1).

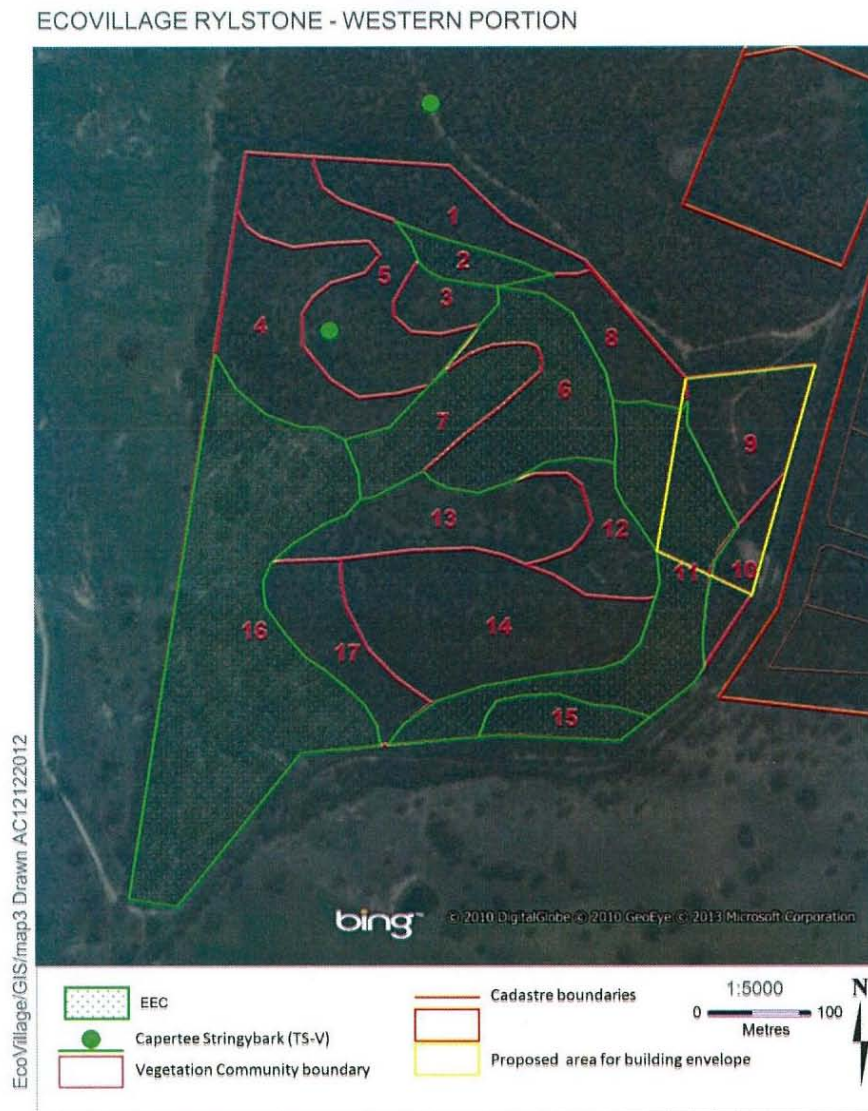


Figure 1 Areas of vegetation recorded in the Western Block, showing community segments that conform with EEC guidelines

Canopy species present included 7 species of *Eucalyptus*, an *Angophora* and a *Callitris* species (Table 1). One of these was the threatened Capertee Stringybark, *Eucalyptus cannonii*.

6.2.3 Planning Proposal – 220 Ulan Road Mudgee

REPORT BY THE MANAGER STRATEGIC PLANNING TO 1 MAY 2013 COUNCIL MEETING
Planning Proposal 220 Ulan Road Mudgee
A0100056, A0420258

RECOMMENDATION

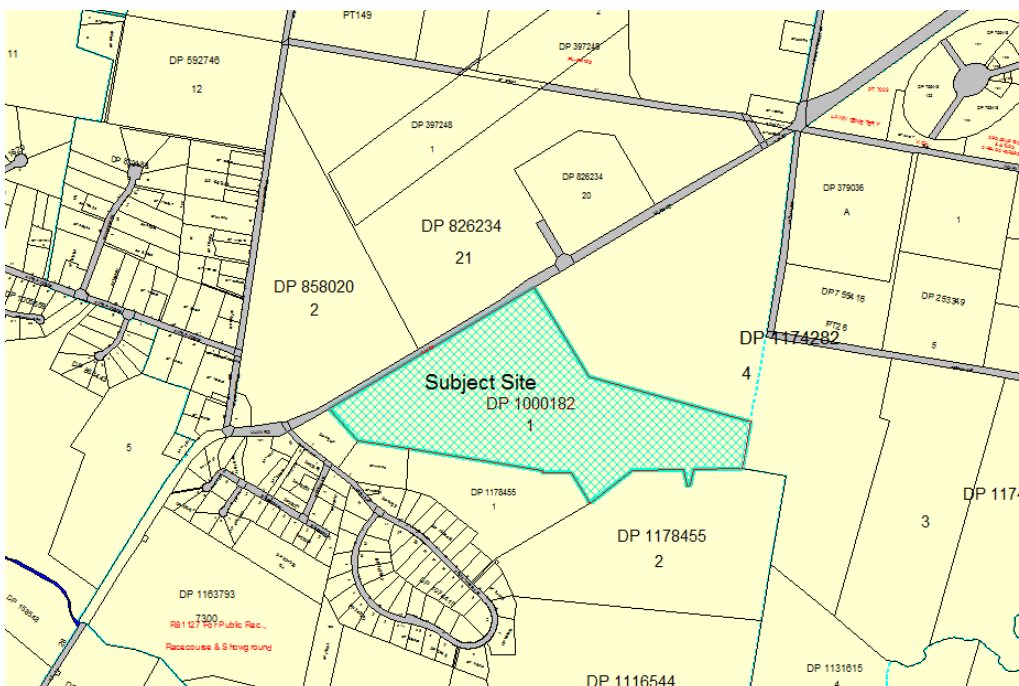
That:

1. the report by the Manager Strategic Planning on the Planning Proposal – 220 Ulan Road Mudgee be received;
2. Council prepare an amending Local Environmental Plan for 220 Ulan Road to provide for residential development;
3. the Planning Proposal under section 55 of the Environmental Planning and Assessment Act for 220 Ulan 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.

Executive summary

The purpose of this report is to resolve to prepare an amending LEP for land at 220 Ulan Road Mudgee being Lot 1 DP 1000182 (refer Figure 1 below). The Planning Proposal (PP) has been prepared by Minespex on behalf of Mr Des Kennedy to amend the Mid-Western Regional Local Environmental Plan 2012 (LEP 1012) Lot Size Map to facilitate subdivision to a minimum of 2000m².

Figure 1 Subject Site

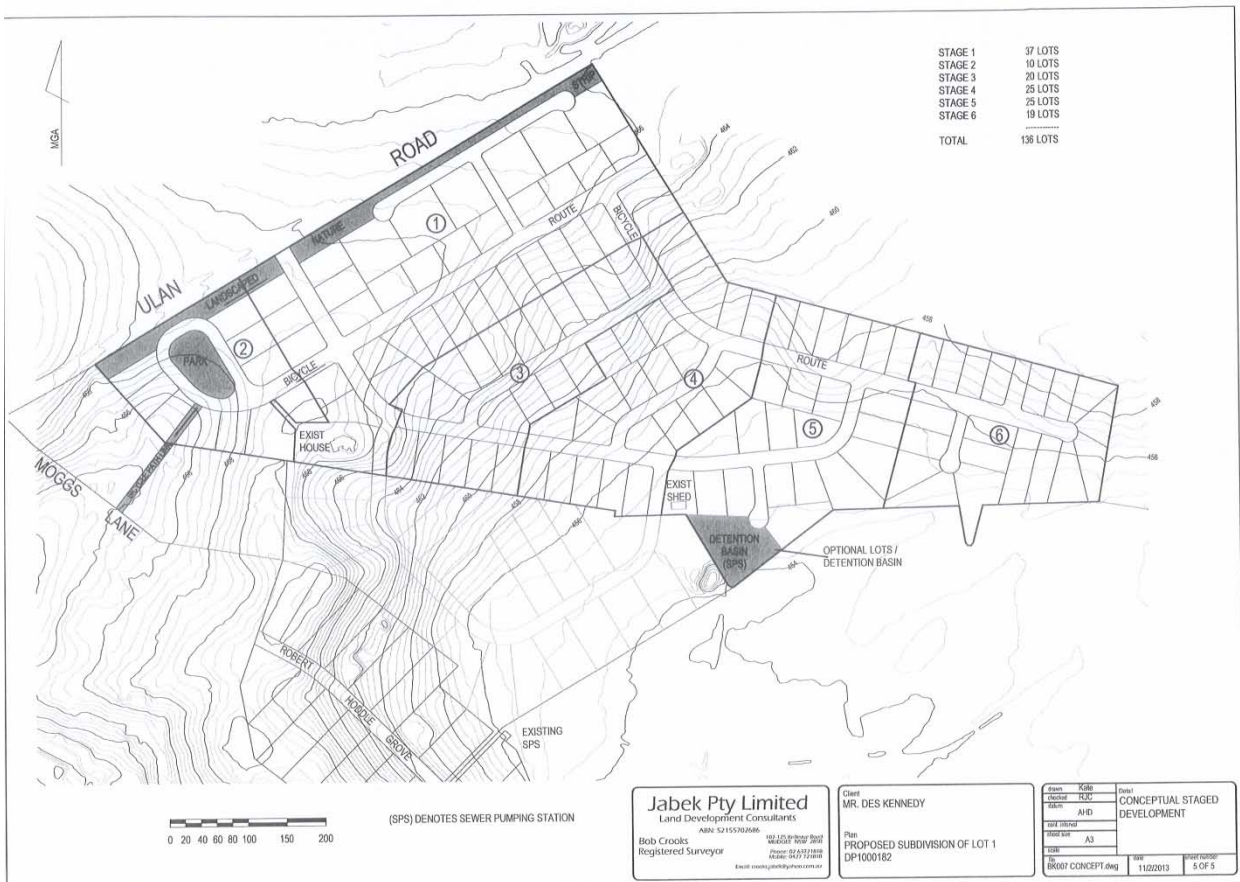


Detailed report

Council adopted a Comprehensive Land Use Strategy (CLUS) which was endorsed by the Department of Planning and Infrastructure in August 2011. The CLUS acknowledged the site as having potential for future large lot residential development and was subsequently zone R2 Low Density Residential in the LEP 2012.

Unprecedented growth in the resources sector, in particular mining, has placed enormous pressure on the local housing market to a point where demand for vacant residential land is outstripping supply. A Local Services Assessment commissioned by the state government reports that the region could see the population increase to 33,100 by 2030 and result in a lot deficiency of 1200 in 2021 and 3896 in 2030. While this is the high growth scenario, there is no doubt that there will continue to be pressure on the property market above historic growth rates. This issue has been address to some extent by Planning Proposals for the Caerleon precinct (set to deliver around 1000 residential lots of various sizes), Saleyards Lane Planning Proposal (350-400 lots to 600m²) and Bellevue Road (35 lots to 600m²).

The Planning Proposal before Council has been prepared for Lot 1 DP 1000182 and will increase the residential yield of the site by 64 lots to 136 lots. The concept plan (below) includes a range of lot sizes from 6000m² to 2000m² and includes opportunities for connectivity with adjoining land. The proposal fronts Ulan Road, however access in limited to a single point and a lot configuration that ensure that development of the site can be undertaken having regard to the visual impact of on Ulan Road. The development is proposed to be completed in 6 stages of between 19 and 36 lots (indicative).



The land is currently zoned R2 Low Density Residential with a minimum lot size of 4000m². The PP does not propose to amend the zone, rather reduce the minimum subdivision size from 4000m² to 2000m².

The proposal includes:

- A concept plan a lot layout (above)
- An area for a detention basin and SPT for stages 4-6
- Open space
- Pedestrian/cycle link to Moggs Lane
- Connectivity through the site to accommodate orderly development of adjoining zoned land.

At this stage the lot layout is indicative only and any future development of the site would be subject to a development application for subdivision.

Servicing

Water and sewer are available and the site can be connected to the town water and sewer reticulation systems. As indicated above, stages 4-6 will require the installation of a sewerage pump station.

Reticulated water is available through the existing water reticulation system for both this site and the potential for another 170 on adjoining land in the future but not within the current levels of service adopted by Council without augmentation of the existing supply system. The options available for water supply will need to be negotiated with the proponent at the development application stage and may result in a reduction of pressure for existing dwellings.

Provisions

The intended outcome of the planning proposal is to enable residential development across the precinct. The amendment to the LEP will be an amendment to the Minimum Lot Size Map to reflect a minimum lot size of 2000m².

The detailed Planning Proposal to be submitted for Gateway Determination is Attachment 1.

Financial implications

Not applicable.

Strategic or policy implications

The planning proposal will reinforce the direction of growth as set through the Comprehensive Land Use Strategy and provide certainty in terms of the ongoing supply of residential land in the short term.



CATHERINE VAN LAEREN
DIRECTOR, DEVELOPMENT & COMMUNITY SERVICES

ELIZABETH DENSLEY
MANAGER STRATEGIC PLANNING

15 April 2013

Attachments: 1. Planning Proposal (following at the end of the Business Paper)

APPROVED FOR SUBMISSION:



BRAD CAM
ACTING GENERAL MANAGER

6.2.4 Monthly Development Applications Processing & Determined

REPORT BY THE GROUP MANAGER DEVELOPMENT AND COMMUNITY SERVICES TO 1 MAY 2013 COUNCIL MEETING

Monthly DA processing

A0100056

RECOMMENDATION

That the monthly development application report for the month ending 28 February 2013 be received.

Executive summary

The report presented to Council each month is designed to keep Council informed of the current activity in relation development assessment and determination of applications.

Detailed report

Included in this report is an update for month ending 28 February 2013 of Development Applications determined and development applications processing. The report will detail:

- Total outstanding development applications indicating the proportion currently being processed and those waiting for further information.
- Median and average processing times for Development Applications
- A list of determined development applications
- Currently processing development applications and heritage applications

Financial implications

Not applicable.

Strategic or policy implications

Not applicable.



GARY BRUCE
MANAGER STATUTORY PLANNING



CATHERINE VAN LAEREN
GROUP MANAGER DEVELOPMENT AND
COMMUNITY SERVICES

19 April 2013

Attachments: 1. Development applications processing and determined February 2013

APPROVED FOR SUBMISSION:



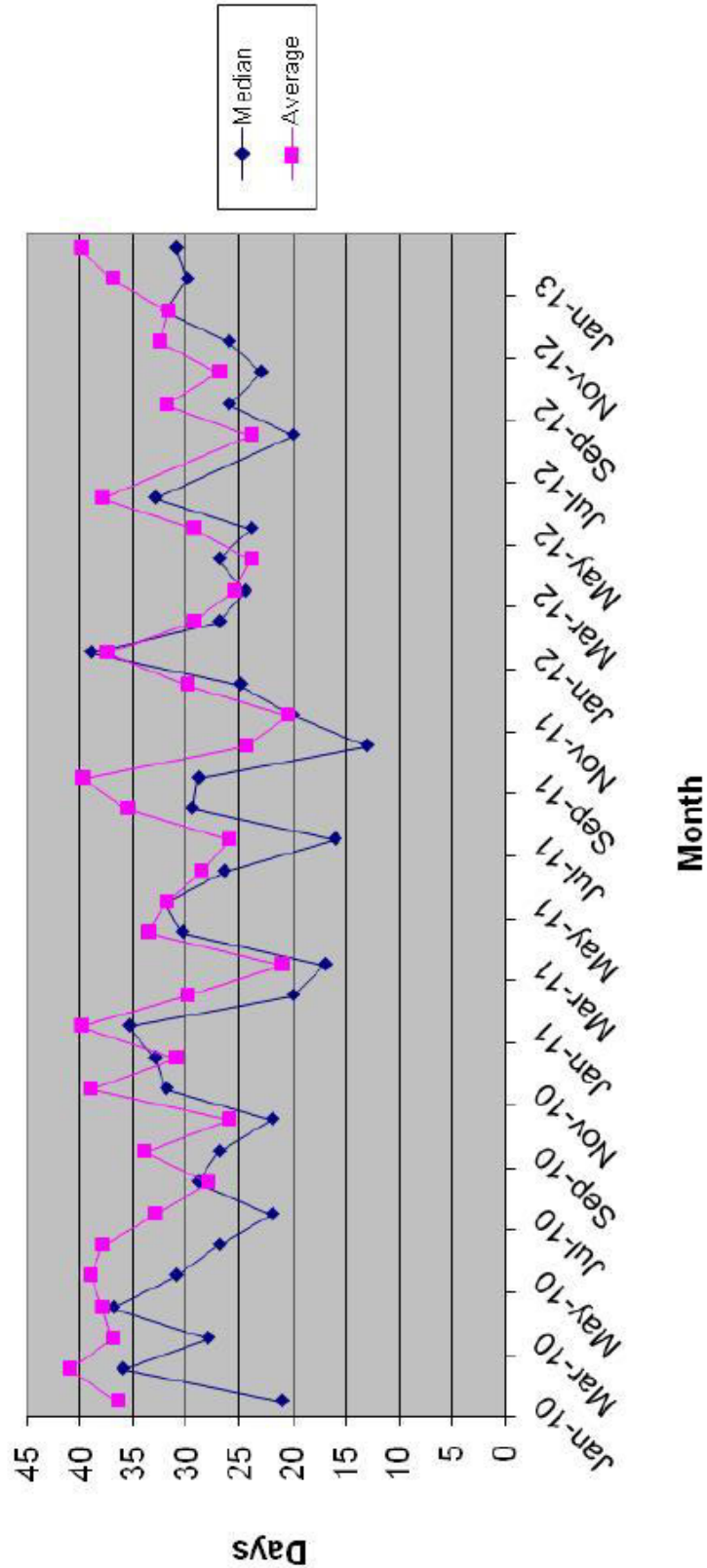
BRAD CAM
ACTING GENERAL MANAGER

Monthly Development Application Processing Report – February, 2013

This report covers the period for the month of February/February, 2013/2013.

Graph 1 indicates the processing times up to 28 February 2013/February, 2013 with the month of February having an average of 39.8 days and a median time of 31.0 days.

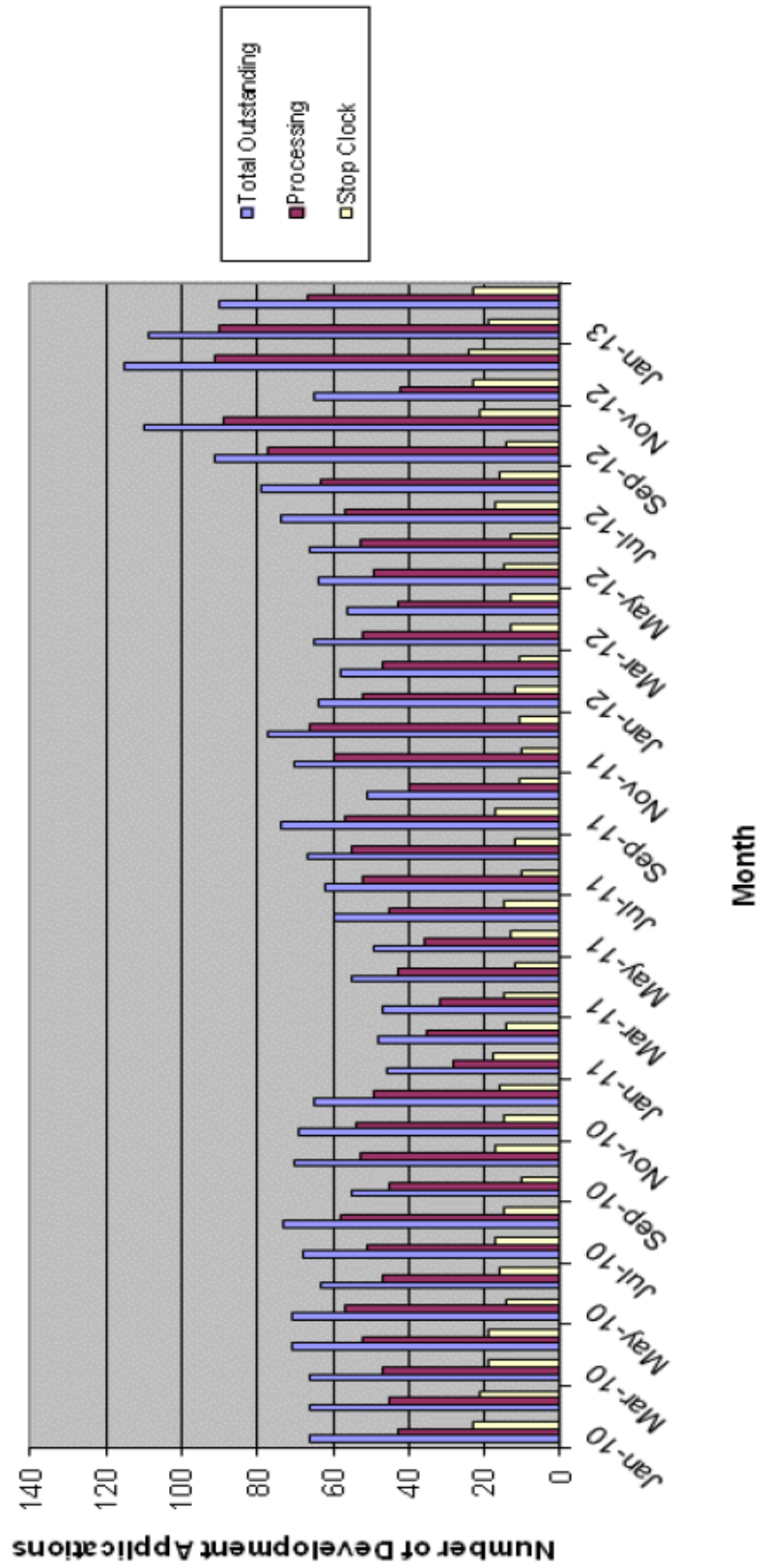
Median and Average Processing Time Development Applications



Monthly Development Application Processing Report – February, 2013

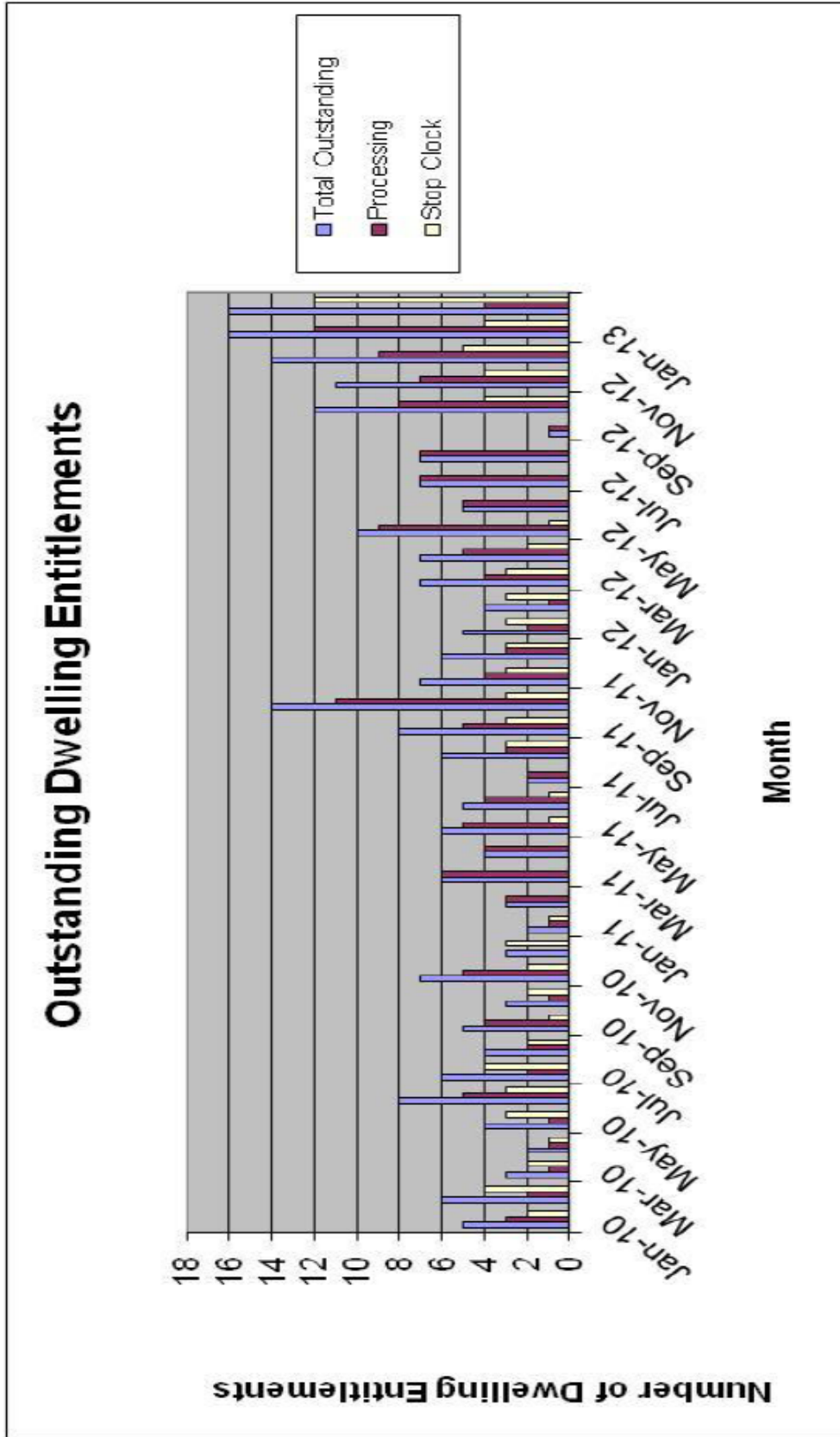
Graph 2 indicates the total number of outstanding applications (excluding dwelling entitlements), the number currently being processed and the number on "stop dock".

Outstanding Development Applications



Monthly Development Application Processing Report – February, 2013

Graph 3 relates solely to dwelling entitlements and indicates the number of outstanding dwelling entitlement applications, the number on stop clock and the number being processed.



Monthly Development Application Processing Report – February, 2013

The Planning and Development Department determined 29 Development Applications either by Council or under delegation during February 2013.

Development Applications Determined – February, 2013.

App/Proc ID	Description	Street Name	Locality	Decision
DA0133/2013	Dwelling House	Madeira Road	MUDGE	#APPISSUE
DA0169/2013	Dual Occupancy	Vera Court	MUDGE	#APPISSUE
DA0178/2013	Dual Occupancy	Mortimer Street	MUDGE	#APPISSUE
DA0216/2013	Alterations & Additions	Cudgegong Street	RYLSTONE	#APPISSUE
DA0217/2013	Subdivision - Torrens Title	Banjo Patterson Avenue	MUDGE	#APPISSUE
DA0238/2013	Dual Occupancy	Roberts Street	MUDGE	#APPISSUE
DA0245/2013	Change of use	Mayne Street	GULGONG	#APPISSUE
DA0251/2013	Residential Flat Building	George Street	MUDGE	#APPISSUE
DA0253/2013	Alterations & Additions	Short Street	MUDGE	#APPISSUE
DA0258/2013	Light Industry	Lions Drive	MUDGE	#APPISSUE
DA0259/2013	Subdivision - Torrens Title	Robert Hoddle Grove	BOMBIRA	#APPISSUE
DA0260/2013	Depot or Storage Facility	Tim Loneragan Drive	BOMBIRA	#APPISSUE
DA0263/2013	Dual Occupancy	Eurunderree Lane	EURUNDEREE	#APPISSUE
DA0271/2013	Shed >150m2	George Campbell Drive	EURUNDEREE	#APPISSUE
DA0272/2013	Residential Flat Building	Honey Lane	MUDGE	#APPISSUE
DA0276/2013	Dwelling House	Miller Crescent	MUDGE	#APPISSUE
DA0277/2013	Alterations & Additions	Bateman Avenue	MUDGE	#APPISSUE
DA0283/2013	Educational Establishment	White Street	GULGONG	#APPISSUE
DA0284/2013	Change of use	Industrial Avenue	MUDGE	#APPISSUE
DA0285/2013	Dwelling House	Stirling Court	MUDGE	#APPISSUE
DA0295/2013	Commercial Premises	Wilbetree Road	MENAH	#APPISSUE
DA0296/2013	Dwelling House	Botobolar Road	BOTOBOLAR	#APPISSUE
DA0298/2013	Shed >150m2	Sills Lane	EURUNDEREE	#APPISSUE
DA0300/2013	Shed less than 150m2	Glenayr Close	MUDGE	#APPISSUE
DA0302/2013	Demolition	Lewis Street	MUDGE	#APPISSUE
DA0305/2013	Shed less than 150m2	Lions Drive	MUDGE	#APPISSUE
DA0315/2013	Dwelling House	Inverness Avenue	MUDGE	#APPISSUE
DA0321/2013	Alterations & Additions	Medley Street	GULGONG	#APPISSUE
DA0337/2013	Shed >150m2	Kellett Drive	MUDGE	#APPISSUE

Monthly Development Application Processing Report – February, 2013

Development Applications currently being processed – February, 2013.

App/Proc ID	Description	Street Name	Locality	Decision
DA0181/2013	BoardHouse	Durrigere Road	TURILL	FurthInf
DA0344/2013	Carpot	Davies Road	KANDOS	Processing
DA0365/2013	Carpot	Menah Avenue	MUDGE	Processing
DA0368/2013	CarRepair	Depot Road	MUDGE	Processing
DA0326/2013	ChangeUse	Ulan Road	COOKS GAP	Processing
DA0034/2013	ChangeUse	Sydney Road	MUDGE	FurthInf
DA0325/2013	ChangeUse	Ulan Road	BOMBIRA	Processing
DA0183/2013	ChangeUse	Lower Plambling Road	MENAH	Processing
DA0275/2013	ChangeUse	Robert Hoddle Grove	BOMBIRA	Processing
DA0294/2013	ChildCare	Melton Road	MUDGE	Processing
DA0261/2013	Comm/AltAdd	Burrundulla Road	BURRUNDULLA	Processing
DA0311/2013	Comm/AltAdd	Ulan Road	BUDGE BUDGE	Processing
DA0317/2013	Comm/Prem	Trelawney Farm	EURUNDEREE	Processing
DA0366/2013	Demolition	Spring Flat Road	SPRING FLAT	Processing
DA0205/2013	Depot	Ulan Road	ULAN	Processing
DA0282/2013	DualOcc	White Circle	MUDGE	Processing
DA0287/2013	DualOcc	Bellevue Road	MUDGE	Processing
DA0134/2013	DualOcc	Madeira Road	MUDGE	Processing
DA0320/2013	DualOcc	Nahs Flat Place	MUDGE	FurthInf
DA0266/2013	DualOcc	Bellevue Road	MUDGE	Processing
DA0286/2013	DualOcc	Bellevue Road	MUDGE	Processing
DA0330/2013	Dwelling	Maher Place	MUDGE	Processing
DA0339/2013	Dwelling	Gorries Lane	GOOLMA	Processing
DA0342/2013	Dwelling	Castlereagh Highway	TALLAWANG	Processing
DA0346/2013	Dwelling	Thompson Lane	GULGONG	Processing
DA0369/2013	Dwelling	Inverness Avenue	MUDGE	Processing
DA0211/2013	Dwelling	Avisford Court	MUDGE	Processing
DA0224/2013	Dwelling	Dowling Street	LUE	Processing
DA0299/2013	Dwelling	White Circle	MUDGE	Processing
DA0207/2013	Dwelling	Robertson Road	SPRING FLAT	Processing
DA0200/2013	LghtIndust	Depot Road	MUDGE	Processing
DA0149/2013	LghtIndust	Depot Road	MUDGE	FurthInf
DA0357/2013	ResFlatBid	Buckaroo Road	BUCKAROO	Processing
DA0135/2013	ResFacilit	Madeira Road	MUDGE	FurthInf
DA0229/2013	RetainWall	Cedar Avenue	MUDGE	FurthInf
DA0170/2013	RetainWall	Mountain View Road	MUDGE	Processing
DA0314/2013	Shed	Ulan Road	PUTTA BUCCA	FurthInf
DA0177/2013	Shed	Robert Hoddle Grove	BOMBIRA	DCU
DA0323/2013	Shed	Coxs Creek Road	RYLSTONE	Processing

Monthly Development Application Processing Report – February, 2013

App/Proc ID	Description	Street Name	Locality	Decision
DA0007/2013	Shed	Ilford Road	KANDOS	Processing
DA0364/2013	ShedSmall	Mudgee Street	RYLSTONE	Processing
DA0341/2013	ShedSmall	Windeyer Road	WINDEYER	Furthlnf
DA0345/2013	ShedSmall	Imber Court	MUDGE	Processing
DA0360/2013	ShedSmall	Broadhead Road	MUDGE	Processing
DA0322/2013	ShedSmall	Palmer Avenue	MUDGE	Processing
DA0243/2013	ShedSmall	Clare Court	MUDGE	Furthlnf
DA0257/2013	ShedSmall	Babidge Lane	RYLSTONE	Processing
DA0319/2013	ShedSmall	Mulgoa Way	MUDGE	Processing
DA0065/2013	Sign	Sydney Road	MUDGE	Processing
DA0147/2013	SubTorrens	Twelve Mile Road	TWELVE MILE	Processing
DA0148/2013	SubTorrens	Putta Bucca Road	BOMBIRA	Furthlnf
DA0331/2013	SubTorrens	Leconfield Drive	BOMBIRA	Furthlnf
DA0009/2013	SubTorrens	Waterworks Road	MUDGE	Processing
DA0318/2013	SubTorrens	Castlereagh Highway	GULGONG	Processing
DA0288/2013	SubTorrens	Saleyards Lane	MUDGE	DCU
DA0241/2013	SubTorrens	Melton Road	MUDGE	Furthlnf
DA0334/2013	SubTorrens	Robertson Street	MUDGE	Furthlnf
DA0358/2013	SubTorrens	Flirtation Hill Lane	GULGONG	Furthlnf
DA0280/2013	SubTorrens	Lower Piambing Road	PIAMBONG	Processing
DA0350/2013	SubTorrens	Cudjiegong Road	RYLSTONE	Processing
DA0367/2013	SubTorrens	Broadhead Road	SPRING FLAT	Processing
DA0355/2013	SwimPool	Sills lane	EURUNDEREE	Processing
DA0312/2013	SwimPool	Rayner Street	MUDGE	Processing
DA0324/2013	Trst Accom	Windeyer Road	GRATTAI	Furthlnf
DA0333/2013	Trst Accom	Melrose Road	MOUNT FROME	DCU
DA0332/2013	Trst Accom	Bergalin Road	GULGONG	Processing

Monthly Development Application Processing Report – February, 2013

Heritage Development Applications currently being processed – February, 2013.

App/Proc ID	Description	Street Name	Locality	Decision
DA0336/2013	AltAdd	Lewis Street	MUDGEE	Processing
DA0310/2013	AltAdd	Lewis Street	MUDGEE	FurthInf
DA0316/2013	AltAdd	Douro Street	MUDGEE	Processing
DA0347/2013	AltAdd	Market Street	MUDGEE	Processing
DA0361/2013	AltAdd	Russell Road	KANDOS	Processing
DA0349/2013	CaravanPk	Short Stret	MUDGEE	Processing
DA0353/2013	CaravanPk	Nicholson Street	MUDGEE	Processing
DA0329/2013	ChangeUse	Mayne Street	GULGONG	Processing
DA0352/2013	ChangeUse	Perry Street	MUDGEE	Processing
DA0363/2013	ChangeUse	Inglis Street	MUDGEE	Processing
DA0264/2013	ChildCare	Louee Street	RYLSTONE	Processing
DA0313/2013	Comm-AltAdd	Mortimer Street	MUDGEE	Processing
DA0362/2013	Comm-AltAdd	Church Street	MUDGEE	FurthInf
DA0335/2013	DualOcc	Horatio Street	MUDGEE	FurthInf
DA0057/2013	PubUtility	Nicholson Street	MUDGEE	Processing
DA0327/2013	RecFacilit	Short Street	MUDGEE	FurthInf
DA0269/2013	ResFlatBid	Court Street	MUDGEE	Processing
DA0351/2013	ResFlatBid	Wilbetree Street	GULGONG	FurthInf
DA0359/2013	ResFlatBid	Cox Street	MUDGEE	Processing
DA0303/2013	ShedSmall	Atkinson Street	MUDGEE	FurthInf
DA0343/2013	ShedSmall	Church Street	MUDGEE	Processing
DA0338/2013	Sign	Mortimer Street	MUDGEE	Processing
DA0290/2013	SubTorrens	Mayne Street	GULGONG	FurthInf
DA0192/2013	SubTorrens	Richards Street	MUDGEE	FurthInf

6.2.5 Financial Assistance – Applications

REPORT BY THE FINANCIAL ACCOUNTANT TO 1 MAY 2013 COUNCIL MEETING

Financial Assistance report to Council 01 May 13

A0100055, A0140201

RECOMMENDATION

That:

1. **the report by the 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:**

Kandos Gardens Fair Committee	\$1000
Gulgong Heritage Harness Association Inc	\$500
Mudgee Endurance Riders Association Inc	\$500

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.

KANDOS GARDENS FAIR COMMITTEE

Kandos Gardens Fair Committee are seeking financial support for this year's event to be held on the weekend of 09/10 November 2013. The funding will go towards the printing of posters, programs, tickets and information sheets for the promotion of the Garden Fair. It is recommended that Council approve the amount of \$1,000.

GULGONG HERITAGE HARNESS ASSOCIATION INC

The Gulgong Heritage Harness Association is running the Henry Lawson Pilgrimage Drive from 25th May to the 9th June. Close to one third of the cost, goes out as payments to schools and community halls, as meal expenses. The request is a donation from Council towards this year's drive (2013). We recommend that Council donates the amount of \$500.

MUDGEES ENDURANCE RIDERS ASSOCIATION INC

The Mudgee Endurance Riders Club will be holding their annual endurance ride this year. The event is also the Ray Gooley Memorial Ride following the passing of local vet Mr Ray Gooley. The

club would like to be considered for a community grant of \$500 to cover hire of the Cooyal Community Grounds.

Financial implications

Funding of \$117,000 is provided in the Operational Plan for Financial Assistance. An additional \$25,000 has been allocated to the budget giving total funding of \$142,000. \$129,571.01 has been allocated to date, leaving a balance of \$12,428.99. Should Council approve the donations in accordance with the recommendation, a balance of \$10,428.99 will remain.

The Councillor's Discretionary vote for 2012/13 is \$2,000 per Councillor. The balances are detailed below:

Cr Thompson	\$650.00
Cr Shelley	\$1,450.00
Cr Walker	\$0.00
Cr Webb	\$300.00
Cr Martens	\$750.00
Cr Kennedy	\$2,000.00
Cr Weatherley	\$1,500.00
Cr White	\$1,200.00
Cr Cavalier	\$200.00

Strategic or policy implications

Council's Financial Assistance Policy applies.

NEIL BUNGATE
FINANCIAL ACCOUNTANT

CLARE PHELAN
DIRECTOR FINANCE AND ADMINISTRATION

19 April 2013

Attachments: 1. Requests for financial assistance

APPROVED FOR SUBMISSION:



BRAD CAM
ACTING GENERAL MANAGER

Chair: Kandos Gardens Fair Committee 2013
17 Rodgers Street
Kandos 2848
6379 6902; 0428518380
colosullivan@optusnet.com.au

Wednesday, March 13, 2013

Alayna Shacleton
Events Manager
Mid-Western Regional Council
P O Box 156
Mudgee 2850



Dear Alayna

I am writing on behalf of the Kandos Gardens Fair Committee seeking financial support for this year's event to be held on the weekend of 9/10 November.

This will be the third year of the Kandos Gardens Fair and we intend to make it a biennial event. It was initiated to promote Kandos because it was felt the town had poor visibility outside the region and a negative profile within the region.

Evaluations showed that while most visitors came from our region (all parts), there were many visitors from the Blue Mountains and Central West, a group from Queensland and a number from Sydney, Newcastle and the Central Coast. Comments were extremely positive emphasizing the variety of gardens, the friendliness of garden owners and volunteers, the relaxed atmosphere, the dedication and preparation. The Committee was awarded Mid-Western Regional Council's 2011 Australia Day "Community Event of the Year".

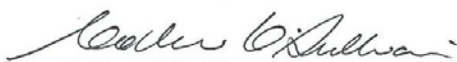
Each year we have sought insurance coverage from a local school, this year from Rylstone Public School. In return the gate takings are donated to the school. A cheque for \$2952 was presented to Kandos Primary School P & C Association in 2011.

Voluntary groups, such as CWA, the Men's Shed, Rylstone District Historical Society and Care Flight, benefit by providing food outlets or stalls. The weekend is an opportunity also for individual artists and craftspeople to perform and sell.

Our biggest costs for the event are for promotion, printing and celebrity guests. In 2011 Printing was approximately \$1400; Promotion \$550; celebrity costs \$850. This year we intend to launch a website and provide better signage and more activities, all of which will incur additional costs.

I hope Council will support us financially to organize and host this event.

Yours Sincerely


Colleen O'Sullivan

MS

PO Box 389
Gulgong NSW 2852



Gulgong Heritage Harness Association Inc

19th February 2013

The General Manager
.....

Dear Sir,

As you would be aware, the Gulgong Heritage Harness Association is again running the Henry Lawson Pilgrimage Drive from 25th May to the 9th June. This year we are travelling from Gulgong to Grenfell, and will be celebrating our 14th successful drive. Distance travelled will be approx. 400 km

During this event, we will be taking the opportunity to promote the towns of Gulgong and Grenfell and the Gulgong/Grenfell Henry Lawson festivals, through media and distribution of flyers. Our committee members have been working with the Henry Lawson festival organisers to ensure a successful street parade and sulky/wagon exhibition.

As you would appreciate, the trip costs quite a bit to run. Close to one third of the cost, goes out as payments to schools and community halls, as meal expenses. These payments, in turn help support these small communities.

We, the committee would like to extend to you, the opportunity to make a donation towards this year's drive. (2013).

Your support of this event, once again, would be greatly appreciated.

Thank You.

Regards,

John Hetherington

Drive Co-ordinator and President
Henry Lawson Pilgrimage Drive 2013
Phone: 63741410



President
John Hetherington
63741410

Vice Presidents
Chris Hills/Dennis McCarthy
63741818/0428738283

Secretary
Chris Hills
0428292777

Treasurer
Jim Gilbey
6372 1996



MUDGEE ENDURANCE RIDERS ASSOCIATION INC.

~ Established 1971 ~

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

8 March 2013



Dear Sir

MUDGEE 40TH ANNIVERSARY ENDURANCE RIDE & RAY GOOLEY MEMORIAL RIDE – 25 & 26 May 2013 REQUEST FOR FINANCIAL ASSISTANCE

The Mudgee Endurance Riders Club will be holding their annual endurance ride this year which will be the 40th time that this event has been held in the Mudgee Region. The event is also the Ray Gooley Memorial Ride following the passing of local vet Mr Ray Gooley. Mr Gooley donated his time for vetting at the Mudgee Endurance Ride for 37 years. The Club, which is one of the oldest endurance riding clubs in NSW, asks that Council give favourable consideration to financial assistance to the Club so that this 40th Anniversary and Ray Gooley Memorial Ride can be a success as it has done since 1971.

It is expected that the ride this year will attract up to 100 competitors plus another 200 or more support crew. Unfortunately another ride is being held on the south coast of NSW on the same day as the Mudgee ride day so to retain our usual competitor numbers it is imperative that we organise another superb event.

The ride will be attended by riders from all over the state and interstate, and it gives local riders the opportunity to compete in an event close to home. It also offers local community groups such as the Cooyal Progress Association and local bush fire brigades fund raising opportunities. Past competitors are familiar with services available in our towns and will often stop for supplies before proceeding to the event. The event is well publicised in NSW endurance newsletters and on its website, and competitors advised of services available on the way to the event.

The Club is mindful of its budget and tries to keep costs to a minimum. The Committee, friends and family all assist on event day to help reduce running costs but there are some costs that are unavoidable such as ground hire (Cooyal Community Grounds \$500/weekend), vet fees (\$2,000), NSW Ride affiliation fees (\$3,500 approximately), chief steward fees and of course prizes and completion awards which, without, the event would not be the success that it has been in the past. The events budget for the Mudgee Endurance Ride is \$9,000.

The Club would like to be considered for a community grant of \$500 and will acknowledge Council's contribution in accordance with its sponsorship policy.

Yours sincerely

A handwritten signature in blue ink, appearing to read "Mette Sutton".

Mette Sutton
MERA Secretary/Treasurer

6.2.6 Governance Policy Review

REPORT BY THE MANAGER GOVERNANCE TO 1 MAY 2013 COUNCIL MEETING

REPORT Council 2013

A0100056, A0100021, A0220040, A0140326, A0230001

RECOMMENDATION

That:

1. **the report by the Manager Governance on the Governance Policy Review be received;**
2. **Council confirm and adopt the existing Access to Information policy;**
3. **Council adopt the revised Companion Animals Management Plan;**
4. **Council adopt the revised Complaints policy;**
5. **Council confirm and adopt the existing Local Preference policy;**
6. **Council adopt the revised Risk Management policy;**
7. **Council adopt the revised Statement of Business Ethics.**

Executive summary

A number of governance related policies have been reviewed and as a consequence several require minor review.

Detailed report

This report addresses a review carried out on a number of governance related policies being:

- Access to Information
- Companion Animals Management Plan
- Complaints
- Local Preference
- Risk Management
- Statement of Business Ethics

Apart from the Access to Information and Local Preference policies which require no alterations, there are minor changes to the other policies. The respective policies are attached with any alterations shown as "track changes".

Financial implications

Not applicable.

Strategic or policy implications

This report recommends adoption of or changes to the stated policies.



IAN ROBERTS
MANAGER GOVERNANCE

10 April 2013

Attachments: (following at the end of the Business Paper)

1. Access to Information Policy
2. Companion Animals Management Plan
3. Complaints Policy
4. Local Preference Policy
5. Risk Management Policy
6. Statement of Business Ethics

APPROVED FOR SUBMISSION:



BRAD CAM
ACTING GENERAL MANAGER

6.2.7 Naming of a Second Bridge over Carwell Creek

REPORT BY THE REVENUE & PROPERTY MANAGER TO 1 MAY 2013 COUNCIL MEETING

Report to Council (final) – Place naming – Cuth Foster Bridge

A0100056, R0790041, R9001001

RECOMMENDATION

That:

- 1. the report by the Revenue & Property Manager on the Naming of a Second Bridge over Carwell Creek be received;**
- 2. Council formally approve the name of Cuth Foster Bridge for this bridge.**

Executive summary

Formal approval is requested to name the second bridge over Carwell Creek, on Cudgegong Road in the Locality of Carwell, Cuth Foster Bridge.

Detailed report

Following the confirmation of the existing name of the replacement bridge over Carwell Creek on Bylong Valley Way in the Locality of Clandulla as Carwell Creek Bridge, Council was advised of a second bridge over Carwell Creek that was also known as Carwell Creek Bridge. As this bridge had not been named, and to prevent any confusion with Carwell Creek Bridge on Bylong Valley Way, Council began the process of naming the bridge on Cudgegong Road.

Council wrote to neighbours of the subdivision requesting their naming suggestions. Public consultation was also invited in an advertisement placed in the January issue of the Community News.

From submissions received, Council provisionally approved the name of Cuth Foster Bridge at their 20/2/13 Council Meeting.

Cuth Foster Bridge was advertised in the 15/3/13 issue of the Community News and on Council's website with eight further submissions received prior to the closing date of 5/4/13.

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

Financial implications

Cost of Gazettal notice plus 2 name signs at an approximate cost of \$120. 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 this bridge will assist in identifying locations along Cudgegong Road when reporting incidents to 000 and will assist emergency

services in eradicating the possibility of it being confused with Carwell Creek Bridge on Bylong Valley Way.

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 approved name will be:

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

DIANE SAWYERS
REVENUE & PROPERTY MANAGER

CLARE PHELAN
DIRECTOR, FINANCE & ADMINISTRATION

15 April 2013

Attachments: 1. Submissions (in order of receipt)
2. Map of the location of bridge to be named.

APPROVED FOR SUBMISSION:



BRAD CAM
ACTING GENERAL MANAGER

29 Nov 11 12:47p KEITH SMITH

p.1

General Manager

Midwestern Regional Council

Dear Sir,

I am writing in regard to an official opening of the new bridge at carwell creek Clandulla and naming of the bridge.

I wish submit a possible name being the JACK SMITH bridge

Jack moved to this area at age 14 in 1928 and his family have lived on or owned the adjoining property to the bridge ever since

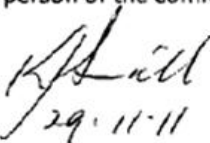
He always lived in and been involved in the Clandulla community from that time until his death in 2003 except for military service during the 2Cnd world war

He was a keen sportsman and was one of the leading players in the local cricket team and local tennis club

He was a foundation member of the local bushfire brigade and a deputy captain until his mid seventies, he was also a long serving member of the local school parents & citizen association until Clandulla school closed then the organisation was change to a progress association and he was a member of that organisation till his death in 2003, he made a life member of both these groups for his long and dedicated service

Jack was also the local polling booth returning officer until the polling booth was removed when the school closed

Local people knew they could rely on him for help whenever they needed it, he was the local go person of the community and I would ask you and council to support this submission



29.11.11

K J SMITH

1 COOPER DR

CLANDULLA 2818

Angus Avenue
KANDOS 2848

20/1/2013

THE NAMING OF BRIDGES.

Dear Sir/Madam,

I read with interest that you intend naming all bridges to allow for better identification of trouble spots in an emergency. What a good idea.

My particular interest is the bridge over Carwell Creek on the Cudgegong Road.

I am a descendant of James Vincent (Mt Vincent), and John Nevell, who established the farm of "Carwell" in 1829. As the property is still a successful property, and the area is called the Carwell Locality, and we still operate the Carwell Cemetery, 50 metres from the bridge in question... surely it is logical to call it THE CARWELL BRIDGE.???

The other bridge over Carwell Creek on the Bylong Valley Way, could quite logically be called THE JAMES VINCENT BRIDGE, or the CLANDULLA BRIDGE.

James Vincent and John Nevell also settled "Flatlands" and explored the Carwell Creek down to the Carwell property.

Those are my suggestions, which give appropriate acknowledgement to our intrepid forebears!

Muriel Nevell-King.



"Carwell"
Cudgegong Road
RYLSTONE NSW 2849
26 January 2013

Mr WL Bennett
General Manager
Mid-Western Regional Council
PO Box 156
MUDGEES NSW 2850



Dear Mr Bennett

NAMING OF UNNAMED BRIDGE OVER CARWELL CREEK ON CUDGEGONG ROAD

Thank you for Ms Carolyn Atkins' letter of 2 January 2013 inviting us to make a submission re the naming of the above bridge. We submit that the bridge be named either *Foster's Bridge* or *Cuth's Crossing* after our Grandfather, the late George Cuthbert Foster (known as *Cuth*) 1891-1966.

Cuth owned and lived on *Carwell*, which extends along both sides of Cudgegong Road where the bridge is located, for most of his life. He went to *Carwell* as a soldier settler in 1919 and over three decades later, at the invitation of the Rylstone Council, he officially opened the current bridge which had been built to replace the old wooden bridge which we are old enough to remember. We understand that the invitation to Cuth to officially open the bridge was in recognition of his involvement in the Rylstone community in general and his long standing involvement in the area immediately around the bridge in particular.

Cuth joined the Australian Imperial Force (AIF) on 27 July 1916. He served as a Driver in an Australian artillery battery on the Western Front in 1917 and 1918. As a Driver (*Driver* was an army rank equivalent to *Corporal*) Cuth managed teams of horses and mules to move 18 pounder guns and ammunition wagons. Having been wounded in action he was hospitalized for a period in the UK. While in hospital he met our Grandmother - a Scottish volunteer nurse, Marion Jane Pate, whom he married in Scotland and who came to *Carwell* as a war bride.

For many years Cuth was an active member of the Rylstone community. He was a founder of the Rylstone Show Society, was for many years the Society's Chief Sheep Steward and was among the first to be given life membership of the Society. He was also a long standing and active member of Rylstone Rotary.

When the old wooden bridge was dismantled and the current bridge under construction, traffic was diverted through *Carwell* over a ford in Carwell Creek on the northern side of the construction site. In wet periods cars bogged going up the creek bank and we remember as small boys watching Cuth tow out bogged cars with his David Brown tractor.

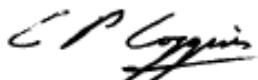
Both Cuth's children, our Mother, ^{the late} Marian Coggins and our Uncle, George Foster, were born on *Carwell* and Cuth owned *Carwell* until his death in 1966.

We also make mention of the fact that animals were important in Cuth's life. The job he volunteered to do in the army and his success as a wool grower (he developed a medium wool Merino flock which was well suited to *Carwell*), reflected his affinity for animals. Also, with his firm but kind approach, he trained excellent working dogs. We enclose a photo of Cuth working with two of his horses (tractors became the norm only in Cuth's later years at *Carwell*).

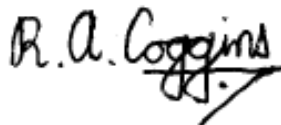
If you decide to name the bridge either *Foster's Bridge* or *Cuth's Crossing* you will be doing more than commemorating an individual, our Grandfather, Cuth Foster. You will also be recognizing the contribution to the district of soldier settlers who came here after both world wars, the past and ongoing importance of the wool industry and the general importance of animals in our lives, from both an economic and a social perspective.

Please do not hesitate to contact us if you have any questions concerning our submission. (Ms Atkins holds our personal contact details).

Yours sincerely



CP Coggins




RA Coggins








I strongly support this submission by my nephews, Peter and Robert Coggins, that the bridge be named after my late Father, Cuth Foster.





 **Email**

From: Carolyn Atkins <Carolyn.Atkins@midwestern.nsw.gov.au> Thursday, 31 January 2013 04:09 PM
To: Council <Council@midwestern.nsw.gov.au>
Subject: Addition to Submission re Naming of Unnamed Bridge over Carwell Creek on Cudgegong Road - PM Coggins

Insert Attach Document Workbook Template Spelling Print

-----Original Message-----

From: Peter Coggins [<mailto:pmcoggins>]
Sent: Thursday, 31 January 2013 4:00 PM
To: Carolyn Atkins
Cc: rob_coggins
Subject: Cuth Foster

Dear Carolyn

To support our submission to name the unnamed bridge over Carwell Creek on Cudgegong Road after our late Grandfather, Cuth Foster, I enclose a photo of Cuth as a young WW1 Australian soldier.

We did not mention it in the submission but Cuth, in addition to his other achievements, was a champion middle distance and long distance runner. We hold large silver trophies awarded to him at athletic events in Sydney in 1910. His name is inscribed on one as being the winner on 2 July 1910 of the ESAAC two and a half Mile Open Road Race. His name is inscribed on another as being the winner on 23 July 2010 of the Cumberland Harriers 5 Mile Road Race.

Regards

Peter Coggins



Church Rd,
Taigum Q 4018
25 January 2013

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

Dear Sir/Madam,

One of our family ancestors, James Vincent, a pioneer pastoralist, lived on Carwell, and is buried in the Carwell Cemetery. He arrived as a free settler on the ship "*Minorca*" in 1801.

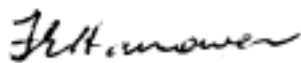
His daughter, Elizabeth, married John Nevell. Two of their properties resumed for the Windamere Dam were "*Riversdale*" and "*Oakborough*".

Our family, together with some relatives who have been contacted would be very pleased if these popular and hard working pioneers were remembered by the ship and/or property names mentioned above for one or more of your bridges. These are:

- *Minorca*
- *Riversdale*
- *Oakborough*.

Our family very much appreciates being consulted for our suggestions.

Yours faithfully,



Fay Elizabeth Harrower (Mrs.)
Email: [owen.harrower...](mailto:owen.harrower@...)
Phone: . . .



Please note that the submission in the name of Bloodsworth has been removed from this report at the request of the submitter.

To; Carolyn Atkins council@midwestern.nsw.gov.au
Subject; Renaming of Carwell creek bridge.
From; Muriel Nevell-King, Angus Ave, Kandos

Dear Carolyn, I have already sent my suggestion of a name insted of Cuthbert Foster bridge.

On referring the matter to other members of the Nevell family, we would prefer it if the early history could be perpetuated in the new name.

Living on the Nevell property in the 1860's was a much admired "king of the local aboriginals" called Jimmy Lambert. He was affectionately called His Majesty King Lambert His history is well gazetted by W W Armstrong who wrote of the early days.

Several years ago, an aboriginal researcher contacted me trying to find Jimmy's gravesite, and said it was said to be near the bridge.

By calling this from a history angle, there may not be a division amongst locals.

It was stated that a letter was sent to people close by. There was no mail in my mail box at Blackberry Gully, the Horners knew nothing of it and those other folk living in the locality Carwell did not receive a letter either!

I wish the name of Jimmy Lambert be seriously considered for the bridge...if indeed there has to be a change!

Muriel Nevell-King



86 Angus Avenue
KANDOS 2848

ex 1009 Cudgegong Rd...Rylstone.

23rd March, 2013.

Re RENAMING OF CARWELL CREEK BRIDGE, CUDGEGONG ROAD.

Property Support Officer
Carolyn Atkins

I am in receipt of the PROPOSED new name for the Carwell Creek bridge.

To say I am horrified is an understatement. When I made my submission, out of respect for the current owners of "Carwell" I abstained from naming any names.

While I have the utmost respect for the Coggins family, I cannot accept that the bridge be named after their grandfather. He was a Soldier Settler after the first world war (and did not pioneer the land until there were 50 people living there in the 1845 census) My forebears did just that, receiving their deeds in 1829.

The whole history of the area has been completely ignored. We still use the family cemetery called Carwell cemetery and will continue to give directions according to the current name. We have in that cemetery, our forebear James Vincent who pioneered the land from Bathurst, camping on the banks of the Carwell Creek, (called Coen Coen by the aboriginals). Mt Vincent is named after him, as are our family's christian names. He used Carwell as his head station after he then pioneered "north of the boundaries", at "Botheroe" on the Neilrex Road, John Nevell running "carwell". I have many letters and maps to show this is so, and this history is well known in the area. The book which is currently being printed by the council, and written by Pam O'Connor, gives the history of the area in detail, carefully researched.

To bypass this amazing history is showing a flagrant disregard for the development of an area and all that suggests. The land where the current office of Druitts in Rylstone, was established by Vincent and Nevell as a sheep farm. The Nevells owned right to Cudgegong. If anyone's name is going to be used then it should read James Vincent bridge or less personally, Cudgegong Road bridge.

The name of Cuth Foster (although we respect him as a person) should not be naming a bridge.

Yours faithfully,



Muriel Nevell-King. (MSS)

MID-WESTERN REGIONAL COUNCIL RECORDS RECEIVED
28 MAR 2013
<input type="checkbox"/> SCANNED
<input type="checkbox"/> REGISTERED

Fiona Beckingham

LUE 2860

28 March 2013

General Manager

Mid-Western Regional Council

PO Box 156

MUDGEE 2850

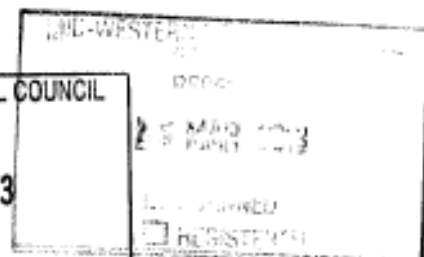
Dear Sir

Naming of the bridge over Carwell Creek at Carwell

I read, with considerable concern, of Council's intention to name the bridge over Carwell Creek Cuth Foster's Bridge. This bridge has always been known as the Carwell Bridge due to its proximity to the first settlement in the area which was adjacent to the present bridge. Apparently Council has allocated a similar name to another bridge and, as a result, Carwell Bridge cannot be used to name the bridge at Carwell. This is a great disappointment to many and also an eroding of the early history of the area. I believe the unavailability of the name Carwell Bridge for this bridge should have been noted when Council originally publicised its intention to name the bridge.

Given the name Carwell Bridge is unavailable I believe a more appropriate name for the bridge should reflect its early history. The name Cuth Foster's Bridge does not achieve this. A more appropriate name should honour someone with far earlier connections to the district than Cuth Foster. I believe a more appropriate name would be Jimmy Lambert's Bridge. Jimmy lived in the Carwell area for a considerable time. He was also the last member of the Dabee tribe and was extremely well respected by both the indigenous community and the European settlers of the district. Jimmy was born c1823 and died 1882. By naming the bridge Jimmy Lambert's Bridge Council would be acknowledging and preserving the early history of the Carwell district.







Regards,


Fiona Beckingham

Email Reply Options

From: Leanne Wicks
To: <council@midwestern.nsw.gov.au>
Subject: Naming of Carwell bridge suggestion re Community news 15 March 2013

Sunday, 31 March 2013 11:28 AM

      ABC   

Edit Insert Attach Document Workbook Template Spelling Print Version

Leanne Wicks

Kandos NSW 2848

30th March 2013

General Manager
MWRC
PO Box 156
Mudgee NSW 2850

Dear Sir,

In this month's Community News (15th March, p4) it is mentioned that the suggested name for the bridge over Carwell Creek be called Cuth Foster Bridge. I suggest that the bridge be called Jimmy Lambert Bridge instead.

I am currently the Secretary of the Kandos Bicentennial Museum and we are developing our first travelling exhibition. The subjects are King Jimmy and Queen Peggy Lambert. Kandos Museum is working with local indigenous person Lyn Simes and has obtained funding from NSW Environment and Heritage to complete the exhibition. It is wonderful and appropriate that our first exhibition for the new gallery area is to be on the local Dabee tribe.

Jimmy was acknowledged during his lifetime as the King of the Dabee tribe and was presented with a breastplate which shall be included as an object in the exhibition. As I understand there is no contemporary acknowledgement of Jimmy Lambert in our shire. It would be fitting to have this bridge in the area where he lived named after him. It would also be timely to coincide with the exhibition of him and his wife and the celebration of this district's first Australians.

Yours Sincerely,
Leanne Wicks

Hoxton Park

LUE NSW 2850

2nd April 2013

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



Dear Sir

I am writing to council re the renaming of Carwell Bridge on the Cudgegong Road. I understand council intend changing the name to Cuth Foster Bridge.

Cuthbert Foster, who I am sure was an exemplary human being, has no historical connection with Carwell Bridge or the property known as Carwell. Carwell was taken up prior to 1829 by JAMES VINCENT whose daughter ELIZABETH VINCENT married JOHN NEVELL and who subsequently owned and lived on Carwell until his death in 1854, the property passing to his wife who subsequently left it to her children.

My husband's father ROBERT OSCAR CAMPBELL NEVELL, a descendent of John and Elizabeth Nevell, and who worked and lived on Carwell all his life until in 1914 when he joined the Australian Infantry Force and went to Gallipoli. He served there until injured and after rehabilitation in a London hospital returned to Australia and to Carwell. He naturally thought Carwell was his property until the Government decided to declare it a soldier settler's block. His name and Cuthbert Foster's were placed in a hat to be drawn out for ownership of Carwell. Robert Oscar Campbell Nevell was naturally infuriated with this and before the ballot was drawn climbed on his horse and rode it to Eastwood in Sydney and never returned to Carwell.

It is appreciated that after fighting for his country on Gallipoli and witnessing horrendous acts of warfare that he naturally would come home to his family property.

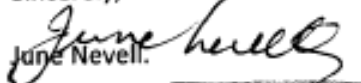
Council saying the name *Carwell Bridge* would conflict with the bridge so named on the Bylong Valley Way is contradictory in the extreme when a prime example of this contradiction is on the Ulan Road just out of Mudgee with *Buckaroo Lane* and *Buckaroo Road* just metres from each other, causing many tourists confusion and in one instance a residence on fire on *Buckaroo Lane* almost lost because fire fighters and police taking *Buckaroo Road*.

The name *Cuth Foster* is unfamiliar to many people but the name *Jimmy Lambert* is. He was an Aborigine who lived in the Carwell/Riversdale area and was highly respected by many people in the district and is still remembered to this day. He was born c1823 and died in 1882 and was the last of the Dabee Tribe.

Surely council, if in naming the bridge, wishes to retain some semblance of history, then naming it the *Jimmy Lambert Bridge* must be seriously considered.

Thank you for reading this and

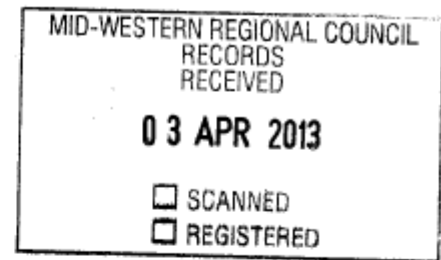
Sincerely,


Jane Nevell.

“Carwell”

RYLSTONE NSW 2849
29 March 2013

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



Dear Ms Atkins

**NAMING OF UNNAMED BRIDGE OVER CARWELL CREEK ON
CUDGEGONG ROAD**


Thank you for your letter of 8 March 2013 formally advising us of the 20 February 2013 Council decision to name the above bridge, subject to further public consultation, after our Grandfather, Cuth Foster 1891-1966. Our family is very appreciative of this decision.

Other families who have been in the district for many years are all pleased to have bridges, roads and other landmarks named after the pioneers. For example, we have known various members of the Nevell family over the years and they have been pleased that there is Nevell Street in the village of Clandulla and Nevells Road near Carwell Creek Bridge on Bylong Valley Way. Nevells Road leads to Flatlands Road, “Flatlands” being the first Nevell family property in the Rylstone district.

In 2019 our family will celebrate our centenary at “Carwell”.

Yours sincerely


CP Coggins


RA Coggins

To; Carolyn Atkins, Mudgee Council. council@midwestern.nsw.gov.au

From; Mr J. Horner, "Flora Glen", Cudgegong Rd, Carwell.

Re Naming of the Carwell creek bridge.

I have heard with some astonishment that the name chosen for the bridge is Cuth Foster bridge.

If you are going to use names then it should be the James Vincent bridge. He is buried in the Carwell cemetery which the Nevells still use.

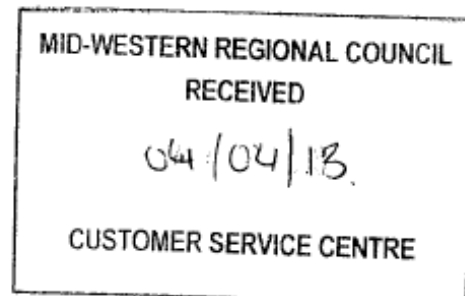
However, my family and I feel that the bridge should echo the earlier settlers.

One such person featured in the history of early days, (1860's) was a prominent and well liked Aboriginal called Jimmy Lambert. He lived in a hut on a Nevell property.

We therefor feel, the whole 6 of us that that name should be on the bridge.

Yours faithfully,


Joe Horner (snr)



4 Wellesley Road,
Pymble NSW 2073
1st April 2113

The General Manager
Mid-Western Regional Council,
P.O. Box 156
Mudgee NSW 2073



Dear Sir,

Re: Naming of bridge over Carwell Creek at Carwell.

On behalf of those undersigned I wish to suggest suitable names for this bridge viz.,

- (1) John Nevell Bridge; or
- (2) James Vincent Bridge; or
- (3) Jimmy Lambert Bridge.

All three of these men had close connections to the area from the earliest times of settlement. My family are Nevell-Vincent descendants and retain property in the area.

Yours faithfully,

Jean Nevell
4 Wellesley Road, Pymble.NSW 2073

Jean Nevell

David Nevell
213 Whale Beach Road, Whale Beach. NSW 2107

David Nevell

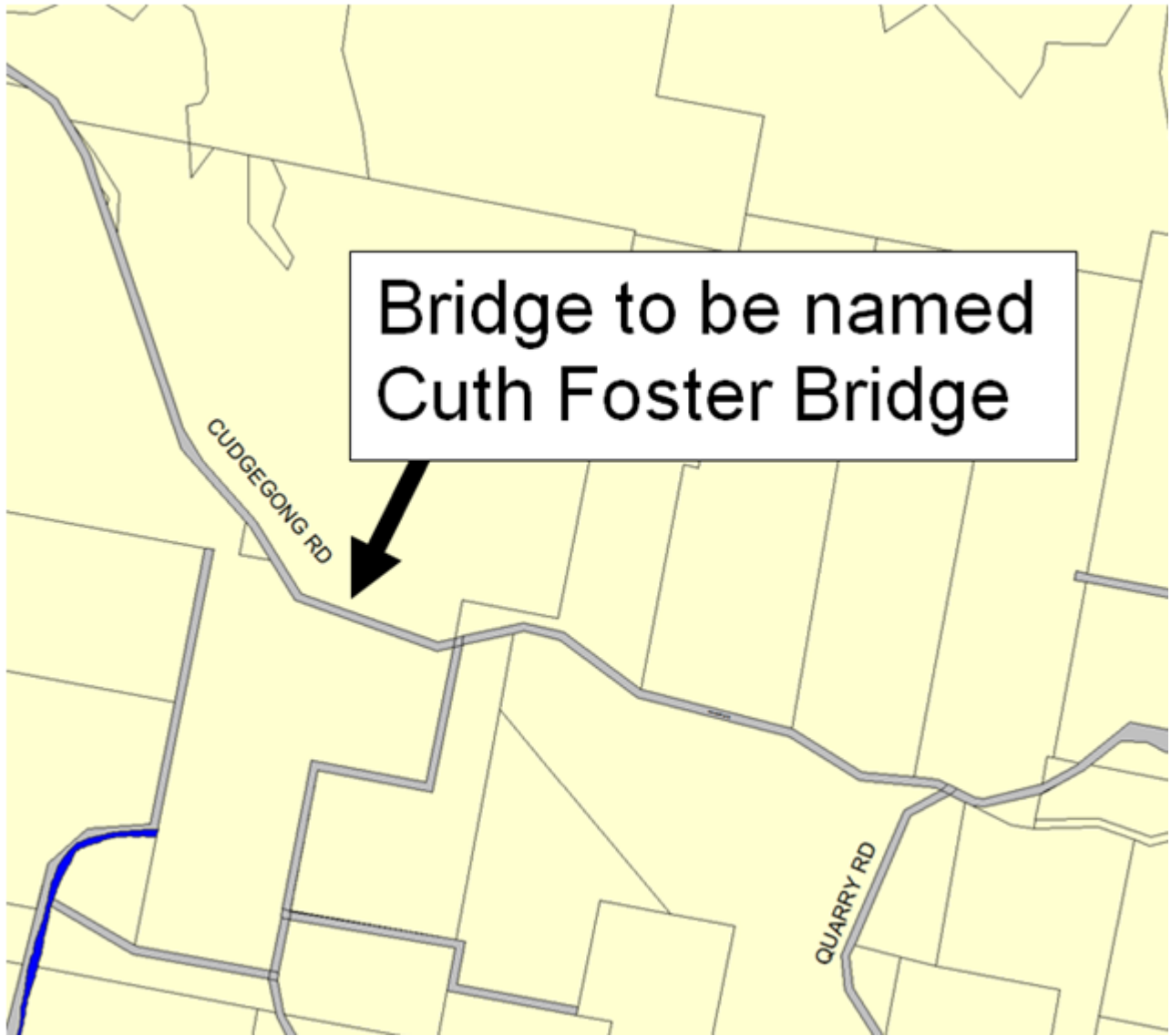
Rosemary McLoughlin
27 Michigan Street, Asquith. NSW 2077

*R. McLoughlin
+ Paul Nevell.*

Paul Nevell
6 Marsh Place, Lane Cove. NSW 2066

Katherine Roche
16 Burgoyne Street, Gordon. NSW 2072

K. Roche



6.2.8 Names to be included in the Pre-Approved Street/Road Names List

REPORT BY THE REVENUE & PROPERTY MANAGER TO 1 MAY 2013 COUNCIL MEETING

Report to Council – Street Naming – Additions to Pre-approved List

A0100056, R0790041, R0790141

RECOMMENDATION

That:

1. **the report by the Revenue & Property Manager on the Names to be included in the Pre-Approved Street/Road Names List be received;**
2. **Council approved the inclusion of Bloodsworth, Lovett, Minorca, Oakborough, Pirie, Riversdale and Sorata in 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. Then there are worthy submissions that are not successful for the particular road or place that they were originally submitted for.

Detailed report

Council, being the Roads Authority, is required to name new or unnamed streets and roads. Often there are worthy, unsuccessful submissions for new streets/roads, or street/road naming submissions are 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.

Sorata Street was a street name in the village of Windeyer attached to a section of unformed road reserve that has since been closed. So that this name is not lost to the area, it could be included in the pre-approved list.

Council has received several submissions in relation to the naming of the second bridge over Carwell Creek, on Cudgegong Road. Several of the unsuccessful submissions would be very appropriate for future use in the Rylstone/Kandos/Clandulla/Charbon area. Council has also received separate submissions suggesting family names for consideration when naming streets or roads in the Mudgee area.

It is requested that the following be approved for inclusion in Council's Pre-Approved Street/Road Names List for future use:

- Sorata – for future use in the Windeyer area.
- Lovett – for future use in the Mudgee area.
- Pirie – for future use in the Mudgee or Hargraves area.
- Bloodsworth – for future use in the Rylstone/Kandos/Clandulla/Charbon area.
- Minorca – for future use in the Rylstone/Kandos/Clandulla area.
- Oakborough – for future use in the Rylstone/Kandos/Clandulla area.

- Riversdale – for future use in the Rylstone/Kandos/Clandulla area.

Financial implications

Not Applicable

Strategic or policy implications

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

DIANE SAWYERS
REVENUE & PROPERTY MANAGER

CLARE PHELAN
DIRECTOR, FINANCE & ADMINISTRATION

15 April 2013

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

APPROVED FOR SUBMISSION:



BRAD CAM
ACTING GENERAL MANAGER

ATTACHMENT 1



**Land & Property
Information**

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

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

Attention: Carolyn Atkins

20th March 2013

Your Ref: CA: R0790141 R0790041
Our Ref: T02/0175 2013 - 050

Dear Madam,

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

I refer to your letter dated 19th March 2013 which proposed the following public road names:

**LOVETT STREET, BLOODSWORTH STREET, MINORCA STREET,
OAKBOROUGH STREET, RIVERSDALE STREET, SORATA STREET**

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 providing they do not refer specifically to any living persons.

Yours Faithfully

Bob Davis 20/03/13

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
MUDGEES NSW 2850

Attention: Carolyn Atkins

25th March 2013

Your Ref: CA: R0790141 R0790041
Our Ref: T02/0175 2013 - 053

Dear Madam,

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

I refer to your letter of 21st March 2013 which proposed the following public road name:

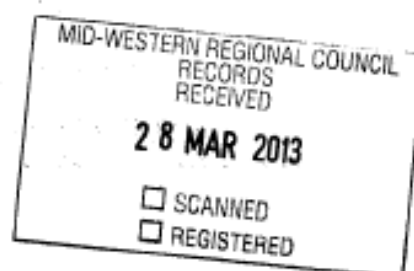
PIRIE STREET

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 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 'Bob Davis 25/03/13'.

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



ATTACHMENT 2

23 January 2013

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



Mills

Mudgee 2850

Dear Sir

I write with a request that I hope will receive a positive response from Council. I am a regular user of the beautiful new walkway in Short Street Mudgee and had noticed that this walkway was yet to be given a name.

My grandfather, Edward Thomas Lovett, was Mayor of Mudgee for four years from 1933-1937 (approximately) and served on the Council for a period of eight years.

If and when the walkway is to be "named" as such, I would be very grateful if you would consider naming it after my grandfather, for example, "ET Lovett Walk". I have lived in Mudgee all my life (78 years) and to see my grandfather's name on a sign in the town would be a real thrill.

Many thanks for your consideration.

Yours sincerely

Mrs Nancy Mills (nee Lovett)



MEMORANDUM

TO: Diane Sawyers
FROM: General Manager
SUBJECT: Edward Thomas Lovett
FILE NO.: F0650039
DATE: 4 February 2013

Dear Diane

Please find attached letter from Mrs Nancy Mills in regard to her grandfather. My response to Mrs Mills has been that we would name a road after him rather than this walkway. Can you please include this on Council's schedule of road names.

Regards

A handwritten signature in black ink, appearing to read "John Smith", is written over a faint, light-colored signature line.

Church Rd,
Taigum Q 4018
25 January 2013

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

Dear Sir/Madam,

One of our family ancestors, James Vincent, a pioneer pastoralist, lived on Carwell, and is buried in the Carwell Cemetery. He arrived as a free settler on the ship "*Minorca*" in 1801.

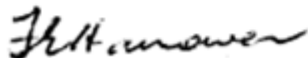
His daughter, Elizabeth, married John Nevell. Two of their properties resumed for the Windamere Dam were "*Riversdale*" and "*Oakborough*".

Our family, together with some relatives who have been contacted would be very pleased if these popular and hard working pioneers were remembered by the ship and/or property names mentioned above for one or more of your bridges. These are:

- *Minorca*
- *Riversdale*
- *Oakborough*.

Our family very much appreciates being consulted for our suggestions.

Yours faithfully,



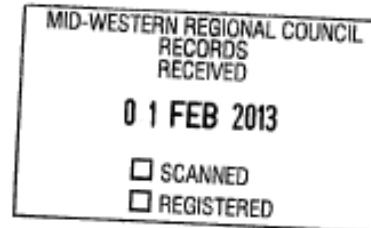
Fay Elizabeth Harrower (Mrs.)

Email: _____

Phone: _____

Keith Bloodsworth

From: "Keith Bloodsworth"
Date: Wednesday, 30 January 2013 1:55 PM
To: "Keith Bloodsworth"
Subject: NAMING OF CARWELL CREEK BRIDGE CARWELL
 FROM; K.F & S BLOODSWORTH
 LOUEE STREET
 RYLSTONE NSW 2849



SUBJECT; THE NAMING OF THE CARWELL CREEK BRIDGE AT CARWELL.

TO WHOM IT MAY CONCERN.

WITH REFERENCE TO THE NAMING OF THE BRIDGE AS ABOVE WE WOULD LIKE TO PROPOSE THAT IT SHOULD BE

NAMED AFTER SOMEONE OR PERSONS WHO LIVE OR HAVE LIVED IN THE RYLSTONE AREA (DABEE). SUCH A PERSON WHO WE BELIEVE HAD A GREAT INFLUENCE IN THE BEGINNING, IE; FROM THE FIRST FLEET

TIMES AND THAT PERSON IS JAMES BLOODSWORTH.

AS YOU WILL SEE FROM RECORDS JAMES BLOODSWORTH WAS ON A SHIP CALLED CHARLOTTE ALONG WITH

A CONSIDERABLE NUMBER OF OTHER CONVICTS OF THE TIME.

IN ORDER TO AVOID WRITING A LONG NARRATIVE WE HAVE ATTACHED A COPY OF AN EXTRACT FROM

THE BOOK TITLED RYLSTONE AREA HISTORY OF SETTLEMENT SECOND EDITION 1983.

THIS EXTRACT WE BELIEVE WILL DEMONSTRATE WHY WE THINK JAMES BLOODSWORTH IS WORTHY OF A PLACE IN THE HISTORY OF RYLSTONE IN THIS MANNER.

FROM THIS EXTRACT YOU CAN SEE THAT HE WAS TO BECOME A WELL RESPECTED PERSON IN THE COLONY

SOME HIGHLIGHTS BEING ABLE TO TRAIN OTHERS IN THE ART OF BRICKMAKING, BORAL NAMED A BRICK

IN HIS NAME SOME TIME AGO, HE WAS THE FIRST MEMBER OF THE MASTER BUILDERS ASSOCIATION IN NSW.

HE WAS RESPONSIBLE FOR THE CONSTRUCTION OF MANY GOVERNMENT BUILDINGS INCLUDING GOVERNMENT HOUSE SYDNEY AND ALSO PARRAMATTA. HYDE PARK BARRACKS SYDNEY.

A PLATE MOUNTED ON A PEDESTAL IN THE CENTRE OF RYLSTONE ADJACENT TO THE RESERVE ALSO BEARS HIS NAME IN HIS HONOUR.

AT THE TIME OF HIS DEATH HE RECEIVED WHAT WAS ACCEPTED AS A MODEST STATE FUNERAL. THERE ARE A NUMBER OF DESCENDANTS SOME OF WHICH ARE FROM YEARS AGO AND OTHER LIKE OURSELVES

HAVE COME TO RYLSTONE SINCE 2000.

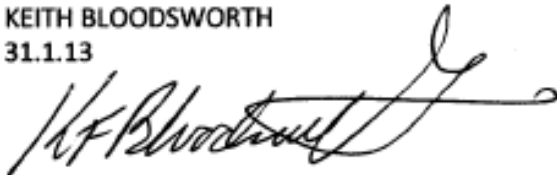
OUR FAMILY EMIGRATED TO AUSTRALIA IN 1973 FROM ENGLAND THAT IS KEITH, SUSAN, HENRY. REBECCA

AND OUR OLDEST SON STUART JAMES BLOODSWORTH WHO WAS UNFORTUNATELY KILLED IN A MOTORCYCLE

ACCIDENT IN 1990 AT MUDGEE.

AFTER LIVING IN WINMALEE NSW FOR 28 YEARS WE CAME OUT TO INVESTIGATE THE BLOODSWORTH CONNECTION

AND LIKED THE AREA SO MUCH WE MOVED OUT HERE.
OUR DAUGHTER LIVES IN RAZORBACK ROAD AND WE HAVE A PROPERTY AT BERWICK ROAD
RUNNING STREAM.
WE ALSO BROUGHT OUR ENGINEERING BUSINESS TO RYLSTONE WHICH IS OPERATED BY ALL THE
LIVING MEMBERS
OF THE FAMILY WHICH HAS BEEN OPERATING SINCE 1978.
WE HAVE CONTINUED IN THE TRADITION OF BUILDING BY PROVIDING SPECIALISED HYDRAULIC
LIFTING SYSTEMS
FOR THE CONSTRUCTION OF MULTY STORY BUILDING AROUND THE WORLD BUILT FROM
CONCRETE AND
NOT BRICKS. SOME OF THESE ARE THE 5 TALLEST BUILDINGS IN THE WORLD. WE HAVE ALL OF OUR
EQUIPMENT
MADE IN AUSTRALIA BEING ONE OF ONLY A FEW STILL PRODUCING GOODS IN THIS FIELD.
IT MAY APPEAR STRANGE TO SOME PEOPLE THAT WE ARE PROPOSING OUR NAMESAKE HER BUT
WHY NOT
YOURS FAITHFULLY
KEITH BLOODSWORTH
31.1.13

A handwritten signature in black ink, appearing to read 'K Bloodsworth', written in a cursive style.

For "Wilson" please refer to sheet set out number of years ago.

Flora Wilson married James Cameron 21-12-1941 at St. John's Church of England, Cowra.

James William Keith Cameron lost his life during second World War and is buried in the Clichy Cemetery, Paris, France. He died 21-4-1944.

Flora and Jim's Family: Beverley Rose born 29-10-42.

Please refer to Cameron Paper for detailed list of family.

Beverley Cameron married William Bundy at St. Paul's Church of England, Chatswood 9-11-1963.

Their Family: Scott William born 11-3-1967; Dean James born 28-2-1967; Megan Louise born 25-11-1968; Rowena Beverly born 15-4-1971.

The Story Of James Bloodworth

JAMES BLOODWORTH was born in 1701 and was living at Kingston-on-Thames when he was committed for trial, charged with felony and sentenced to seven year transportation at the Quarter Sessions, 3rd October, 1785. When the First Fleet sailed, James Bloodworth was on board the "Charlotte".

After the Fleet dropped anchor in Farm Cove, disembarking began and all personnel free and convict, were faced with the problem of erecting shelters. Soon, Governor Phillip's pre-fabricated structure, tents and local material huts dotted the banks of the Tank Stream. However, heavy rain in February convinced the new settlers that more durable buildings were necessary.

There was plenty of sandstone in the vicinity and good clay was found two miles away at Brickfield Hill. So, with the unloading of the brick presses it was obvious that a skilled brick-layer was necessary; James Bloodworth came into prominence. He was able to build kilns & instruct others in the art of brick-making. They had to dig the clay, pound it with clubs, soak it, then pug up the wet mess with trampling

feet in the manner of winemakers. Bloodworth taught his crews how to sprinkle sand over the "stock" (bottom of the mould) before throwing the wet clay into the mould, thus ensuring that the brick would not adhere to the wood when turned out. Hence the name which is still applied to bricks hand-made in this manner — sandstocks. Human teams were employed to draw the bricks to the Cove where the first building — Government House was to be erected. Phillip selected a site on the east side of the Tank Stream; and he commissioned the convict, James Bloodworth to erect his three-roomed temporary dwelling. Bloodworth set to work, he had to draw the plans, peg out the building and supervise the convict masons working on the foundations. Lime was obtained by burning sea shell; the convict women had the task of gathering the sea shells.

Heavy winter rains caused havoc to the kilns and building; so one wall was demolished and the weakness diagnosed as bad mortar; all the walls were strengthened so the building was able to support a second story. Bloodworth learned from experience and work progressed slowly, (despite all difficulties a two-storeyed Government House was ready for Phillip in six months). It is recorded that at Christmas 1789 Governor Phillip entertained the notables in his fine two-storey, stone and brick residence; a residence which created a sense of pride and permanence in the starving and struggling settlement. The building stood until 1845. Arababee the Aborigine looking up at the upstairs windows asked "why some men walked on others' shoulders".

During excavations in 1899 the original foundation stones were disturbed at the corner of Bridge and Phillip Streets; and a foundation plate now housed in the Mitchell Library, shows the building began on 15th May, 1788.

Other buildings erected by Bloodworth soon followed: Warehouse at King's Wharf, Soldiers' Barracks, a clock tower, windmill and houses for

Rev. Richard Johnson, Surveyor-General, and Judge Advocate. A plaque at 19 O'Connell Street marked the location of Bloodworth's house and it was here that the Bloodworth family lived until 1875 when G. A. Lloyd acquired the property.

On arrival of the Royal Warrant on 15th December, 1790, Phillip was empowered to pardon a Convict, but the emancipist was not permitted to return to England before the original sentence had expired. The next day Bloodworth was one of three men to receive his freedom but the restrictions kept him in the Colony. However, when rehabilitation was offered in 1792, he declined due to family commitments. On his emancipation Bloodworth set himself up as a Master Builder – the first Master Builder in NSW (Australia).

On 1st September, 1791, Phillip appointed Bloodworth Superintendent over brick-makers and bricklayers with an income of 50 pounds per annum. Bloodworth was a busy man. Governor Phillip praised the pains he had taken to teach the art of bricklaying and his conduct was exemplary.

During Grose's administration he was given a grant of land (50 acres) at Petersham (1794). This was followed later by the purchase of 200 acres – Brush Farm at Mars Field, from settlers.

In January 1800 a syndicate including James Bloodworth, Wm. Broughton, Owen Cavanough, Francis Oakes, Simeon Lord and others, requested Gov. Hunter's permission to purchase certain goods for their own benefit direct from the "Minerva", the list contained the following articles:-

13 pipes Rum at 7/- gallon; 1 ton sugar at 1/- lb.; 19 Firkins of butter at 1/- lb.; 10 cases of beef and pork at 1/- lb.; 4 cases of glasses; 4 rolls of Irish linen at 1/3; 72 dozen pairs of shoes at 10/- pair; 1 cask of port wine at 7/6 gallon.

(It is interesting to note that Simeon Lord seems to have benefitted much better than the others for within

three years he had a fine four storeyed dwelling).

James Bloodworth was a much respected citizen. On two occasions he gave evidence in two important trials. On 21st February 1799, Isaac Nicholls, (who in 1810 became our first postman), was charged with receiving stolen goods. Matthew Flinders, Capts. Kent and Waterhouse and James Bloodworth testified, and Gov. Hunter provided a character reference. Then on 5th March 1803, William Bladders and Isaac Simmonds were on trial for murder but were acquitted:- John Harris, Thomas Jamieson and James Bloodworth provided evidence.

When Governor King planned to purchase Capt. Kent's residence for an orphanage Bloodworth and Anson were requested to assess the value.

With the influx of a number of political prisoners the Sydney Loyal Association was formed, and in 1802 James Bloodworth became a sergeant a great honour for an ex-convict. In the early years church services were held in Bloodworth's house.

Toward the end of 1803, Deputy Governor David Collins made two requests to Governor King. He requested the employment of James Bloodworth, "if he were still in the Colony, firstly at Port Phillip, then at the Derwent, for in his opinion Bloodworth alone had the knowledge and skill to plan and construct buildings." However, Bloodworth declined the offer because of his large family.

On 1st March 1804, Bloodworth resigned from the position of Superintendent of Building because of the failure of the Government to increase his salary. He was later reinstated but by that time he was seriously ill – a heavy cold developed into pneumonia and he passed away at his house in South Row (O'Connell Street) on 21st March, 1804.

So great was the esteem in which he was held by his fellow colonists that Governor King ordered what was then the equivalent of a State Funeral. His body was laid to rest in the Town

Cemetery with full military honours. The cemetery was situated where the Town Hall stands today.

He left a wife and five children. (A tomb unearthed in 1974 during excavations near the Town Hall was thought to be that of James Bloodworth.

James Bloodworth did his duty in his new and harsh environment and did not bear a grudge against the system which transported him to the Penal Colony. He found it a challenge, his reward was his achievements which brought him very little pecuniary gain, and the place he deserves in the pages of history.

The funeral of James Bloodworth as recorded in the Sydney Gazette 24th May, 1804.

DEATH

On Wednesday last died, generally lamented, Mr. James Bloodworth, for many years Superintendent of Builders in the employ of the Government. He came to the Colony among its first inhabitants in 1788, and obtained the Appointment from his exemplary conduct shortly after his arrival; the first house in this part of the Southern Hemisphere was by him erected, as most of the Public Buildings since have been under his direction. To lament his loss he has left a Widow and five children, the youngest an infant now only a week old, and the complaint which terminated in his dissolution was supposed to proceed from a severe cold contracted about two months hence.

The attention and concern which prevailed at the interment of the deceased were sufficient testimonies of the respect with which he filled, and the integrity with which he uninterruptedly discharged the duties of a Public Trust during so long a period. HIS EXCELLENCY was pleased to order that the funeral should be provided for at the Public Expence, and to show other marks of attention to so good a servant of the Crown.

Four in the afternoon of Friday being the wish of the Widow appointed

for the Funeral, the Relics of the deceased were at that hour removed from his house in South Street, and conveyed to the place of interment, attended by a great number of friends, among whom were most of the Sydney Local Association, in which he had been appointed a Serjeant.

Opposite his old residence a Procession was formed, which moved in the following order:-

12 Of the Loyal Association, arms reversed,
Serjeant of the Association,
Drum muffled and Fife.

THE BIER

Two sons, Chief Mourners followed by an Infant Daughter,
Fourteen Female Mourners,
Twenty-four Male ditto,
A number of respectable Inhabitants in Rank,
The Non-Commissioned Officers of the New South Wales Corps,
And a crowd of Spectators.

when near the Burial Ground the Association were obliged to file off, for the accommodation of the friends of the deceased, and the populace who were become very numerous; and when the remains were deposited, approached the grave and performed Military Honours.

And what do we know of his widow, Sarah?

SARAH BELLAMY lived at Dudley in Worcester and was in service when, at the age of 17 years she was convicted at the Summer Assizes at Worcester, on 9th July, 1785. Crime and sentence: For feloniously stealing in the dwelling house of Benjamin Haden; — 1 linen purse, value 2d, 1 guinea, value 15 pounds 15 shillings, 1 half guinea, 10/6 property of the said Benjamin Haden; one Promissory Note signed under the hand of William Jackson, value 10 pounds, one other Promissory Note signed under the hand of Thomas Hull junior, for Hill Waldon and Co. promise to pay the bearer on demand 5 guineas, value 5 pounds 5 shillings at the Parish of Dudley, 29th May, in the 25th year of

George III. Sentenced to Transportation for 7 years.

Sarah was one of the twenty-one women convicts on the "Lady Penrhyn" which sailed with the First Fleet in May 1787.

Sarah was reputed to be a spirited read-head with a mind of her own.

In the early days of the settlement of Port Jackson Sarah was assigned as housekeeper to Lieut. Eaddy. She lived in a small hut on the east side of the Tank Stream. We hear of Sarah in August 1789 when once more she had to appear before the Justices. As History records: Captains Keltie and Meredith had attended the Governor's dinner to mark the Prince of Wales birthday. On the way home they continued their celebrations and at a very late hour Captain Keltie decided he would like to call on Sarah and tell her about a parrot he had brought her from the Cape. They knocked on Sarah's door but naturally she did not answer, so Meredith went round the back and rapped on the window shutter which collapsed and fell in on Sarah's bed together with his hat. In attempting to retrieve his hat he pulled Sarah's hair, at which, she, greatly alarmed, began to yell – MURDER, while Captain Meredith was regaining his composure Mr Keltie tried to quieten her and Meredith roared, "you terrible faggot, I'll have my revenge on you".

This disturbance alerted the guard; night-watchman John Harris arrived on the scene and also Mathew Everingham who lived close by. "Open the door" commanded Harris, and when he entered asked for a tinder-box so that he could see what was going on. To this request Sarah replied, "No, the hour is too improper for a light".

So on 15th August, 1789 Sarah came before the justices and swore that she had been disturbed in her hut on Wednesday, 1st August. Matthew Everingham, John Harris, (who swore on the Old Testament), Capt. Meredith and Mr. Keltie gave evidence. In evidence, Harris deposed that, "On Capt. Meredith's coming in (to the hut), she told him that he was no gentleman

and she a poor prisoner, therefore she must go where he bade her but she did not know what she had done, – that he had come in and disturbed her peace, and that her hair had come off the next day when combing". No charges were laid.

One must admire the courage of a girl, a poor prisoner, who could state before the Justices "that she was determined not to put up with such unmerited treatment from Capt. Meredith or anyone else".

James and Sarah had eight children, three of whom died in infancy. Their 14 happy years together were all too short. Sarah was the Executrix of James' Estate. The Estate was declared insolvent. Capt. Kemp became responsible for James' farm, while John Grant and David Bevon remained staunch friends and advisers. Unfortunately, the valuable property, Brush Farm, and all the stock had to be sold and William Cox became the new owner. The Will was not finalised until 1826 when all interested parties were represented at the Supreme Court.

After the death of James the Rev. Johnston looked after and educated his children as a mark of respect and in appreciation of the fact that James Bloodworth had built his house.

JAMES BELLAMY BLOODWORTH

With the death of his father, James Bellamy Bloodworth, (13 years of age), found himself the bread-winner of the family and became a carpenter. Four years later he was lured by the tall masts and became carpenter on the "Perserverence" bound for Port Dalrymple.

On 4th December, 1811 the "Perserverence" was lying off Campbell Island when Capt. Hasselbourg ordered the jolly to take him ashore, apparently to inspect some casks. Elizabeth Farr from Norfolk Island and four youthful members of the crew, (including James Bloodworth) accompanied him. Unfortunately on the return trip a freak wave swamped the jolly and all were thrown into the briny water.

James went to help the girl but she advised him to save the Captain, who, because of the weather was wearing his sea-cape and boots, but it was an impossible task; the captain sank beneath the waves. James then returned to help the girl who was in difficulties, and supporting her with one arm he swam to the shore, a distance of two miles, only to find on arrival that Elizabeth was dead. Next morning a search party from the "Perseverance" rescued the party.

By 1814 James Bloodworth, having obtained a liquor licence, opened a business at 15 George Street. The advertisement in the Sydney Gazette on 2nd February sounded very attractive: The Vendor begs to inform the public that he has now for sale – very fine Holland Gin, French Brandy, Jamaican and Bengal Rum, London Porter, in draught or bottle and very excellent Port wine by the bottle or dozen.

By 1821 James had opened a Butcher's Shop in O'Connell Street and 1828 Census credited him with owning land: 160 acres, all cleared at Petersham where he ran, 3 horses, 150 head of cattle and 600 sheep.

In letters to the Colonial Secretary, (1st December 1829), James Bloodworth of 4 O'Connell Street stipulates that, "I have 160 acres by Grant, and 110 acres by private purchase, 3 horses, 150 cattle and 800 sheep. Want an additional grant. Have built one house with woolshed and sheepyards. desire to rent land 1,000 acres on road from Bathurst to Dabee, 45 miles from Dabee. Born in colony; have wife and 7 children".

In 1836 James had convicts assigned to him.

James married Maria Panteney Lee at St. Phillips on 2nd April 1812 and they had a family of 11 children born and brought up at O'Connell Street. Maria was born on Norfolk Island 27th August 1795 and lived to the ripe old age of 98 years and 9 months; she died at her grandson Charles Younger's residence. She was

buried in St. Thomas Cemetery, West Street, North Sydney; the headstone may still be seen there. James died 16th April 1857, aged 66 years; his headstone rests in the cemetery of St. Stephen's Newtown.

By the 1840s James and Maria had land at Bathurst and Dabee; (as the village of Dabee grew Governor Gipps named it Rylstone).

Their second daughter Ann married James Brown at the Scots Church on 23rd March, 1840. His house was in Elizabeth Street. Later they moved to Dabee where he took up farming.

James' brother George (born 29th February 1796) followed his elder brother and became a ship-wright making several trips to Tasmania. Then in 1825 he was granted a liquor licence and acquired the "Settlers Arms" in Market Street. On 14th January 1826 George married Maria Cox at St. Phillip's, Church Hill. By 1834 they were living at Hunters Hill and St. James, King Street became their church. George died on 18th February 1840. They had no children. Records show that he was buried in a vault in the Devonshire Street Cemetery. Two years later Maria married A. A. Hunt of Hunters Hill.

The Sydney Gazette listed James and George as contributors to the various charities such as the Benevolent Society. George gave a donation to the building of Christchurch. James who lived at 19 O'Connell Street remained a parishioner of St. Phillip's.

Sister Elizabeth married Robert Carver and she did not appear to have had a family. Sarah spent her declining years with Elizabeth. The 1828 Census listed them as living in Clarence Street.

The youngest daughter, Charlotte, (one week old at her father's death) died at the tender age of 12 years.

An extract from a letter written by Maria Bloodworth, to her daughter Sarah (Sally), who married Robert Howe, grandson of George Howe, first Government Printer.

My Dear Sally,

If you get a little Guanen oil and

flerven put it on the scald place it should have cured it in one hour — it is the finest thing in all the world — it is almost immediate cure, takes the fire out in a few minutes. I have been scalded myself and in half an hour it has been all right, and a young girl that is next door scalded her arm from the elbow to the wrist every bit of skin off and she was well in a few days. I got it from Mary when Tom was there. There are not many that know the good of it. Send the Boy out to get one (goanna). You must be careful not to melt the fat on

the fire but make a plate hot, the fire takes the virtue out of it. The Blacks melt it in the sun. I dare say some of the nabers might have it and not know the good of it.

Dear Sally I hope this finds you all well as it leaves me and Fanny.

No letter from Tom. God bless your all.
Your affectionate Mother,
Maria Bloodworth.

N.B. The original of this letter is in the Mitchell Library, the date is not shown but thought to be the late 1850's.

ACKNOWLEDGEMENTS

Australian Men of Mark, 1788-1888— Volumes 1 and 2.
Rylstone-Capertee Valley— F. L. Scurrah and Freda Palmer.
Early Recollections of Rylstone and the District— William Wield Armstrong.
Fourteen Journeys over the Blue Mountains of N.S.W., 1813-1841— George Mackaness.
Macquarie Country— D. G. Bowd.
Valley of the Champions— Douglas M. Barrie.
Aldine Centennial History of N.S.W., 1888.
Building & Ornamental Stones of Australia, 1915— N.S.W. Government.
Mrs. R. K. Evans— Original Deeds, Grants and Historical Papers.
Mrs. L. F. Wilson— Family Papers.
Mrs. W. Stone— Family Papers.
Mrs. Frances Joyner— Cover Prints.
Miss Ruth Shipley— White and Harris Family Records.
History of Rylstone & Kandos— Mr. E. C. Rowland.
Rylstone Shire Council.
Rylstone Historical Society.
Historical Office— P.M.G.'s. Department.
Research Department— Department of Education.
Research Department— Bank of N.S.W.

The Rylstone & District Historical Society gratefully acknowledges the generous sponsorship of the following local businesses.

G. R. & G. C. Nicholson, Val & Johns Store, The Bridge Restaurant, Jamieson's Rylstone, Poole's Garage, Rylstone Supa Scoop, Helen's World, Rylstone Old Wares, Rylstone Butchery, Marchant & Brodie, Rylstone Pharmacy, Yarrington's Newsagency, Leila & Dud Oakes, W. J. & S. Tunnicliff, Roma Tindale, J. W. Tindale, Kuno's T.V., Westpac Bank, The Globe Hotel, Old Brick Oven Bakery, C. A. & D. B. Martin, Knox's Solicitors, Murdan Rural Supplies, K. G. & A. B. Sampson, The Rylstone Club, P. J. & H. J. Miskle, Ken & Jean Doorey, B. J. & M. Trounson, Jackson's Store Kandos, Bates Newsagency, Rylstone Stores, J. Walsh & Sons, Beau Sharrock, Eric Smith, Chrisfield's Holden, Norm & Mel Morrison, W. R. & M. M. Forbes, J. P. & B. L. McQuiggin, Commonwealth Banking Corp., B. V. & V. A. Mulholland, R. & R. M. Betts, Rylstone Shire Council, John & Gail Elrington, Warry & McDonald, Ian Wilson, Mary & Alex Wilson, J. Kuchta, L. & I. Pagani, Wolfe Bros., Barrie Beck, J. & S. Parkinson, David & Chris Briggs, State Bank, Rylstone Cut Price Store, G. P. & B. A. Oakes, Karina Carroll.

J G & J M PIRIE PTY LTD.

Mudgee 2850.

Mr. Warwick L Bennett
General Manager,
Mid Western Regional Council,
86 market Street,
Mudgee. 2850.

Dear Sir,

I wish to make the following submission to have the name Pirie given consideration when next you are selecting new street names.

The following is a brief history of our family activities in this area since my grandfather, James Pirie came here in the early part of the last century to manage the Loneragan properties. During this time he was also the President of the then Cudgegong Shire Council and a renown local singer and entertainer. His eldest son James W Pirie took up land in the Hargraves district in the 1930's and he too served on the Cudgegong Shire Council at the time of amalgamation with the Gulgong Shire Council. He was a good singer and entertainer who served on many other community organisations. James Pirie's youngest son Andy served on the Mudgee Municipal Council for many years, including one term as Mayor, he also conducted his own Stock & Station business and served on many different sporting and semi government organisations, being the chairman of the Mid-Western Weeds Council for a number of years.

I have been running the above company in Mudgee since 1979, my son Ben is the principal of Pirie Homes and my wife, Janette was one of the original staff at the Mudgee Child Care Centre where she gave 20 years service.

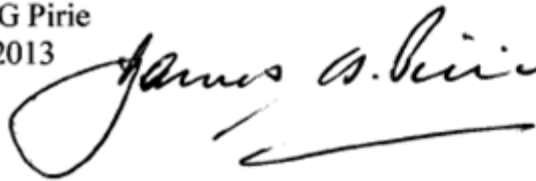
Our family has been involved in business and community service in the Mudgee area continuously since the 1930'S

Hoping this may meet with your approval,

Regards,

James G Pirie

16 03 2013



MID-WESTERN REGIONAL COUNCIL RECORDS RECEIVED 21 MAR 2013 <input type="checkbox"/> SCANNED <input type="checkbox"/> REGISTERED

6.2.9 Naming of New Unnamed Roads off Rifle Range Road

REPORT BY THE REVENUE & PROPERTY MANAGER TO 1 MAY 2013 COUNCIL MEETING
Report to Council (prelim) – Street Naming – Unnamed off Rifle Range Road
A0100056, R0790141

RECOMMENDATION

That:

1. **the report by the Revenue & Property Manager on the Naming of New Unnamed Roads off Rifle Range Road be received;**
2. **Council name the new road reserves Hardwick Avenue and Faucett Drive.**

Executive summary

A new subdivision off Rifle Range Road in Mudgee includes two new streets. Addressing requirements for the new subdivision will necessitate the naming of these new streets.

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 public from which Council can choose names for these unnamed streets.

Council wrote to neighbours of the road reserves on 22/2/13 requesting their naming suggestions. Public consultation was also invited in an advertisement placed in the March issue of the Community News. Submissions closed on 5/4/13 and during this period 4 submissions were received with the following names suggested:

- Glen Ayr Street. This submission cannot be accepted as it will conflict with Glenayr Close and is not eligible per the Geographical Names Board Guidelines.
- Lillie Cook Drive for Road No 1
- Stanley Faucett Drive or Faucett Drive for Road No 2
- Hardwick Avenue for Road No 1
- Rowe Place for Road No 2
- Michelle Crescent for Road No 1
- Kangaroo Grounds Avenue for Road No 1
- 303 Street or Three O Three Street for Road No 2

Financial implications

Cost of Gazettal notice at approx \$60. Purchase and installation of four street signs will be met by the Developer.

Street signs to be installed at the intersections of the new streets with Rifle Range Road and two street signs at the intersection of the two new streets.

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 the new street will allow the completion of street addressing within this new subdivision. 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 these possible street names and has no objection to most of them. Objections were raised for 303 Street in relation to the use of numbers in a street name and to possible confusion identifying Three O Three Street.

In accordance with Council's Road Naming Policy, the names that Council endorses for the new streets in this subdivision 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 – 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 name, and Gazettal of the new street name.

DIANE SAWYERS
REVENUE & PROPERTY MANAGER

CLARE PHELAN
DIRECTOR, FINANCE & ADMINISTRATION

15 April 2013

- Attachments:*
1. Correspondence received from the Geographical Names Board
 2. Submissions
 3. Map of the new road reserves off Rifle Range Road.

APPROVED FOR SUBMISSION:



BRAD CAM
ACTING GENERAL MANAGER

ATTACHMENT 1



Land & Property Information

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

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

Attention: Carolyn Atkins

27th February 2013

Your Ref: CA: R0790141
Our Ref: T02/0175 2013 - 037



Dear Madam,

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

I refer to your letter dated 22nd March 2013 which proposed the following public road names:

LILLIE COOK DRIVE, STANLEY FAUCETT DRIVE or FAUCETT DRIVE

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 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 '27/02/12'.

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@ipma.nsw.gov.au
www.ipma.nsw.gov.au

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

Attention: Carolyn Atkins

12th March 2013

Your Ref: CA: R0790141
Our Ref: T02/0175 2013 - 043

Dear Madam,

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

I refer to your letter dated 8th March 2013 which proposed the following public road names:

HARDWICK AVENUE, ROWE PLACE

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 providing they do not refer specifically to any living persons.

Yours Faithfully

Bob Davis 12/03/13

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

MID-WESTERN REGIONAL COUNCIL RECORDS RECEIVED
15 MAR 2013
<input type="checkbox"/> SCANNED
<input type="checkbox"/> REGISTERED



**Land & Property
Information**

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

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

Attention: Carolyn Atkins

22nd March 2013

Your Ref: CA: R0790141
Our Ref: T02/0175 2013 - 051



Dear Madam,

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

I refer to your letter of 19th March 2013 which proposed the following public road name:

MICHELLE CRESCENT

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

Yours Faithfully

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@lpi.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

8th April 2013

cc: Secretary of the Geographical
Names Board of NSW

Your Ref: CA: R0790141
Our Ref: T02/0175 2013 - 063

CA



Dear Sir,

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

I refer to your letter of 10th August 2012 which proposed the following public road names:

KANGAROO GROUNDS AVENUE, 303 STREET, THREE O THREE STREET

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 would raise objection to the following names:

303 STREET – as this contains numbers, objection is raised under guideline "Form" 6.4

THREE O THREE STREET – while it is accepted that this is an attempt to apply the above name as per guideline "Form" 6.4, objection is still raised given the likelihood of confusion arising in the identification of addresses, e.g. **3 THREE O THREE STREET**, and how such addresses might be interpreted by an emergency service operator.

Should you wish to proceed with the adoption of the names to which objection has been raised, then Council should write to the **Secretary of the Geographical Names Board, Lands Department, LPI Bathurst, PO Box 143, NSW 2795** setting out reasons why the names are valid proposals. The matter will then be put to the Board who may choose to overturn the objections.

Yours Faithfully

Bob Davis 08/04/13

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

ATTACHMENT 2

'Glen Ayr',

Mudgee.
2850.
NSW.

28 March 2012

Dear Mudgee Council,

I wish to nominate the name GLEN AYR Street, for your consideration in the new subdivision being planed in Rifle Range Road, Mudgee.on the original 'Glen Ayr' Property.

As it is commonly known, the property on the corner of Rifle Range Road, and Henry Bailey Drive, down to and including Richard Street, has always been called 'Glen Ayr', for at least the last seventy five years, and this area was called 'Glen Ayr' after this property.

The street was originally pencilled in as 'Lillie' or Lillie Cook Street for your consideration after the original owners, but Glen Ayr Street, might be more appropriate being on the property of Glen Ayr.

The Property was for many years until the 1950s used as Cooks Dairy Farm by Walter Cook and his wife Lillie Cook nee Cox. and for the last 45 years has been owned by their son the late Edward James (Jimmy) Cook and his wife Margaret Joy Cook nee Faucett.

I would also like to nominate the name FAUCETT or Stanley Faucett for the name of the street that will run off Rifle Range Road, on the edge of this subdivision if this is possible.

The Faucett family came to Mudgee in the middle 1860s and my grandfather Albert Faucett was born in Mudgee on the 13th. October 1869, and one of his sons Oscar Albert Faucett fought and died in the first world war.for Australia.

If the FAUCETT name can not be used in this subdivision I would like to have it put on the list of names for consideration of a future street,.as this is where most of the family were born, married, died and most still live in the area.

Thanking You For Your Time
Yours

Sincerely

Margaret Joy Cook



1. AREA TO BE SUBMITTED FOR SUBMIT TO COUNCIL
2. LAYOUT FOR WORK AS AT PRESENT

R. J. CROOKS &
ASSOCIATES PTY. LTD
LOT 2 BYRON PLACE
MUDGEE
No. 8073
P.O. 8073/80
REGISTERED SURVEYORS
A.P.N. W 811 287 232

"GLENAYR ESTATE"
PROPOSED SUBDIVISION OF LOTS 146, 147, 148, 149
20.4620 (24.07/2008)
HENRY BATLY DRIVE, MUDGEE
STAGES DEVELOPMENT

STAGE 1 - LOT LAYOUT

NO.	DATE	BY	REVISION
1			
2			

Deleki Pty Limited
PO BOX 1029
Mudgee NSW 2850

27th February 2013

Ms Carolyn Atkins
Mid Western Regional Council
86 Market Street
Mudgee NSW 2850



Dear Carolyn,

RE: Naming the Road off Rifle Range Road (Nurrowin Estate)

I refer to the above subdivision of which we are an owner.

We would like to put forward the following names-

Hardwick Avenue (Road No.1)

Harold Robert Hardwick was born on the 6th November 1866 at Rylstone. He was an architect whose practice was situated in East Mudgee. He had five children all born in Mudgee and Harold died in 1935.

His architectural briefs are well known and indirde-

Eltons Pharmacy building in Market Street
"Forganderry" - 19 Short Street
"Mt Pleasant" - Ulan Road
Additions to Heaton Lodge - Mortimer Street
"Lauralla" - Corner of Mortimer and Lewis Street
Chapel and extensions to "Havilah" - 5 Lovejoy Street
"Fairview" - Bombira
"Rexton" - Douro Street
"Warrungunyah" - 1 Ilford Street
Wollar Anglican Church
Wollar Catholic Church
Kandos Anglican Church
Masonic Ridge Renovations - Perry Street & Others

We believe he is most worthy of a street naming.



Rowe Place (Road No.2)

Thomas Rowe was an architect and one of NSW's most prominent, versatile and successful architects.

He designed-

The Mechanics Institute completed in 1862
The Methodist church at Ilford completed 1867
Presbyterian church - Hill End
St Pauls Presbyterian church Mudgee

He designed a huge portfolio of commercial, ecclesiastical and residential briefs from the 1850's until his death in 1899.

Significant buildings by Rowe remain, The Sydney Hospital, the great Synagogue in Elizabeth Street and Newington College at Stanmore.

Again in keeping with a theme of well known early Mudgee architects it is considered appropriate by us that the Road No.2 be called Rowe Place.

Yours Faithfully,



Deleki Pty Ltd

18th March 2013

Warwick L Bennett
General Manager
Mid Western Regional Council
P O Box 156
MUDGEES NSW 2850

MID-WESTERN REGIONAL COUNCIL RECORDS RECEIVED 19 MAR 2013 <input type="checkbox"/> SCANNED <input type="checkbox"/> REGISTERED

Dear Mr Bennett,

RE SUBMISSION FOR NAMING OF STREETS IN THE NURROWIN
ESTATE SUBDIVISION

I would be honoured if consideration could be given to naming one of the
abovementioned two streets - "MICHELLE CRESCENT".

This would be in memory of my beautiful daughter Michelle Morrissey
whose life was tragically taken in Mudgee almost three years ago through
a homicide.

The security and safety of every man, woman and child in Mudgee
changed the day Michelle's life was stolen, and I feel it would be apt for
the Council to recognise a model young hardworking citizen of this town
by naming a street in her memory.

I await your favourable response.

Yours faithfully,

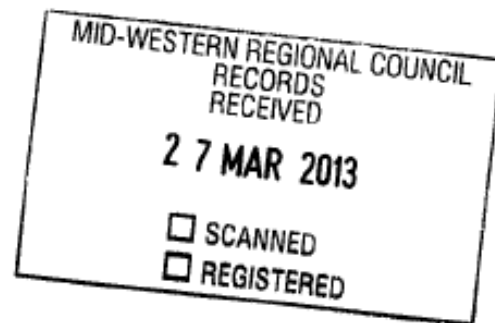


Sue Morrissey

Mudgee NSW 2850

P O Box
Mudgee. 2850.

General Manager,
Mid- Western Regional Council,
P O Box 156 Mudgee NSW 2850.



Dear Sir,

I wish to recommend two names to the unnamed streets in the Nurrowin Estate off Rifle Range Road in Mudgee. As a long standing member and a past President of the Mudgee Historical Society I am strongly in favour that the naming should be of some local significance.

I have been a resident at 38 Rifle Range Road for the last 15 years and would like to recommend that the street that runs at approximately 45 degrees to the north be named Kangaroo Grounds Avenue, this area has been ~~the~~ their resting area for many years and attracts many tourists and locals to see them in their natural state.

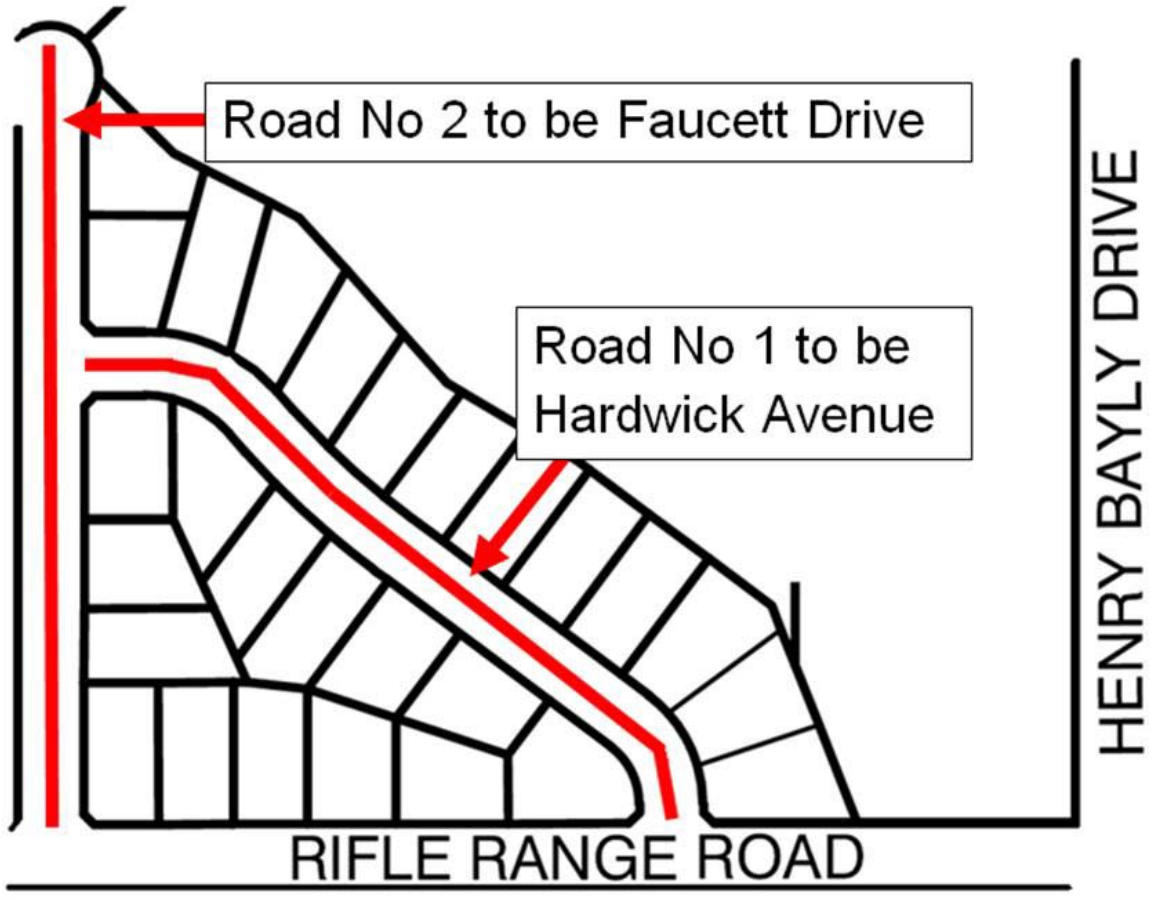
My other suggestion may seem a little unusual but the street that runs 90 degrees to Rifle Range Road I am recommending that it be named 303 Street for the following reasons.

1. It is directly opposite the Rifle Range.
2. It is as straight as a gun barrel
3. It is a tribute to the Rifle that was used by the Australians in two world wars.
4. It was manufactured by the Lithgow Small Arms Factory.
5. If Captain Cook can get away with naming a Queensland coastal town 1770 surely we can get away with naming a street 303.

I trust you will look favourably towards my submission.

Yours sincerely,

Barry Stutsel.



6.2.10 Mudgee Showground Management Committee

REPORT BY THE DIRECTOR, MID-WESTERN OPERATIONS TO 1 MAY 2013 COUNCIL MEETING

Report to Council - Mudgee Showgrounds - Minutes 5 Feb 2013

A0100056, F0650007

RECOMMENDATION

That the report by the Director, Mid-Western Operations on the Mudgee Showground Management Committee be received.

Executive summary

The purpose of this report is to advise Council of the considerations and recommendations of the Mudgee Showground Management Committee ordinary bi-monthly meeting held on 5 February 2013. The Showground Management Committee receives an updated Works Request and Matters in Progress report together with updated financial details bi-monthly. A copy of the Matters in Progress are attached for Council information.

Financial implications

Not applicable.

Strategic or policy implications

Not applicable.



BRAD CAM
ACTING GENERAL MANAGER

10 April 2013

Attachments: 1. Minutes of the Mudgee Showground Management Committee Meeting 05/02/2013
2. Matters in Progress

MUDGEES SHOWGROUND MANAGEMENT
COMMITTEE MEETING — 5 FEBRUARY 2013

Meeting Opened: 6.00 pm

Present: Cr John Webb, Russell Holden, Joe Best, Bill Robinson, Lea Cuthbertson, Kim Wilson & Yasmin Crockett

Observer: Lesley Burgess

Apologies: Brad Cam and Malcolm Swords

Moved: Russell Holden, Seconded: Bill Robinson that their apologies be accepted.

Minutes of June's Meeting – Accepted

Moved: Bill Robinson

2nd Russell Holden

Motion Carried

Cr John Webb stood down as Chair. Nominations were called and it was unanimously agreed that Cr John Webb to continue as Chair for these meetings.

Moved: Joe Best

2nd Kim Wilson

Motion Carried

Matters in Progress

See attached list.

Correspondence

Cr John Webb went through the correspondence

Moved: Russell Holden

2nd Bill Robinson

Motion Carried

Financial Report

Cr John Webb went through the financial statement.

Russell Holden commented that we are tracking reasonably well. Russell would like an explanation for \$15,575.37 in September and \$16,790.28 in November being payments to contractors, if the cost of contractors proceeds as current then the YTD will well exceed the budgeted amount of \$92,000.00.

Moved: Russell Holden

2nd Joe Best

Motion Carried

General Business

Brad Cam wanted it minuted in his absence that the Showground lost approximately \$9,000.00 in income due to the Cudgegong Swap Meet and Jamie Ingles paying the incorrect hire fees.

A letter was forwarded to the Cudgegong Swap Meet expressing Council's disappointment especially with regard to only one night of camping fees and only one day of hire charges being received. It is hereby minuted that the letter to the swap meet has been noted and discussed at this meeting. It is to be left up to Brad Cam to resolve.

Russell put forward the following motions that -

We request a letter be sent to Jamie Inglis requesting that he pays the whole commercial rate as pointed out this time last year when he used the facilities under the MWW Horse Association's name.

Lesley to investigate if any camping fees were collected for this event?

More information from Brad Cam is needed with regards to the meeting he had with Jamie Inglis.

Moved: Russell Holden

2nd Joe Best

Motion Carried

Yasmin thought that hire fees of \$1,500.00 / day for the use of the arena for an event held by a professional horse trainer is too much if we are to encourage talented trainers to Mudgee. On average these trainers charge \$250.00 per rider per day and usual have a class of about 15 riders. Kim presented a collection of flyers from past pony club events that have been held at other venues around this region. The camping fees for pony club events were in the region of \$15.00 per night, although Kim was unaware whether or not this was due to them having sourced sponsors to help fund these fees.

The question whether to invite Ken Jeffrey to this meeting was discussed. It was agreed that Ken would only be able to attend this meeting by invitation at this stage.

Fees & Charges

Review of fees and charges -

the cpi increase will be 3% over all 2013 - 2014 charges

Lesley to ascertain what hire fee the Cudgegong Valley Antique Machinery Club pay, is it 1% of auction sales or pavilion hire fee. It was suggested that it should be the greater of the two or even both?

Motion to have new fees added -

Minor Event - where 33% to 50% of grounds are occupied then a fee of \$750.00 is payable per day. The bond payable will be the same as present 50% of charge plus power at cost plus cleaning and restoration at cost - (Look at wording so that there is no misunderstanding as to what this fee covers.)

Camping must be associated with a showground event

\$20.00 per night for powered, and

\$15.00 per night for unpowered

Moved: Cr John Webb

2nd Bill Robinson

Motion Carried

Recommendation to Council requesting increase in bond for the Pavilion to \$750.00.

Russell Holden

Russell has received an email from Peter Crewes of Tent Town. Peter wants to provide tents and ablution facilities for the Antique Machinery Fare. Russell to forward the email to Council so that this can be investigated further.

Moved: Russell Holden

2nd Kim Wilson

Motion Carried

Russell advised that he will not be present at our next committee meeting.

Yasmin Crockett

Yasmin would like to know why the slasher was used to mow the arena. Brad Cam to liaise with Ken Jeffrey to ensure the grass is mowed before it gets too long.

Joe Best

Repairs needed for the Mudgee Show -

Would like the rolls of conveyor belt moved before the Show as they are in the way.

There is a pile of rubble which needs to be removed as it prevents the unloading of horses.

The taps located next to the cattle pavilion, presently only two of the five taps work.

The down pipe on the cattle pavilion is broken

Joe Best advised that the Mudgee Show Society would be interested in moving their office to the kitchen/hall building at the showground, and he feels the Show Society would be prepared to pay rent in the region of \$300-\$400.00 per annum. Joe to get the Show Society to put this request in writing.

Moved: Bill Robinson
2nd Joe Best

Motion Carried

Bill Robinson

The 44 gallon drums will be placed back into either the wool pavilion or sheep shed after the Mudgee Show.

Bill would like this committee to pay for two fans for the poultry shed, these fans costs \$165.00 each. It was agreed that these would be purchased by this committee in time for the Show. In order to try and recoup these costs, Bill is to write a letter to Council on behalf of the Poultry Club to see if he can get the "Small Grant Scheme" to perhaps pay for these fans.

Kim Wilson

Kim was advised that Ken Jeffrey is in charge of gate keys for Madeira Road entrance at the Showground.

Meeting closed at: 8:55 pm

Next meeting to be held 2 April 2013

MATTERS IN PROGRESS – FEBRUARY 2013

#	SUBJECT	MEETING DATE	ACTION	WHOM	PROGRESS
	3.5m x 3.5m concrete slab for stables	7/12/11	Brad Cam to prepare a cost estimate	B Cam	On hold until sufficient funds are available
2	Large Storm water drain is seen as potential hazard	7/12/11	Brad to check	B Cam	Brad to see if any funds are available. 7/8/12 - Brad to find out if this could fall under urban drainage rather than the showground's. Brad to speak with the Roads Dept in this regard. 18/12/12 Grants are available for flood water. Brad to look into this.
3	Asset Register to be created as to who owns what at the Showground's	3/4/12	Letter to be sent to each showground user requesting them to submit a list of their assets presently held at the showground's.	L Burgess	Responses received- Mudgee Stud Merino Assoc Mid Western Working Horse Assoc Cudgegong Valley Antique Machinery Club Mudgee Poultry & Pigeon Mudgee/Gulgong Woodworkers Mudgee Pony Club Outstanding Mudgee Dressage Group Animal Nursery Show Society
4	Bill suggested that the rubble from the old pavilion be used to create a new cattle ramp	5/6/12	Bill to get comments and feedback from the cattle section and report back at our next meeting	Bill Robinson / Joe Best	5/2/13 Joe has had a meeting with Barry Knot, and they have come to the conclusion that this new cattle ramp would be in the way of the entrance. Joe is now looking to borrow a portable one from AREC.
5	Drainage issues at the Showground's	7/8/12	Brad Cam to carry out a cost estimate	Brad Cam	Suggestions Budget initiative Grant
6	Depth of sand required for the Equestrian Arena	7/8/12	18/12/12 The arena just needs to be leveled	Brad Cam / Andrew Drummond	5/2/13 Yasmin advised that Ken Jeffrey's sand spreader bar does not work well. Yasmin would like the Mudgee Showground to purchase its own proper

#	SUBJECT	MEETING DATE	ACTION	WHOM	PROGRESS
					sand spreader, these retail for approximately \$2000.00. The question as to whether Ken should have his own sand spreader was raised.
7	Cover needed for the bore pipe	7/8/12	Works Request	Andrew Drummond	W/R BL0026/2013. The bore pipe is located near the 2 u/g tanks near the eastern side gate going into the arena, not far from the arena fence. Roger to phone Joe Best if he needs more direction.
8	Temporary barriers around the Storm water drain for safety reasons	18/12/12	Barriers needed	Andrew Drummond	5/2/13 Barriers needed for the Mudgee Show.
9	The rules for use of the Dressage Arena	18/12/12	Yasmin to forward the rules to - All horse groups Stable users Ken Jeffrey Council.	Yasmin Crockett	
10	Confirmation as to the price of regular pick up of garbage bins	18/12/12	If the prices is \$176.00 per annum then each club to purchase their own wheelie bins and pay the annual fee	Brad Cam / Andrew Drummond	5/2/13 Each Club to purchase their own wheelie bin and to pay the annual fee of \$176.00.
11	Ken Jeffrey's invoice for the cleanup of manure after an event held by the MWW Horse Assoc.	18/12/12	To check with Ken to ascertain where the manure was left	Brad Cam	20/12/12 Ken advised that manure was left all around the camping area, car park and around day yards. 5/2/13 Lea advised that all the manure was cleaned up. It was felt \$176.00 for the cleanup was exorbitant. This matter to be finalised between Brad, Ken and MWW Horse outside of this meeting.
12	The frequency of watering of the main arena and whether the fertigation system is	18/12/12	To liaise with Ken Jeffrey	Brad Cam / Andrew Drummond	5/2/13 It was obvious before the rains that the southern end was not getting enough water.

#	SUBJECT	MEETING DATE	ACTION	WHOM	PROGRESS
	being used.				
13	If a mess is left at the showground, then Ken to phone to advise the person concerned to clean up.	5/2/13	Ken to be advised of this. Sign off sheet also needed.	Brad Cam / Andrew Drummond	
14	The Show Society would like a barricade erecting around the eroded site on the southern fence near the school to prevent children entering the Show for free.	5/2/13	Barricading needs to be erected before the Show	Brad Cam / Andrew Drummond	
15	Kim Wilson would like to know what their fees cover?	5/2/13		Brad Cam / Andrew Drummond	
16	Ken's contract to be looked at to ascertain what his job description is. It is felt that cleaning up after an event should be part of his duties	5/2/13	Ken's contract to be looked at to ensure that it suits the requirements of the showground users.	Brad Cam / Andrew Drummond	
17	Bill to write a letter to see if he can get the "Councilors' Small Grant Scheme" to pay for the fans.	5/2/13	Try to recoup costs	Bill Robinson	

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