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25 September 2013

Dear Councillor

MEETING NOTICE
Ordinary Meeting

Thursday, 3 October 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.

Note: At this time, the Auditors will present the Annual Financial Statements.

Item 3: Confirmation of Minutes

3.1 Minutes of Ordinary Meeting held on 18 September 2013

COUNCIL DECISION:

That the Minutes of the Ordinary Meeting held on 18 September 2013, Minute Nos 353/13 to 373/13 be taken as read and confirmed.

The Minutes of the Ordinary Meeting are attached overleaf.

Mid-Western Regional Council

Date: 18 September 2013

Minutes of the Ordinary Meeting of Council

Held at the Council Chambers, 86 Market Street, Mudgee
on Wednesday 18 September 2013, commencing at 6.00 pm and concluding at 6.21 pm.

PRESENT Cr D Kennedy (Mayor), Cr P Cavalier (Deputy Mayor), Cr EE Martens (AM),
Cr JP Thompson, Cr JR Webb, Cr L White.

IN ATTENDANCE General Manager (WL Bennett), Director Mid-Western Operations (B Cam),
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 (C Bassett)

Item 1: Apologies

Apologies were received for the absence of Councillors Shelley, Walker and Weatherley.

353/13 **MOTION:** White/Cavalier

That the apologies for the absence of Councillors Shelley, Walker and Weatherley be received and leave of absence be granted.

The motion was put and carried.

Item 2: Disclosure of Interest

There were no disclosures of interest.

Item 3: Confirmation of Minutes

354/13 **MOTION:** Cavalier / Thompson

That the Minutes of the Ordinary Meeting held on 4 September 2013 (Minute Nos. 334/13 to 352/13) be taken as read and confirmed.

The motion was put and carried.

Item 4: Matters in Progress

Noted.

Item 5: Mayoral Minutes

There was no Mayoral Minute.

Item 6: General Business

6.1 NOTICES OF MOTION

There were no Notices of Motion.

6.2 REPORTS TO COUNCIL

6.2.1 CAERLEON VOLUNTARY PLANNING AGREEMENT

GOV400029, A0100056, A0420236

355/13

MOTION: Cavalier / White

That:

1. the report by the Director, Development and Community Services on the Caerleon Voluntary Planning Agreement be received;
2. Council enter into the Caerleon Voluntary Planning Agreement as attached to this report.

The motion was put and carried.

6.2.2 MONTHLY DEVELOPMENT APPLICATIONS PROCESSING & DETERMINED

GOV400029, A0100056

356/13

MOTION: Cavalier / Webb

That the report by the Director, Development and Community Services on the Monthly Development Applications Processing & Determined, August 2013 be received.

The motion was put and carried.

6.2.3 NAMING OF NEW UNNAMED ROADS OFF BATEMAN AVENUE

GOV400029, A0100056, R0790141

357/13

MOTION: Webb / White

That:

1. the report by the Revenue & Property Manager on the Naming of New Unnamed Roads off Bateman Avenue be received;
2. Council name the new road reserves Janets Place (Road 1), Alexander Dawson Court (Road 2) & Wells Court (Road 3).

The motion was put and carried.

Mid-Western Regional Council

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6.2.4 REQUEST TO CLOSE THE MAJORITY OF CARRS GAP ROAD
GOV400029, A0100056, R0790175

This matter was withdrawn.

6.2.5 MONTHLY BUDGET REVIEW FOR JULY 2013
GOV400029, A0100056, FIN300062

358/13 MOTION: White / Cavalier

That:

1. the report by the Director, Finance & Administration on the Monthly Budget Review for July 2013 be received; and
2. the 2013/14 Operational Plan be amended in accordance with the variations as listed on pages 1-4 of the July 2013 Monthly Budget Review – 2013/14 Operational Plan/Delivery Program, and reproduced in the report below.

The motion was put and carried.

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

359/13 MOTION: Cavalier / Webb
GOV400029, A0100056, A0140304

That:

1. the report by the Financial accountant on the Monthly statement of Mid-Western Regional Council bank balances and investments as at 31 August 2013 be received;
2. the certification by the Responsible Accounting Officer be noted.

The motion was put and carried.

6.2.7 TENDER FOR THE SUPPLY AND DELIVERY OF BULK FUEL,
OIL AND LUBRICANTS

360/13 MOTION: Thompson / Cavalier
GOV400029, A0100056, A0100026

That:

1. the report by the Director, Finance & Administration on the Tender for the supply and delivery of bulk fuel, oil and lubricants be received;

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2. Council accept the tender of Centrel Pty Ltd trading as Reliance Petroleum BP as the single source supplier of bulk fuel for a period of 24 months from 1 October 2013 to 30 September 2015; and
3. Provision be allowed for a 12 month extension based on satisfactory bulk fuel supplier performance which may take this through to 30 September 2016; and
4. Council accept the tender of Castrol as the preferred supplier of oils and lubricants for a period of 24 months from 1 October 2013 to 30 September 2015; and
5. Provision be allowed for a 12 month extension based on satisfactory oil and lubricant supplier performance which may take this through to 30 September 2016.

The motion was put and carried.

6.2.8 TENDER FOR THE SUPPLY AND DELIVERY OF MGB
GARBAGE BINS AND ASSOCIATED PARTS

GOV400029, A0100056, A0100026

361/13

MOTION: Thompson / Webb

That:

1. the report by the Director, Finance & Administration on the Tender for the supply and delivery of MGB garbage bins and associated parts be received;
2. Council accept the tender of Sulo MGB Ltd as the single source supplier of MGB garbage bins and associated parts for the period 1st October 2013 to 30th September 2015; and
3. Provision be allowed for a 12 month extension based on satisfactory supplier performance which may take this through to 30 September 2016.

The motion was put and carried.

6.2.9 PAYMENT OF EXPENSES AND PROVISION OF FACILITIES
TO COUNCILLORS

GOV400029, A0100056, A0110004

362/13

MOTION: Cavalier / White

That:

1. the report by the Manager Governance on the Council's policy on Payment of Expenses and Provision of Facilities to Councillors be received;

Mid-Western Regional Council

Date: 18 September 2013

2. Council note that no submissions were received in relation to the proposed policy on the Payment of Expenses and Provision of Facilities to Councillors;
3. Council formally adopt the proposed policy on the Payment of Expenses and Provision of Facilities to Councillors;
4. The Division of Local Government be advised that Council has formally adopted this policy and be provided with:
 - A copy of the adopted policy;
 - A copy of this report; and
 - A copy of the public notice that appeared in the Mudgee Guardian on 9 August 2013.

The motion was put and carried.

6.2.10 FINANCIAL ASSISTANCE APPLICATIONS

GOV400029, A0100056, A0140201

363/13

MOTION: Cavalier / Webb

That:

1. the report by the Financial Accountant on the Financial Assistance Applications be received;
2. Council provide financial assistance to the Sheepdog Workers Club of \$707 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.

The motion was put and carried.

6.2.11 WET AND DRY PLANT HIRE TENDER 2013/13 FOR ADDITIONAL CONTRACTORS STRAIT UP SERVICES PTY LTD AND MISKLE TRANSPORT AND EARTHMOVING PTY LTD

GOV400029, A0100056, A0411303

364/13

MOTION: Cavalier / Webb

That:

1. the report by the Business Manager Works on the Wet and Dry Plant Hire Tender 2013/03 for additional contractors, Strait Up Services Pty Ltd and Miskle Transport and Earthmoving Pty Ltd be received;
2. Council accepts the revised list of preferred contractors for tender 2013/03 for the provision of Wet and Dry plant hire in accordance with clause 178 of the Local Government (General) Regulation 2005 as listed below for Wet Hire.

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CONTRACTOR	PLANT	PAYLOAD (T)
Troy Kurtz Earthworks	Tipper	6
Adrian Ingram Plant Hire Pty Ltd	Tipper	6
Ian Colley Earthmoving Pty Ltd	Tipper	6
Ian Colley Earthmoving Pty Ltd	Tipper	6
Andrew Turner Excavations	Truck	6
Miskell Transport Pty Ltd	Rigid Tipper	12
Murkins Earthmoving Pty Ltd	Tipper	12
A1 Earthworx Mining and Civil Pty Ltd	Truck and Dog	12
CM Box Constructions Pty Ltd	Rigid Tipper	6
CM Box Constructions Pty Ltd	Truck	6
CM Box Constructions Pty Ltd	Truck	6
MSW Plant Hire Pty Ltd	Tipper	2
RJ Andrews Engineering Bobcat n Tipper Hire	Tipper	3
Cutting Edge Earthmoving and Excavations	Rigid Tipper	12
Digging it Earthworks	Truck	17
Adrian Ingram Plant Hire Pty Ltd	Rigid Tipper	12
Adrian Ingram Plant Hire Pty Ltd	Rigid Tipper	12
Adrian Ingram Plant Hire Pty Ltd	Rigid Tipper	12
Adrian Ingram Plant Hire Pty Ltd	Rigid Tipper	12
Terros Transport Pty Ltd	Rigid Tipper	12
Terros Transport Pty Ltd	Rigid Tipper	12
Max Phillips Plant Hire Pty Ltd	Bogie Tipper	12
Max Phillips Plant Hire Pty Ltd	Bogie Tipper	12
Boxsell Services Pty Ltd	Tipper	8
Comer Plant Hire	Bogie Truck	12
MSW Plant Hire Pty Ltd	Tipper	8
Ian Colley Earthmoving Pty Ltd	Tipper	12
Ian Colley Earthmoving Pty Ltd	Tipper	12
Ian Colley Earthmoving Pty Ltd	Tipper	12
Ian Colley Earthmoving Pty Ltd	Tipper	12
Ian Colley Earthmoving Pty Ltd	Tipper	12
CE Mining Services Pty Ltd	Tipper	12
CE Mining Services Pty Ltd	Tipper	12
RJ Andrews Engineering Bobcat n Tipper Hire	Tipper	12
Mudgee Dolomite and Lime Pty Ltd	Truck	12
Mudgee Dolomite and Lime Pty Ltd	Truck	12
Mudgee Dolomite and Lime Pty Ltd	Truck	12
Miskell Transport Pty Ltd	Truck and Pig	24
JH & C Evans	Tipper	12
JH & C Evans	Tipper	12
A1 Earthworx Mining and Civil Pty Ltd	Truck and Dog	32
A1 Earthworx Mining and Civil Pty Ltd	Truck and Dog	24
A1 Earthworx Mining and Civil Pty Ltd	Truck and Side Tipper	
Murkins Earthmoving Pty Ltd	Truck and Dog	24
MSW Plant Hire Pty Ltd	Tipper	12
MSW Plant Hire Pty Ltd	Tipper	12
Ian Colley Earthmoving Pty Ltd	Truck and Dog	24
Ian Colley Earthmoving Pty Ltd	Truck and Dog	24
Max Phillips Plant Hire Pty Ltd	Bogie Tipper plus dog	24
Adrian Ingram Plant Hire Pty Ltd	Truck and Dog	32
Adrian Ingram Plant Hire Pty Ltd	Truck and Dog	32
Adrian Ingram Plant Hire Pty Ltd	Truck and Dog	24
Adrian Ingram Plant Hire Pty Ltd	Truck and Dog	24

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Mayor

General Manager

Mid-Western Regional Council

Date: 18 September 2013

CONTRACTOR	PLANT	PAYLOAD (T)
Ian Colley Earthmoving Pty Ltd	Truck and Dog	32
Terros Transport Pty Ltd	Truck and Dog	32
Terros Transport Pty Ltd	Truck and Dog	32
CE Mining Services Pty Ltd	Truck and Dog	24
CE Mining Services Pty Ltd	Truck and Dog	24
Mudgee Dolomite and Lime Pty Ltd	Truck and Dog	24
A1 Earthworx Mining and Civil Pty Ltd	Articulated Dump Truck	40
A1 Earthworx Mining and Civil Pty Ltd	Articulated Dump Truck	40
A1 Earthworx Mining and Civil Pty Ltd	Articulated Dump Truck	25
A1 Earthworx Mining and Civil Pty Ltd	Articulated Dump Truck	25
Mudgee Dolomite and Lime Pty Ltd	Truck and Dog	32
Mudgee Dolomite and Lime Pty Ltd	Truck and Dog	32
Maas Plant Hire Pty Ltd	Articulated Dump Truck	30
MSW Plant Hire Pty Ltd	Truck and Dog	24
Maas Plant Hire Pty Ltd	Articulated Dump Truck	40
Maas Plant Hire Pty Ltd	Articulated Dump Truck	30
Maas Plant Hire Pty Ltd	Articulated Dump Truck	40
Maas Plant Hire Pty Ltd	Rigid Dump Truck	55
Maas Plant Hire Pty Ltd	Rigid Dump Truck	70

CONTRACTOR	PLANT	
Ian Colley Earthmoving Pty Ltd	Float	tri Axle
Murkins Earthmoving Pty Ltd	Float	tri Axle
Miskell Transport Pty Ltd	Low Loader	tri Axle
Ian Colley Earthmoving Pty Ltd	Float	quad
A1 Earthworx Mining and Civil Pty Ltd	Float	tri Axle
	Semi with trailer or drop deck	
Strait up Services Pty Ltd	Float	quad
A1 Earthworx Mining and Civil Pty Ltd	Float	quad
Ian Colley Earthmoving Pty Ltd	Dolly	quad dolly
Mudgee Dolomite and Lime Pty Ltd	Truck and Float	quad
	Semi with extended drop deck	
Strait up Services Pty Ltd	Float	quad
A1 Earthworx Mining and Civil Pty Ltd	Float	quad

CONTRACTOR	PLANT
Strait up Services Pty Ltd	4T Telehandler
Strait up Services Pty Ltd	Crane 14t Frenna
Mudgee Cranes	Crane 14t
Strait up Services Pty Ltd	Crane 18t Frenna
Strait up Services Pty Ltd	Crane 20t Frenna
Mudgee Cranes	Crane 16t
Countrywide Cranes	Crane 20t
Countrywide Cranes	Crane 20t
Mudgee Cranes	Crane 30t
Mudgee Cranes	Crane 20t
Strait up Services Pty Ltd	Crane 50t truck mount
Mudgee Cranes	Crane 55t
Countrywide Cranes	Crane 55t
Strait up Services Pty Ltd	Crane 60t (85t with reduced counterweight)
Countrywide Cranes	Crane 80t
Mudgee Cranes	Crane 80t
Countrywide Cranes	Crane 100t

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Mayor

General Manager

Mid-Western Regional Council

Date: 18 September 2013

Countrywide Cranes	Crane 130t
Strait up Services Pty Ltd	Crane (85t full counterweight)
Mudgee Cranes	Crane 160t

3. Additional contractors may be included on the preferred suppliers list if required during the contract period by resolution of Council.

The motion was put and carried.

6.2.12 2014 WASTE FUND CAPITAL WORKS

GOV400029, A0100056, F0570008

365/13

MOTION: Cavalier / White

That:

1. the report by the Business Manager Resources & Recreational on the 2014 Waste Fund Capital Works be received;
2. that Council endorse the 2014 waste fund capital works program as follows:
 - Rural Waste Depot Upgrades
 - Wollar WTS - fencing - \$20,000
 - Goolma WTS - fencing - \$10,000
 - Lue WTS - fencing - \$10,000
 - Mudgee Waste Depot Upgrades
 - Weather station - \$10,000
 - Leachate pump - \$4,000
 - bin lifter - \$10,000
 - Waste sites rehabilitation
 - Birriwa - \$20,000
 - Goolma - \$20,000
 - Mudgee - \$60,000

The motion was put and carried.

6.2.13 CODE OF CONDUCT REVIEW COMMITTEE

GOV400029, A0100056, GOV400008

MOTION: Thompson / Martens

That:

1. the report by the General Manager on the Code of Conduct Review Committee be received;
2. Council endorse the following Panel for Code of Conduct investigations and the General Manager be authorised to nominate one person from this Panel for Code of Conduct investigations when and if they arise.
 - Alex Irving
 - AllyGroup
 - Christopher Gallagher

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- David Crofts
- Greg Waters
- Internal Audit Bureau
- John Harcourt Turner
- John Kleem Consulting
- Linda Petterson Consulting
- LKA Group
- Lloyd Graham
- Mediate Today
- Peter Taylor
- Pinnacle Integrity
- Planning Urban Earth
- Prevention Partners
- Raquel Grieve
- Sharon Handstein
- Sinc Solutions
- Strategic Risk Solutions
- Terence Healey
- Train Reaction
- Woodward Legal

366/13

AMENDMENT: Webb / White**That:**

1. the report by the General Manager on the Code of Conduct Review Committee be received;
2. Council endorse the following Panel for Code of Conduct investigations and the General Manager be authorised to nominate one person from this Panel for Code of Conduct investigations when and if they arise.
 - Alex Irving
 - AllyGroup
 - Christopher Gallagher
 - David Crofts
 - Greg Waters
 - Internal Audit Bureau
 - John Harcourt Turner
 - John Kleem Consulting
 - Linda Petterson Consulting
 - LKA Group
 - Lloyd Graham
 - Mediate Today
 - Peter Taylor
 - Pinnacle Integrity
 - Planning Urban Earth
 - Prevention Partners
 - Raquel Grieve
 - Sharon Handstein

Mayor_____
General Manager

Mid-Western Regional Council

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- Sinc Solutions
- Strategic Risk Solutions
- Terence Healey
- Train Reaction
- Woodward Legal
- Stephen Flynn

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

6.2.14 MUDGEE & GULGONG ACCESS COMMITTEE

GOV400029, A0100056, A0060008

367/13

MOTION: White / Webb

That:

1. the report by the Manager, Community Services on the Mudgee & Gulgong Access Committee be received;
2. Council note the minutes of the Mudgee & Gulgong Access Committee meetings held on 6 August and 3 September 2013
3. Council endorse the appointment of Graham Hedrick, Madeleine McCarthy and Steven Waller to the Mudgee & Gulgong Access Committee.

The motion was put and carried.

6.2.15 CULTURAL DEVELOPMENT COMMITTEE - PUBLIC ART
POLICY

GOV400029, A0100056, A0420172

368/13

MOTION: Webb / White

That:

1. the report by the Manager, Community Services on the Cultural Development Committee - Public Art Policy be received;
2. Council note the minutes of the Cultural Development Committee meeting ordinary meeting held on 15 July 2013 and additional meeting held on 30 August, 2013;
3. Council defer consideration of the Public Art Policy developed by the Cultural Development Committee until such time as the draft policy is amended to provide that Council shall have the final decision on the selected artwork.

The motion was put and carried.

Mid-Western Regional Council

Date: 18 September 2013

6.2.16 GULGONG SPORTS COUNCIL

GOV400029, A0100056

369/13 MOTION: Webb / Cavalier

That:

1. the report by the Director, Mid-Western Operations on the Gulgong Sports Council be received;
2. That the minutes for the Gulgong Sports Council ordinary monthly meeting held on 10 July 2013 be noted.

The motion was put and carried.

6.2.17 2013 CHRISTMAS CLOSE DOWN

GOV400029, A0100056, A0260003

370/13 MOTION: White / Cavalier

That:

1. the report by the General Manager on the 2013 Christmas Close Down be received;
2. Council notes that administrative centres, works depots and the Libraries will close for the Christmas holidays at 12 noon on Friday 20 December 2013, returning on Thursday 2 January 2014; and
3. Public will be notified through the Community News and appropriate signs be affixed to the doors of Council's premises advertising of the closure period.

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

There was no urgent business without notice.

Item 8: Confidential Session

371/13 MOTION: Cavalier / Webb

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

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

Page 11 of the Minutes of the Ordinary Meeting of Council held on Wednesday 18 September 2013.

 Mayor

 General Manager

Mid-Western Regional Council

Date: 18 September 2013

Subject: 8.1.1 General Manager's Performance Agreement

The reason for dealing with this matter confidentially is that it relates to personnel matters concerning particular individuals (other than Councillors) in accordance with Section 10A(2)(a) of the Local Government Act, 1993.

Subject: 8.2.1 Categorisation for rating purposes of land used or held for any mining purpose – Progress Report to 2 September 2013

The reason for dealing with this matter confidentially is that it relates to advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege in accordance with Section 10A(2)(g) of the Local Government Act, 1993.

As the matters referred to in this report are still before the Court, discussion of this matter in an open meeting would be, on balance, contrary to the public interest as it might prejudice Council's legal position.

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

The motion was put and carried.

8.1.1 General Manager's Performance Agreement

GOV400029, A0100056, A0381421

372/13 MOTION: Cavalier / Martens

That consideration of this matter be deferred.

The motion was put and carried.

8.2.1 Categorisation For Rating Purposes of Land Used or Held For Any Mining Purpose – Progress Report to 2 September 2013

GOV400029, A0100056, A0340047, A0340048, A0340007

373/13 MOTION: Webb / Cavalier

That the report by the Revenue & Property Manager on the Categorisation For Rating Purposes of Land Used or Held For Any Mining Purpose – Progress Report to 2 September 2013 be received.

The motion was put and carried.

Item 9: Open Council

The Manager Governance announced the decisions taken in Confidential Session.

Closure

There being no further business the meeting concluded at 6.21 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.	A detailed business case has been presented to State Government and we now await final determination.
NSW Origins Legends	Res. 192/13 Ord. Mtg. 6/6/2013	That consideration of the submission from the NSW Origin Legends be deferred until the September quarterly budget review.	This matter will raised again at the September quarterly budget review
Mudgee Civilian Rifle and Small Bore Club	Res. 193/13 Ord. Mtg. 6/6/2013	That consideration of the submission from the Mudgee Civilian Rifle and Small Bore Club Inc be deferred	This matter will raised again at the September quarterly budget review
Frontline Community Services	Res. 194/13 Ord. Mtg. 6/6/2013	That consideration of the submission from Frontline Community Services be deferred until the September Quarterly Budget Review.	This matter will raised again at the September quarterly budget review

SUBJECT	RESOLUTION NO. & DATE	RESOLUTION	ACTION
Welcome Signs	Res. 278/13 Ord Mtg. 24/7/2013	<ol style="list-style-type: none"> 2. Council publicly exhibit the proposed designs and invite comment from the community; 3. Council approve the purchase of 12 signs to be installed at the following locations: <ul style="list-style-type: none"> - Rylstone at two locations - Gulgong at four locations - Mudgee at three locations - Kandos at three locations 4. Council allocates a further \$15,000 in the 2013/14 budget to fund all twelve signs to be installed and this budget adjustment be prioritised at the September quarterly budget review. 	A report is included in this business paper.
Rylstone Aerodrome – Section 94 Contribution and Rates	Res. 299/13 Ord Mtg. 07/08/13	<ol style="list-style-type: none"> 1. The report by the Director, Development and Community Services on the Rylstone Aerodrome – Section 94 Contribution and Rates be received 2. Consideration of request by the developer for deferment of the payment of Section 94 contributions and rates be deferred subject to a further report from staff with options. 	A Report is included in this business paper
Purchase of Medical Centre, Gulgong	Res. 327/13 Ord Mtg. 21/08/13	<ol style="list-style-type: none"> 2. the General Manager seek further information on the purchase price, ways of attracting and retaining doctors and financial implications of sourcing grants to fund the purchase of the Gulgong Medical Centre located at 87 Mayne Street, Gulgong. 	A letter has been sent to the respective parties seeking the information requested by Council. No response has been received to date.
Events Management and Financial Assistance Budget	Res. 328/13 Ord Mtg. 21/08/13	<ol style="list-style-type: none"> 4. during the next Quarterly Review, Council increase the funding to the Events Management and Financial Assistance budgets. 	This matter will raised again at the September quarterly budget review

SUBJECT	RESOLUTION NO. & DATE	RESOLUTION	ACTION
General Manager's Performance Agreement 2013/14	Res. 333/13 Ord Mtg. 21/08/13	<ol style="list-style-type: none"> 1. the report by the Mayor on the General Manager's Performance Agreement 2013/14 be received; 2. consideration of this matter be deferred. 	This matter was again deferred. A further report is expected at the 16th October meeting.
Cobbora Holding – Voluntary Planning Agreement	Res. 345/13 Ord Mtg. 04/09/13	<ol style="list-style-type: none"> 3. the General Manager commence immediate discussions with Cobbora Holdings to endeavour to negotiate the inclusion of the upgrade of the rail level crossings in Gulgong and funding for the upgrade of the Upper Mebul Road in the Voluntary Planning Agreement. 	Request has been made to Cobbora Holdings. They will include the rail crossings in the VPA but not Upper Mebul because the traffic numbers are minimal. A copy of that letter will be attached to the report when this matter is referred back to Council

Item 5: Mayoral Minute

Nil.

Item 6: General Business

6.1 Notices of Motion

There are no Notices of Motion.

6.2 Reports

6.2.1 Presentation of Financial Statements 2012/13

REPORT BY THE DIRECTOR, FINANCE & ADMINISTRATION TO 3 OCTOBER 2013 COUNCIL MEETING

Fin Stats 2013

GOV400029, A0100056, FIN300066

RECOMMENDATION

That the report by the Director, Finance & Administration on the Presentation of Financial Statements 2012/13 be received.

Executive summary

Council's 2013 general purpose and special purpose financial reports have been audited and submitted to the Division of Local Government. Council's Auditor, Mr John O'Malley of Intentus Chartered Accountants (formerly Morse Group), will make the public presentation of the financial reports at the 3 October 2013 Council meeting.

Detailed report

In accordance with Section 419 of the *Local Government Act 1993*, Council must present its audited financial reports together with the Auditor's reports at a meeting of the Council. Council has requested the Auditor to attend this meeting. Public notice of the meeting has been given in the approved form, in accordance with Section 418(3) of the Act.

Section 418 of the Act requires that the public presentation of the audited financial reports must not be more than 5 weeks after the auditor's reports are given to Council. The date of the Auditor's report is 30 August 2013, and the public presentation falls within the 5 week timeframe.

As per Section 420, any person may make a submission to Council regarding the audited financial reports or the Auditor's reports. Any such submissions must be in writing and must be lodged with Council within seven days of the reports being publicly presented. Council must ensure that copies of all submissions received by it are referred to the Auditor. Council may take any such action as it considers appropriate with respect to any such submission, including the giving of notice to the Director-General of any matter that appears to require amendment of the Council's financial reports.

Copies of the financial reports are available for inspection at the Mudgee, Gulgong and Rylstone Administration Centres. A copy of the report has also been placed on Council's web site. Copies of the reports have been distributed to Councillors.

Financial implications

Not applicable.

Strategic or policy implications

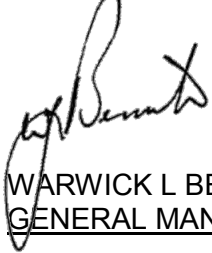
Not applicable.

CLARE PHELAN
DIRECTOR, FINANCE & ADMINISTRATION

17 September 2013

Attachments: 1. A copy of the audited financial reports were presented to Councillors as a separate document on the 9th September. If you require a further copy please request from the General Managers Department.

APPROVED FOR SUBMISSION:



WARWICK L BENNETT
GENERAL MANAGER

6.2.2 DA0327/2013 Extension of an Existing Swim School (Recreation Facility), Lot 2 DP 533466, 87 Short Street, Mudgee

REPORT BY THE TOWN PLANNER TO 3 OCTOBER 2013 COUNCIL MEETING
DA0327/2014 Extension of an Existing Swim School (Recreation Facility).
GOV400029, A0100056, P131706

RECOMMENDATION

That:

1. **the report by the Town Planner on DA0327/2013 for the extension of an existing Swim School (Recreation Facility), Lot 2 DP 533466 at 87 Short Street, Mudgee be received;**
2. **the Development Application 0327/2013 for the extension of an existing Swim School (Recreation Facility), Lot 2 DP 533466 at 87 Short Street, Mudgee be refused for the following reasons:**
 1. **The proposed development is inconsistent with the objectives of the R3 Medium Density Residential zone under the Mid-Western Regional Local Environmental Plan 2012 as it does not provide for additional residential housing.**
 2. **The proposed development is inconsistent with the objectives of the R3 Medium Density Residential zone under the Mid-Western Regional Local Environmental Plan 2012 as non-residential land uses are only permitted where they meet the day to day needs of residents.**
 3. **The proposed development is inconsistent with the objectives of the R3 Medium Density Residential zone under the Mid-Western Regional Local Environmental Plan 2012 as the proposal will create land use conflict in the zone by expanding a commercial style development in a residential area.**
 4. **The proposed development does not provide for adequate onsite car parking in accordance with Council's Comprehensive Development Control Plan 2013.**
 3. **The proposed development is likely to impact on surrounding residences in terms of noise and traffic.**
 4. **The proposed development will have a negative social impact on the area by affecting the Residential amenity of adjoining and surrounding landholders as detailed in the numerous submissions that were received objecting to the development.**
 5. **The existing facility encroaches onto adjoining land and the property has structures located upon it that have not obtained development consent.**

Executive Summary

The Development Application seeks approval for the extension of an existing swim school on the site from 6 persons using the facility at any one time to a total of 20 persons. The application is reported to Council due to the number of submissions that have been received and the recommendation for refusal.

The nature of the use and development is such that it must be classified as a Recreation Facility under the definitions of the Mid-Western Regional Local Environmental Plan 2012. The development is considered to contravene the objectives of the R3 Medium Density Residential zone and the provisions of the Development Control Plan 2013. The proposed development is also likely and does currently impact on the amenity of adjoining residences.

The proposed development also contains unauthorised building work and these structures also encroach onto an adjoining property.

Primarily the development will create conflict within the zone by impacting on the quiet and residential amenity expected in the area by surrounding residents as well as having traffic implications associated with it.

A total of six submissions, including a petition signed by nearby residents, have been received objecting to the application and is evidence of the adverse impact on amenity. A total of six submissions were received in support of the Development Application.

Whilst it is acknowledged that the facility provides for an important community service to its users, it must comply with the necessary standards and codes to be considered acceptable. The proposal has issues with regard to parking, structural adequacy of the building and building encroachment.

The proposed development is considered to be located in an area where the extension cannot be supported.

Detailed report

PROPOSED DEVELOPMENT:

The application seeks approval for the extension of an existing swim school. The original approval was for a maximum of 6 persons per class.

Condition No 5 of the original Development Consent No M0336/01 is as follows:

“The swimming school is approved as a ‘small scale’ development. Should it be proposed to intensify the development to cater for more than 6 persons at any one time, on a regular basis, a separate Development Application will be required.”

This Development Application is lodged to seek approval for a maximum of 20 swimmers at any one time to use the facility.

Council has been investigating the matter for some time and has requested that the applicant either comply with the original consent or seek approval for the extended students. Complaints have been received that indicate that in excess of 20 students can be utilising the service at any one time.

To ensure the structural adequacy of the buildings onsite, Council requested that a certified Structural Engineer’s Report on the existing building from a registered Structural Engineer be submitted. This has not been forthcoming.

ASSESSMENT:

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

1. REQUIREMENTS OF REGULATIONS AND POLICIES:

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

The site is zoned R3 Medium Density Residential under the Mid-Western Regional Local Environmental Plan 2012 (MWRC LEP 2012) and the proposal is defined as a Recreation Facility.

Objectives of Zone

The objectives of the R3 Medium Density Residential zone are depicted below.

Objective	Planning Comment
To provide for the housing needs of the community within a medium density residential environment.	The provision of a commercial development on the site does not support the residential use of the site.
To provide a variety of housing types within a medium density residential environment.	As detailed above.
To enable other land uses that provide facilities or services to meet the day to day needs of residents.	The proposal does not provide a service that meets the day to day needs for the community and is out of scale with the residential zone.
To encourage higher-density residential development that is sympathetic to and compatible with the existing character of the Mudgee Heritage Conservation Area.	The development will create conflict in the zone through amenity, environmental and traffic impacts. Numerous submissions have been received objecting to the development on the basis of the traffic safety issues it causes along Short Street.

Part 6 Additional Local Provisions

- No other local provisions apply to the proposed expansion of the recreation facility.

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

Development Control Plan 2013

The *Part 3 Discretionary Development Standards: Residential Development* apply to the proposed development as the site is located in a Medium Residential Zone, not a Commercial or Industrial zone.

The proposal is assessed against the relevant provisions of Part 3.1 as follows:

Part 3.1 Residential Development	Requirement	Compliance/ Comment
Building Setback	• Setbacks compatible with desired streetscape.	Front setback complies.
	• Side & rear setbacks no unreasonable	Rear and side setback of the facility does not comply as it

Part 3.1 Residential Development	Requirement	Compliance/ Comment
Site Coverage	<ul style="list-style-type: none"> Appropriate bulk and scale for existing residential surrounds. 	<p>encroaches 0.75 metres over the adjoining property on the western boundary.</p> <p>Does not comply. Bulk and scale are not appropriate. The facility has an area of commercial scale proportions. By contrast the largest shed permissible for Residential areas under the DCP is 120 metres squared.</p>
Parking	<ul style="list-style-type: none"> Adequate off-street parking to maintain safe operation of local road network. 	<p>Does not comply. The site has an area of 1173 metres squared all taken up by the facility and existing dwelling which cannot accommodate any car parking onsite. Under the proposed expansion a total of 20 onsite car parking spaces would be required to service the development. Currently all vehicles using the facility are required to park on the street causing numerous concerns with surrounding neighbours.</p>
Landscaping	<ul style="list-style-type: none"> Landscaping enhances quality of built environment. 	<p>Does not comply. No replacement or additional landscaping is proposed.</p>
Outbuildings	<ul style="list-style-type: none"> Outbuildings must not negatively affect amenity of streetscape or adjoining properties. 	<p>Does not comply. Bulk and scale is considered inappropriate. The facility is of a commercial scale. By contrast the largest shed permissible for Residential areas under the DCP is 120 metres squared.</p>
Design Principles	<ul style="list-style-type: none"> Design responds to needs of local community in terms of lifestyles, affordability and access to social facilities. 	<p>Does not comply. It infringes on the residential amenity expected in the area, particularly amenity and safe traffic movements along Short Street. Numerous objections to the development from surrounding landowners have</p>

**Part 3.1 Residential
Development**

Requirement

Compliance/ Comment

been received to this effect.

2. IMPACT OF DEVELOPMENT

(a) Context and Setting

The expansion of the existing swim school will not enhance the context and setting of the area. It seeks to expand a relatively low impact commercial development to a larger scale commercial development with significant impacts. It is argued that the development would be more suited in a designated commercial or industrial zone.

(b) Access, transport and traffic

The development is not acceptable on the site in respect of access and traffic as no onsite parking of vehicles is possible. Current arrangements have vehicles parking across driveways, causing of significant concern to a number of residents. If any increase in numbers of the swim school were to be approved, the matter of parking would be required to be addressed by the Local Traffic Committee.

(c) Public domain

The movement and parking of vehicles along Short Street will affect the public domain by causing traffic implications and making it unsafe for other vehicles, particularly those associated with residential uses for which the area is zoned.

There is also an issue with regard to the existing building being built over the western boundary. To rectify this issue, a boundary adjustment would need to be carried out in order to have the building located totally within the boundary. It is understood negotiations with the neighbour are underway in order to have this rectified.

(m) Noise & vibration

The extra drop off and movement of vehicles along Short Street will generate noise that may detrimentally affect the quiet amenity of surrounding residents expected in a Residential area.

(q) Social impact in the locality

The site and surrounding properties are zoned Residential. The social expectation associated with these lots and distilled in the zone objectives is that they provide residential lots with quiet and scenic amenity. The proposed development conflicts with this expectation in that it extends a commercial use in the area and requires many vehicles to utilise Short Street. Numerous submissions have been received to the development as evidence of this issue.

(u) Construction

It is acknowledged that building extensions have been undertaken onsite without Council approval. To rectify this and to ensure the structural adequacy of all buildings onsite, it is suggested as a separate matter to the Development Application that the proponent obtains a Building Certificate. For this to be achieved the building would have to be deemed structurally sound from a registered Structural Engineer and the boundary encroachment matter rectified.

3. SUITABILITY OF SITE FOR DEVELOPMENT

(a) Does the proposal fit in the locality

It is considered that the proposed expansion of the existing facility to a maximum of 20 persons at any one time does not fit in the locality. It extends a commercial scale use and development in an existing residential area. The development would be more suitable in an industrial or commercial area.

(b) Are the site attributes conducive to development

The site attributes are not conducive to the development in that the proposal is an expansion of a commercial premise in a Residential zone. If the development operates under the previous approval it is seen to be conducive to the locality having a maximum of 6 persons using the facility at any one time, however an expansion to a maximum of 20 persons using the facility at any one time is out of context with the locality.

4. SUBMISSIONS MADE IN ACCORDANCE WITH ACT OR REGULATIONS

(a) Public Submissions

The Development Application was notified to owners of adjoining properties for a period of two weeks. During the notification period a total of six submissions were received from surrounding landowners objecting to the development and a total of six submissions in favour of the proposed expansion of the facility.

The concerns of the submissions are summarised and addressed below:

Concern	Planning Comment
The proposal does not meet the objectives of the zone and the proposed scale of the swim school facility is too large.	The development does not meet the objectives of the zone as discussed elsewhere in the report.
Insufficient onsite car parking spaces.	The limitations of parking available out the front of the premises poses a problem with regard to adequate car parking facilities. The proposed expansion does not meet with the Car parking requirements of the DCP and as such should be recommended for refusal.
The expansion will cause noise and amenity issues that will adversely affect the quiet amenity expected by adjoining residents in a Residential area.	The development does have the potential to affect surrounding residences in terms of noise. The impacts could be substantial as the time and frequency of traffic movements could not reasonably be controlled if approved affecting the amenity of the locality.
The structural sufficiency of the building.	The structures located onsite have not been approved by Council and the structural adequacy has not been proven and a Building Certificate should be applied for, for any continuation of use.
Other rubbish and amenity issues associated with the facility.	Neighbours have indicated rubbish and other issues affect their amenity living in a residential neighbourhood. These associated issues represent that the development has particularly outgrown its site.

The matters of the submissions in favour of the proposed expansion are summarised and addressed below:

Matters	Planning Comment
The facility provides a worthwhile service to the community.	It is acknowledged that the facility does provide a worthwhile service to the local community. This application relates to the use of a residential property and the use should be encouraged to develop in a commercial or industrial area.
The facility provides a necessary service to the elderly users. People with arthritic complaints or similar conditions would suffer if this facility was not available.	The facility does provide for an aqua aerobics class and it is acknowledged the facility could continue to do so to a maximum of 6 persons using it at any one time.
Most parents are dropping their children off for training and do not require car parking at all.	It is acknowledged that some swim school users of the facility are dropped off and picked up not requiring car parking, although a minimum of car parking must be provided and in this case no onsite car parking is provided.
Closure of the pool or reduction of services would affect many in our community.	Council must consider any application on the merits of the development proposal. In this instance, while the service it provides is beneficial, the shortcomings outweigh the benefits.
The facility provides a pool that enables local swimmers to train for up to 8 months of the year in a controlled environment.	The facilities use and patronage is acknowledged. These services could be provided at a facility in a more acceptable location.
Quite apart from the many 'seniors' who attend the pool there are, of course, learn to swim classes for children and training for promising local swimmers – all with professional, qualified instructors.	The facilities use and patronage is acknowledged. These services could be provided at a facility in a more acceptable location.

(b) Submissions from public authorities

No submissions were received from public authorities in relation to the development.

5. THE PUBLIC INTEREST

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

The development will not affect any Federal interests. However, it will affect state and local government interests by contravening the provisions of a Local Environmental Plan.

6. CONSULTATIONS

(a) Health & Building.

The Health and Building Department has also indicated that prior to any further use of the facility, the proponent should obtain a Building Certificate issued under the Environmental Planning & Assessment Act – Section 149D. This would require the building encroachment issue to be corrected and a Structural Engineer's Report submitted for the onsite buildings.

(b) Development Engineer

Advised that if the Development Application were to be approved, the application would have to be referred to the Local Traffic Committee for consideration of the parking.

The proponent has requested the following in response to the overflow parking problems associated with the facility:

“As pre-school and water aerobic classes are held in the morning when most residents are at work and many parents drop off and pickup children for the 4.20pm and 5.00pm lessons, to better manage the road space, rear to kerb parking from my place to the corner, a sign reading DROP OFF ZONE – RESIDENTS ONLY PARKING and lines marking driveways may help.”

The Development Engineer also advised that the proposed expansion of the recreation facility would require the amount of 20 car parking spaces located onsite.

Financial implications

Not applicable.

Strategic or policy implications

Not applicable.

Options

1. Approve the Development Application, subject to conditions of consent.
2. Refuse the Development Application, subject to reasons for refusal and the facility revert back to the existing approval for a maximum of 6 persons at any one time using the facility.
3. Approve the Development Application, subject to a deferred commencement consent that addresses the structural adequacy and car parking issues.

DOUGLAS SELEMS
TOWN PLANNER



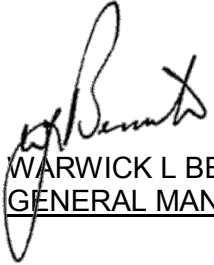
CATHERINE VAN LAEREN
DIRECTOR DEVELOPMENT AND
COMMUNITY SERVICES

20 September 2013

Attachments:

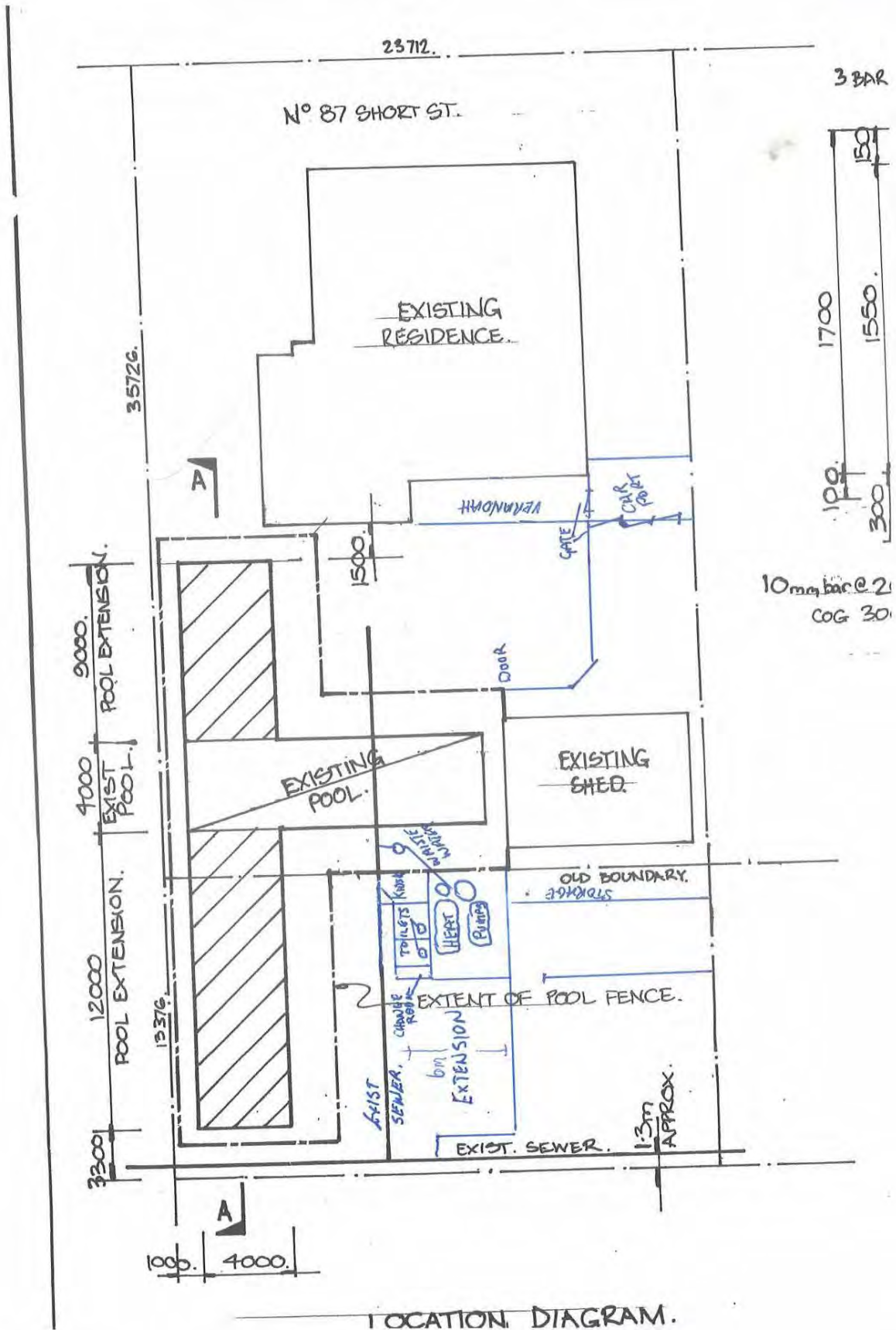
1. Locality Plan,
2. Development Plans,
3. Submissions.

APPROVED FOR SUBMISSION:



WARWICK L BENNETT
GENERAL MANAGER



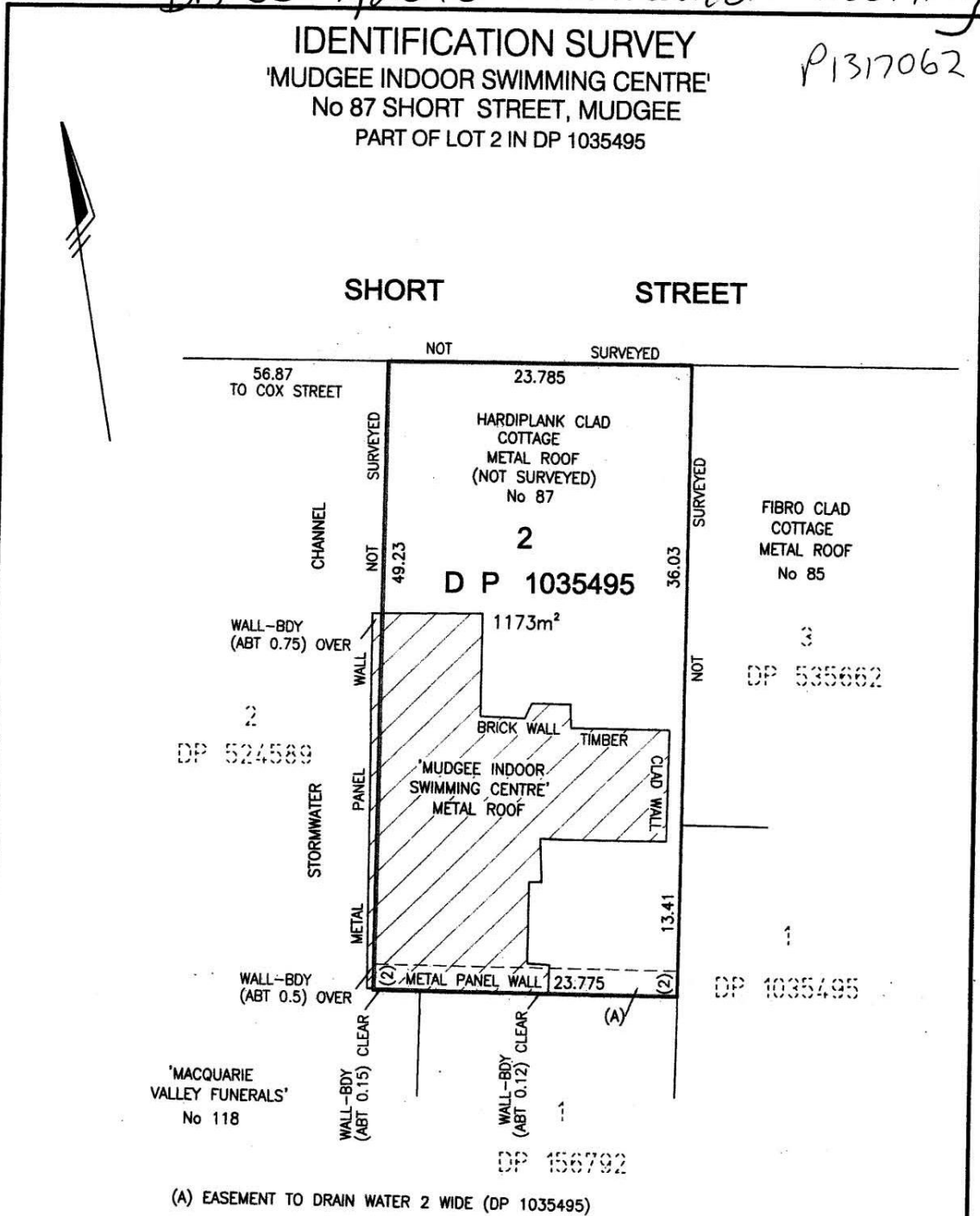


LOCATION DIAGRAM.

DA 0327/2013 - Recreation facility

IDENTIFICATION SURVEY
'MUDGEES INDOOR SWIMMING CENTRE'
No 87 SHORT STREET, MUDGEES
PART OF LOT 2 IN DP 1035495

P1317062



THIS IS THE SKETCH REFERRED TO IN OUR
REPORT WITH REFERENCE: H639MU

REGISTERED SURVEYOR
Whelans Insites

[Signature]

DATED: 6.10.2011
CAD REF: H639MU-001.dwg

PREPARED BY:



Whelans Insites Pty Ltd
ACN: 088 148 743

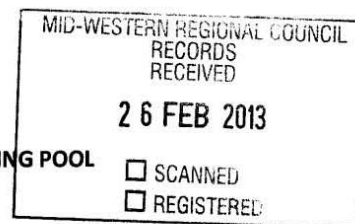
Level 12, 80 Clarence Street
Sydney, NSW 2000
DX 288 Sydney
t: 02 8234 8300
f: 02 8262 6511

insites.com.au

Your Ref: P131706
Mrs C Van Laeren
Group Manager
Development and Community Services
Mid-Western Regional Council

26 February 2013

**DEVELOPMENT APPLICATION: 0327/2013 EXISTING INDOOR SWIMMING POOL
87 SHORT STREET MUDGEE**



Dear Mrs Van Laeren, ATT: Mr Douglas Selems

I refer to your letter dated 7th February 2013 regarding the above application to normalise the use of the existing and extended commercial indoor swimming centre located at the above address.

Over the years that the pool has operated I have observed the construction of numerous additions to the development. Most of which appeared to be erected in an ad hoc manner and not in compliance with good building practise.

Whilst I have no objection to the development's continued use I would like to make the following submission.

- a) That a privacy screen of sufficient height and width be erected on the rear boundary of the development between my shed and my garage in order to screen the development and its activities from my view. In this respect I would appreciate an on-site inspection with you to discuss its size.
- b) That a report be obtained from a practising Professional Structural Engineer certifying the structural sufficiency of the building including all detached structures associated with the development to ensure that they comply with the requirements of the Building Code of Australia.
- c) That the building be upgraded to comply with the relevant Parts of Section E of the Building Code of Australia.
- d) That the development be restricted to its existing size and not further expanded.

I would appreciate being advised of Council's determination of this application and of the inclusion of these conditions in any approval.

Yours faithfully

Mrs E Nelson



56 Short St

MUDGEE NSW 2850

12TH February 2013

Phone 63723050

General Manager,

Mid-Western Regional Council

PO Box 156

MUDGEE NSW 2850



RE: Development Application DA0327/2013 – Proposed Indoor Swimming Centre

87 Short Street Mudgee NSW 2850 Lot 2 DP 1035495

Dear Sir,

In reply to your letter to me dated 7th February 2013 I wish to make a submission requesting a review of the above Development Application with regard to stated parking requirements.

I have a number of concerns with the abovementioned Development Application which I will explain in this letter.

- Firstly I have lived at my current address which is directly opposite the swimming centre for the past 25 years. In that time I have enjoyed a quiet street with very good neighbourly relations including with Mick O'Sullivan. I have always endeavoured to give a helping hand when needed as has Mick. Whilst my wife Roz and I are very happy that Mick has been able to use his skills as a swimming teacher to help everyone in our community with his learn to swim programs we also feel that over time the demand on his centre has grown to the point that it has quickly out-grown our neighbourhood. As he has already stated, his business has grown, hence the need for a larger pool for more students. With this larger demand for a bigger pool and more instructors we have definitely noticed longer hours beginning as early as 9 am for the oldies. With the greater demand many more cars are requiring parking, not only outside Mick's residence but outside many others including ours.

Other concerns of ours include:-

- A noticeable increase of rubbish being left behind in our street by parents of the young ones going to Mick's for learn to swim lessons.
- The difficulty we continue to have with regard to entering and exiting our property. This has been especially so when I am trying to enter or exit with my work vehicle and attached

trailer. We are very aware that a tragedy could easily occur with unsupervised youngsters exiting Mick's premises and running across the road to their cars. I have very nearly collided with other vehicles (the local Highway Patrol vehicle no less) on more than one occasion whilst trying to exit my own property. The reason being that I had to pull out into the middle of the road outside of my property to gain vision past four wheel drives parked directly in front of my home and very near to our driveway. Whilst I am aware there is no law against people parking in a public street outside of my property, my point is that there are so many vehicles due to Mick's Learn to Swim classes. Hence my concerns.

- What might seem as a minor complaint to some but is a real one to us is the fact that due to cars parking right over the footpath directly outside of our house we are unable to mow the nature strip whilst Mick's patrons are parked there. My wife and I are very house proud residents and it annoys us that we are unable to go about our daily business in an orderly and timely manner whenever we wish to. We feel our daily routine is increasingly being influenced by Mick's rapidly growing business.

We appreciate the opportunity to submit our submission with regard to the above Development Application and we do not have any personal grudge against Mick or his business. We understand that all of us as residents of Mudgee have to abide by our local council laws and as this is a residential area my wife and I are very concerned that Mick has been able to grow his business to the detriment of his neighbours for quite a while now. We feel very strongly that our arguments against this proposed Development Application should be taken into consideration.

As per the instructions in your letter to me regarding following up my submission I wish to notify you that I will be seeking an appointment immediately after the conclusion of the public notification period and will be seeking information regarding your decision in relation to this matter.

I thank you for your time in this matter and am hopeful of a mutually beneficial result for all involved.

Yours faithfully



Larry Armstrong

Helen Doble & Dave Blinkhorn
83 Short St
Mudgee NSW 2850
H: 6372 7269 **M:** 0402 715 879
PO BOX: 484 Mudgee 2850

26/02/2013

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



Dear Mr Bennett

Re: Development Application 0327/2013 – Indoor Swimming Centre 87 Short St Mudgee NSW 2850 Lot 2 DP 1035495

As residents of 83 Short St for the past 11 years we would like to state our opposition to Mick's Learn to Swim **operating with its current level of customers**. We bought our home in a quiet street with no signage visible of the swim school at that point. We have always over the years had a reasonable relationship with Mick and Jo and our children have used the service for a very short time when they were younger. Having previously worked as a swim teacher I understand its importance, our opposition is not about what business is carried out at Mick and Jo O'Sullivan's residence, but what is a reasonable number of clients for this commercial home based business to have with consideration to the amount of traffic and the parking it is currently generating. Over the years and in particular the last two, the number of people accessing Mick's Learn to Swim has increased significantly. Mick O'Sullivan acknowledges this.

This recent Development Application states why a swim school is necessary, what he is currently doing at the swim school, and that the parking he generates is an issue and how Council could possibly manage it for him. I can only assume that Mick O'Sullivan is asking to continue operating at his current customer level. In this DA Mick states that the original DA approved by Council was for approximately 18 students and three instructors at any one time. I phoned Council to clarify this and was told Mick's Learn to Swim currently has Council approval for 6 students at any one time with 3 instructors able to share this number. Mick has outlined the current approximate numbers for his Monday to Friday 6 pre-school classes and 4 after school classes; with about six kids in each class; 2 instructors for the pre-schoolers; and 4 instructors for the older kids. So that in itself is 168 customers coming to Mick's Learn to swim in one day without adding to the total any people who attend swim squad (evening - 3/days per week 20 plus kids), training sessions, regular water

aerobics classes, adult learn to swim, rehabilitation and occasional village schools sessions. Majority of children regardless of time are accompanied by an adult who drives a vehicle. Combine that with the lesson rotation being on the half hour basis that is a lot of vehicles coming and going at any one time.

We object to the proposed development on the following grounds:

- Micks Learn to Swim is a commercial business in a residential area, albeit with an important job to do, which generates a lot of traffic and creates parking issues for some residents. It appears to breach the parking guidelines in the MWRC Development Control Plan. Mick acknowledges the growth in his business over the last couple of years, but denies that concerns raised by some residents directly with him are his problem. He has stated to me with regard to traffic and parking that "It is not my problem and you should ring the parking inspector if you have an issue!" So I did.
- The combination of small children and that many cars does concern me. Even though kids are usually accompanied by adults to their swim lesson we all make mistakes. Last week around 4pm as I waited for a park out the front of my house I noticed two dads talking on Micks veranda whilst a four year old attempted to restrain a toddler from crossing the road. They were out in front of the parked cars before the toddler resisting the boy pulling him back started to scream and dad ran and scooped the toddler up.
- There can be up to 30 cars at any one time parked on this section of Short Street as close as possible to Micks Learn to swim. Lessons rotate on the half hour, people are often in a rush with cars coming and going. It can be chaotic!
- Most of Mick's Learn to Swim customers park rear to kerb whilst most residents park parallel. The parking out the front of our house is legally parallel and we support this style of parking. Recently I was told by an acquaintance who is also a customer of Micks that people thought residents just parked parallel to "piss off" his customers.
- Mick has been operating well and above the Council approved number of 6 clients at any one time for a long while. He keeps accepting new learn to swim clients with full knowledge of Council restrictions.
- The Location Diagram attached to the DA shows there isn't much land space left on the property at 87 Short St for any future provision of off street parking. The current driveway provides the main access to the Swim School
- Customers sometimes park across our driveway obstructing access to our yard. On occasion we have had to go into the Swim Centre and ask people to move their vehicle. I have also on occasion been parked in by rear to kerb parkers at the front and back of my vehicle.
- We used to use our front veranda and side area of our home quite regularly. In the last couple of years and with our house frontage quite close to the road and the increase in numbers and the hours of operation at the Swim School we tend to use it rarely. We prefer listen to Mick's bellowing voice out in the backyard then the traffic out the front of our house.

- Recently I spoke to a local Real Estate Agent and he agreed that the amenity of this area is affected by traffic and parking issues created by Mick's Learn to Swim. People want quiet locations to live in. He said that it just makes a place harder to sell and potential clients who see traffic like that tend to look elsewhere.
- Less of a problem:
 - Rubbish left from Mick's Learn to Swim clients- from dirty nappies, undies, drink bottles, chip packets etc etc
 - Kids peeing in the gutter – there is a toilet at Mick's
 - Traffic noise – This has already had its effect, we rarely sit out the front anymore.

Mick does display signs in the swim centre to not park in people's driveways. I am fully aware that Mick cannot possibly control his customers parking behaviours but he does add fuel to the fire; by accepting more and more customers (demand doesn't always mean that you can match it); by not seeking Council approval for the numbers of clients he is operating at and before parking became a real issue; by buying bollards for the neighbour across the street who then gets harassed by Micks customers for having them near his driveway (lots of complaints to Council for the neighbours use of the bollards which Mick bought); Micks recent petition to preserve/save Mick's Learn to Swim because neighbours had complained to Council.

I would urge Councillors to not approve the above mentioned DA for Micks Learn to Swim to operate at its current approximated customer level. We have been very reasonable over the past 11 years to Mick's Learn to Swim and regrettably we are not as comfortable in our home as we used to be. All well and good for communities to grow and prosper but whether it be a swim school, a medical centre, or a gymnasium in a residential area there are proper channels to go through. If Mick had done this in the first place we may well not be in this predicament. What happens from here on in is between Mid-Western Regional Council and Mick's Learn to Swim.

Yours sincerely,



Helen Doble & David Blinkhorn – 83 Short St Mudgee

John Kaus
PO Box 1022
Neutral Bay NSW 2089
0427 726439

The General Manager
Mid-Western regional Council
By Fax: 02 6378 2815

February 24, 2013

Dear Sir

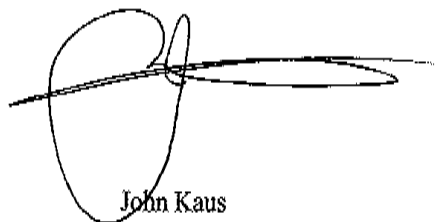
Development Application DA0327/2013 – 87 Short Street Mudgee

I am the owner of 118 Market Street Mudgee, the property that adjoins 87 Short Street on the western side.

I wish to make the following submissions concerning the Development Application currently being considered by Council.

- It is my understanding that an existing structure previously constructed on 87 Short Street encroaches on my land by between 0.5 and 0.75 metres. The solicitor for the owner of 87 Short Street has contacted me and informed me that they are in the process of writing to me concerning the encroachment. I would request that Council take this encroachment situation into account when considering the Development Application;
- I am very concerned about regular blocking of my driveway to Short Street by visitors to the business operating at 87 Short Street (Indoor Swimming Centre). It is my understanding that a number of property owners in Short Street have similar concerns regarding blocking of their driveways. I would request that Council take this concern into account when considering the Development Application.

Yours sincerely



John Kaus

48 Short Street.
Mudgee.
2850

The General Manager.
Mid-Western Regional Council.
re. The Development application 0327/2013 - Indoor
Swimming Centre. 87 Short Street. Mudgee. LOT 2 DP 1035495

Dear Sir,

We are residents of Short Street & have been for 32 years.
We have had concerns for some time regarding the numbers
of cars coming & going from the swimming centre, our
other concerns are the safety of the children, we have seen
some children run out between cars & feel it is an
accident waiting to happen, also it is parallel parking in
our area & the majority are parking angle to the curb.
We realise there is a lack of an indoor aquatic facility
in Mudgee but our area is residential & we feel a
swimming centre would be classed as a commercial
enterprise



Thanking you.
Daren & Michael Bennett.



PARKING- SHORT ST MUDGEE

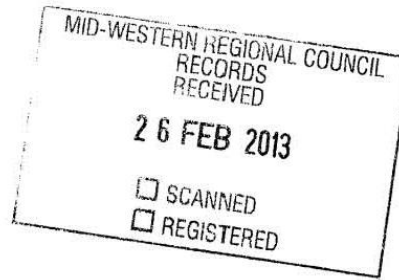
The names listed below are of residents who are willing to be contacted by Mid-Western Regional Council in relation to vehicle numbers and parking in Short St Mudgee which is primarily a result of Mick O'Sullivan's Learn to Swim School at 87 Short St Mudgee. At peak times it is estimated that the number of vehicles coming to this business are 150 to 200 per day. Listed residents support continued parallel parking in the vicinity; would like easy access to their own properties; and have grave concerns for the number of young children coming and going at any one time. Some residents listed below have spoken to Mick O'Sullivan regarding their concerns, to which they have been told "It is not my problem!" We therefore request Council to look into this matter.

NAME	ADDRESS	PHONE	SIGNATURE
Helen Doble + Dave Blinkhorn	83 Short St " " "	63727269 0414985078	
L & R ARMSTRONG	56 Short St.	0407455067 63723050	
B MUNRO	3/81 SHORT ST	0431562511	
J SCHWSTONE	1/81 SHORT ST		
M BRANNA	84 48 Short St	63721638	
K BRIDGES	2/81 SHORT ST	0450147578	
L FAUCETT	81 SHORT ST	0487148524	
J MADIGAN	85 Short St	0408907068	
STAYLOR	79 Short St	0437935513 63723008	

60 Short Street
MUDGEES NSW 2850

22 February 2013

Ms Catherine Van Laeren
Group Manager
Planning & Development
Mid-Western Regional Council
P O Box 156
MUDGEES NSW 2850



Dear Ms Van Laeren

RE: DEVELOPMENT APPLICATION 0327/2013 INDOOR SWIMMING CENTRE

Thank you for your letter dated 7 February regarding the Development Application above. As near neighbours of the current swimming centre we would like to say that we certainly have no objections to it and that it being there causes us no problems or offence. As far as we can determine it provides a very worthwhile service to the community - especially to children. There is very little noise coming from the centre and children always seem to be accompanied by an adult who watches out for their safety as they move to and from vehicles.

The only comment we would make is regarding parking in the street. As there is no signage in this block, there seems to be general confusion about the way cars should be parked. Some residents park their vehicles parallel to the street, whilst visitors (mainly to the swimming centre) angle park. Perhaps signage (as in the block further up where Countryfit Gym is located) indicating the correct method of parking would assist.

The street is quite wide so to us it would seem appropriate for angle parking other than where the street narrows (outside our place) with parallel parking on the northern side there and angle on the southern side - again similar to the block outside the gym where parking is different on either side.

We have never seen any problems with traffic (certainly there is not the volume of cars that park outside the gym) and no one has ever parked across either of the entrances to our drive-way. We do go walking quite a lot (sometimes morning, sometimes evening) and have never observed anyone associated with the swimming school being offensive or creating a problem in the neighbourhood.

Yours faithfully

Philip and Judy Blackman

13 Stockman Dr
Mudgee 2850
23rd January 2013

I have been attending water aerobics at Micks pool for the last 18 months, I had sustained a knee injury and having no success with other treatment, tried water aerobics, because of it being a low impact exercise.

This has allowed me to continue to work, I'm not ready to retire at this stage and it has allowed me to continue with my working life as long as possible.

Jill Hall



Ack ✓

2/170



1 Lady Court
Mudgee.
22. 1. 2013

To whom It May Concern.

I am writing in regard to "Mick's team to swim" run by Michael Sullivan of 87 Short Street, Mudgee.

It makes me sad & angry to think people around this venue can complain re- the cars parking in public streets.

They (the residents) are complaining re- the parking in front of their homes & driveways.

If they see people park in their driveways why can't they, (the residents) approach these people themselves.

I have not witnessed anyone parking in driveways, BUT I have witnessed on Monday & Thursday mornings where the residents have left their vehicles, trailers etc parallel parked in front of their residence so people cannot angle park safely. I have also witnessed "witches hats" being placed out on the street so no one can park in front of their residence.

I am 70 yrs old. I belong to the Aqua Aerobic group where I participate in gentle exercises for 1 hr twice a week (Mon, - Thurs.)

I have been attending these classes for the past 5 yrs. I have a medical condition which limits me in the type of exercise I can do.

My local doctor & Rheumatologist have both recommended Aqua Aerobics.

Health professionals are urging everyone

2

in diet & exercise, especially the elder people.

These classes are beneficial & help older members of our community.

This indoor venue not only is beneficial but helps us to be out of the elements of the weather.

Our Public Pool is not suitable as it is outside, too deep in places & we would not be able to use it every week. Also the element of the weather would not be good to our elder members.

Our PCYC pool to which I also attend 5 mornings a week is a Hydrotherapy Pool & the temperature is set to a standard temperature for physiotherapy exercises, too hot for Aquaerobics.

Michael Sullivan does a fantastic job in teaching our children & grand children to swim & at the same time is looking after our needs as well.

It's everyone's priority to have our children taught to swim for their safety in life.

Mudgee has excellent swimmers who excel at swimming carnivals who are coached by Michael Sullivan.

Please do not close down a much needed venue because of a complaining few.

Thankyou.

Yvonne Benson.

Mudgee Indoor Swimming Club
C/- Mudgee Indoor Swimming Centre
85 Short st,
Mudgee NSW 2850

Catherine Van Laeren
Mid-Western Regional Council
86 Market Street
PO Box 156
Mudgee NSW 2850



Thursday 24th January 2013

Dear Madam,

It has been brought to our attention that there has been an issue with the parking of cars in the vicinity of Mudgee Indoor Swimming Centre, 85 Short St, Mudgee, the home pool of our club – Mudgee Indoor Swimming Club. As a club, we thought that it would be timely to write to you stating the importance of this facility to our club members.

- Mudgee Indoor Swimming Club is an incorporated body that was formed in 2006. We have members ranging in age from 4 – 18 from Mudgee, Gulgong and many other localities in between. All come to Mudgee Indoor Swimming Centre for the opportunities that it provides.
- Mudgee Indoor Swimming Club competes in many Swimming Carnivals at both the District and State level and currently has many senior swimmers regularly competing at the highest level of competition including National level. Our club members are also very competitive in their respective school swimming carnivals, representing their respective schools at elite levels of competition such as PSSA, CHS, Catholic Polding, NSW State and All Schools. Our club members come from Mudgee and Gulgong. Experience in competitions is needed for these children to be successful at these high levels of competition, this experience is gained from a competitive swimming club such as Mudgee Indoor. We understand that there is another Swimming Club in Mudgee but the members of Mudgee Amateur Swimming Club do not utilise the many opportunities to compete as frequently as Mudgee Indoor Club members do.
- Mudgee Indoor Swimming Centre at 85 Short St, Mudgee provides a pool that enables local swimmers to train for up to 8 months of the year in a controlled environment out of the extremes of weather such as unpredictable Spring / Autumn temperatures, rain, thunder storms, extreme heat and harmful UV rays. If this facility was unavailable, the swimmers would only be able to train for 6 months of the year, at the most and would be exposed to the above mentioned elements constantly. The Senior Mudgee Indoor Swimming Club squad train for up to 21 hours/week. This is a long time to be exposed to the previously mentioned conditions which could potentially be harmful to our kids. Training sessions are also uninhibited by recreational swimmers. The children are able to train without interruption or without interrupting other pool users. It should also be noted that the age range of Mudgee Indoor Swimming Club squad members is from 7- 18years with most parents dropping their children off for training and do not require car parking at all.
- Due to the kids training at Mudgee Indoor Swimming Centre, and using all of its advantages, has made the Mudgee Indoor Swimming Club held in high esteem throughout the Western Region (and NSW Swimming in general). The senior swimmers are seen as elite athletes and are often invited to participate at swim meets out of our area due to their ability to be competitive with some of NSW best swimmers (and alternatively, receive requests from Clubs outside of our area to come and compete at our own Mudgee Indoor Swimming Club Carnival due to the competitiveness of our squad). The children would not be capable of this high level of competition

Act

without the advantages of our current training facility. The children of Mudgee Indoor Swimming Club are positively increasing the awareness of the Mudgee Region throughout NSW. On a weekly basis, the children from Mudgee Indoor Swimming Club are competing somewhere in NSW from Sydney to Canberra right through to Bourke. They are fit, healthy, friendly and proud ambassadors for the Mudgee Region. This level of participation would not be possible without the facilities of Mudgee Indoor Swimming Centre.

- Once a season, Mudgee Indoor Swimming Club hosts a very competitive carnival which attracts up to 200 competitors and their families from all over NSW. Due to the high numbers of entries, we host this carnival at the Mudgee town pool as the facility at Mudgee Indoor Swimming Centre could not possibly cater for this amount of people. This carnival enables Mid-Western Regional Council and local businesses, such as motels, restaurants and supermarkets, to receive increased revenue throughout the weekend. Without the good reputation of the Mudgee Indoor swimming Club, this would not be the case.
- Mudgee Indoor Swimming Centre as home of Mudgee Indoor Swimming Club is generally inundated with new members at the beginning of each school year. Parents wanting their children to better their competitive swimming skills for the upcoming school carnivals. As part of our club, the children are able to consolidate their swimming skills and with current statistics on drowning, this can only be a good thing!
- Throughout the season, Mudgee Indoor Swimming Club also holds a Club Night every second Tuesday evening. Swimming Club nights are a family oriented social occasions with children of all ages and abilities swimming, striving each week to better their own personal bests. Our club caters for swimmers of all ages and all abilities and promotes the development of every member's swimming in a friendly, supportive family environment. This is a popular night as all of the children are encouraged to have a swim. If they are lacking in confidence, the older swimmers are always there to lend a hand creating a feeling of unity in the club. Each club night ends in a sausage sizzle and a social chat. Again, without the use of the facility Mudgee Indoor Swimming Centre these nights would be controlled by the extremes of weather, such as unpredictable Spring / Autumn temperatures, rain, thunder storms, extreme heat and harmful UV rays. It is these nights when most parents stay to watch their children swim. As a club, we intend in good will, to monitor parking of Club members to try to ensure that they are safely and responsibly parked in Short St, within the vicinity of Mudgee Indoor Swimming Centre.
- If our current facility Mudgee Indoor Swimming Centre was not able to be used by the Mudgee Indoor Swimming Club, the ability for the children increase their swimming skill and ability would be diminished significantly. The children would need to reduce their training months and hours, alter timetables around recreational swimmers and be exposed constantly to the elements (weather). The result of this would have a negative effect on all of the above mention positives surrounding Mudgee Indoor Swimming Club's current facility at Mudgee Indoor Swimming Centre, let alone making the swimmers less competitive at a higher level, as many of these elite carnivals are held when both the Mudgee and Gulgong pools have already closed for the season.
- Why do we need 2 Swimming Clubs in Mudgee? We believe that the 2 clubs are currently serving 2 different purposes. Mudgee Indoor Swimming Club has a proven program that delivers high quality swimmers, capable of achieving solid results, at all levels of competition. Mudgee Indoor is a competition based club and also offers a development program for less experienced swimmers. Our swimmers consistently represent at district, State and even National levels of competition. Mudgee Indoor Swimming Centre is a 25 metre pool providing opportunities for swimmers to train for and qualify for major short course events right throughout the year. This cannot be achieved in a 50 metre pool. Our experienced coach Mick O'Sullivan has been coaching swimming for 36 years, and has been a member of the Australian Teachers and Swimming Coaches Association since 1996. He is very highly regarded throughout our region as a coach and mentor to young swimmers. We are producing elite swimmers due to the program that we provide and using the facility of Mudgee Indoor Swimming Centre as our home training pool.

We ask that you take these points into careful consideration when reviewing our training facility - Mudgee Indoor Swimming Centre.

Please contact Lisa Smith (Secretary) on 0407276449 if you would like any further information in regard to this issue.



Lisa Smith
(On behalf of Mudgee Indoor Swimming Club and it's committee)

1/29 Market Street
MUDGEE 2850

24 January 2013

Dear Councillor

Re. Complaint about parking at indoor pool in Short Street

I write to strongly object to any reduction in services at the indoor pool operated by Mick O'Sullivan. It will be a great blow to me and many more in the community if as a result of this complaint Mick O'Sullivan has to reduce services at his pool.

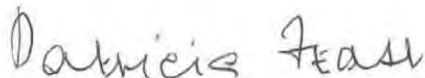
I have heart, lung and a hip problem and since retiring to Mudgee I have benefited enormously from this facility. The aqua aerobics is the only exercise I have found possible in Mudgee due to the buoyancy of the water. There is nothing comparable in Mudgee. It operates for six months of the year. There is usually a programme at the Olympic Pool but it is of very short duration and not long enough to be of any benefit. Also the previous programme there was not very challenging.

Furthermore, as a pensioner, I could not afford the very expensive alternatives at the local gyms.

Quite apart from the many "seniors" who attend the pool there are, of course, learn to swim classes for children and training for promising local swimmers – all with professional, qualified instructors.

Closure of the pool or reduction of services would affect many in our community. It would leave a very large service gap that does not appear to be able to be filled in Mudgee.

Yours sincerely



Patricia Feast



Trish Trent

PO Box171
Mudgee
2850
23/01/2013

To whom it may concern,

I have been attending aqua aerobic classes for some time. I have had 2 hip replacements and suffer from degenerative arthritis and the classes have been very beneficial.

There are not many ways for people in Mudgee with conditions like mine to find the exercise they require. However aqua aerobics does provide it.

Mick O'Sullivan's pool is a great facility and there is no alternative in Mudgee. People with arthritic complaints or similar conditions would suffer if this facility was not available.

Yours Faithfully,



Trish Trent.



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6.2.3 MA0016/2014 Proposed Taxi Shelter – 83-85 Mortimer St, Mudgee

REPORT BY THE TOWN PLANNER TO 3 OCTOBER 2013 COUNCIL MEETING

REPORT MA0016/2014.

GOV400029, A0100056, P0199662

RECOMMENDATION

1. That the report by the Town Planner on Modification Application No. 0016/2014, Proposed Taxi Shelter at 83 – 85 Mortimer Street, Mudgee be received; and
2. Modification Application No. 0016/2014, Proposed Taxi Shelter at 83 – 85 Mortimer Street, Mudgee be approved, subject to the following conditions detailed below;

APPROVED PLANS

- 1A. Development is to be carried out generally in accordance with the stamped plans submitted to Council by Sundai Designs, Drawing No 358MWR-01 Issue C and dated July 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.
2. The development shall fully comply with the provisions of Council's Development Control Plan "Design for Accessibility". Details of compliance specially addressing the policy shall be provided with an application for Construction Certificate.
3. Prior to commencing any construction works, the following provisions of the Environmental Planning and Assessment Act 1979 (the 'Act') are to be complied with;
 - a) A Construction Certificate is to be obtained in accordance with Section 81A(2)(a) of the Act.
 - b) A Principal Certifying Authority is to be appointed and Council is to be notified of the appointment in accordance with Section 81A(2)(b) of the Act and form 7 of schedule 1 to the Regulations.
 - c) Council is to be given at least two days notice of the date intended for commencement of building works, in accordance with Section 81A(2)(c) of the Act and Form 7 of Schedule 1 to the Regulations.
4. A sign must be erected in a prominent position on any work site on which involved in the erection or demolition of a building is carried out;
 - a) stating that unauthorized entry to the work site is prohibited, and
 - b) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.
5. If the work involved in the erection/demolition of the building;
 - a) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
 - b) building involves the enclosure of a public place

A hoarding or fence must be erected between the work site and the public place. If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place. Any such hoarding, fence or awning is to be removed when the work has been completed.

6. When foundations are excavated, if filled ground is found, footings shall be designed by a Structural Engineer and Council must be notified in writing.
7. Construction work noise that is audible at other premises is to be restricted to the following times:

Monday to Friday	-	7.00am to 6.00pm
Saturday	-	8.00am to 1.00pm

No construction work noise is permitted on Sundays or Public Holidays.

8. All building work must be carried out in accordance with the provisions of the Building Code of Australia, the Environmental Planning & Assessment Act 1979 and Regulations and the relevant Australian Standards.
9. All mandatory inspections required by the Environmental Planning & Assessment Act and any other inspections deemed necessary by the Principal Certifying Authority being carried out during the relevant stage of construction.
10. 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 CONSTRUCTION CERTIFICATE

11. A set of structural drawings including paving treatment and levels are to be referred to Council's Access Committee for approval.
12. Engineering plans of any stormwater extensions are to be submitted to and approved by Council or an *Accredited Certifier* prior to the issue of a *Construction Certificate*.

A detailed engineering design supported by plans, and an "Autocad compatible" Plan, (in dwg format including pen-map), material samples, test reports and specifications is to be prepared in accordance with AUS-SPEC #1 (as modified by Mid Western Regional Council) and the conditions of this development consent. The engineering design is to be submitted to and approved by Council or an *Accredited Certifier* prior to the issue of a *Construction Certificate*.

13. A Traffic Control Plan (TCP) completed by a "Certified Person" for implementation during works is to be submitted to Mid Western Regional Council prior to any work commencing.

ENGINEERING CONSTRUCTION

14. The driveway to the service station is to have a minimum width sufficient to allow manoeuvring access for heavy vehicles in accordance with Roads & Traffic Authority standards and sealed with a hard standing, all weather material and must be maintained in a satisfactory condition at all times.
15. Vehicular entrances comprising kerb laybacks (where roll kerb and gutter does not exist) and concrete footway crossings are to be provided to the development. These should be constructed in accordance with Aus-Spec #1 and the appropriate Council standard drawings including M524-Urban Access, M526-Industrial Access, M594-Kerb & Gutter Layback.

Inspections - Concrete must not be poured until the excavation, formwork and reinforcing has been inspected by Council. The contractor/owner must arrange an inspection by contacting Council's Development Engineer between 8.00am and 4.00pm Monday to Friday, giving at least twenty four (24) hours notice. Failure to have the work inspected may result in the access being removed and reconstructed at the contractors/owners expense.

16. 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.
17. All stormwater runoff from this development is to be conveyed to Councils existing drainage system.
18. Adequate site distances from the driveway to the service station must still be maintained in accordance with the Roads & Traffic Authority standards. This includes trimming of trees to a safe height so as to maximise sight distances.
19. The building shall not be occupied or used until an Occupation Certificate has been issued.

Executive Summary

Council has received a Section 96 Modification Application for a proposed shelter at the taxi rank on the footpath adjacent to the Shell Petrol Station at 83-85 Mortimer Street, Mudgee. The Modification Application includes amendments to the roof plan, with no other significant amendments and is being reported as Council is the applicant for the proposal.

Having regard to the provisions of the Environmental Planning and Assessment Act, 1979 and Regulations, and specifically Section 96(2) and 79C(1) – Matters for Consideration, the Application has been assessed and considered to meet with the applicable requirements to warrant approval subject to conditions of consent.

Detailed Report

The proposed Modification of Consent Application is considered the substantially the same and as such can be considered under Section 96(2) of the Act. The proposed amendment is to fully enclose the Taxi Shelter's roof for better protection of users against adverse weather conditions.

Development Application 0316/2010 for a Taxi Shelter was approved by Council on 21 June 2010 subject to conditions of consent. The Taxi Shelter was constructed under this approval and this Modification Application is to seek approval for an amended roof design.

DEVELOPMENT ASSESSMENT:

The Development Application has been assessed in accordance with Section 79C(1) and 96(2) of the Environmental Planning & Assessment Act, 1979. The main issues are addressed below as follows:

1. REQUIREMENTS OF REGULATIONS AND POLICIES:

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

The site is zoned 'B3 Commercial Core' under the provisions of the Mid-Western Regional Local Environmental Plan (LEP) 2012. Having reviewed the objectives of the zone it is considered that the proposed amendment raises no concerns against the zoning objectives. The proposal has been designed to complement the streetscape character, with a modern and elegant design that will clearly distinguish it as a new structure within the heritage significant townscape.

Clause 5.9 Preservation of trees or vegetation:

No trees are proposed to be removed from the site and as such no issues arise with regard to this Clause.

Clause 5.10 Heritage Conservation:

Consideration of the proposed development against the heritage aspects of the LEP would suggest that the proposed amendment is compliant with these objectives. It is not considered that the proposal would impinge on the significance of the heritage conservation area.

Clause 6.9 Essential Services

All available essential services are readily available for the Taxi Shelter.

2. IMPACT OF THE PROPOSED DEVELOPMENT

(a) Context and Setting

The proposal will provide an important community facility for pedestrians waiting for a taxi particularly at night and in adverse weather conditions. The design of the amended structure is simple and elegant and is not considered to adversely impact on the context and setting of the heritage significant townscape.

(b) Access, transport and traffic

The location and design of the Taxi Shelter maximises opportunities for safe and orderly passenger loading, with no constraints identified to the development or access to it.

(c) Public domain

The proposed amendment to the roof plan is considered acceptable to the public domain.

(d) Utilities

There are no utilities issues with regard to the Taxi Shelter.

(e) Heritage

The original proposal was designed in consultation with Council's Heritage Advisor who approved the concept. The proposal is located within the heritage significant Mudgee Conservation Area and opposite the heritage listed Waratah Hotel. As such consideration must be given to the impact of any development within the Conservation Area and adjacent to any heritage item.

The proposed amended shelter is considered suitable, adopting a light structure form with a simple modern monopitch roof which clearly distinguishes it as a new structure within the heritage townscape.

(p) Safety, security and crime prevention

The amendment to the Taxi Shelter will have a positive safety impact on the locality providing a sheltered service. The proposal will provide a safe and functional area for pedestrians including those with limited mobility who are waiting for a taxi, providing a designated shelter facility that will shield them from rain and sun glare while also enhancing community safety at night.

(q) Social impact in the locality

The amended Taxi Shelter will have a positive social impact on the locality.

(s) Site design and internal design

The site design is considered appropriate for the proposal. The roof will be totally enclosed and protect people from adverse weather conditions.

(t) Construction

There are no such issues with regard to construction with the proposal, so as long as the proposed roof is installed in accordance with the manufacture's specifications.

3. SUITABILITY OF SITE FOR DEVELOPMENT

(a) Does the proposal fit in the locality

The proposed Taxi Shelter is seen to fit in the locality. The Taxi-Shelter will provide an important community facility for pedestrians waiting for a taxi particularly at night and in adverse weather conditions. The design of the amendment structure is simple and elegant and is not considered to adversely impact the character of the heritage significant townscape.

(b) Are the site attributes conducive to development

The site attributes are deemed conducive to the development as the location and design of the proposed Taxi Shelter maximises opportunities for safe and orderly passenger loading into taxis.

4. SUBMISSIONS MADE IN ACCORDANCE WITH ACT OR REGULATIONS

(a) Public Submissions

The Modification of Consent Application was notified from 16 August 2013 until 2 September 2013 in accordance with Council's notification policy. During the notification period no submissions were received.

(b) Submissions from public authorities

No public authority submissions were received on the Modification of Consent Application.

5. THE PUBLIC INTEREST

The proposed amended Taxi Shelter is seen to be in the Public Interest as the proposal will provide a new community infrastructure which has been designed and located to maximise its benefit to the community and taxi operators. Given the facility incorporates design elements to enhance accessibility to taxis for persons with limited mobility, the proposal is in the broad community interest.

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

There are no Federal, State or Local Government interests with regard to the application. The original Development Application was subject to extensive community group consultation prior to the design finalisation and lodgement of the Development Application.

6. CONSULTATIONS

(a) Health & Building

Council's Health and Building Section had no concerns with this Application.

(b) Development Engineer

Council's Development Engineer indicated that the proposal would not be required to be reported to a Local Traffic Committee (LTC). The LTC were consulted during the design process and selection of the location as part of the original Development Application.

Financial implications

Nil.

Strategic or policy implications

Having regard to the plans, the proposal is not likely to affect or alter the strategic directions of the locality.

DOUGLAS SELEMS
TOWN PLANNER



CATHERINE VAN LAEREN
DIRECTOR DEVELOPMENT AND
COMMUNITY SERVICES

APPROVED FOR SUBMISSION:



WARWICK L BENNETT
GENERAL MANAGER

Attachments: 1. Locality Plan
2. Plans



Notes	
1. Builder to confirm all dimensions before commencing any work.	
2. If discrepancies occur on plans, designer is to be contacted.	
3. All dimensions are in millimeters unless otherwise stated.	
4. Use figured dimensions only. Do not scale from plans.	
5. Site information is based on information supplied by the owner and must be verified by the supplier on acceptance of this plan.	
Legend:	
TR 01	- TOP RAIL See sections to match existing site
BR 01	- BOTTOM RAIL See sections to match existing site
GL 01	- GLAZING See inlets and method of fitting to match existing
PL 01	- PLATE STEEL RAFTERS See inlets and method of fitting to match existing with main structure and Designer to approve shop drawings prior to construction.
C	DATE ISSUED 23.07.13
B	FOR APPROVAL 22.07.13
A	PRELIMINARY 1.10.11
Issue	Description
	DATE

SUNRAI designs

Raileene Geddes
Architectural Services
4 Robert Jones Street, Mudgee NSW 2850
P: 02 4572 3103 M: 04 18 405 898
E: raileene@sunnai.com.au
www.sunnai.com.au

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Client: MID-WESTERN REGIONAL COUNCIL

Project: Taxi Rank, Mortimer Street Mudgee NSW 2850

Title: FLOOR PLAN, ELEVATIONS & SECTION

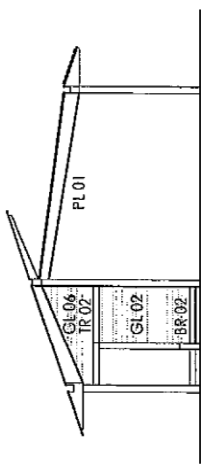
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Date: July 2013

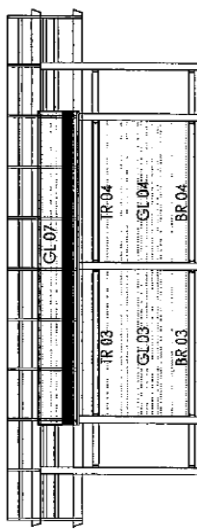
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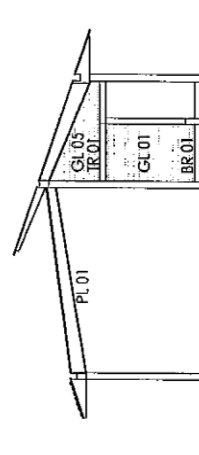
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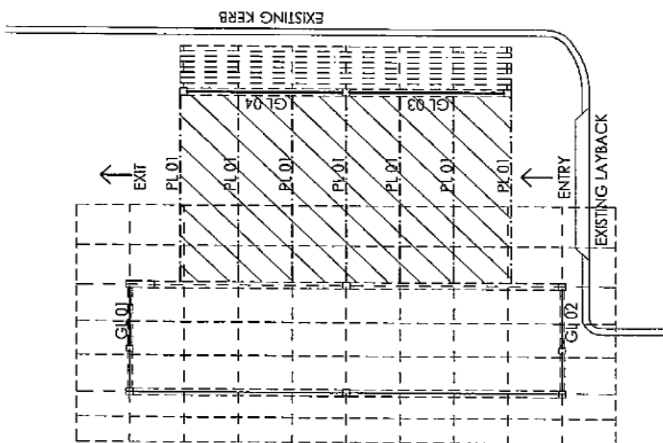
3 EAST ELEVATION
SCALE 1:100



4 NORTH ELEVATION
SCALE 1:100



5 WEST ELEVATION
SCALE 1:100



1 FLOOR PLAN
SCALE 1:100

PROPOSED NEW PLATE RAFTERS TO MATCH EXISTING STYLE, SIZE AND COLOR WITH NEW GLAZED ROOF OVER FIXED TO STEEL T RAFTERS TO MATCH EXISTING

REMOVE EXISTING RAFTERS AS SHOWN DOTTED
TIMBER BATTENS AND THIS RAFTER SECTION TO REMAIN

INSTALL NEW GLAZING TO MATCH EXISTING. FOLLOW THE ANGLE OF THE RAFTERS. FIX INTO EXISTING REBATE IN STEEL BEAMS. MAINTAIN 10MM GAP AT TOP AND BOTTOM

INSTALL NEW STEEL TOP & BOTTOM RAIL IN LINE WITH EXISTING. FIX INTO EXISTING REBATES TO MATCH EXISTING SYSTEM. FIX AT TOP AND BOTTOM LEAVING 10MM GAP AT EACH SIDE

2 SECTION
SCALE 1:100

6.2.4 Review – Comprehensive DCP 2013 – Draft DCP Amendment No.1

REPORT BY THE MANAGER STATUTORY PLANNING TO 3 OCTOBER 2013 COUNCIL MEETING
COUNCIL 131003 PUBLIC
GOV400029, A0100056, A0420143

RECOMMENDATION

That:

1. **the report by the Manager Statutory Planning on the Review of the Comprehensive DCP 2013 be received;**
2. **the Draft Development Control Plan – Amendment No.1 be placed on public exhibition for the statutory period of 28 days;**
3. **a further workshop be held with practitioners during the exhibition period;**
4. **following the conclusion of the public exhibition period a report be presented back to Council for consideration.**

Executive summary

Council adopted the Comprehensive DCP in February 2013. As part of the adoption of the DCP, Council also resolved to review the DCP within 12 months of operation.

The DCP has been in operation for just over 6 months and it has become apparent that some of the new controls specifically to do with Water Sensitive Urban Design need to be amended to make them more reasonable for developers and Council. Current controls are determined by the creation of a new road whereas Council's Engineering staff believe that it would be more beneficial to determine the controls on a catchment basis.

It is also proposed to amend the cut and fill requirements of the DCP so that they are in line with the State Environmental Planning Policy (Exempt and Complying Development) Codes 2008 (Code SEPP).

Additional standards that were inadvertently left out with the consolidation of the DCP's include provision of industrial subdivision standards and the restriction of fill in high hazard flood areas.

As part of this process, it is also proposed to make some administrative changes to the format of the DCP to make it more user friendly. These include:

- clarifying what infrastructure is required for urban and rural subdivisions,
- amending the format of the discretionary standards such that the deems to satisfy provisions are adjacent the performance objectives;
- Clarification of development standards for development in the R5 Large Lot Residential zone,
- Clarifying the standards applicable for multi unit housing,
- Clarification of the relationship between the Caerleon Chapter and the rest of the DCP,
- Defining agricultural and recreation uses in the Flood Appendix,

- Clarification of the Outbuilding standards within Part 2 of the DCP so that it is clear that they only apply to urban zones
- Clarification of privacy standards for dwellings
- Define single storey and site coverage requirements for dwellings

It is recommended that the review of the DCP be accepted by Council and that the draft Amendment No. 1 be exhibited for a period of 28 days in accordance with the Environmental Planning and Assessment Regulations 2000.

Detailed report

The following section of the report provides a detailed examination of the proposed changes to the DCP.

WATER SENSITIVE URBAN DESIGN

Council's Comprehensive DCP 2013 introduced standards for water quality. Where a subdivision proposes a road this generates the need for water quality treatment to be installed as part of the stormwater design. There are two elements to water quality; hard infrastructure such as Gross Pollutant Traps (GPT's) and soft infrastructure (bio filtration).

It is proposed to amend the current standards such that soft infrastructure is required with all subdivisions and as part of the stormwater design but that the provision of hard and soft infrastructure is also carried out on a catchment basis. If the development footprint is considered to be a whole catchment or the majority of a catchment, then the provision of hard infrastructure will still be required but if the development is only a minor part of the catchment, it is intended that the section 94 Contributions Plan be amended to include contributions to construct gross pollutant traps and bio filtration along the drainage channels within the catchment.

The provision of multiple water quality devices over a town requires ongoing maintenance. These are additional costs in terms of time taken by staff to clean these facilities, the cost involved in hiring machinery to enable the cleaning and lost time that could be spent on other projects.

INDUSTRIAL SUBDIVISION STANDARDS

Council's former Industrial DCP provided some subdivision standards in terms of road construction, lot size and width and manoeuvring capability. It is intended to amend the Industrial chapter to include these standards. These are not new standards but the retention of standards that were inadvertently removed from the DCP.

CUT AND FILL – RESIDENTIAL

Council's standards in relation to cut and fill were significantly amended in February 2013 to restrict the amount of cut and fill. The DCP allows a combined amount of 600 mm cut and fill. Prior to this, Council's standard allowed for up to a maximum of 1000 mm of cut and 1000 mm of fill.

It is proposed to alter the standard again to make it the same as the State standard contained in the Code SEPP. The Code allows up to 600 mm of cut and 1000 mm of fill subject to some strict requirements in terms of proximity to boundaries, provision of drainage and provision of retaining walls.

It is considered that this amendment provides for some consistency in how housing standards are applied over the locality and also maintains a restriction on fill which was the main concern when Council implemented the current standard.

Additional controls will also be put in place to require that any fill brought into a site is investigated to ensure that it is clean and that a geotechnical assessment is carried out to ensure the correct compaction.

SUBDIVISION STANDARDS

There are a number of amendments that require clarification within the DCP in relation to urban and rural subdivisions. The urban controls provide standards within the residential, village and rural residential zones for lots less than 2 hectares. This requires clarification to ensure that residential lots in excess of 2 hectares are still subject to the same controls as lots less than 2 hectares.

The provisions also need to be amended to state that infrastructure is required to be connected to these lots such as sealed roads, water and sewer reticulation. The DCP currently implies these standards but does not expressly state it.

Standards for subdivision in village and large lots residential zones will be moved to the rural subdivision standards to ensure that servicing and infrastructure requirements are expressly clear.

Subdivision in the R5 Large Lot residential zone will require frontage to and be part of a sealed road network. This is also the requirement for all Residential category subdivisions.

The R5 Large Lot Residential zone will not require connection to Council's reticulated water and sewer network.

R5 LARGE LOT RESIDENTIAL ZONE

Standards for dwellings and outbuildings in the R5 Large Lot Residential zone will be moved to Part 6 – 'Development in Rural Areas' as the zone by nature of its category as a Residential zone inadvertently requires consideration under the urban controls.

STANDARDS FOR MULTI DWELLING HOUSING

The DCP was designed so that dual occupancy development and multi dwelling housing referenced the 'Fast track controls' as a base line. This is made clear in the chapter for Dual Occupancy but is not clear in the Chapter for Multi Dwelling Housing. It is therefore considered more user friendly to provide all of the controls required for multi dwelling housing in Part 4.1 "Multi Dwelling Housing".

DISCRETIONARY STANDARDS – DWELLING/ DUAL OCCUPANCY

The DCP provides for 'fast track' standards for dwellings and dual occupancy whereby if you meet specific criteria, Council will approve the application within a limited time frame.

If the development falls out of these standards, then you are referred to Part 3 – Discretionary Standards. This chapter provides performance criteria and uses the fast track standards as baseline. Therefore if you are proposing a development outside of the fast track standards then you have to demonstrate that the development meets the performance objectives.

This was a new provision when it was introduced with the DCP in February and feedback from designers and Council staff is that the provision is unwieldy because you have to keep moving back and forth between the two chapters.

It is therefore proposed to provide the fast track standards as 'deem to satisfy' standards on the same page as the performance criteria so that that they can be reference together.

CAERLEON CHAPTER

The Caerleon Chapter was initially designed as a standalone chapter where this was the only chapter you needed to reference in order to carry out development in the Caerleon precinct. The DCP as it stands does not make it clear what the relationship is between the Caerleon chapter and

the rest of the DCP. It has been determined that after utilising the DCP in the assessment of the first stage of the Caerleon subdivision that the preferred outcome is for the whole DCP to apply to the Precinct except where specific provision is made for a standard in the Caerleon chapter.

FLOOD CHAPTER/APPENDIX – FILL/DEFINE AGRICULTURE/RECREATION LAND USES

Chapter 5.2 of the DCP relates to flooding and identifies the flood risk precincts; high, medium and low hazard. It is proposed to restrict the filling of land within water courses that are identified a high flood risk. This has been the practice of Council but has not been enshrined in Council policy or the DCP.

It is also proposed to define agricultural and recreational uses within the Flood plain matrixes of the DCP (Appendix A). Council currently allows these uses to include ancillary buildings such as hay sheds and it is proposed to expressly state this. Controls will be introduced to ensure that any buildings are not residential in nature, will be designed to a 1 in 20 year flood event and will not impact on the flood characteristics of downstream or upstream properties.

OTHER MINOR ADMINISTRATIVE AMENDMENTS

It is proposed to clarify that the Outbuilding standards within Part 2 of the DCP only apply to urban zones.

It is proposed to clarify that privacy measures are not required for a single storey dwelling if the Finished Floor Level is less than 1,000 mm above the natural ground level.

It is also proposed to clarify that a single storey dwelling is a one storey building where that storey is less than 1,000 mm above the natural ground level.

Dwelling houses are also proposed to have at least 80 m² of private open space with a minimum dimension of 5 metres.

Financial implications

There are no financial implications as the review has been undertaken with existing staff resources.

Strategic or policy implications

The review of the DCP is part of the Strategic Planning programme and demonstrates a commitment to continual improvement in planning services for the Mid-Western Regional Local Government Area.



GARY BRUCE
MANAGER, STATUTORY PLANNING

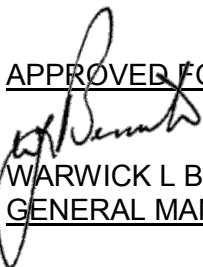


CATHERINE VAN LAEREN
DIRECTOR, DEVELOPMENT & COMMUNITY SERVICES

20 September 2013

Attachments: 1. Draft Comprehensive DCP – Amendment No.1 (included at the end of the business paper)

APPROVED FOR SUBMISSION:



WARWICK L BENNETT
GENERAL MANAGER

6.2.5 Rylstone Aerodrome development – payment of fees and charges

REPORT BY THE GENERAL MANAGER TO 3 OCTOBER 2013 COUNCIL MEETING
COUNCIL 131003 PUBLIC
GOV400029, A0100056, P1463461

RECOMMENDATION

That:

1. **the report by the General Manager on the Rylstone Aerodrome development – payment of fees and charges be received;**
2. **Council not create a new sub-category for rating purposes in relation to the Rylstone Aerodrome development; and**
3. **that Council adhere to the Section 94 Plan that allows a deferment of the payment of Section 94 contributions that is consistent with the criteria specified in the Section 94 Plan including a time limit of 2 years from the date of this resolution and lodgement of a bank guarantee (which includes CPI increases).**

Executive summary

Council has requested a report on options for providing assistance to the proponents of the Rylstone Aerodrome development with respect to the timing and amount of payments of Section 94 development contributions, and rates and annual charges. These requests represent a significant departure from Council policy, and establish precedents, the implications of which require careful consideration.

Detailed report

RATING IMPLICATIONS

The property numbers in question are 14634 (26.157 hectares, owned by Loneragan Aviation Pty Limited), and 14629 (8.23 hectares, owned by Mr Robert Loneragan).

Current Rating Structure

In accordance with Council's current rating structure, the subdivision would be treated in the following ways:-

- Upon registration of the Community Title, the Valuer General will provide Council with a separate land valuation for each allotment.
- In addition, the vacant allotments that are in the ownership of the subdivider at the time the valuation is made qualify for subdivision allowances (Sec 14T, 14L1A & 14L1B LVA). The objective of the allowances is to provide a subdivider with some rate relief as a result of the profitable expenditure out-laid in respect to effective land improvements, drainage works etc. performed on the land.
- Council is required to subtract the allowances from the land value before calculating the general rate. The effect is the rateable value is often significantly reduced and then attracts a Minimum Rate. The allowances lapse upon the sale of an allotment, building on an allotment and ultimately after 3 years from the first valuation date.

Under Council's current rating structure, the land parcels would be categorised as "Business" because they cannot be categorised as Farmland, Residential or Mining. The Business ad valorem rate of 0.922521 cents in the dollar, or the Minimum Business rate of \$595.56 currently applicable to all other parcels of land categorised as Business, would apply uniformly to the separate valuations.

The land values and allowances for each individual allotment are unknown at this point in time. The Business category LV cut-off for the Minimum rate is \$64,558. If the rateable land value (net of allowances) was around this cut-off, Minimum rates of \$595.56 would initially apply to each separate allotment.

Under Council's current rate structure, the same Minimum amount is currently applied uniformly to each category and sub-category. It is important to note that in 1986 that Council applied to the Minister for Local Government to increase the Minimum rate by 15% above the prescribed statutory amount. The application was approved on the basis that the Minimum increase would allow for "...a more equitable distribution of the rate burden.....and would bring rates paid by small rural holdings into line with actual costs to Council of providing services". The Minimum rate has been subsequently increased by Council by the full rate-pegging amount since 1987 to the 2013/2014 level of \$595.56. The prescribed minimum rate set by DLG for 2013/2014 is \$474.

Requested Rating Structure

During a representation to Council briefing session and to Council officers, the proponent of the Rylstone Aerodrome development requested that Council consider creating a new Business sub-category specifically relating to this development, with a substantially lower Minimum rate amount.

Council certainly could alter its rating structure to accommodate a Business sub-category, with the Aerodrome subdivision being the "centre of activity" and attracting a lower ad valorem and Minimum rate. Section 529 and 548 of the *Local Government Act 1993* provide that:

529 Rate may be the same or different within a category -

- (1) *Before making an ordinary rate, a council may determine a sub-category or sub categories for one or more categories of rateable land in its area.*
- (2) *A sub-category may be determined:*
 - (a) *for the category "farmland"-according to the intensity of land use, the irrigability of the land or economic factors affecting the land, or*
 - (b) *for the category "residential"-according to whether the land is rural residential land or is within a centre of population, or*
 - (c) *for the category "mining"-according to the kind of mining involved, or*
 - (d) *for the category "business"-according to a centre of activity.*

Note: In relation to the category "business", a centre of activity might comprise a business centre, an industrial estate or some other concentration of like activities.

- (3) *The ad valorem amount (the amount in the dollar) of the ordinary rate may be the same for all land within a category or it may be different for different sub-categories.*

548(2) If a council makes an ordinary rate for different categories or sub-categories of land, it may specify a different minimum amount for each category or sub-category of land.

The subdivision allowances as outlined above would still apply initially. Once an allotment is sold, the calculation of rates is based on the full land value, however with a new sub-category, the benefit of a lower ad valorem and minimum rate would be afforded to the new owner.

The request for a new sub-category with a lower minimum rate needs to be assessed having regard to the explanation for the level of Council's current Minimum rate as outlined above, and to its importance and relevance in relation to the recovering the costs of services provided to all properties, reducing inequalities in all rate accounts and determining the distribution of the rate

burden. Council has just been through an extensive community engagement process in relation to the setting of the 2013/14 rates, with a comparatively large number of submissions received about the equity of a rating structure in which all categories and sub-categories are currently subject to the same level of minimum rates. Council could reasonably expect further community concern to be generated by creating a sub-category with a lower Minimum rate for a select group of ratepayers undertaking either a business, or a discretionary leisure activity.

Should Council agree to the request, it creates a potential precedent where sub-categories are created based on intensity of land use, irrigability, rural or urban locations, or centers of business activity. There is similar development proposed adjacent to the Mudgee Airport, which would be of a similar nature and character to the Rylstone Aerodrome development. Council would have to consider adopting a similar sub-category for this centre of business activity.

Upon formation of the Mid-Western Regional Council, there were three distinct rating structures for each of the former local government areas of Mudgee, Rylstone and Merriwa. By 2007/08, Council had moved completely to a uniform rating structure for the entire Mid-Western Region. This has been Council's policy position ever since, without use of any sub-category outside of Mining and Mining - Coal.

For each of these reasons, it is recommended to Council that the current rating structure, with regard to categories, sub categories, and Minimums not be altered.

Section 94 Contributions

An amended development consent was granted on the 31 May 2013 for a community title subdivision of the existing Rylstone Aerodrome including one adjoining allotment previously owned by Council. The subject site is approximately 34.5 ha in area and the subdivision creates 64 allotments for the purposes of aerodrome related development including, 25 lots for the purpose of erecting hangars and ancillary residential accommodation, 38 lots for hanger purposes only and 1 community lot that will contain the existing aerodrome infrastructure and future taxi ways and vehicle access. A condition of consent was the payment of the following Section 94 contributions prior to the release of the linen plan.

Transport Management	Rate	Lots	Total
Traffic Management	\$594	Per Lot 2 -26 inclusive	\$14,850
Open Space			
Local Open Space	\$0	N/A	\$0
District Open Space	\$2295	Per Lot 2 -26 inclusive	\$57,735
Community Facilities			
Library Buildings	\$221	Per Lot 2 -26 inclusive	\$5,525
Library Resources	\$265	Per Lot 2 -26 inclusive	\$6,625
Administration			
Plan Administration	\$517	Per Lot 2 -26 inclusive	\$12,925
TOTAL PAYABLE	\$3892	25	\$97,660

A request has been received for the deferment of the payment of Section 94 contributions until after the sale and settlement of each lot. The adopted Section 94 plans states the following in relation to the deferment of Section 94 Contributions:

1.10 Deferred or Periodic Payments

Council may accept the deferred or periodic payment of a contribution if the applicant or any other person entitled to act upon the relevant consent satisfies the Council that:

- a) *Compliance with the provisions relating to when contributions are payable is considered unreasonable or unnecessary in the circumstances of the case; and*

- b) *The deferment of payment or allowing periodic payments does not prejudice the timing or the manner of the provision of the public facility or service for which the contribution was required as outlined in the Capital Works Program, and*
- c) *The full amount of the contributions being deferred is paid within 2 years.*

The decision to accept a deferred or periodic payment is at the sole discretion of Council.

All requests to Council for deferred or periodic payments should be formulated in writing based on consultation with Council and forwarded to Council prior to the determination of a development application by Council.

When Council allows a deferral of contributions, an appropriate bank guarantee shall be secured for the amount of contributions to be deferred. The conditions under which the Council may accept deferred settlement by way of lodgement of a bank guarantee are that:

- *The bank guarantee be by an Australian bank the amount of the total contribution, or the amount of the outstanding contribution, plus an amount equal to twenty five (25) months interest.*
- *Any charges associated with establishing or operating the bank security are payable by the applicant.*
- *The bank unconditionally pays the guaranteed sum to the Council if the Council so demands in writing not earlier than 12 months from the provision of the guarantee or completion of the work.*
- *The bank must pay the guaranteed sum without reference to the applicant or landowner or other person who provided the guarantee, and without regard to any dispute, controversy, issue or other matter relating to the development consent or the carrying out of development.*
- *The bank's obligations are discharged when payment to the Council is made in accordance with this guarantee or when Council notifies the bank in writing that the guarantee is no longer required.*
- *Where a bank guarantee has been deposited with Council, the guarantee shall not be cancelled until such time as the original contribution and accrued interest are paid.*
- *The bank guarantee is able to be redeemed within 24 hours notice from Council.*

The conditions under which the Council may accept payment by way of periodic payment for a staged development are that:

- *The instalment be paid before the work commences on the relevant stage of the development;*
- *The amount to be paid at each stage is to be calculated on a pro-rata basis in proportion to the demand for the relevant facility being levied by the overall development, plus CPI if required.*

Any deferred or periodic payment can only be granted where it is consistent with the criteria outlined in the Section 94 Plan. The Section 94 Plan statutory standing and to provide deferment on a basis that is inconsistent with the Plan would require amendment and exhibition of the Section 94 Plan prior to the deferment of payment being granted.

The request received by the developer is inconsistent with the Section 94 Plan as it includes a request to defer payment until the sale and settlement of the lots with no bank guarantee being offered. Council cannot agree to deferment on these terms without amendment of the Section 94 which would afford the same opportunity to other developers. It is therefore recommended that a deferment be offered to the developer that is consistent with the Section 94 plan including the time limit being 2 years from the date of the Council resolution and lodgement of a bank guarantee. It should be noted that the Section 94 contributions are subject to CPI increase and the bank guarantee should include those increases.

VOLUNTARY PLANNING AGREEMENT (VPA)

As Council is bound by the terms of the Section 94 Plan, should Council wish to consider the deferment of the payment of the Section 94 contributions, an option is available to enter into a Voluntary Planning Agreement (VPA) for this specific site. Council should note that entering into a VPA for this development will set a precedent for other development of a similar kind. Staff are aware of at least one other aerodrome type development proposed in Mudgee. The administration of payment of Section 94 fees under the terms proposed by the developer will be extremely difficult, time consuming and piecemeal. Council will be relying on the developer to declare that the land has been sold and to make payment. Under the Section 94 plan, payment of contributions at the linen release stage provides a mechanism for timing and method to ensure that Council receives payments. For these reasons entering into a VPA is not recommended. Should Council elect to enter into a VPA it is recommended that the following terms be consider:

- All cost, including staff time and legal costs be borne by the developer.
- That payment of the deferred Section 94 fees be within 14 days of settlement of the property should the developer breach this time limit than payment for all lots will become due immediately with interest to be charged for everyday where full payment is not received.
- That all Section 94 contributions be paid for those lots were the linen has been released within 12 months of entering into the VPA regardless of the level of sales.

An alternate option is available to the developer to allow him to stagger payment of Section 94. This is the staged development of the site which will result in a stage linen release. This option is often adopted by developers to assist in cash flow and test the market. This alternate will require the developer to amend the current consent to allow staging.

Financial implications

Should Council choose to create a new sub category with a lower Minimum rate than the other categories, then it would forgo rate revenue that it would otherwise be entitled to. Considering that the development creates a number of additional lots, accommodating people and businesses and placing additional burden on Council infrastructure and services, a lower minimum rate exacerbates the gap between Council's own-source revenue and operating expenditure and asset renewal requirements.

Strategic or policy implications

These requests represent a significant departure from Council policy, and establish precedents, the implications of which require careful consideration.

CLARE PHELAN
DIRECTOR FINANCE & ADMINISTRATION



CATHERINE VAN LAEREN
DIRECTOR DEVELOPMENT & COMMUNITY SERVICES

29 August 2013

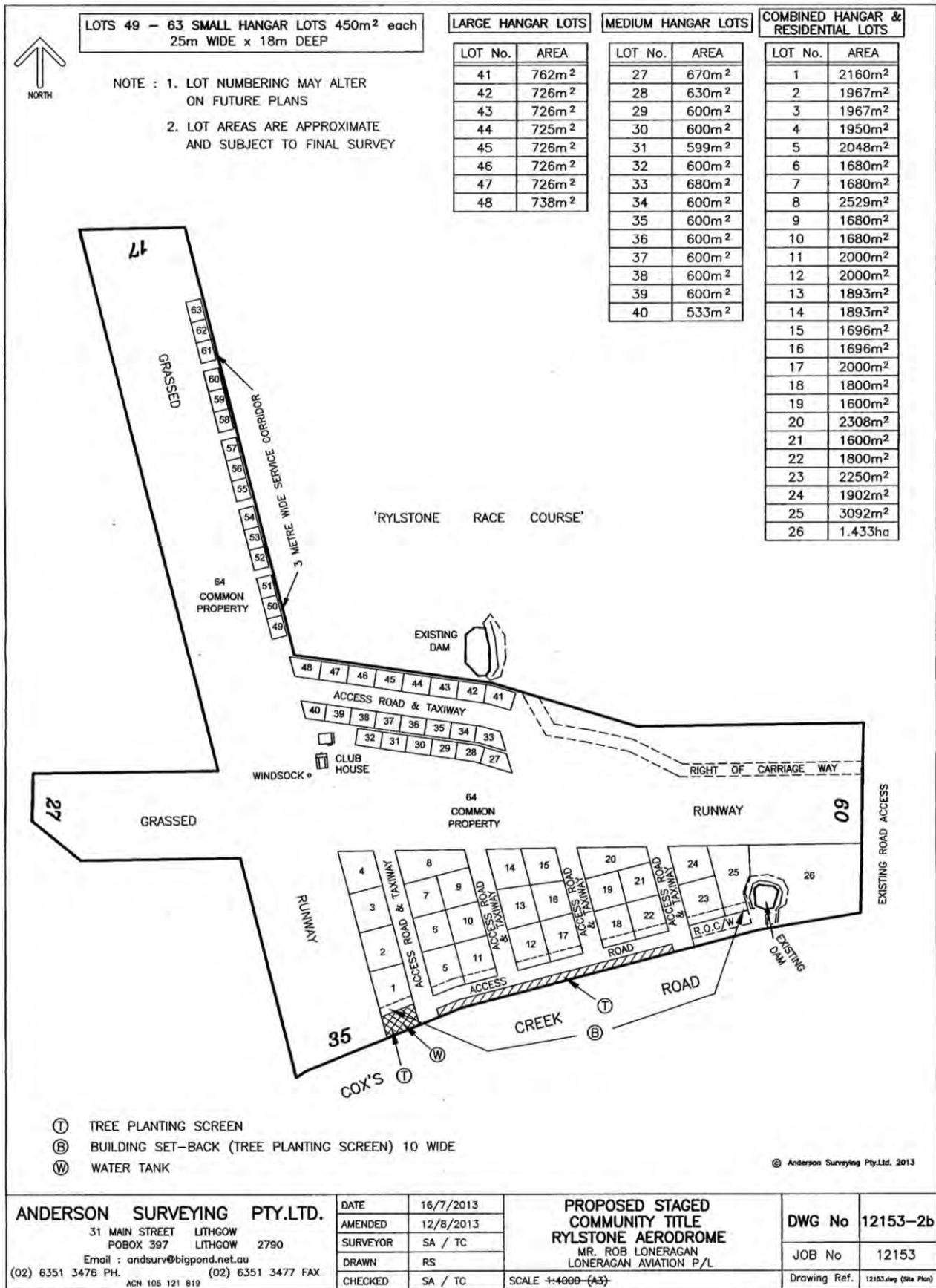
Attachments: 1. Proposed staged community title – Rylstone Aerodrome by Anderson Surveying Pty Ltd.

APPROVED FOR SUBMISSION:



WARWICK L BENNETT
GENERAL MANAGER

ATTACHMENT 1



ANDERSON SURVEYING PTY.LTD. 31 MAIN STREET LITHGOW POBOX 397 LITHGOW 2790 Email : andsurv@bigpond.net.au (02) 6351 3476 PH. (02) 6351 3477 FAX ACN 105 121 819	DATE	16/7/2013	PROPOSED STAGED COMMUNITY TITLE RYLSTONE AERODROME MR. ROB LONERAGAN LONERAGAN AVIATION P/L	DWG No	12153-2b
	AMENDED	12/8/2013		JOB No	12153
	SURVEYOR	SA / TC		Drawing Ref.	12153.dwg (Site Plan)
	DRAWN	RS		SCALE	1:4000 (A3)
	CHECKED	SA / TC			

6.2.6 Monthly Budget Review for August 2013

REPORT BY THE DIRECTOR, FINANCE & ADMINISTRATION TO 3 OCTOBER 2013 COUNCIL MEETING
COUNCIL 131003 PUBLIC
GOV400029, A0100056, FIN300062

RECOMMENDATION

That:

1. the report by the Director, Finance & Administration on the Monthly Budget Review for August 2013 be received; and
2. the 2013/14 Operational Plan be amended in accordance with the variations as listed on pages 1 of the August 2013 Monthly Budget Review - 2013/14 Operational Plan/Delivery Program, and reproduced in the report below.

Executive summary

This report presents to Council the August Monthly Budget Review of the 2013/14 Operational Plan.

Detailed report

Clause 202 of the Local Government (General) Regulation 2005 states that the responsible accounting officer is to maintain a system of budgetary control that enables actual income and expenditure to be monitored each month and compared with the estimate of Council's income and expenditure and that any material difference be reported to the next meeting of Council.

This August monthly report contains one variation, to correct the project allocation for sealing on Wollar Road, processed in the July monthly budget review.

Monthly Reporting - Proposed Variations			
Community Plan Theme	Variation	Amount	
<i>GENERAL FUND</i>			
<i>Contra Variations</i>			
Connecting our Region	Wollar Road Rehab Cumbo Creek - Final Seal. Resealing budget allocation on July budget variation was listed on the incorrect project.	(30,485)	C
Connecting our Region	Seal Extension Wollar Road - Transfer reseal budget to correct project	30,485	C
<i>Total Contra Variations</i>		0	
<i>TOTAL GENERAL FUND</i>		0	
Code			
F - Favourable			
U - Unfavourable			
C - Contra			

Financial implications

The proposed variations have nil impact on Council's projected unrestricted cash position to 30 June 2014.

Strategic or policy implications

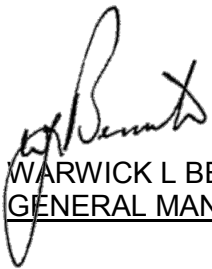
Not applicable.

CLARE PHELAN
DIRECTOR, FINANCE & ADMINISTRATION

20 September 2013

Attachments: 1. Monthly Budget Review - Operational Plan/Delivery Program 2013/14 - August 2013.

APPROVED FOR SUBMISSION:



WARWICK L BENNETT
GENERAL MANAGER



*Good
Government*

MONTHLY BUDGET
REVIEW

OPERATIONAL
PLAN/DELIVERY
PROGRAM – 2013/14

AUGUST 2013

MID-WESTERN REGIONAL COUNCIL
FINANCE & ADMINISTRATION

■ ■ ■ ■ ■ TOWARDS 2030



Monthly Reporting - Proposed Variations		Amount
Community Plan Theme	Variation	
GENERAL FUND		
Contra Variations		
Connecting our Region	Wollar Road Rehab Cumbo Creek - Final Seal. Resealing budget allocation on July budget variation was listed on the incorrect project.	(30,485)
Connecting our Region	Seal Extension Wollar Road - Transfer reseal budget to correct project	30,485
		C
		C
Total Contra Variations		0
TOTAL GENERAL FUND		0
Code		
F - Favourable		
U - Unfavourable		
C - Contra		

Original Annual Budget	Approved Variations	Revised Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD Annual Budget	% Proposed Annual Budget	Comment

\$'000

Looking after our Community

RURAL FIRE SERVICE - MULLAMUDDY FIRE STATION EXTENSIONS	0	73	73	0	73	2	Work continues on the internal fit out of this RFS funded project.
HM&M VEHICLE PURCHASE	27	0	27	0	27	0	Ongoing vehicle replacement program.
COMM. TRANSPORT- VEHICLE PURCHASE	48	0	48	0	48	0	Ongoing vehicle replacement program.
MUDGE CEMETERY CAP IMPV	70	0	70	0	70	0	Extension of the lawn cemetery. Works will not commence until February 2014.
CEMETERY LANDSCAPING - ROADSIDE	0	40	40	0	40	0	Planting of hedges in front of Gulgong and Mudgee cemeteries. Quotes are being obtained and works are to commence late October 2013.
PUBLIC TOILETS - CAPITAL UPGRADES	4	0	4	0	4	0	Budget only.
PUBLIC TOILETS - RYLSTONE DISABLED TOILETS	0	0	0	0	0	0	Completed.
PUBLIC TOILETS - MUDGE CEMETERY	50	0	50	0	50	0	Toilets to be designed similar to Gulgong Cemetery design and then to be put out for quotations.
PUBLIC TOILETS - PERCY NOTT PARK	100	0	100	0	100	0	Design is being completed and construction drawings finalised to enable quotes to be received.
PUBLIC TOILETS - RYLSTONE SHOWGROUND	0	0	0	0	0	1	Completed.
PUBLIC TOILETS - ROTARY PARK KANDOS	4	0	4	0	4	0	Completed.
PUBLIC TOILETS - APEX PARK GULGONG	3	0	3	0	3	0	Painting works completed waiting on final invoices.
PUBLIC TOILETS - BILLY DUNN PARK GULGONG	2	0	2	0	2	0	Painting works completed waiting on final invoices.
PUBLIC TOILETS - VICTORIA PARK GULGONG	2	0	2	0	2	0	Painting works completed waiting on final invoices.
PUBLIC TOILETS - WHITE CRES KANDOS	15	0	15	0	15	0	Works commenced to upgrade facilities including re-filing areas, replacement of urinal, glass blocks and other minor refurbishments. To be completed middle of November 2013
LIBRARY BOOKS	80	0	80	0	80	34	Ongoing program of library book purchases continues throughout the financial year.
MUDGE LIBRARY BUILDING IMPROVEMENTS	0	53	53	0	53	2	Finalising works and payments with the last couple of subcontractors.
LIBRARY EQUIPMENT	26	0	26	0	26	0	Equipment and e-books expected to be purchased and available by March 2014.

KANDOS MUSEUM - CAPITAL	20	0	20	0	20	0	0%	On holding pending review of priorities of works.
CULTURAL CENTRE INVESTIGATION	20	0	20	0	20	0	0%	Programmed to start next calendar year.
CAPITAL UPGRADE - GULGONG MEMORIAL	0	45	45	0	45	0	0%	Purchase Order placed for renewal of stage curtains and tracks. Work to be completed by November 2013.
CAPITAL UPGRADE - RYLSTONE HALL	0	12	12	0	12	0	0%	Footpath access to new toilet block at the rear of the Rylstone Hall completed. Final invoice to be submitted.
CAPITAL UPGRADE - KANDOS HALL	4	0	4	0	4	0	0%	Replacement of some internal lighting. Completed.
CAP UPGRD-CLANDULLA FACILITIES	5	0	5	0	5	0	0%	Work started to paint building, repair floor.
CAPITAL UPGRADE - HARGRAVES COURTHOUSE	0	5	5	0	5	0	0%	Grant funded works.
CAPITAL UPGRADE - BYLONG COMMUNITY HALL	0	2	2	0	2	0	0%	Grant funded works.
CAP UPGRD-COMMUNITY BLD-BUDGET ONLY	9	0	9	0	9	6	67%	Budget Only.
MUDGEES POOL TRICLUB SHED	0	0	0	0	0	16	0%	The shed is complete with some fencing and landscaping works to be completed.
MUDGEES SHOWGROUNDS - REDEVELOPMENT	0	17	17	0	17	11	63%	Works continue on infrastructure for the caravan park and upgrade of the amenities buildings.
GLENWILLOW SPORTS GROUND UPGRADES	20	0	20	0	20	0	0%	Works to provide drainage to the soccer car park, flyscreens to the grandstand amenities and safety works. Quotes are being obtained with works expected to commence late November 2013.
KANDOS WARATAH PARK - CAPITAL	45	11	56	0	56	0	0%	Consultation occurring with key users of the facility. Once scope is known quotes to be obtained. The main focus will be upgrading the food preparation area and providing suitable storage for various sports.
BILLY DUNN OVAL UPGRADE	15	0	15	0	15	0	0%	New shed to be constructed by Gulgong Sports Council.
RYLSTONE SHOWGROUND UPGRADE	280	0	280	0	280	0	0%	Initial meeting has been held with the showground committee to determine the scope of works. Focus will be on construction of a new canteen facility, site security via fencing and upgrade of the bar area. A development application is required and design documentation is being prepared.
SAMMY'S FLAT SYNTHETIC CRICKET PITCH	6	0	6	0	6	0	4%	New cricket pitch installed and completed.
GLEN WILLOW SOCCER AMENITIES REBUILD	0	0	0	0	0	14	0%	Demolition has just been completed, waiting for insurers to re-inspect before commencing rebuild.
GULGONG SHOWGROUND UPGRADE	50	0	50	0	50	0	0%	Proposed list of works required from Showground Committee, however, this work will not be classified as "Capital" for Council's accounting purposes.
MUDGEES SKATE PARK	0	55	55	0	55	46	84%	Project 95% completed. Minor tidy up works required to complete. Will be completed by end September.

MUDGEES SHOWGROUNDS - AMENITIES	20	0	20	0	20	0	0	0	0	0	0	0	0%	Works commenced to upgrade amenities building adjacent to camping area. New gas hot water units installed.
PASSIVE PARKS - LANDSCAPING IMPROVEMENTS	5	0	5	0	5	0	0	0	0	0	0	0	2%	Works commenced to increase planting and remove old tree stock in passive parks.
RED HILL RESERVE - TOURISM DEVELOPMENT INVESTIGATION	50	0	50	0	50	0	0	0	0	0	0	0	0%	Submission for grant funding submitted, result expected November 2013.
PLAYGROUND EQUIPMENT - SHADE SAILS	0	15	15	0	15	0	0	0	0	0	0	0	0%	Sail installed and completed in Robinson Park. The shade sail for Bellevue playground will be installed with the new play equipment.
SCULPTURES ACROSS THE REGION	30	0	30	0	30	0	0	0	0	0	0	0	0%	This project is fully grant funded. Grant funding currently being pursued.
AVISFORD RESERVE - CAPITAL	40	0	40	0	40	0	0	0	0	0	0	0	0%	Plan of Management prepared and on exhibition. Further report to be provided to Council.
PLAYGROUND EQUIPMENT - REDBANK PARK MUDGEES	30	0	30	0	30	0	0	0	0	0	0	0	0%	Equipment Ordered. To be installed during October.
PLAYGROUND EQUIPMENT - APEX PARK MUDGEES	20	0	20	0	20	0	0	0	0	0	0	0	0%	Equipment Ordered. To be installed during October.
PLAYGROUND EQUIPMENT - PEARL PARK GULGONG	20	0	20	0	20	0	0	0	0	0	0	0	0%	Equipment Ordered. To be installed during October.
PLAYGROUND EQUIPMENT - VICTORIA PARK MUDGEES	10	0	10	0	10	0	0	0	0	0	0	0	0%	Old equipment near grandstand to be removed. New equipment will be considered as part of the 2014 capital works program.
LAWSON PARK BBQ SHELTER - RE-BUILD	0	0	0	0	0	0	0	0	0	0	3	0	0%	Old structure has been removed and design documentation for replacement structure is being prepared.
BELLEVUE PLAYGROUND REPLACEMENT	0	0	0	0	0	0	0	0	0	0	9	0	0%	Equipment Ordered. To be installed during October.
SAM BATEMAN RESERVE LANDSCAPING UPGRADE	0	0	0	0	0	0	0	0	0	0	4	0	0%	Completed.
STREET SCAPE CAPITAL IMPROVEMENTS	15	0	15	0	15	0	0	0	0	0	0	0	0%	Replacement of street trees and treatment of tree related pests to occur throughout the year.
STREETSCAPE - BIN REPLACEMENT PROGRAM	13	0	13	0	13	0	0	0	0	0	0	0	0%	Bins ordered to complete replacement program in Mudgee. To be installed during November.
STREETSCAPE - RECYCLING BIN PROGRAM	10	0	10	0	10	0	0	0	0	0	0	0	0%	This program is being reported further to Council with photos of the streetscape impact of the additional bins prior to proceeding.
Total	1,167	328	1,495	0	1,495	0	0	1,495	0	1,495	148	0	10%	

Protecting our Natural Environment

RURAL WASTE DEPOT UPGRADES	53	0	53	0	0	0	0%	All waste capital is being reported to Council for confirmation during September.
MUDGEES WASTE DEPOT UPGRADES	30	0	30	0	14	46%	0%	All waste capital is being reported to Council for confirmation during September.
WASTE - LAND MATTERS	5	0	5	0	0	0%	0%	Queens Pinch Waste Transfer Station - awaiting gazettal and Certificate of Title to complete.
WASTE SITES REHABILITATION	100	0	100	0	0	0%	0%	All waste capital is being reported to Council for confirmation during September.
DRAINAGE CAPITAL IMPROVEMENTS	555	117	672	0	53	8%	3%	Tender awarded, works expected to start within the month.
CULVERT INSTALLATIONS	53	0	53	0	2	3%	0%	Ongoing throughout the year.
CAUSEWAY IMPROVEMENTS	60	0	60	0	6	10%	0%	Works have commenced on both causeways to be replaced this year. Works will be completed in September 2013.
DRAINAGE WORKS - LAND MATTERS	0	4	4	0	0	0%	0%	Formalisation of Right of Carriageway over land in Short Street to commence October 13.
ENV - PUTTA BUCCA WETLANDS CAPITAL	15	0	15	0	0	0%	0%	This project involves providing a permanent water supply to the wetlands gardens to assist with establishment and maintenance of the wetlands gardens. Works to commence in October.
WATER NEW CONNECTIONS	128	0	128	0	4	3%	0%	Provision of new connections to subdivisions and other new developments as required.
WATER AUGMENTATION - MUDGEES	3,510	0	3,510	0	0	0%	0%	Upgrades required for Mudgee WTP associated with Caerleon growth.
WATER AUGMENTATION - RYLSTONE & KANDOS	0	5	5	0	2	32%	0%	New pit and pipework installed. Electrical works to be completed for the actuator and magflow meters.
WATER REDBANK DAM UPGRADE	750	21	771	0	8	1%	0%	Contract has been awarded to Leed Constructions. Dam Safety Committee has endorsed the design, allowing construction works to now commence.
WATER TELEMETRY - BUDGET ONLY	20	(20)	0	0	0	0%	0%	Budget only
WATER TELEMETRY - MUDGEES LINK	0	20	20	0	0	0%	0%	Upgrade of analogue telemetry system to digital in Mudgee.
WATER LOSS MANAGEMENT WORKS	26	0	26	0	0	0%	0%	Installation of flow meters and associated telemetry monitoring equipment within the water distribution system.
WATER MAINS - CAPITAL BUDGET ONLY	280	(234)	46	0	9	20%	0%	Construction works will commence after the summer period.
WATER MAINS - LAWSON STREET	0	40	40	0	0	0%	0%	Water main replacement scheduled for commencement in November 2013.

WATER MAINS - DECOMMISSION	0	18	0	18	0	0	0	0	0	0	0	0	0	0%	Decommissioning of water mains no longer required in East Mudgee area. Multiple decommissions will be scheduled progressively throughout the year.
WATER MAINS - CHURCH ST	0	70	0	70	0	0	0	0	0	0	0	0	0	0%	Water main replacement in conjunction with road works scheduled for early 2014.
WATER MAINS - GLADSTONE ST	0	10	0	10	0	0	0	0	0	0	0	0	0	0%	Works completed July 2013.
WATER MAINS - LOVEJOY ST	0	30	0	30	0	0	0	0	0	0	0	0	0%	Water main replacement scheduled for commencement in October 2013.	
WATER MAINS - PERRY ST (GLADSTONE TO DENISON)	0	45	0	45	0	0	0	0	0	0	0	0	0%	Water main replacement adjacent to Mudgee Public School. Scheduled for completion during October 2013 school holidays.	
WATER MAINS - LOUEE ST	0	8	0	8	0	0	0	0	0	0	0	0	0%	Water main replacement scheduled for November 2013.	
WATER MAINS - DABEE ST	0	9	0	9	0	0	0	0	0	0	0	0	0%	Water main replacement scheduled for February 2014.	
WATER PUMP STATION - CAPITAL BUDGET ONLY	62	(45)	0	17	0	0	0	0	0	0	0	0	0%	Budget only	
WATER PUMP STATION - RYLSTONE CLEARWATER	0	35	0	35	0	0	0	0	0	0	0	0	0%	Refurbishment of pump at Clear Water Pump Station, Rylstone Water Treatment Plant. Works have commenced and are scheduled for completion in October 2013.	
WATER RESERVOIR - FLIRTATION HILL MUDGEE	70	0	0	70	0	0	0	0	0	0	0	0	0%	Reservoir refurbishment planning underway. Diving works to be scheduled based on specialised contractor availability.	
RESERVOIRS - PALERMO RD MUDGEE	50	0	0	50	0	0	0	0	0	0	0	0	0%	Reservoir refurbishment planning underway. Diving works to be scheduled based on specialised contractor availability.	
WATER METERS - BULK	90	0	0	90	0	0	0	0	0	0	0	8	9%	Program to replace water meters greater than 15 years old.	
VALVE INSTALLATION - MEARES ST	0	5	0	5	0	0	0	0	0	0	0	0	0%	Works scheduled for completion in December 2013.	
MAG FLOW METER INSTALLATION - MUDGEE BORE	0	10	0	10	0	0	0	0	0	0	0	0	0%	Works will be scheduled after the summer period during 2014.	
SEWER NEW CONNECTIONS	45	0	0	45	0	0	0	0	0	0	0	10	22%	Provision of new connections associated with new development.	
SLUDGE DEWATERING MOBILE UNIT	350	0	0	350	0	0	0	0	0	0	0	0	0%	Purchase of mobile sludge dewatering unit to process STP sludge and lime sludge at WTPs. Tender documentation currently being prepared for tender during September.	
SEWER AUGMENTATION - RYLSTONE & KANDOS	500	60	0	560	0	0	0	0	0	0	0	0	0%	Power supply design and land matters are currently on-hold until further investigation of staging options is prepared by January 2014.	

SEWER AUGMENTATION - MUDGEES	1,950	204	2,154	0	2,154	884	-41%	STP and Pump Station will be commissioned in September and October. Live demonstration of the pump station and treatment plant is scheduled to commence on 9 October 2014.
SEWER TELEMETRY	20	0	20	0	20	0	0%	Upgrade of analogue telemetry system to digital in Mudgee.
SEWER MAINS - CAPITAL BUDGET ONLY	350	(45)	305	0	305	0	0%	Budget only.
SEWER MAINS - BURRUNDULLA AVE	0	25	25	0	25	5	22%	Works have commenced and are scheduled to be completed by end September 2013.
SEWER MAINS RELINING	12	38	50	0	50	0	0%	Sewer main relining tender documents are currently being prepared for tender in September 2013.
SEWER MAINS - MUDGEES INDUSTRIAL AREA	0	42	42	0	42	33	79%	Construction of new sewer gravity main and rising main to service south Mudgee Area. 2013 remaining project budget revoked due to wet weather preventing project completion in June. Remaining work has been delayed to allow industrial area property owners to clear easements to allow connections to proceed.
SEWER MAINS - BELLEVUE TO RIFLE RANGE ROAD	0	47	47	0	47	0	0%	Works being completed by developer, with funding contribution by Council. Scheduling not within Council's control.
SEWER MAINS - RISING MAIN CAERLEON	0	850	850	0	850	0	0%	Construction of new rising main from Caerleon to new STP. Timing will be in association with approval timing of Caerleon Construction Certificate.
SEWER PUMP STATION - CAPITAL BUDGET ONLY	417	(415)	2	0	2	0	0%	Budget only.
SEWER PUMP STATION - INDUSTRIAL	0	52	52	0	52	28	55%	Awaiting industrial property owners to clear easements prior to final connection being undertaken.
SEWER PUMP STATION - FLOW METERING	50	0	50	0	50	0	0%	Installation of flow meters at Mudgee sewer pump stations to better monitor and control sewerage system.
SEWER PUMP STATION - CAERLEON	0	350	350	0	350	0	0%	Construction of new pump station within Caerleon. Timing will be in association with approval timing of Caerleon Construction Certificate.
DECOMMISSION OLD MUDGEES INDUSTRIAL SPS	0	15	15	0	15	0	0%	Decommissioning will commence following final connection to
SEWER TREATMENT WORKS - MUDGEES	45	0	45	0	45	1	2%	For emergency or major maintenance works across course of year.
DECOMMISSION MUDGEES STP PUTTA BUCCA	150	0	150	0	150	0	0%	Decommissioning works at old Mudgee Industrial STP will commence after commissioning of the new STP.
SEWER EASEMENT & LAND MATTERS	5	0	5	0	5	0	0%	Ongoing throughout the year.
Total	9,750	1,372	11,122	0	11,122	1,068	10%	

Building a Strong Local Economy

RIVERSIDE CARAVAN PARK - POWER POLES	0	10	10	0	0	0	0%	Replacement of caravan park poles. Order placed for replacement poles with negotiations to occur with leasee prior to works commencing.
RYLSTONE CARAVAN PARK - CAPITAL	15	0	15	0	15	0	0%	Retailing works to the amenities and replacement of partitions. Works to commence in November.
ENTRANCE SIGNAGE	0	131	131	0	131	0	0%	Feedback from Public Exhibition process to be reported to next Council meeting.
TECHNOLOGY PARK	5	0	5	0	5	0	0%	Not yet commenced.
SALEYARDS - CAPITAL BUDGET ONLY	20	0	20	0	20	0	0%	Design has started on the upgraded switchboard and works will continue throughout the year on replacing damaged posts.
PROPERTY - MUDGEE AIRPORT SUBDIVISION	0	180	180	0	180	0	0%	Plan of subdivision registered. Settlement anticipated in 30 September 2013.
PROPERTY - KANDOS SURPLUS LAND BLOCKS	6	0	6	0	6	0	5%	Dunn Street - awaiting new certificate of title to proceed to marketing.
PROPERTY - EX SALEYARDS STAGE I	50	0	50	0	50	6	12%	Review of Draft Concept Review in order to progress DA.
Total	96	320	416	0	416	7	2%	

Connecting our Region

URBAN RESEALS - BUDGET ONLY	366	(366)	0	0	0	0	0%	Budget only
URBAN RESEALS - DENISON STREET	0	11	11	0	11	0	0%	Planned for February 2014.
URBAN RESEALS - CHURCH ST	0	115	115	0	115	1	1%	Planned for February 2014.
URBAN RESEALS - HENBURY AVE	0	29	29	0	29	0	0%	Planned for February 2014.
URBAN RESEALS - BURRUNDULLA AVENUE	0	46	46	0	46	0	0%	Reseal planned for February 2014. Some kerb and gutter replacement works have been completed in preparation for the reseal
URBAN RESEALS - GLADSTONE STREET	0	36	36	0	36	0	0%	Planned for February 2014.
URBAN RESEALS - LITTLE BAYLY STREET	0	4	4	0	4	0	0%	Planned for February 2014.
URBAN RESEALS - MADEIRA ROAD	0	42	42	0	42	0	0%	Planned for February 2014.
URBAN RESEALS - MAYNE STREET	0	16	16	0	16	0	0%	Planned for February 2014.

URBAN RESEALS - MULGOA WAY	0	4	4	0	4	0	4	1	15%	Reseal planned for February 2014. Some kerb and gutter replacement works have been completed in preparation for the reseal.
URBAN RESEALS - PERRY STREET	0	29	29	0	29	0	29	0	0%	Planned for February 2014.
URBAN RESEALS - ROBERTSON STREET	0	36	36	0	36	0	36	0	0%	Planned for February 2014.
URBAN ROADS KERB & GUTTER CAPITAL	22	0	22	0	22	0	22	0	0%	Works will progress throughout the year.
REHAB - PERRY ST MUDGEES (MORTIMER TO GLADSTONE)	350	0	350	0	350	0	350	0	0%	Works are planned for January/February 2014.
REHAB - MORTIMER ST MUDGEES (CHURCH TO LEWIS)	550	0	550	0	550	0	550	16	3%	Mortimer street footpath works have commenced. The design for the crossing has been completed. A report recommending the pedestrian crossing has been presented to the Local Traffic Committee who have requested further traffic and pedestrian count information, consultation and design. Footpath works will continue.
REHAB - CHURCH ST MUDGEES (GLADSTONE TO DENISON)	750	0	750	0	750	0	750	3	0%	Works are planned for January/February 2014.
RESHEETING - URBAN ROADS	13	0	13	0	13	0	13	0	0%	Works are planned for March / April 2014.
URBAN ROADS LAND MATTERS CAPITAL	14	4	19	0	19	0	19	0	0%	Library Lane matter almost complete with LPI for registration. Unformed section of road reserve in Richards Street - objections received concerning road closure.
RURAL SEALED ROADS RESEALS BUDGET	749	(749)	0	0	0	0	0	0	0%	Budget only
RURAL RESEAL - HENRY LAWSON DR FROM DREWS LANE	0	65	65	0	65	0	65	0	0%	Works planned for late October 2013.
RURAL RESEAL - CRUDINE ROAD	0	68	68	0	68	0	68	0	0%	Works planned for late October 2013.
RURAL RESEALS - LUE ROAD (EX RYLSTONE)	0	64	64	0	64	0	64	0	0%	Works planned for late October 2013.
RURAL RESEAL - KAINS FLAT RD	0	24	24	0	24	0	24	0	0%	Works planned for late October 2013.
RURAL RESEAL - GLEN ALICE RD	0	71	71	0	71	0	71	0	0%	Works planned for late October 2013.
RURAL RESEAL - WINDEYER RD	0	63	63	0	63	0	63	0	0%	Works planned for late October 2013.
RURAL RESEAL - QUEENS PINCH RD	0	53	53	0	53	0	53	1	2%	Some preparation works have been completed. Reseal planned for late October 2013.
RURAL RESEAL - PYRAMUL RD	0	77	77	0	77	0	77	6	7%	Some preparation tree trimming works have been completed. Reseal planned for late October 2013.
RURAL RESEALS - BOCOBLE ROAD	0	96	96	0	96	0	96	3	3%	Some preparation tree trimming works have been completed. Reseal planned for late October 2013.
RURAL RESEALS - COOPER DRIVE	0	34	34	0	34	0	34	0	0%	Works planned for late September 2013.
RURAL RESEALS - DABEE ROAD - RYLSTONE	0	56	56	0	56	0	56	0	0%	Works planned for late October 2013.
RURAL RESEALS - HENBURY AVENUE	0	15	15	0	15	0	15	0	0%	Works planned for February 2014.
RURAL RESEALS - MCMURRAYS LANE	0	3	3	0	3	0	3	0	0%	Works planned for late October 2013.
RURAL RESEALS - UPPER BYLONG ROAD	0	31	31	0	31	0	31	0	0%	Works planned for late October 2013.

RURAL REHAB - LUE RD (OLIVE FARM)	254	32	286	0	286	210	73%	The project is nearing completion with the tree clearing, drainage works, shoulder widening and overlay completed. Seal is planned for late September 2013.
LAHEYS CK INTERSECTION UPGRADE (COBBORA)	0	71	71	0	71	15	20%	Councils involvement with the design of this project is completed. Final invoices have been submitted. It is unlikely that this physical works will occur this year following the uncertainty of the mine project.
REHAB - ROBERTSON RD	200	0	200	0	200	11	5%	Aboriginal investigations and environmental assessment has commenced. The date for commencement of works will be dependent on the results from the Aboriginal survey.
REHAB - BROGAN'S CREEK	200	0	200	0	200	0	0%	Works planned to commence October 2013.
HEAVY PATCHING BUDGET	150	0	150	0	150	2	1%	Works will continue throughout the year.
BLACKSPOT YARRAWONGA RD SHOULDER WIDENING	0	580	580	0	580	0	0%	These works are planned for January 2014. The scope of the works is being negotiated with RMS Road Safety.
RURAL SEALED ROAD LAND MATTERS	11	0	11	0	11	4	34%	Lue Road (Havilah) plan signed and Crown contacted regarding progressing crown land component. Coxs Crown Road - nearing finalisation.
RURAL SEALED REGIONAL ROAD RESEALS	623	(623)	(0)	0	(0)	0	-89%	Budget only
RURAL SEALED REGIONAL ROAD REPAIR PROGRAM	800	0	800	0	800	0	0%	Works are planned to start following the completion of the Ulan Road / Mudhut Creek Road intersection works in December 2013.
BLACKSPOT BYLONG VALLEY WAY - GROWEE GULPH	0	0	0	0	0	11	0%	This project was completed in 2012/13, however additional funds are available this year to carry out a reseal. Currently negotiating with RMS road safety.
BLACKSPOT COPE RD SHOULDER WIDENING	550	0	550	0	550	1	0%	This project will be undertaken following the completion of the first Cope Road project.
BLACKSPOT COPE RD SHOULDER WIDENING	430	0	430	0	430	2	1%	Approval permits have been received from Fisheries to carry out the major culvert works and site has been checked for aboriginal artefacts. The works will commence in September 2013 following receipt of the REF. These works are planned to be completed by December 2013.
BLACKSPOT YARRAWONGA RD SHOULDER WIDENING	580	(580)	0	0	0	0	0%	Budget transferred to Local Rural Sealed function.
BLACKSPOT ULAN RD - MUDHUT CREEK ROAD	880	(280)	600	0	600	20	3%	The design and REF has been completed. Works are planned to commence in mid September with the tree clearing followed by earthworks. The project is expected to be completed by November 2013.

BLACKSPOT ULAN RD - RIDGE ROAD INTERSECTION	0	220	220	0	220	0	220	0	0%	This project will be undertaken simultaneously with the Ulan Road REPAIR project. Works are planned to start following the completion of the Ulan Road / Mudhut Creek Road intersection works in December 2013.
REHAB COPE ROAD UPGRADE BUDGET ONLY	0	400	400	0	400	0	400	0	0%	These works will be carried out in conjunction with the Blackspot projects.
REPAIR - ULAN RD MR214	0	33	33	0	33	0	33	0	0%	Reseal works planned for Sept 2013.
ULAN & COPE ROAD UPGRADES	72	0	72	0	72	0	72	0	0%	Works to be undertaken across course of year, as required. Likely to be heavy patching.
REG RESEAL - WOLLAR RD MR208	0	160	160	0	160	0	160	0	0%	Some shoulder grading preparation works have been completed, however it is necessary to carry out some heavy patching to segments 1330 and 1335 to fix failures prior to resealing.
REHAB - WOLLAR RD CUMBO CREEK	0	0	0	30	30	0	30	0	0%	This project involves the final seal following the rehab project in 2012/2013.
REG RESEAL - HILL END RD	0	24	24	0	24	0	24	0	0%	Works planned for November 2013.
REG RESEAL - GOLLAN RD	0	67	67	0	67	0	67	0	0%	Works planned for September 2013.
REG RESEAL - ULAN RD	0	36	36	0	36	0	36	0	0%	Works planned for September 2013.
REG RESEALS & HP - COX STREET- RYLSTONE	0	39	39	0	39	0	39	0	0%	Works planned for November 2013.
REG RESEALS - BYLONG VALLEY WAY MR215	0	122	122	0	122	0	122	0	0%	Works planned for November 2013.
REG RESEALS - COPE ROAD MR598	0	84	84	0	84	0	84	0	0%	Works planned for November 2013.
REG RESEALS - ROUSE STREET MR598	0	34	34	0	34	0	34	0	0%	Works planned for February 2014.
RURAL SEALED REGIONAL ROAD LAND MATTERS CAPITAL	4	0	4	0	4	0	4	0	0%	Black Spot Program - Ulan Road Budget Budgee - progressing as planned
SEAL EXTENSION - ULAN-WOLLAR RD	0	169	169	0	169	0	169	1	0%	These works were practically completed in 2012/13 however late rain in June prevented sealing. The sealing is planned for late September 2013.
SEAL EXTENSION - BERAGOO ROAD	16	0	16	0	16	0	16	0	0%	Works planned for late 2013 and to coincide with the resheeting works in the area.
RESHEETING - BUDGET ONLY	921	431	1,352	0	1,352	330	1,352	330	24%	Works have commenced and will continue throughout the year. Grading and resheeting works have slowed during August due to the dry conditions.
UNSEALED ROADS LAND MATTERS CAPITAL	6	0	6	0	6	0	6	0	0%	Whitehouse/Cope Road realignment - progressing as planned.
RURAL UNSEALED REGIONAL ROAD RESHEETING	50	0	50	0	50	0	50	0	0%	Works planned for March / April 2014.
SEAL EXTENSION - WOLLAR ROAD	220	57	277	(30)	247	0	247	0	0%	Works are planned for December 2013.
FOOTWAYS - CAPITAL BUDGET ONLY	115	0	115	0	115	0	115	0	0%	Works will progress throughout the year.

PEDESTRIAN - KANDOS TO CLANDULLA	20	60	80	0	80	0	80	0	0%	This project will be planned once approvals from ARTC / John Holland are received.
PEDESTRIAN - CHARBON PEDESTRIAN BRIDGE	0	99	99	0	99	0	99	0	0%	This project will be planned once approvals from ARTC / John Holland are received.
CBD TAXI RANK SHELTER	0	18	18	0	18	0	18	1	5%	Report to Council in October for the weatherproofing of the CBD taxi shelter. Works to commence immediately subject to Council approval.
PEDESTRIAN - GLEN WILLOW WALKWAY	300	0	300	0	300	0	300	2	1%	Tenders have now closed. Funding of this project is to be reviewed following cancellation of \$150,000 Regional Development Grant.
GULGONG WALKWAY	40	0	40	0	40	0	40	33	83%	This majority of this project is complete. The final section at the cemetery entrance will be undertaken in conjunction with the intersection works for the Springfield widening project.
AIRPORT EXTEND TAXIWAY	0	0	0	0	0	0	0	(18)	0%	This amount provides for Councils contribution to the apron for the new airport hanger development. The negative balance is an accrual from 2013, which will reverse once payment is made.
AIRPORT - APPROACH LIGHTS	10	0	10	0	10	0	10	4	43%	The LED lights have been ordered and it is anticipated they will be installed in November/December.
Total	9,266	1,230	10,496	0	10,496	0	10,496	660	6%	

Good Government

KANDOS MUSEUM	0	8	8	0	8	0	8	3	0%	On holding pending review of priorities of works.
CAPITAL UPGRADE - MWRC DEPOT	270	0	270	0	270	0	270	36	13%	Works to extend the operations office due to the dilapidated state of current amenities and office building at the Depot. Works have commenced. Expected completion by end December 2013.
STABLES COMPLEX	15	0	15	0	15	0	15	0	0%	Progressive fixing of rising damp issues to this building. Contractor is providing quotes and this project will be completed by end December.
IT CORPORATE SOFTWARE	51	0	51	0	51	0	51	0	0%	Initial scoping meeting held with Technology One to progress ePlanning modules.

IT RECORDS MANAGEMENT IMPLEMENTATION	0	70	70	0	70	0	15	22%	New EDRMS has been installed. Additional works on document flow improvements taking place along with specific requests from different departments of Council.
SMART PHONE APPLICATION	5	0	5	0	5	0	0	0%	Awaiting further information from website vendor regarding possible quote for mobile friendly website application.
PLANT PURCHASES	1,747	0	1,747	0	1,747	68	4%	Tenders for heavy plant will be advertised in Dec and Jan with all major plan deliveries to be made in April/May.	
WORKS DEPOT - OHS CAPITAL IMPROVEMENTS	0	7	7	0	7	8	114%	Smart Oil Meters installed, project completed.	
COMMUNICATIONS - MT MISERY HUT	5	0	5	0	5	3	55%	Replacement of uninterrupt power supply (UPS) units at Mt Misery to keep water and sewer infrastructure online.	
Total	2,093	85	2,178	0	2,178	134	6%		

Total Capital Works Program

22,373 3,335 25,708 0 25,708 2,016 8%

6.2.7 Financial Assistance Applications

REPORT BY THE FINANCIAL ACCOUNTANT TO 3 OCTOBER 2013 COUNCIL MEETING
COUNCIL 131003 PUBLIC
GOV400029, A0100056, 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:**

Twin Town Players Inc	\$660
Dance with Attitude	\$400
3. **Council waive the bond of \$550 payable by Twin Town Players Inc to hire the Rylstone Hall. Bond to be payable from Financial Assistance budget if required.**

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.

TWIN TOWN PLAYERS INC

The Twin Town Players are a small group of drama enthusiasts who volunteer their time, experience and knowledge to produce theatrical plays for the local community. They would like to apply for financial assistance to waive the hire fees for the use of the Rylstone Hall for rehearsal times. The rehearsals and performances run through from September to November and at present the minimum fee for local artist hire is \$55 for a maximum of 4 hours. It is recommended that Council waive 12 rehearsal days being a total of \$660.

In addition is a request to waive the bond of \$550. It is noted that while this is returnable, it would entail having funds tied up for a long period given the time scale for a production. The Twin Town Players have been presenting performances in the hall for over 20 years in which they have had satisfactory cooperation.

DANCE WITH ATTITUDE

Dance with Attitude is in the process of forming The Mid-Western Dance Festival to be held at the Mudgee Town Hall next year. The organisation will rely on entries to fund the festival and the request is for any assistance with costs involved. It is recommended that Council waive the hire cost of the Town Hall theatre being quoted at \$400.

Financial implications

Funding of \$152,000 is provided in the Operational Plan for Financial Assistance. \$141,341.96 has been allocated to date, leaving a balance of \$10,658.04. Should Council approve the donations in accordance with the recommendation, a balance of \$9,598.04 will remain.

The Councillor's Discretionary vote for 2013/14 is \$2,000 per Councillor. The balances are detailed below:

Councillor	Amount
Cr Thompson	\$2,000.00
Cr Shelley	\$1,750.00
Cr Walker	\$1,217.44
Cr Webb	\$2,000.00
Cr Martens	\$2,000.00
Cr Kennedy	\$2,000.00
Cr Weatherley	\$2,000.00
Cr White	\$1,750.00
Cr Cavalier	\$1,700.00

Strategic or policy implications

Council's Financial Assistance Policy applies.

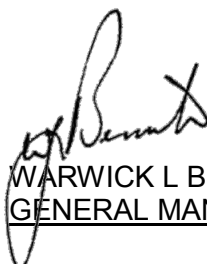
NEIL BUNGATE
FINANCIAL ACCOUNTANT

CLARE PHELAN
DIRECTOR, FINANCE & ADMINISTRATION

20 September 2013

Attachments: 1. Applications for financial assistance

APPROVED FOR SUBMISSION:


WARWICK L BENNETT
GENERAL MANAGER

TWIN TOWN PLAYERS INC.

P.O.BOX 191, RYLSTONE.

Mr. W. Bennett,
General Manager
Mid Western Regional Council
MUDGEE.



Dear Sir

On behalf of Twin Town Players Inc., I hereby apply to you for exemption from payment for use of the Rylstone Hall for rehearsal times. Preparation for a full-length play necessarily entails quite numerous rehearsals, ideally carried out on the stage where the final product will be presented. We also need access to the stage area from time to time for set construction. At present the minimum tariff is \$55 for 4 hours, which could amount to \$800 - \$900 over and above the cost of hire for the public performances.

I am also applying for exemption from payment of the bond. While this is returnable after satisfactory inspection, it entails having funds tied up for a long period, given the time scale for a production from first readings to final performances. Twin Town Players has been presenting performances in the hall for over twenty years, so I feel that we have a proven track record in satisfactory cooperation with the relevant local government body in this regard.

] Yours faithfully

A handwritten signature in cursive script that reads "Owain James".

OWAIN JAMES.
Treasurer, Twin Town Players Inc.

Copy to Councillor P. Shelley.



09/09/2013

Mid-Western Regional Council

To whom it may concern,

I am forming the MID-WESTERN DANCE FESTIVAL.

We are in the process of advertising to complete the committee consisting of Locals involved with dance in our community.

The Mid-Western Dance Festival (non-profit organisation) will rely on entries to fund the dance festival. As a matter of interest The Prince of Wales Gulgong Eisteddfod had 1200 entries in the dance section alone this year 2013, this would possibly bring 1200 people into Mudgee in late April 2014.

I am writing to also ask the Council's Events Coordinator Alayna Gleeson, for advice, particularly in relation to what other events may be happening at that time. i.e Anzac day etc

Request for sponsorship

(Including reduced rate for hire of Council buildings) to be considered by Council at a Council meeting.

If you could provide information on costs & availability on the proposed dates;

- Set up & start on Friday 25th April,
- Competition & rehearsals on Saturday 26th April & Sunday 27th April and
- SHOWCASE on the evening of Sunday 27th April, and I can organise that the committee would clean up.

I ask for your support for our local talent, we hope that you are able to assist with any costs involved.

The local dance community consists of several Dance studios including;

1 in Gulgong, 4 in Mudgee, 2 in Wellington, 1 in Coolah, 1 in Dunedoo, 1 in Cobar, 1 in Molong, several in Bathurst, Orange & Dubbo

We are currently waiting on ABN, Insurance information, as it is early days.

Once received I can submit the financial assist policy document recommended.

Kind Regards

Ms Naomi Bishop A.R.A.D

Principal of Dance with Attitude

Registered Teacher Status with the R.A.D & G.W.T.

Approved Mentor, Practical Teaching Supervisor and Tutor (C.B.T.S) for the Certificate in Ballet Teaching Studies with the Royal Academy of Dance.

DANCE WITH ATTITUDE

Mudgee Ballet Academy School of Excellence

Mudgee Dance Boutique & Active Wear

LOCATED at Perry Hall **18 Perry ST MUDGEE NSW 2850**

Mobile: 0413998232 YOU CAN CONTACT US: Mon- Fri from 1pm- 4pm or on email

Email: mudgeedance@bigpond.com Website: www.mudgeedance.com

6.2.8 Kanandah Retirement Ltd – Request for Financial Assistance

REPORT BY THE GENERAL MANAGER TO 3 OCTOBER 2013 COUNCIL MEETING
COUNCIL 131003 PUBLIC
GOV400029, A0100056, A0140201

RECOMMENDATION

That:

1. **the report by the General Manager on the Kanandah Retirement Ltd – Request for Financial Assistance be received;**
2. **Council refer any contribution to the Kanandah Retirement Ltd to be considered as part of the September Quarterly Budget Review.**

Detailed report

Please find attached a letter from Kanandah Retirement Ltd requesting Council to make a financial contribution of \$4,650 for an Alrick wide hi-lo bed. Although this request would normally be considered as part of Council's financial assistance policy, it is recommended at this time that it be referred to the September Quarterly Budget Review because Council's funding allocation in the financial assistance provision is very limited. Council has resolved to review the allocation to the financial assistance provisions at the September Quarterly Budget Review, and this application should form part of that review.

Financial implications

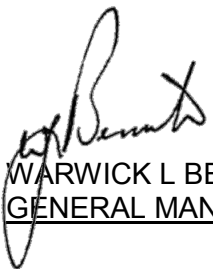
The financial assistance budget currently has a balance of \$11,038 and if Council was of the mind to fund this directly from that account at this time, it would reduce the budget available to \$6,388.

Strategic or policy implications

Not applicable at this time.

20 September 2013

Attachments: 1. Letter from Kanandah Retirement Ltd received 11 September 2013.



WARWICK L BENNETT
GENERAL MANAGER



KANANDAH RETIREMENT LIMITED

21 DOURO STREET MUDGEE NSW 2850
ABN: 85 002 535 846

Telephone: 02 6378 6400 Facsimile: 02 6378 6539
Email: administrator@kanandah.com.au

The Councilors
Midwestern Regional Council
PO Box 156
Mudgee NSW 2850



RE: Financial Assistance Application

Dear Councilors,

Kanandah Retirement Limited requests financial assistance from The Midwestern Regional Council to assist the organization to purchase specialized nursing care equipment required for the four additional permanent rooms currently under construction.

Please find below information to assist with Kanandah Retirement Limited's application.

BACKGROUND INFORMATION

Kanandah Retirement Limited is a not for profit community based aged care facility located in Mudgee NSW. Kanandah provides various levels of aged care accommodation and services including:

- Retirement Village Accommodation
- Residential aged care accommodation comprising of permanent, respite rooms and dementia specific accommodation.
- Community Aged Care Packages.
- Private rental accommodation designed specifically to accommodate the needs of older people living in the local area.

Kanandah Retirement Limited is governed by a dedicated Board of Directors. The day to day management of the organization is managed by a responsible and professional senior management team. For more detailed information about Kanandah Retirement Limited visit www.kanandah.com.au

Since 2002 the Board of Directors has strategically worked towards expanding and improving residential care services for the Kanandah residents and the broader community. This strategy has included:

- The construction of 32 residential care places designed to cater for the needs of residents with higher care needs
- The refurbishment and upgrade of numerous permanent low care rooms to accommodate the needs of high care residents.

The geographic area covered by Kanandah Retirement Limited encompasses the mid-western region of NSW, some 9,000 square kilometres. Communities within our area include Mudgee, Ulan, Gulgong, Goolma, Tucklan, Birrawa, Hargraves, Ilford, Kandos, Rylstone and Sofala as well as several smaller rural villages and localities.

The mid-western region has a population of approximately 23,000 with a projected population growth in the region of approximately 5,000 people in the next 3-5 years due to the expansion of local coal mining projects. Additionally, over the past decade Mudgee has experienced an in-migration trend of older people moving to the local area from metropolitan regions, and retirees from local farming communities.

For these reasons the Board of Directors and management of Kanandah have been proactive in developing a strategic plan that reflects the need for additional aged care places in the region.

FUNDING SOURCES

Kanandah has, as with other not-for-profit aged care facilities, three main sources of funding:

- Our primary source of funding comes from the Federal Government in the form of aged care subsidies. This comprises of approximately 68% of our total residential care funding. The vast majority of this funding is directed to meet the costs of delivering personalised care to each and every resident.
- Each resident is required to meet their own lodging costs in the form of daily care fees. Daily care fees deliver approximately 28% of total residential income, covering the costs of meals, cleaning, laundry, heating and lighting. Daily care fee rates are set by Federal Government regulation.
- The 4% balance of care funding is provided by residents on a means' tested basis and is enhanced by interest earned on investments. This income is derived from the investment of accommodation bonds. The use and refunding of accommodation bonds is strictly regulated.

Set against the above background, payroll and oncosts comprise 77% of total income and over 80% of total expenditure before depreciation, our ability to meet demands for good quality furniture, fittings and equipment (after providing for the best possible care for residents) is a constant challenge and a need for careful prioritisation. The amount of extraneous income varies considerably from year to year. 2012/2013 donations contributed to 0.3% of total income compared to 2011/12 (a relatively good year) of about 1% of income.

Rising costs in the forms of electricity, water and payroll have provided little relief in our ability to meet large requirements of funding when extensions or upgrades are commenced.

DONATION AMOUNT

Kanandah Retirement Limited respectfully requests a donation of \$4650 to assist with the purchase of one (1) Alrick wide hi-lo bed, required to furnish one of our four additional permanent rooms currently under construction. Please see the attached proposal from Regency Medical to supply the equipment required.

BUILDING PROJECT COMPLETION DATE

The extension is due for completion on 30 November 2013.

Yours sincerely

Sue Pearce
Administrator
Kanandah Retirement Limited

Rebecca Murphy
for

6.2.9 Lanes in Gulgong

REPORT BY THE MANAGER TECHNICAL SERVICES TO 3 OCTOBER 2013 COUNCIL MEETING
COUNCIL 131003 PUBLIC
GOV400029, A0100056, R0790192

RECOMMENDATION

That:

1. **the report by the Manager Technical Services on the Lanes in Gulgong be received;**
2. **Council go through the road naming process for the lanes referred to as Un-named Lane 1 through 4 as depicted on the maps attached;**
3. **Council include the following Gulgong roads in the Roads Asset Management Plan as maintained roads:**
 - a. **Un-named Lane 1 – 150m long off Bulga St parallel to Mayne St**
 - b. **Un-named Lane 2 – 230m long between Wenonah and Bowman Streets**
 - c. **Un-named Lane 3 – 190m long between Lynne and White Streets**
 - d. **Un-named Lane 4 – 330m long between Rouse St and Lynne St**
 - e. **Collins Lane – 150m long between White St and Robinson St.**

Executive summary

The purpose of this report is to make Council aware of a number of lanes in Gulgong that are not included as a maintained road in Councils records and are either unformed, gravel formed or sealed. The report also considers Reef St Gulgong that is maintained, but unsealed. Staff were requested to consider these lanes and make recommendation on the way forward in regard the future maintenance.

Detailed report

Un-named Lane 1 – 150m long off Bulga St parallel to Mayne St heading to the back of the Ten Dollar town Motel. This lane is sealed at 3m wide. Council has no record of it being constructed/maintained by Council. The lane provides rear lane access to approximately 10 properties. It is considered appropriate to name the lane through the road naming process, and include this road as a Council maintained road as it has been maintained previously.

Un-named Lane 2 – 230m long between Wenonah and Bowman Streets. This lane is formed gravel at 5.5m wide and is in reasonable condition. Council has no record of it being constructed/maintained by Council, however some long term staff do remember Council gravelling the lane. The lane provides rear lane access to approximately 20 properties and seems reasonably well used. It is considered appropriate to include this road as a Council maintained road as it has been maintained previously.

Un-named Lane 3 – 190m long between Lynne and White Streets. This lane is some gravel at 5.5m wide with grass down the middle in part. Council has no record of it being constructed/maintained by Council, however some long term staff do remember Council gravelling the lane. The lane provides rear lane access to approximately 15 properties. It is considered appropriate to include this road as a Council maintained road as it has been maintained previously.

Un-named Lane 4 – 330m long between Rouse St and Lynne St. This lane is sealed at 3m wide. Council has no record of it being constructed/maintained by Council, however some long term staff do remember Council sealing the lane. 230m needs re-sealing; the remaining 100m needs to be rehabilitated prior to resealing. It is considered appropriate to name the lane through the road naming process, and include this road as a Council maintained road as it has been maintained previously.

Collins Lane – 150m long between White St and Robinson St. This lane is sealed at 3m for 75m and 5m for 75m. Council has no record of it being constructed/maintained by Council, however some long term staff do remember Council sealing the lane. The lane needs re-sealing. It is considered appropriate to include this road as a Council maintained road as it has been maintained previously.

Reef St Gulgong – 140m long between Robinson St and Canadian St. Reef St is well formed with good gravel and is maintained by Council. It provides rear access to 4 properties and main access to one house, 7 Reef St. The owners have recently requested this street be sealed. Staff have advised the owners that the seal extension program has been suspended so there is no budget currently available to seal Reef St.

There are a number of other lanes in Gulgong that are unformed and unnamed and generally provide limited access to the rear of residents. They are generally mown by the residents. It is proposed to leave these as unnamed unmaintained road reserves.

Financial implications

Inclusion of the recommended Gulgong roads in the Roads Asset Management Plan as maintained roads will have the financial implications listed below. All calculations were completed using the square metre rate and the design life taken from the Roads Asset Management Plan for resealing, rehabilitation, grading and re-sheeting. The initial costs are within 5 years and can be incorporated into proposed budgets.

Road	Treatment	Initial Cost	Annual Cost
a. Un-named Lane 1	– 150m long off Bulga St parallel to Mayne St		
	Reseal within 3-5 years then every 13 years	\$1,688	\$130
	Rehab every 39 years		\$404
	Total	\$1,688	\$534
b. Un-named Lane 2	– 230m long between Wenonah and Bowman Streets		
	Grading within 2 years	\$345	\$173
	Re-sheeting every 16 years		\$237
	Total	\$345	\$410
c. Un-named Lane 3	– 190m long between Lynne and White Streets		
	Grading within 2 years	\$285	\$143
	Re-sheeting every 16 years		\$196
	Total	\$285	\$338
d. Un-named Lane 4	– 330m long between Rouse St and Lynne St		
	Reseal 230m within 3-5 years then every 13 years	\$2,588	\$286
	Rehab 100m within 1-2 years then every 39 years	\$10,500	\$888
	Total	\$13,088	\$1,174
e. Collins Lane	– 150m long between White St and Robinson St		
	Reseal within 3-5 years then every 13 years	\$2,250	\$173
	Rehab every 39 years		\$538
	Total	\$2,250	\$712
Grand Total		\$17,655	\$3,167

If Council choose to seal Reef St 3m wide the following costs are applicable:

If Council choose to seal Reef St 3m wide the following costs are applicable:

Road	Treatment	Initial Cost	Annual Cost
Reef St	Grade existing gravel and Seal	\$4,000	
	Reseal every 13 years		\$130
	Rehab every 39 years		\$404
	Total	\$4,000	\$534

Strategic or policy implications

The recommendation will impact the Roads Asset Management Plan.



ANDREW KEARINS
MANAGER TECHNICAL SERVICES

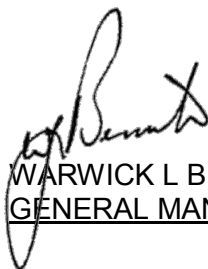


BRAD CAM
DIRECTOR, MID-WESTERN OPERATIONS

18 September 2013

Attachments: 1. Maps of Gulgong with Un-named Lanes highlighted.

APPROVED FOR SUBMISSION:



WARWICK L BENNETT
GENERAL MANAGER



Map Scale: 1:5,000

Disclaimer

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

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

Gulgong Un-named Ln 1, Collins Ln and Reef St

Legend

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

NORTH



Printed on Friday, 20 September 2013



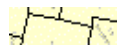








Map Scale: 1:2,000

Disclaimer

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Legend

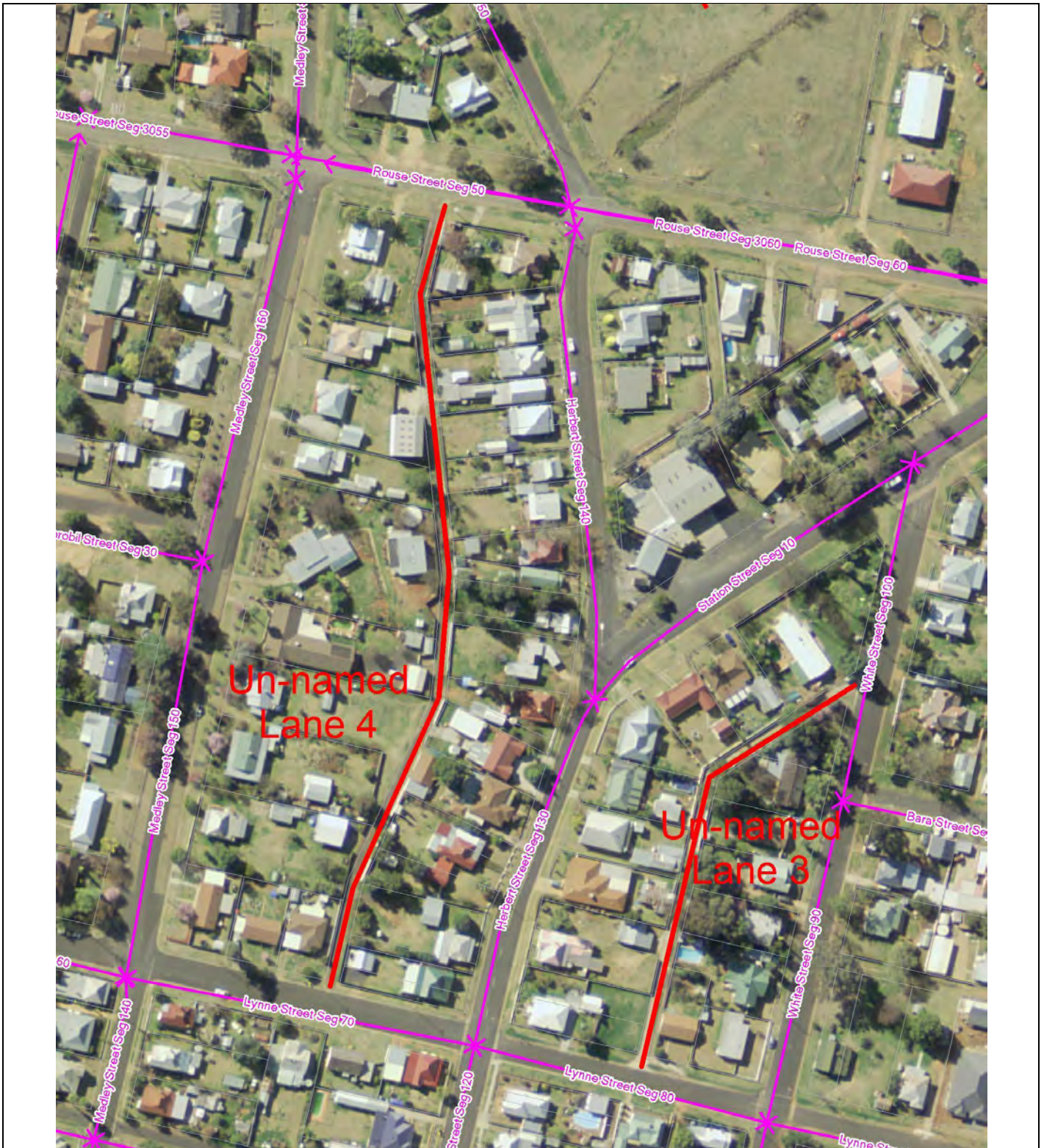
	Parcel		Parish		Road
	Crown Land		Localities		State Forest
	Railway		LGA Boundary		Waterway



Gulgong Un-named Lane 2



Printed on Friday, 20 September 2013



Map Scale: 1:2,000

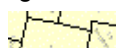








Gulgong Un-named Lanes 3 & 4

Disclaimer

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Legend

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

NORTH



Printed on Friday, 20 September 2013

6.2.10 Mudgee Sewerage Augmentation Progress Report

REPORT BY THE BUSINESS MANAGER SERVICES TO 3 OCTOBER 2013 COUNCIL MEETING
COUNCIL 131003 PUBLIC
A0100056, A0100055, F0740001

RECOMMENDATION

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

Executive summary

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

Detailed report

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

Financial implications

Contract variations for the Mudgee Sewage Treatment Plant construction to date amount to \$181,092.35 (ex GST).

Strategic or policy implications

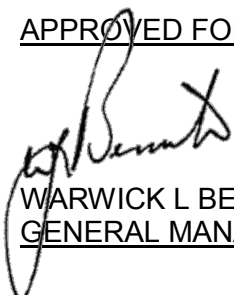
Not applicable.

CLAIRE CAM
BUSINESS MANAGER SERVICES

20 September 2013

Attachments: 1. Mudgee Sewerage Augmentation Project Status Report August 2013

APPROVED FOR SUBMISSION:



WARWICK L BENNETT
GENERAL MANAGER

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

Project Status Report
August 2013



Report No. 21

Issue Date: 20 September 2013

Prepared by: Claire Cam
Principal's Authorised Person

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EXECUTIVE SUMMARY – STP Construction Contract

Contract No.	0901709
Principal Contractor	Precision Civil Infrastructure ABN 16 097 107 956
Original Contract Sum (ex GST)	\$13,699,295.45
Approved Cost of Variations Total	\$181,092.35
Current Contract Sum	\$13,880,387.80
Contract Payments to Date	\$13,111,970.10
Total Project Cost Expended	94.4%
Date of Contract	8 August 2011
Original Contract Duration	511 calendar days Milestone 1: 28 calendar days Milestone 1+ 2: 420 calendar days (82.2%) Milestone 3: 63 calendar days (12.3%) Milestone 4: 28 calendar days (5.5%)
Approved Extensions of Time Claims	312 calendar days (61.0%)
Contract Completion Date	7 November 2013
Calendar Days Elapsed	775
Calendar Days Remaining	48
Total Project Time Expended	94.2%

Notes:

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

Milestone 2 – Construction of the Works.

Milestone 3 – Site testing, plant demonstration and commissioning.

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

1. Project Status

1.1 Work Progress during August 2013

1.1.1. Sub-contracted Equipment Testing

Subcontractors that supplied major equipment for the Contract including the aerators, chemical dosing facility, the odour control facility, the mechanical screens and decanters have tested the equipment onsite over the last month using clean water.

Aerator testing was completed during August and witnessed by NSW Water Solutions. The aerators passed all required testing to determine efficiency regarding power draw and oxygen transfer.

1.1.2. Road Works and Landscaping

All roads have now been prepared over the last month ready for two-part bitumen sealing in late September.

Areas planned to be grassed have now been seeded.

1.1.3. Plant Control System

Testing for automatic control of the treatment plant mechanical equipment has continued over the last month.

1.2 Photographs



Photograph 1. Aerators operating during testing.



Photograph 2. Mixer installed in sludge lagoon.

1.3 Work Activities planned for September and October 2013

1.3.1 Commissioning

The Contractor is on track to commence a two week live demonstration period starting 9 October, in which connection between the Putta Bucca Pump Station and newly constructed rising main is made and sewage commences pumping up to the Sewage Treatment Plant.

The Contractor will then operate the plant for two weeks, and then instruct Council's Operators for a further two weeks thereafter.

1.3.3 Road Works

The site roads will be sealed during late September with a two-part bitumen seal.

1.3.4 Documentation

The Contractor will be completing documentation including work-as-constructed plans and operation and maintenance manuals during October.

2. Work Health and Safety

The Contractor has not reported any Work Health and Safety incidents during August.

3. Variations

No requests for variation have been received during August.

Table 1. Approved Variations Contract No. 0901709

Variation No.	Agreed Scope of Works	Approved by	Cost (ex GST)
1	Works Insurance Policy minimum \$20M	Brett Corven	\$0.00
1a	Professional Indemnity Insurance Policy \$1.5M	Brett Corven	\$0.00
2	Install an additional two 5m wide access gates.	Brett Corven	\$0.00
3	Switchroom sub-floor walls to be reinforced concrete.	Brett Corven	\$0.00
4	Relocate electrical substation to northern side of Road No.1 Chainage 410-420, including design and construction of an earth retaining structure.	Brett Corven	\$0.00
5	Supply & install an additional strand of barbed wire on the security fencing.	Brett Corven	\$0.00
6	Redesign, supply and install underdrain system and perimeter drain to drain seepage to atmosphere.	Warwick Bennett	\$141,086.17

7	Hourly rate for drafting to produce Construction Issue plans.	Brad Cam	\$5,330.00
8	Odour control lids – change from Aluminium to FRP.	Brad Cam	\$0.00
9	Increase concrete cover from 50mm to 65mm on reinforcement for surfaces in contact with sewage.	Brad Cam	\$0.00
10	Replace Iwaki dosing pumps with Grundfos DME 60 pumps.	Brad Cam	\$0.00
11	Provide additional concrete to match height of balance tank north and south wall thinning to eastern wall.	Brad Cam	\$0.00
12	Supply and install FRP grated walkway along centre wall of aeration tanks to allow installation of aerator cabling beneath the grating, decreasing WH&S risk during maintenance.	Warwick Bennett	\$30,720.75
13	Change stopboard frames material from aluminium to stainless steel.	Warwick Bennett	\$2,200.00
14	Cast insitu reinforced concrete 1800mm diameter pump wells and maintenance chambers	Warwick Bennett	\$0.00
15	Relocation of generator connection panel	Warwick Bennett	\$23,256.22
16	Removal of 3 x rotometers from chemical dosing system and replace with flanged pipe.	Warwick Bennett	(\$7,731.90)
17	Precision Civil Infrastructure P/L subcontract PLC design, supply, install to Apex Electrical P/L. Schneider undertake telemetry works.	Warwick Bennett	(\$10,000.00)
18	Installation of smoke detectors connected to security system in lieu of fire detection system specified in Contract.	Warwick Bennett	(\$6,854.00)
19	Installation of split system air conditioning units in switchroom lieu of cassette type systems as specified in Contract	Warwick Bennett	(\$4,738.00)
20	Supply and installation of 3 x 8m light poles to provide staircase lighting for the aeration tanks.	Warwick Bennett	\$9,823.66

21	Installation of split system air conditioning units in laboratory and kitchen in lieu of cassette type system as specified in Contract.	Warwick Bennett	(\$2,096.05)
22	Relocation of power supply substation	Brad Cam	(\$19,000.00)
23	Addition of walkway to operate and service Catch Balance Tank cleaner	Warwick Bennett	\$14,107.50
24	Deletion of fencing surrounding chemical dosing facility	Warwick Bennett	(\$3,795.00)
25	Stormwater pit changes to align with road design	Warwick Bennett	\$8,250.00

4. Progress Payments

Progress Claim No. 22 for a sum of \$306,313.73 (ex GST) was received on 5 September 2013. The progress claim was assessed and paid in total to the Contractor.

5. Program

The completion date has been extended to 7 November 2013 due to the extra works required at the Putta Bucca Pump Station as reported to Council last month. The commencement of pumping sewage from Putta Bucca Pump Station to the new Sewage treatment plant is scheduled to commence on the 9th October. All documentation associated with the Contract will be completed prior to the 7th November, however is expected to be received during late October.

6. Summary of Contract for Putta Bucca Pump Station Upgrade

Contract No.	1101275
Principal Contractor	Poonindie P/L t/a Ted Wilson & Sons
Original Contract Sum (ex GST)	\$2,436,710.00
Approved Cost of Variations Total	\$100,297.26
Current Contract Sum	\$2,537,007.26
Contract Payments to Date	\$1,973,672.73
Total Project Cost Expended	77.8%
Date of Contract	28 June 2012
Original Contract Duration	40 weeks (280 calendar days) Milestone 1: 6 weeks Milestone 1+ 2: 32 weeks Milestone 3: 6 weeks Milestone 4: 2 weeks
Approved Extensions of Time Claims	10 Days
Contract Completion Date	7 November 2013

6.1 Project Variations

The Contractor has supplied a quote for variation to delete a second vent shaft that will not be required for odour control, however was included in the previously approved odour control works. The quotation for a negative cost variation of \$1,927.27 excluding GST is currently being assessed.

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

Table 2. Approved Variations Contract No. 1101275

Variation No.	Agreed Scope of Works	Approved by	Cost (ex GST)
1	Change fencing material from coated PVC to galvanised.	Warwick Bennett	(\$625.45)
2	Standardise Flanges and include pressure monitoring in valve chamber	Warwick Bennett	(\$16,567.27)
3	Replacement of autoclose gate with chain links (gate operation process not functional)	Warwick Bennett	(\$343.64)
4	Replace gatic lids on emergency overflow chamber with gas-tight aluminium lids with safety grating to allow single person operation.	Warwick Bennett	\$2,509.09
5	Remove valve chamber grating and replace with hand rail and provision for chamber access.	Warwick Bennett	(\$6,794.55)
6	Install site water reticulation for maintenance of valve pits and pump well	Warwick Bennett	\$3,372.73
7	Tree removal for power line works	Warwick Bennett	\$748.18
8	Replacement and realignment of stock fencing	Warwick Bennett	\$3,084.54
9	Supply and installation of retaining wall to prevent batter impacting on existing private property access.	Warwick Bennett	\$3,430.91
10	Replacement of Specified Schneider Modicon Premium PLC with Modicon M340 PLC	Warwick Bennett	(\$6,066.36)
11	Construct concrete apron at driveway entrance to avoid damage of road seal.	Warwick Bennett	\$786.36
12	Supply and installation of safety grates on the existing pump station wet well as well as modification to the existing lids to improve safety and access.	Warwick Bennett	\$16,636.36
13	Installation of an odour control system for the existing pump station wet well.	Warwick Bennett	\$21,195.45
14	Re-establishment of site and extension of insurances associated with delay caused by catch balance tank failure.	Warwick Bennett	\$21,901.82
15	Temporary works and other costs associated with delay caused by catch balance tank failure.	Council	\$57,029.09

7. Summary of Contract for Power Supply Upgrade

Construction works for the Power Supply Upgrade Contract have been completed. Final payment will be made on completion of Contract Documentation by the Contractor

Contract No.	1102539
Principal Contractor	Large Industries P/L t/a JLE
Original Contract Sum (ex GST)	\$352,145.00
Approved Cost of Variations Total	(\$142,353.00)
Current Contract Sum	\$209,792.00
Contract Payments to Date	\$205,870.00
Total Project Cost Expended	98.2%
Date of Contract	28 June 2012
Original Contract Duration	12 weeks
Approved Extensions of Time Claims	148 calendar days *
Contract Completion Date	14 February 2013

* Extension of time to this Contract was associated with availability of the required substations.

8.1 Project Variations

The value of the two substations was removed from the Power Supply Contract due to the unavailability of the required substation via the Contractor within an acceptable time period that would not impact the Treatment Plant Construction and Pump Station Upgrade Contracts.

Council has sourced and supplied the required substations, with installation of the substations undertaken by the Contractor.

To complete the Contract, the Contractor is required to supply Section 88B documentation for easement acquisition associated with power supplies. Documentation has not been received to date.

6.2.11 Mudgee Showground Management Committee

REPORT BY THE DIRECTOR, MID-WESTERN OPERATIONS TO 3 OCTOBER 2013 COUNCIL MEETING

COUNCIL 131003 PUBLIC

GOV400029, A0100056, F0650007

RECOMMENDATION

That:

1. **the report by the Director, Mid-Western Operations on the Mudgee Showground Management Committee be received;**
2. **Council recognise the Mudgee and District Working Equitation (MADWEQ) as a regular user of the Mudgee Showground**
3. **Council approves and put onto public exhibition fees for 30 days the following new fees and charges**
Security Bond - MADWEQ Practice Day \$150 per annum
Hire Fees – MADWEQ Practice Day \$100 per event
4. **Council recognises the new fees and charges at the expiry of the public exhibition period if no submissions are received.**

Executive summary

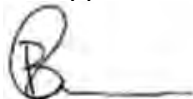
The purpose of this report is to advise Council of the considerations and recommendations of the Mudgee Showground Management Committee ordinary bi-monthly meeting held on 2 July 2013 and 3 September 2013. The Showground Management Committee receives an updated Works Request and Matters in Progress report together with updated financial details bi-monthly. A copy of the Matters in Progress for both meetings are attached for Council information.

Financial implications

Not applicable.

Strategic or policy implications

Not applicable.



BRAD CAM
DIRECTOR, MID-WESTERN OPERATIONS

18 September 2013

- Attachments:*
1. Minutes of the Mudgee Showground Management Committee Meeting 3 July 2013, and Matters in Progress
 2. Minutes of the Mudgee Showground Management Committee Meeting 3 September 2013, and Matters in Progress

APPROVED FOR SUBMISSION:



WARWICK L BENNETT
GENERAL MANAGER

**MUDGEES SHOWGROUND MANAGEMENT
COMMITTEE MEETING — 2 JULY 2013****Meeting Opened: 6.00 pm**

Present: Cr John Webb, Brad Cam, Russell Holden, Malcolm Swords, Bill Robinson, Lea Cuthbertson, &

Observer: Lesley Burgess (minute secretary)

Apologies: Yasmin Crockett and Kim Wilson

Moved: Russell Holden Seconded: Malcolm Swords that their apologies be accepted.

Minutes of April's Meeting – Accepted

Moved: Bill Robinson
2nd Malcolm Swords

Motion Carried

Matters in Progress

- As per attached list.
- Brad Cam advised that a number of extra jobs had been carried out from the capital works allowance remaining from 2012 / 2013 -
 - The drain leading to the Dressage Arena has had a rock ballast laid, water is now able to flow over this section of ground solving the erosion problem
 - The Main Pavilion has had a concrete driveway and pathway installed
 - We have received permission to accept camping at the Showground. Council has installed hose reels, taps and mushrooms between sites for power supply. The Showground can now accommodate 11 caravan sites
 - A guard rail has been installed next to the Main Pavilion
 - Trees have been planted for hedging.

Correspondence

- Cr John Webb went through the correspondence.
- Brad Cam discussed the letter that was forwarded to Ken Jeffrey -
 - The toilets at the Showground were inspected today and they were found to be clean and stocked with toilet paper, soap etc. The question as to who is responsible for the toilets during an event was raised. It was agreed that the facilities would be cleaned and stocked for the event but would thereafter be the responsibility of the event organiser.
 - Mowing/Whipper Snipping around and near the horse areas will now take place between 9am - 12pm Monday to Friday. No mowing will be done during a horse event or near the riders. A letter to be sent out to horse groups and stable hirers advising them of same.
 - Ken has been advised to remove his personal items and vehicles from the Showground. However, the equipment needed to maintain the Showground will remain as is until Council has built a storage shed to house this type of equipment.

Ken Jeffrey has one week to implement the concerns outlined in the letter as agreed to by this committee.

Financial Report

- Brad Cam went through the financial statement.
- Income - The budgeted amount of \$64,000.00 was almost achieved, even with the limited amount of "overflow" camping. The final income achieved was \$59,168.21, which is a credit to Ken Jeffrey and this Committee.
Expenses were budgeted at \$149,326.00 and we came in under at \$147,025.33 which is a great achievement.

General Business

- Horse Float Parking - It is proposed that a fence be erected to enclose the camping area, mainly for safety reasons so that no unattended horse comes into contact with the campers. It was also suggested that a fence be installed near the Dressage Arena to keep the horses enclosed and more secure. This matter to be discussed further at the next meeting after consultation with all Horse Groups.

Moved: Russell Holden
2nd Bill Robinson

Motion Carried

- Caretaker's Duties as per his contract -
 - If fertilising continues to be a problem Council will look at purchasing and supplying Ken with fertiliser and a cost adjustment would be made.
 - The wording "Level/Screeed if required" is to be changed to "Level/Screeed if requested."
 - Pavilions "General Cleaning as and when required before and after functions." A bit of a grey area as the hirer is supposed to clean after an event, wording to be changed to "At the direction of Council."
 - Show Secretary's Office - This needs to be deleted from Ken's duties as Ken does not have a key to enter this office.
 - All Amenities - "Sanitary items e.g. soap, toilet paper, hand-towel to be supplied by the Contractor as per quote" to be changed as Council is now supplying these items.
 - Bins - The 3 horse groups have now each purchased a garbage bin. These bins are to be placed outside the Pony Club on a Monday and Ken will organise to have them put out for collection. Once emptied, the bins will be placed back next to the Pony Club by Ken. The 3 horse groups need to ensure that these bins are put away on Tuesday each week. A letter advising Ken of this decision will be forwarded to him.
 - Bookings - Done through Council's Customer Service.

Brad Cam advised that we need to be mindful of adding more duties as this will entitle Ken to more money. A brief summary of Ken's duties are to be sent to the user groups, this summary will include some of the jobs that are not Ken's responsibility i.e. moving furniture and cleaning up after people. Bill Robinson would like to see a checklist put into practice, this form would list items that are required by the hirer in order to comply with the bond. This checklist would be completed and signed off for pre-event and post-event inspections. It was agreed that this checklist would be implemented at the Showground.

- RDA's proposed ramp - Brad Cam would like more information with regard to the weight, size and moveability of the ramp.
- The Acknowledgement of Hire form was accepted.
- Lea Cuthbertson advised that the DA for their shed was paid yesterday.
- Minor Event - Brad Cam advised that the minor event fee only includes the day yards of vacant stables and not those stables that are hired. Letter to be sent to the horse groups advising them of this decision. Lea Cuthbertson advised that more day yards are needed at the Showground, this request will be looked at later in the year.

Lea Cuthbertson

- When a cancellation booking is made through customer service, quite often this is not done. Council is in the process of updating their booking system which should hopefully solve this issue. Lea also enquired as to whether the bookings could be made public on our website?
- Payments in advance can be made through Customer Service; this just requires the payer to supply Customer Service with their debtor number.
- Lea would like larger cattle yards so that they can hold bigger competitions. The MWWW Horse Association are prepared to purchase and pay for more panels in order to do this, these panels would be moveable not permanent. Brad Cam and Andrew Drummond to sign off on this before any work is carried out.
- Lea advised that when the trucks enter the Showground they find it difficult to back up to the ramp. It was agreed that the direction of the ramp can be changed, however, Brad Cam will need to approve any changes first.
- Lea would like electricity to their new shed once it is erected. Council's electrician is to check to see if this would be feasible. Lea to put this request in writing to Council.
- Lea asked the question as to whether they are required to pay for the second day of a competition that was rained out. Brad Cam to make the ruling.

Bill Robinson

- The large carnival trucks find it difficult to enter the Showground due to the angle. Coming into the Showground via Nicholson Street then parking on the left hand side was suggested. Further consideration is required to finalise a practical solution.
- Bill advised that the kiosk and cooking area needs a fire extinguisher. This is to be paid for by the Show Society.
- Bill attended a meeting held by Newcastle Permanent promoting grants for 'disabled access' this grant was for \$250,000.00. Bill advised that the Show Society can apply for the grant if we meet the Newcastle Permanent's criteria. Brad Cam to make enquiries as to whether this grant can be applied for through Council for the Showground.

Meeting closed at: 7:25 pm

Next meeting to be held 3 SEPTEMBER 2013

MATTERS IN PROGRESS

#	SUBJECT	MEETING DATE	ACTION	WHOM	PROGRESS
1	Asset Register to be created as to who owns what at the Showground's	3/4/12	To submit a complete Asset List to Council	Show Society	Received in part
2	Asset Register to be created as to who owns what at the Showground's	3/4/12	To submit a complete Asset List to Council	Animal Nursery	
3	Bill to write a letter to see if he can get the Council's small grant scheme to pay for the fans	5/2/2013	Try to recoup costs	Bill Robinson	
4	The toilet paper dispenser needs replacing/fixing, it is difficult to get the paper out of the dispenser	2/7/13	Works Requested needed	Lesley Burgess	Work Request No BL0046/2014
5	The Kitchen and Hall Building need gas bottles	2/7/13		Andrew Drummond	

**MUDGEES SHOWGROUND MANAGEMENT
COMMITTEE MEETING — 3 SEPTEMBER 2013****Meeting Opened: 6.00 pm**

Present: Cr John Webb, Brad Cam, Russell Holden, Bill Robinson, Lea Cuthbertson, Yasmin Crockett and Kim Wilson

Observer: Lesley Burgess (minute secretary)

Apologies: Malcolm Swords

Moved: Russell Holden Seconded: Bill Robinson that the apology be accepted.

Minutes of July's Meeting – Accepted with one amendment, Kim Wilson was minuted as being an apology, the minutes should have read, Kim Wilson was absent.

Moved: Russell Holden
2nd Brad Cam

Motion Carried

Minutes of the Extra Ordinary General Meeting held on the 28 May 2013 - Accepted

Moved: Russell Holden
2nd Kim Wilson

Motion Carried

Matters in Progress

- As per attached list.
- Lesley to forward a copy of all the Asset Registers received to date with the next minutes, together with the list that Brad Cam has of the Assets belonging to the Mudgee Showground.
- Brad Cam to phone Sandy Walker with regard to the Riding for Disabled Association using their grant money to erect the undercover arena at the Showground.
- It was agreed that the Acknowledgement of Hire form is to be emailed to Lesley Burgess duly completed after every event that the Horse Groups hold at the Showground.
- The Checklist was accepted and needs to be implemented at the Showground.

Correspondence

- Cr John Webb went through the correspondence.
 - Letter received from Mudgee and Districts Working Equitation (MADWEQ). Kim Wilson explained to the Committee the reason behind the new horse club that has been formed and affiliated. Kim went on to say that the Club would like to apply for the reduced regular hirers fees. The question as to where the MADWEQ could store their gear was discussed and Bill Robinson suggested either the Wool or Cattle Pavilion.
 - Brad Cam to organise
 - A report to Council requesting that MADWEQ club be accepted as regular users

- A reply letter to the MADWEQ advising them of the decision of this Committee.
- Cr John Webb proposed that the MADWEQ be supported as regular users of the Showground and that this Committee works with them to resolve their storage issue.

Moved: Russell Holden
2nd Kim Wilson

Motion Carried

- Letter received from the Pony Club. No objections to the portable cross-country fences being placed on the Showground was made by the members present. All the cross-country fences need to have Brad Cam's approval with regard to location and appearance before being installed at the Showground.

Moved: Yasmin Crockett
2nd Lea Cuthbertson

Motion Carried

- Late Correspondence from the Mudgee Show Society was received appointing Dean Rheinberger as their new delegate.

Moved: Russell Holden
2nd Lea Cuthbertson

Motion Carried

Financial Report

- Brad Cam went through the financial statement. Income in an amount of \$5,800.00 has been received and expenses are minimal at this stage.
- Brad Cam advised that he would like the Business Plan placed on the Agenda for the next meeting in order for it to be revised.

Moved: Bill Robinson
2nd Kim Wilson

Motion Carried

Kim Wilson

- Kim Wilson asked if the Horse Groups erected a lockable fenced bin enclosure next to the Pony Club Shed, whether Ken Jeffrey could put the bins away after being emptied. A key would be given to Ken to enable him to lock the bins away. Brad Cam felt that this was a good idea.
- Kim Wilson noted that the Council cleans and stocks the toilets for an event, however, during the event further restocking is the responsibility of the event organiser. The concern raised was that upon restocking the campers would be using the event organisers toilet supplies. A solution needs to be sought out.
- At present there is no decision with respect to fencing off of the camping area. This matter will be reassessed if the horses are seen to be posing a safety concern to the campers.
- Kim Wilson advised that the NSW Fire Brigade inspected their shed and asked where the fire hydrants are located. Brad Cam advised that there is one at the back of the grandstand and one next to the new pavilion. Brad advised that should there be a fire, the RFS would know where the closest fire hydrants are located.

Bill Robinson

- Brad Cam advised that the old stallion boxes were not going to be demolished and that Ken Jeffery was presently fixing them up.

Yasmin Crockett

- Yasmin advised that about two weekends ago Ken was using his mower around the horses. Brad Cam advised that the horse groups should phone him immediately this occurs.
- The Dressage Arena gate requires repairing so the arena can be locked. Lesley to put in a works request in order for Jim Reid in the workshop to make the necessary repairs.
- The new stable hirer Jessica Chapman is presently using the Dressage Arena daily. Brad Cam to phone Jessica and advise her of the rules for using the arenas at the Showground.

Lea Cuthbertson

- Lea requested that it be minuted that at their recent Ian Francis Horsemanship Clinic, Ian Francis a world known horseman commented on how fantastic the arena and facilities are at the Showground. He added that he was surprised that a country town could have such high-quality grounds.

Meeting closed at: 7 pm

Next meeting to be held 5 November 2013

MATTERS IN PROGRESS

#	SUBJECT	MEETING DATE	ACTION	WHOM	PROGRESS
1	Asset Register to be created as to who owns what at the Showground's	3/4/12	To submit a complete Asset List to Council	Show Society	Received in part
2	Asset Register to be created as to who owns what at the Showground's	3/4/12	To submit a complete Asset List to Council	Animal Nursery	
3	Bill to write a letter to see if he can get the Council's small grant scheme to pay for the fans	5/2/2013	Try to recoup costs	Bill Robinson	
4	The toilet paper dispenser needs replacing/fixing, it is difficult to get the paper out of the dispenser	2/7/13	Works Requested needed	Lesley Burgess	BL0046/2014
5	The Kitchen and Hall Building need gas bottles	2/7/13		Andrew Drummond	Bill advised that the cage is on the floor?
6	A fence to be erected to enclose the camping area, mainly for safety reasons.	3/9/13		All	Needs further discussion and consideration
7	Brad Cam to phone Sandy Walker with regard to the RDA using their grant money to erect the undercover arena at the Showground.			Brad Cam	
8	The new checklist needs to be implemented		Ken Jeffrey needs to be advised of checklist.	Andrew Drummond	
9	Business Plan to be revised			All	
10	Ken to be advised of the bin enclosure that the Horse Groups are erecting.		Ken to be given a key to lock the bins away	Andrew Drummond	
11	The Dressage Arena needs the gate fixing as they currently are unable to lock the arena.		Works Request for Jim Reid	Lesley Burgess	

6.2.12 Noxious Weeds Advisory Committee

REPORT BY THE NOXIOUS WEEDS ADMINISTRATOR TO 3 OCTOBER 2013 COUNCIL MEETING
Weeds Advisory Committee Minutes 2 Sept 2013
GOV400029, A0100056, A0130077

RECOMMENDATION

That:

- 1. the report by the Noxious Weeds Administrator on the Noxious Weeds Advisory Committee be received;**
- 2. the minutes of the Noxious Weeds Advisory Committee held on Monday 2 September 2013 are noted.**

Executive summary

Meetings of the Noxious Weeds Advisory committee are held quarterly, the purpose of which is to review the overall strategic direction of noxious weed control in the Mid Western Regional Council area and to ensure desired outcomes are being achieved.

Detailed report

Not applicable.

Financial implications

Not applicable.

Strategic or policy implications

Not applicable.

SUSAN BURNS
NOXIOUS WEEDS ADMINISTRATOR

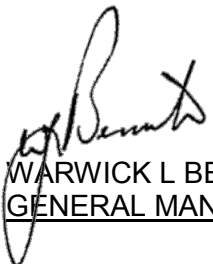


BRAD CAM
DIRECTOR, MID-WESTERN OPERATIONS

10 September 2013

Attachments: 1. Minutes of the Weeds Advisory Committee Meeting held on 2 Sept 2013.

APPROVED FOR SUBMISSION:



WARWICK L BENNETT
GENERAL MANAGER



MINUTES

MINUTES OF A MEETING OF THE NOXIOUS WEEDS ADVISORY COMMITTEE HELD AT 9 AM ON MONDAY 2 SEPTEMBER 2013 IN THE MEETING ROOM, COUNCIL CHAMBERS, MUDGEE

Dusty Ireland took the chair as requested by Chairman James Mort. The Chairman welcomed members to the meeting and the meeting commenced at 9 a.m.

1. Apologies
None.

2. Minutes of the Previous Meeting held on Monday 3 June 2013

The minutes of the previous meeting were accepted. Mitchell Clapham/Cr John Webb

3. Matters arising from the previous minutes

3.1 Local Weed Control Management Plan

Mitchell Clapham asked why the draft changes to the Local Weed Control Management Plan were not presented.

Susan Burns advised that as the Proposed Weed Control Order 2013 noted significant changes to some control measures it was thought beneficial to hold off any changes to the Local Weed Control Management Plan until the new Order was in place.

4. Inspection Program Statistics

4.1 2013 Annual Report (Attachment 1)

Brad Cam said that he was pleased with the inspection stats presented and said that they prove what we are achieving both with the inspection and roadside spraying programme.

Mitchell Clapham suggested that by putting the area of Hectares inspected would also give a good indication of the large area covered compared to the number of properties inspected.

4.2 2014 Planning and Progress Report (*Attachment 2*)

Susan Burns spoke on the planning and progress report showing that proposed new inspections for this financial year numbered 773 with reinspections scheduled to date at 674.

The figures exceed the WAP targets of 650 and 195 respectively.

The Chief Weeds Officer advised that a map had been produced of the Mid Western Region showing where inspections have been conducted, a copy of this map would be provided to committee members.

Brad Cam left the meeting at 9.40 am

5. General Business

5.1 Chairman's report on the various meetings recently held with State MPs.

James spoke briefly on the recent meetings with Paul Toole and Andrew Gee. He said that the meeting which Mr Toole was a positive one and Mr Toole offered some good suggestions. He suggested putting the items discussed in writing to him, Andrew Gee and Troy Grant. He also said that Warwick Bennet has already responded to the Members.

James Mort suggested that he write to the Members of parliament listing our main concerns and asking them for their continuing support. A draft of these letters to be provided to all committee members and the General Manager for review.

5.2 Section 64 Noxious Weeds Certificate advice included on Section 149 Certificates (*Attachment 3*)

Susan Burns spoke about the inclusion of a paragraph on the bottom of each Section 149 Certificate issued and said that this was a start in ensuring that all solicitors and/or conveyancers acting for purchasers or vendors are aware of the Noxious Weed Certificate especially in the sale or purchase of rural land.

5.3 Weeds Action Program Budget

Susan Burns advised that a copy of this WAP funding budget was attached for information only.

5.4 Media Releases regarding launch of major weeds review

A media release from Katrina Hodgkinson MP, Minister for Primary Industries and Small Business was tabled (*Attachment 4*) advising of the NSW Government launch of a major weeds review.

A second media release from Andrew Gee MP, Member for Orange (*Attachment 5*) was tabled advising that Mr Gee welcomes major weeds review and says current system not working.

Lengthy discussion took place in relation to the future of Weeds Management within local government and it was agreed that when further information comes to hand a special meeting will be called to discuss different weed management scenarios and identify a preferred model. Some of the points discussed that will be further explored at the special meeting and that may eventually form the basis of a submission include:

- weed management be retained within local government
- the governing body would be LLS
- a weeds advisory committee would be formed at the LLS level
- consistency of funding and conformity of compliance be assured

Cr Webb suggested that Troy Grant MP who is also the Parliamentary Secretary for Natural Resources be approached regarding this matter.

Susan Burns advised that the review timetable is as follows:

- draft report including draft recommendations within six months of receiving the terms of reference (by end Feb 2014)
- final report, including outcomes of consultation, within three months of providing the Draft Report (by end May 2014)

5.5 James Mort acknowledged that Council had reinstated the \$49,000 previously removed from the weeds budget.

5.6 Forthcoming educational events

Susan Burns advised that the Weeds Section will be participating in the Green Day to be held on Thursday 12 September at the Showgrounds.

It was suggested that there would be value in a member of the committee attending any future community forums to engage with the public and advise them of the role of the Weeds Advisory Committee. The committee agreed.

6. Meeting Close

The meeting closed at 11.05 am.

Attachment 1

NOXIOUS WEED MANAGEMENT – ANNUAL REPORT 2013		INSPECTIONS												INSPECTIONS BY PROPERTY TYPE					Customer Requests				
		Month	TOTAL INSPECTIONS	New Inspections	Complied on 1 st Inspection	Reinspections	Complied on Reinspection	S18 Inspections	Complied on exp of s18	s18's issued (incls amended s18)	Show Cause issued	Private New Inspections	Private Reinspections	TSRs	Watercourses	Nurseries	Saleyards	Pet Shops	Council Land	Crown Land	Roadside kms	Rail	Received
Jul-12	78	72	15	6	3	1	0	1	0	71	7	0	0	0	0	0	0	1	0	0	0	1	1
Aug-12	109	97	24	12	4	2	1	4	1	94	14	0	0	0	1	0	1	1	1	0	1	3	3
Sep-12	90	85	29	5	0	5	2	1	0	92	82	0	24	0	0	0	2	1	1	0	0	1	1
Oct-12	109	95	41	14	5	4	2	1	2	98	17	0	42	0	0	0	1	3	0	0	0	3	3
Nov-12	97	37	12	60	6	28	7	4	10	36	50	0	43	0	0	2	2	2	722.6	0	5	5	5
Dec-12	125	26	2	99	11	14	0	14	4	25	99	0	38	0	0	0	0	0	0	699.6	0	5	2
Jan-13	101	40	8	61	10	27	3	14	9	32	87	9	85	0	0	0	3	3	338.2	0	8	6	6
Feb-13	125	28	14	64	26	33	11	26	1	26	98	0	93	0	0	1	1	1	882.2	0	3	2	2
Mar-13	181	40	20	121	35	20	8	36	2	38	120	1	119	1	1	0	1	0	658	0	4	4	4
Apr-13	209	69	21	125	51	15	6	24	4	66	134	1	117	0	0	2	6	0	0	0	0	0	0
May-13	213	71	24	110	38	32	12	28	6	57	142	5	119	2	0	1	2	3	834.8	0	0	0	0
Jun-13	159	50	9	76	29	33	13	48	3	49	109	0	121	0	0	0	1	0	0	0	0	0	0
Totals	1596	710	219	753	218	214	65	201	42	684	959	16	801	3	2	1	14	20	4135	0	33	27	27
			31%		29%		30%																
	WAP TARGET									650	195	12	200	4	1	3	10	15	200				
	Outstanding									34	764	4	601	-1	1	-2	4	5	3935				

Attachment 2

NOXIOUS WEED MANAGEMENT – INSPECTION PLANNING 2014

Month	Proposed New Inspections	SCHEDULED INSPECTIONS					COMPLETED INSPECTIONS								NOTICES		ACTUAL INSPECTIONS BY PROPERTY TYPE										
		NEW INSPECTIONS	Reinspections	s18 Reinspections	TOTAL REINSPECTIONS	TOTAL	NEW INSPECTIONS	Complied on inspection	Reinspections	Complied on Reinspection	S18 Inspections	Complied on exp of s18	TOTAL REINSPECTIONS	TOTAL INSPECTIONS & REINSPECTIONS	s18's issued (incls amended s18)	Show Cause issued	Private New Inspections	Private Reinspections	TSRs	Watercourses	Nurses	Saleyards	Pet Shops	Council Land	Roadside kms	Rail	
Jul	79	79	30	17	47	146	121	69	26	10	13	1	39	160	6	6	119	39	0	116	0	0	0	0	0	0	0
Aug	176	184	10	3	13	197	103	52	11	2	1	0	12	115	2	0	103	12	0	67	0	0	0	0	0	0	0
Sep	158	158	12	1	13	171																					
Oct	40	1	14	7	21	22																					
Nov	40	7	36	28	64	71																					
Dec	40	4	67	27	94	98																					
Jan	40	3	34	11	45	48																					
Feb	40	2	80	28	108	110																					
Mar	40	4	107	20	127	131																					
Apr	40	1	83	15	98	99																					
May	40	0	23	2	25	25																					
Jun	40	1	15	4	19	20																					
Totals	773	444	511	163	674	224	224	37	14	275	6	222	222	51	0	183	0	0	0	0	0	0	0	0	0	0	0
						WAP TARGET						650	195	12	200	4	1	3	10	200							
						Outstanding						-428	27	39	-200	179	-1	-3	-10	-198							

Susan Burns

From: Kate Power
Sent: Monday, 5 August 2013 4:49 PM
To: Kay Crean; Melinda Martin; Sandra Lewis; Bronwyn Sams; Bronwyn Rayner
Cc: Carly Gillard; Catherine Van Laeren; Susan Burns
Subject: IMPORTANT - 149 additional paragraph

Hi ladies,

There have been recent instances where buyers have bought a property without getting a Section 68 Weeds Certificate. Only after the sale has gone through, the buyer realises their obligations to eradicate weeds because of an existing notice on the property (it can be very costly!).

Catherine Van Laeren has therefore asked that the text below is placed on the bottom of all 149 certificates issued on rural properties. The text should be inserted underneath your signature. It is important that the 'END OF 149 CERTIFICATE' text is placed there to delineate the end of the legal 149 document.

This text should be placed on the bottom of 149's from tomorrow onwards. I will be looking in to a way that Kim Day can ensure that it is automatically added to the bottom, but for now, you will need to manually insert it, and it is important that this begin tomorrow. Please let me know if you have any questions on this.

The text to be inserted is:

END OF 149 CERTIFICATE

Prospective buyers should consider requesting a Section 64 Certificate from Council. A Section 64 Certificate will provide information on current Weed Control Notices on the property and/or any debt on the land in relation to noxious weeds and their control. (These debts and outstanding notices remain with the property when sold and become the responsibility of the purchaser.)

So the last page of your 149 should look like this:

PLANNING CERTIFICATE UNDER SECTION 149
ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979

Page No. 7 of 7

Section 94 Development Contributions Plan

Council's Section 94 Plan applies to future commercial/ retail/ industrial development within the Mudgee Town Centre and subdivision within the Mid-Western Regional Council Local Government Area. Contact Council's Planning Department for any queries regarding this matter.

Section 94A Development Contributions Plan

Council's Section 94A Plan applies to future commercial/ retail/ industrial/ tourism development outside of the Mudgee Town Centre and Residential Development within the Mid-Western Regional Council Local Government Area. Contact Council's Planning Department for any queries regarding this matter.

Land May be Subject to Flood Management Plan

The land the subject of this certificate is not within the Flood Risk Precincts identified by the Mudgee Floodplain Management Study. The provisions of the Floodplain Management Plan may also apply to land that is affected by localised flooding.

Land is Not Bushfire Prone

The land the subject of this certificate has not been identified as being bush fire prone in accordance with the Environmental Planning and Assessment Act 1979 and Mid-Western Regional LGA Bush Fire Prone Land map.

For further information please contact
Planning & Development Section

SENIOR PLANNER/TEAM LEADER

Certificate No. 1492 739777

END OF 149 CERTIFICATE

Prospective buyers should consider requesting a Section 64 Certificate from Council. A Section 64 Certificate will provide information on current Weed Control Notices on the property and/or any debt on the land in relation to noxious weeds and their control.



Katrina Hodgkinson MP
Minister for Primary Industries
Minister for Small Business

MEDIA RELEASE

Embargoed until Thursday 29 August 2013

NSW GOVERNMENT LAUNCHES MAJOR WEEDS REVIEW

Minister for Primary Industries, Katrina Hodgkinson, has announced a major strategic review of weed management in NSW.

Ms Hodgkinson said she has asked Dr John Keniry AM, Commissioner for Natural Resources, to review current weed management, including existing regulation, governance and other intergovernmental agreements for biosecurity.

"The creation of Local Land Services (LLS) and the launch of the NSW Biosecurity Strategy provide an ideal opportunity to review weed management in NSW and how we can better support farmers and land managers to tackle problem weeds," Ms Hodgkinson said.

"Weeds are a menace for rural NSW, robbing our farmers of some \$1.2 billion in lost productivity each year."

Ms Hodgkinson said the NSW Government has allocated \$10.8 million to weed management for the 2013-14 financial year through the NSW Weeds Action Program and the Weed Innovation Management Fund.

"Weed management was a key issue raised at the community workshops conducted as part of the development of LLS," Ms Hodgkinson said.

"I told farmers who attended these workshops that we were committed to having a closer look at weed management in NSW and that's what this review aims to do.

"I recognise the significant resources and effort currently dedicated to weed management in NSW from a range of bodies; especially Local Government but also private landholders and NSW Government agencies.

"This review provides an excellent opportunity to ensure this effort is undertaken in a regionally co-ordinated and efficient manner. This means working across all tenures – public and private – and prioritising all our resources so that we reduce the productive losses as a result of weeds."

Ms Hodgkinson said she has asked Dr Keniry to establish a steering committee – which will hold its first meeting this week – to ensure the terms of reference of the review are met and that stakeholder input is properly considered.

The steering committee will consist of Cr Reg Kidd, Chair of the Noxious Weeds Advisory Committee; Dr Bruce Christie, Executive Director Biosecurity NSW, Department of Primary Industries and Mr Bob Conroy from the Office of Environment and Heritage.

Landholders and other stakeholders will be invited to have their say as part of planned public consultation later in the year. Further information on the review, including the terms of reference, is available on the Natural Resources Commission website: www.nrc.nsw.gov.au.

MEDIA: Julian Luke 0427 561 592

Terms of Reference for review of weed management in NSW

NSW 2021 sets out a range of actions to improve economic growth in regional NSW and strengthen local environment and communities. One of these actions is to reduce the impact of weeds on our production and natural assets, such as prime agricultural land and the reserve system. Under the recently released NSW Biosecurity Strategy, NSW intends to develop new biosecurity legislation that will further enhance the current risk-based approach to managing weeds (and disease and pests).

Weeds impact production and natural assets in varying ways. 'Noxious' weeds are declared under the *Noxious Weeds Act 1993*, and subject to a range of different controls. This Act obliges private and public landholders and managers to control declared noxious weeds on their land. Local Weed Control Authorities (i.e. Local Shires and Councils) have the primary responsibility to administer this Act. Other Acts such as the *National Parks and Wildlife Act 1974*, *Threatened Species Conservation Act 1995* and *Fisheries Management Act 1994* also provide for the management of terrestrial, freshwater and marine weeds and noxious vegetation. Native species acting in a weed-like manner (such as Invasive Native Scrub) are regulated under the *Native Vegetation Act 2003*.

Other mechanisms such as intergovernmental agreements and funding for regional bodies under Australian and NSW Government programs provide alternative drivers to promote the weed management outcomes sought by the NSW Government.

Evaluation of weed arrangements in NSW

The Minister for Primary Industries requests the Natural Resources Commission (the Commission) to evaluate the effectiveness and efficiency of the current weed management arrangements in NSW, with the view of informing the further development of the NSW Biosecurity Act and other relevant strategies under the NSW Biosecurity Strategy.

In developing its advice the Commission should:

- assess (based on existing data) the distribution and abundance of weeds across NSW and their impact on production and natural assets, having regard to historical trends and likely trajectory, current condition and risk creators and bearers
- evaluate current regulatory and institutional arrangements in meeting state agreed outcomes across both public and private tenures, including identifying characteristics of any constraints, barriers and best practice
- evaluate weed management activities funded by the Australian and NSW Government incentive and grant programs such as (but not limited to) *Caring for our Country* and *Catchment Action NSW*, *NSW Weeds Action Program*, including identifying characteristics of any constraints, barriers and best practice
- identify and assess viable alternative weed management arrangements, including risks and opportunities.

Any recommendations should include potential transitional arrangements for the future implementation of the NSW Biosecurity Act and NSW Biosecurity Strategy.

For the purpose of this work, 'weeds' is defined as both introduced and native species but is limited to terrestrial and freshwater aquatic species only.

The Commission should also have regard to the following in undertaking the work:

- the likely future trajectory in the distribution of weeds in States bordering NSW, including the potential implications of climate change on range extension, conflicting commercial plant usage and food security
- NSW Biosecurity Strategy, NSW Invasive Species Plan and NSW Statewide Framework of Biodiversity Priorities for Widespread Weeds
- arrangements for weed management in other jurisdictions
- community expectations and feedback
- previous reviews on weed management in NSW
- any reports and recommendations from the Independent Local Government Review Panel and NSW Crown Lands review
- functions and services of Local Land Services
- intergovernmental agreements for biosecurity

- any monitoring, evaluation and reporting arrangements for weeds.

The Commission should work closely with Department of Primary Industries and consult with relevant stakeholders and agencies, including Noxious Weeds Advisory Committee, Office of Environment and Heritage, NSW Aboriginal Land Council, Local Control Authorities, Local Government NSW, Catchment Management Authorities, Regional Weed Advisory Committees, Livestock Health and Pest Authorities, peak farming, industry and environmental groups and relevant Australian government bodies. The Commission will also undertake public consultation to inform its assessment and development of recommendations.

The Commission is to provide:

- a Draft Report, including draft recommendations, within six months of receiving the terms of reference
- a Final Report, including outcomes of consultation, within three months of providing the Draft Report.



Andrew Gee MP Member for Orange

MEDIA RELEASE

Thursday 29 August 2013

GEE WELCOMES MAJOR WEEDS REVIEW SAYS CURRENT SYSTEM NOT WORKING

Member for Orange, Andrew Gee today welcomed the announcement by Minister for Primary Industries, Katrina Hodgkinson that a major strategic review of weed management in NSW will occur.

Dr John Keniry AM, Commissioner for Natural Resources, will review current weed management, including existing regulation, governance and other intergovernmental agreements for biosecurity.

"The creation of Local Land Services (LLS) and the launch of the NSW Biosecurity Strategy provide an ideal opportunity to review weed management in NSW and how we can better support farmers and land managers to tackle problem weeds," Mr Gee said.

"Weeds are a menace for rural NSW, robbing our farmers of some \$1.2 billion in lost productivity each year."

Mr Gee said the NSW Government has allocated \$10.8 million to weed management for the 2013-14 financial year through the NSW Weeds Action Program and the Weed Innovation Management Fund.

Mr Gee said that in his personal opinion the current system of weed control through local governments was not working.

"At the moment you have local councils responsible for controlling weeds and prosecuting offenders. Some councils do a good job with it, and some don't allocate enough resources to what is a very serious problem. That's just the economic reality of the situation. The result is very patchy success with controlling noxious weeds that can vary significantly from district to district. The system needs an overhaul," said Mr Gee.

Mr Gee said that he had met with farmers from around the Orange electorate who were very concerned that the battle against noxious weeds was being lost.

"Many farmers who've battled noxious weeds for years are ringing the alarm bells about this growing problem, so this review to look at new ways of tackling it is going to be very welcome news" he said.

Landholders and other stakeholders will be invited to have their say as part of planned public consultation later in the year. Further information on the review, including the terms of reference, is available on the Natural Resources Commission website: www.nrc.nsw.gov.au.

MEDIA: Don Mahoney 0459 025 155 or 6362 5199 (Orange Electorate Office)

6.2.13 Town Entrance Signs

REPORT BY THE GENERAL MANAGER TO 3 OCTOBER 2013 COUNCIL MEETING
COUNCIL 131003 PUBLIC
GOV400029, A0100056, R0790215

RECOMMENDATION

That:

1. **the report by the General Manager on the Town Entrance Signs be received;**
2. **Council not proceed with the new town entrance signs at this time and that the moneys re-allocated as part of the September Quarterly Budget Review.**

Detailed report

At a recent Council meeting it was resolved that we go out for public consultation on the proposals for town entrance signage that had been received from a number of suppliers. An advertisement was placed in the Mudgee Guardian on 2 August for a period of 21 days seeking the people's preference to the proposals which were placed on display at Council's Customer Service Centres and libraries for a period of 21 days. Council also undertook a survey via the internet using Survey Monkey, as part of the consultation process.

The results of the feedback from the community are attached. There have also been a number of submissions received, and I have included those at the end of this report as well.

From the public consultation process, there is no one sign that receives overwhelming support. It is recommended in this report that Council now not proceed with replacing the town entrance signs, because of the lack of support for any one proposal. It is being suggested that the money allocated to the town entrance signs, being \$125,000, be reallocated to another project as part of the September Quarterly Review.

Council has a number of financial pressures this financial year, and I am sure that the reallocation of these funds will receive more consensus for other projects than trying to reach agreement on town entrance signs.

For Councillors' information, Attachment 1 is the result of feedback from the community in both the ballot boxes included at the Customer Service Centres as well as the internet survey. As a separate document, we have included the actual designs with the corresponding numbers to the survey results in Attachment 1.

Financial implications

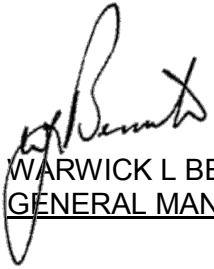
Council allocated \$125,000 to this project. The recommendation will mean that the funds be returned to the General Fund to be reallocated as part of the September Quarterly Review. If Council was of the opinion to proceed with any one of the designs, there are insufficient funds available to replace all town entrance signs in the one financial year.

Strategic or policy implications

Not applicable at this time.

5 September 2013

Attachments: 1. Town Entrance Signage Feedback
2. Signage samples poster (included at the end of the business paper). This refers to the voting results in Attachment 1.



WARWICK L BENNETT
GENERAL MANAGER

ATTACHMENT 1

TOWN ENTRANCE SIGNAGE FEEDBACK

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	None
Kandos Library	4						2									2	
Rylstone Office	1			1												5	1
Mudgee Office	7	1		1			1	1		1					8	3	1
Gulgong Office	6		2													3	1
Mudgee Library	2	3				3	2					1				5	1
Survey Monkey	36	16	6	17	3	7	2	2	1	2	1		1	4	17	18	
TOTAL	56	20	8	19	3	10	7	3	1	3	1	1	1	4	25	36	4

Total votes received = 202

NATIONAL TRUST of AUSTRALIA (NSW)
GULGONG-MUDGEES-RYLSTONE Branch

8 Court Street
Mudgee NSW 2850
22/8/2013



Mid-Western Regional Council
PO Box 156
Mudgee NSW 2850

Dear Chairperson

At a recent gathering, it was suggested that a letter be written, stating our objection to the 4 signs of choice for Mudgee and other towns. None of signs we feel are appropriate for our historic area. While people feel this expense could be better spent in other ways at present.....we do need more appropriate signage. See sketch over

Yours sincerely,
Margaret Charlesworth
Secretary

M.M. Charlesworth

*ROA 1000410
GRC*

JUST AN IDEA:
many variations?

LIKE OLD RAILWAY SIGNS



THIS is a variation
on signage seen
in WEDDIN SHIRE
(Greenfell)



LOW =
coaches have
+ TRUCK DRIVERS
problems
with high signs

Julie Robertson

From: Toby Poulsen [toby@armsign.com.au]
Sent: Monday, 29 July 2013 3:01 PM
To: Julie Robertson
Subject: FW: Town Entry
Attachments: #8277 Ningaloo_Coast Concepts_proof C.pdf; 8316 TOWN ENTRY concepts_proofA.pdf; Ballina Sign Concept Development.pdf

Hi Julie,

As discussed last week, please find attached 2 examples of concepts we are currently designing, the Ningaloo coast concept and Thargomindah. The Thargomindah entry signs are around \$10,000 each, and we are making 2 of these and includes lighting and solar power.

I have also attached the concept development of Ballina Council. This particular project was a very tight budget as they had already installed signs from another design company that were not well received by the community. Armsign then re designed and manufactured new signage and the community was back on-side.

This concept development stage is a crucial part of the development process. We can come up a design that suits the budget and the landscape, using various materials that will work with the environment. It is my suggestion that this concept stage is undertaken first, the concepts are priced at \$1200 plus gst and you will be provided with several options. The cost of the concept is then taken off the manufacturing cost, as the design is already completed.

I hope this information is useful, If you require any further information, please don't hesitate to contact me.

Cheers,

Toby Poulsen
Business Development Officer

ARMSIGN

Ph. 02 6625 1122
Fax. 02 6625 2400
www.armsign.com.au

From: Toby Poulsen
Sent: Thursday, 25 July 2013 2:51 PM
To: 'kellie.barrow@lithgow.nsw.gov.au'
Subject: Town Entry

Hi Kellie,

Please find attached quote for town entry concept development. The concept development process is important in a project like this to be able to obtain a design that suits the environment and other elements such as heritage and Aboriginal history. The cost of this development basically comes off the actual project cost as the design is pretty much completed. After the concept stage, we can cost the signs accurately, and throughout the concept process the budget is always taken into consideration, ie we will make the signs to fit within the budget.

There are 2 examples of concepts we are currently designing, the Ningaloo coast option has a budget similar to yours. The Thargomindah entry signs are around 20K for 2. As discussed, lighting is an aspect that is becoming popular and we can also allow for this, powered by solar.

If you require any further information, please don't hesitate to contact me, and let me know if you would like to go ahead with the concept stage and we can get right onto it.

Toby Poulsen
Business Development Officer

ARMSIGN

Ph. 02 6625 1122
Fax. 02 6625 2400
www.armsign.com.au

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Town Entrance Sign - Concept 1



Shaped Colorbond corrugated steel, shaped painted aluminium and timber.



Town Entrance Sign - Concept 2



Shaped Colorbond corrugated steel, shaped painted aluminium and timber.



Town Entrance Sign - Concept 3



Shaped Colorbond corrugated steel and shaped painted aluminium



Julie Robertson

From: Kay Norton-Knight [kay@materialworld.com.au]
Sent: Thursday, 15 August 2013 2:18 PM
To: Council
Subject: town signage

Dear Council,

I would like to make a comment on the present suggestions of the signs that will be part our landscape and entrance into our beautiful town and surrounding towns.

I feel that there are better designs and ones that are more suitable for this purpose, then the ones that are presently proposed.

I am suggesting to you that you put it out to the public to send into Council their ideas/designs and maybe make it a competition. There are so many creative people in the area that could come up with better designs/ideas, so why not embrace them.

It also would be great publicity for the Mudgee Region.

Thankyou

Yours sincerely

Kay Norton Knight

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Denise Jamieson
22 Ilford Road
RYLSTONE NSW 2849

13TH August 2013

The General Manager
Mid-Western Regional Council
P O Box 156
MUDGEE NSW 2849

WLB

Town Entrance Signs

I read that Council is considering new entrance signs to towns within the Shire. **My question is WHY?** Council did erect town signs which are blue but unfortunately Rylstone missed out on these. But why are you wasting ratepayer's money on these signs. Surely money could be better spent on road maintenance. People/tourists know where we are and they don't need a massive great entrance sign to tell them.

The entrance sign to Rylstone is simple. Two metal posts with the town name attached. The only thing that could be changed here is a place to advertise local, upcoming events such as StreetFeast, Annual Show, Dog Shows, Hill Top Art Exhibition, Wollemi Children's Art Show etc. Unfortunately the very old sign erected by Rylstone Shire Council at the entrance to Rylstone is still standing. This could be removed and possibly given to the Historical Society.

Some of the signs designed by Council staff have the town names in lower case. Please, please do not do that to us. If you look at old maps you will see that the town name usually starts with a capital letter then lower case. This is the way they should remain or be all capital letters.

Your reply to this letter would be appreciated.

Yours faithfully
Denise M Jamieson



Julie Robertson

From: Mitchell & Daryl Clapham [hazelbrk@skymesh.com.au]
Sent: Wednesday, 21 August 2013 11:13 AM
To: Council
Subject: submission on town entrance signage

Re; Request for submissions on Town Entrance Signage as advertised in the Mudgee Guardian 2nd August 2013

I submit to Council that the proposed signage change to the entrance of our towns is a waste of money at this point in time.

The current signs are in good condition with little or no maintenance cost, have no resale value and are not half way through their projected life as advised by Council on their installation.

A suitable addition to advertise coming events could be added to these signs at minimal cost should that be needed.

Before Council asks the public to choose a replacement design, I submit Council should invite the public to comment on whether they should be replaced or not.

I would also submit that the submissions received on the management plan that comment on this issue, should also be taken into account.

I also note in your advertisement of 2nd August 2013 you state " Council values community input into these matters".

On airing my views in the Mudgee Guardian of 9th August, one Councillor appears to have taken offence on Face book.

It appears Council may only appreciate positive feedback????

Surely we as a community have a right to be critical also, given it is our money you are spending.

Regards
Mitchell Clapham
"Hazelbrook"
Ilford

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Rylstone Kandos Business & Tourism

PO Box 119 Kandos NSW 2848

ABN: 46 659 693 462

President: Sue Honeysett 6379 4337

Treasurer: Terry O'Sullivan 6379 6902

Vice-President: Peter Monaghan 6379 0981

Secretary: Mary Kavanagh 0425275749

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

Public Exhibition – Welcome Signs for Mudgee Region

In July this year, RKB&T was asked to examine the variety of signs at the entrances to Rylstone, Kandos and the surrounding villages with a view to the retention and renovation of those which are relevant to these 19th and 20th century townships.

Members are particularly interested in the “older” signs which form part of the heritage of smaller towns and villages in country New South Wales. As you will be aware, the former Rylstone Region has a rich history with first white settlement occurring in the early 1820’s and the community is anxious to preserve that heritage for current and future generations. As a first step, all of the signage has been photographed for consideration by the committee.

In the meantime, members have become concerned that the results of voting on “Welcome Signs” in the Mid-Western Region may have unintended consequences in relation to the retention of the older style signs. In this regard, I have been informed that any decision arising from the community vote will focus on the replacement of Council’s existing “blue” signboards at the entrances to Gulgong, Kandos, Mudgee and Rylstone.

It would be appreciated if you will confirm that the decisions arising from the Public Exhibition will not impact on the relevant “older” signs bordering the towns and villages in this area.

Mary Kavanagh
Secretary

6.2.14 Local Traffic Committee Minutes 10 September 2013

REPORT BY THE MANAGER, DEVELOPMENT ENGINEERING TO 3 OCTOBER 2013 COUNCIL MEETING

Local Traffic Committee Minutes 10 September 2013

GOV400029, A0100056, A0100009

RECOMMENDATION

That:

1. **the report by the Manager, Development Engineering on the Local Traffic Committee Minutes 10 September 2013 be received;**
2. **Bocoble Road - "Reduce Speed" warning sign be installed on Bocoble Road only prior to the Stop Sign Ahead on Bocoble Road;**
3. **Queens Pinch Road - the Queens Pinch Road 'intersection ahead' signs indicate the main priority of the road.**
4. **Henry Lawson Drive –**
 - a) **the "Give Way" signs and the advanced warning (symbolic) Give Way Ahead sign on the southern approach of the one-lane bridge over Pipe Clay Creek on Henry Lawson Drive be relocated so that they are on the northern approach of the bridge;**
 - b) **the residents along Henry Lawson Drive be consulted as per the recommendation in the report; and**
 - c) **a copy of the Plan be forwarded to the Roads and Maritime Services for review of appropriate signage.**
5. **Intersection of Burrundulla and Rocky Waterhole Roads –**
 - a) **the works requests to move the priority cross roads signage (W2-1) from Burrundulla Rd to Rocky Waterhole Rd and remove small tree obscuring the Give Way ahead be noted; and**
 - b) **linemarking at the intersection be upgraded to be in accordance with RTA Delineation: Section 6 – Transverse Markings.**
6. **Mudgee Brewing - a loading zone of one parking space from 9am to 5:30pm Monday to Friday and 9am to 12pm on Saturdays be installed in front of the Mudgee Brewing Co. in Church Street, between Market and Short Streets Mudgee.**
7. **Church Street - "No Parking" signs be installed at the driveways of 166 and 168 Church Street.**

Executive summary

The purpose of this report is to advise Council of the considerations and recommendations of the Local Traffic Committee (LTC) meeting held on 10 September 2013.

Detailed report

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

Also discussed at the Traffic Committee was the proposed new pedestrian facility in Mortimer Street, that would run between the Coles supermarket area and Target. The Traffic Committee have sought more information and rather than at this time being a resolution of Council we will discuss directly with the Roads & Maritime Services (RMS). The recommendation of the Traffic Committee sought clarity on the following issues:

- warrants are confirmed by the Roads and Maritime Services;
- the design is clarified to clearly show pedestrian crossing or pedestrian refuge, or pedestrian crossing with kerb extensions;
- businesses clearly understand loss of parking;
- deliveries to Coles are not impeded; and
- the plan, once finalised, be advertised in the local paper.

Our response is as follows:

This will only be a pedestrian refuge and thus no warrants are required from the RMS. A full consultation has occurred with the local businesses so they understand the implications of this new facility and the loss of parking. The Coles car park itself will be changed to one entrance and one exit and therefore deliveries to Coles will not be impeded. Finally Council will place a full display of the proposed plans in the Mudgee Guardian.

Financial implications

Minimal within maintenance budgets.

Strategic or policy implications

AS1742 Manual of Uniform Traffic Control Devices and associated technical directions issued by the RMS.

RTA Road Design Guide.

RTA Delineation Section 6: Transverse markings

AS 1742.2-2009 : Manual of uniform traffic control devices Part 2: - Traffic control devices for general use.

Austroroads Guide to Traffic Management Part 11: Parking

AS 1742.11-1999 : Manual of uniform traffic control devices - Parking controls.

The Mortimer Street upgrade project is included in the 2013/14 Delivery Plan.



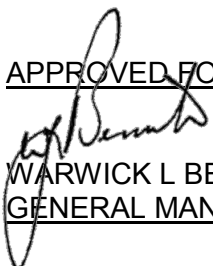
CATHERINE VAN LAEREN
DIRECTOR, DEVELOPMENT & COMMUNITY SERVICES

DARYL COLWELL
MANAGER, DEVELOPMENT ENGINEERING

23 September 2013

Attachments: 1. Minutes and discussion notes of the Local Traffic Committee Meeting held 10 September 2013 (reports available upon request)

APPROVED FOR SUBMISSION:



WARWICK L BENNETT
GENERAL MANAGER

**MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING
HELD ON TUESDAY, 10 SEPTEMBER 2013**

Present: Daryl Colwell (Chairperson MWRC), Prue Britt (RMS), Mal Petrie (Members Representative), Senior Sergeant Cameron Whiteside (NSW Police), Cr John Weatherley and Mette Sutton (MWRC – Minute Secretary).

Apology: Superintendant Martin Fileman (NSW Police), Ahmed Albanna (MWRC)

The LTC meeting commenced at 9.40am and concluded at 11:10am.

13/64 MATTERS IN PROGRESS

ITEM	ACTION
NIL	Noted

13/65 SPECIAL EVENT DEBRIEF

SPECIAL EVENT	COMMENTS
NIL	Noted

13/66 INTERSECTION OF BOCOBLE ROAD AND QUEENS PINCH ROAD

The recommendation in the report was amended in the report to include the following and then moved by Prue Britt, seconded by Cameron Whiteside and carried as a recommendation to Council.

That the Queens Pinch Road ‘intersection ahead’ signs indicate the priority of the road.

13/67 GIVE WAY ON PIPE CLAY BRIDGE ON HENRY LAWSON DRIVE

The recommendation in the report was amended to include the following then moved by Cr John Weatherley, seconded by Mal Petrie and carried as a recommendation to Council.

That the residents along Henry Lawson Drive be consulted as per the recommendation in the report.

That a copy of the Plan be forwarded to the Roads and Maritime Services for review of appropriate signage.

13/68 INTERSECTION OF ROCKY WATERHOLE ROAD & BURRUNDULLA ROAD

The recommendation in the report was moved by Mal Petrie, seconded by Cr John Weatherley and carried as a recommendation to Council.

13/69 LOADING ZONE – CHURCH STREET MUDGEE

The recommendation in the report was moved by Cr John Weatherley, seconded by Cameron Whiteside and carried as a recommendation to Council.

13/70 PEDESTRIAN CROSSING – MORTIMER STREET MUDGEES

The recommendation in the report was amended as follows then moved by Cr John Weatherley, seconded by Cameron Whiteside and carried as a recommendation to Council.

That the recommendation provided in the report be held over until the following issues are clarified:

- **warrants are confirmed by the Roads and Maritime Services;**
- **the design is clarified to clearly show pedestrian crossing or pedestrian refuge, or pedestrian crossing with kerb extensions;**
- **businesses clearly understand loss of parking;**
- **deliveries to Coles are not impeded; and**
- **the plan, once finalised, be advertised in the local paper.**

13/71 NO PARKING SIGN AT 166 TO 168 CHURCH ST MUDGEES

The recommendation in the report was moved by Prue Britt, seconded by Mal Petrie and carried as a recommendation to Council.

DISCUSSION NOTES FROM THE 10 SEPTEMBER 2013 LOCAL TRAFFIC COMMITTEE MEETING

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

ITEM 13/67 - GIVE WAY ON PIPE CLAY BRIDGE ON HENRY LAWSON DRIVE

Prue Britt asked that a copy of the plan for the implementation of the change of priority at this site be forwarded to the Roads and Maritime Services for review by the appropriate staff who specialises in signage, and that local residents should be consulted prior to the change given that the priority has been changed in the past and due to resident concerns at that time the priority was returned to the current state, as indicated in the letter in the report.

The Committee agreed to add the following to the recommendation:

That the residents along Henry Lawson Drive be consulted as per the recommendation in the report.

That a copy of the Plan be forwarded to the Roads and Maritime Services for review of appropriate signage.

13/70 PEDESTRIAN CROSSING – MORTIMER STREET MUDGEES

This item sparked significant debate amongst the Committee.

A number of matters of concern were raised by Prue Britt following her site inspection and vehicle movement data collection carried out on site in Mortimer Street on the morning of Tuesday, 10 September.

- Loss of parking for businesses on the southern side of Mortimer Street as a pedestrian crossing will require the removal of 30 m of car parking on both sides of Mortimer Street. Would like to see what was provided to the business houses to ensure they understand the impact of the loss of parking.
- Clarification is required as to what type of crossing is proposed. The plan in the report is for a 'pedestrian refuge' with Kerb extensions but the recommendation and content refer to a 'pedestrian crossing'. This needs to be clarified.
- For a pedestrian crossing, a warrant has to be met which is a Product (PV) of greater or equal to 60,000 in each of three separate one hours on the 'same' day. The data provided in the report is for one hour on three different days and therefore insufficient. It must be 3 x 1 hours on the same day. Council collected data is not representative of vehicle and pedestrian movements within the proposed pedestrian crossing area but includes additional movements that have distorted the data.
- Many motorists perform u-turns and then park on the southern side of Mortimer Street to access the shops. The proposal will inhibit these driver manoeuvres.
- A semi-trailer was witnessed to completely obstruct Mortimer Street while preparing to reverse into the western entry of the Coles car park. Transport drivers need to be consulted to ensure they are able to manoeuvre without driving over and damaging the proposed pedestrian structures.
- If east bound traffic is continually stopped at a crossing, the traffic may back up and may impact on the Church Street/Mortimer Street roundabout. This needs to be considered.

Cr John Weatherly advised that he had had at least 6 phone calls from members of the community concerned at the implementation of a crossing. Mal Petrie had also had contact from community members expressing concerns. The traffic flow in Mortimer Street from Lewis to Perry Streets and loss of parking being the main concerns.

The Committee agreed to recommend to Council the following:

That the recommendation provided in the report be held over until the following issues are clarified:

- **warrants are confirmed by the Roads and Maritime Services;**
- **the design is clarified to clearly show pedestrian crossing or pedestrian refuge, or pedestrian crossing with kerb extensions;**
- **businesses clearly understand loss of parking;**
- **deliveries to Coles are not impeded; and**
- **the plan, once finalised, be advertised in the local paper.**

GENERAL BUSINESS

MUDGEES TRIATHLON CLUB

Daryl advised Committee that an approval letter had been drafted for the Mudgee Triathlon Season but not yet sent as the requirement for a pilot vehicle front and rear was still being considered by the RMS. The Triathlon Club are of the opinion that a pilot vehicle would cause confusion and not necessary as it has never been a requirement in the past and all events have taken place without incidence.

Cameron Whiteside, from his experience as a Police Officer and his personal experience as a competitor in Mudgee tri club events, expressed his concerns that given the nature of the race over a short out and back course, a pilot vehicle would cause confusion on the course and did not think

it necessary. The VRA are used to man all entrances onto the course so drivers are well aware of a triathlon in progress.

The Committee agreed that a pilot vehicle was not necessary. Prue Britt asked that a copy of the draft approval letter be forwarded to the RMS for review.

ST MATTHEWS CATHOLIC SCHOOL DROP OFF ZONE

Daryl advised that he has had discussions with the Principal of St Matthews Catholic School who has requested that the pickup/drop off zone in Lewis Street be changed to parallel parking in the morning and reverse angle parking rear to kerb in the afternoon. Daryl has advised that this would not be suitable for this type of zone and would lead to increased driver confusion. The Committee concurred that they did not think this would be suitable. Daryl is awaiting a response from the School.

The Police representative noted that an increase in Police presence would only have a positive effect on motorist's behaviour for the duration for which the Police were at the site and that once out of site motorists would revert to their previous driving behaviours.

The Committee agreed that the majority of the responsibility of parent/driver behaviour lies with the school and school community.

The meeting closes at 11.10am.

Next meeting to be held on Tuesday, 8 October 2013.

6.2.15 Register of Returns disclosing interests of Councillors & Designated Persons

REPORT BY THE MANAGER GOVERNANCE TO 3 OCTOBER 2013 COUNCIL MEETING

Returns

GOV400029, A0100056, A0110004

RECOMMENDATION

That:

- 1. the report by the Manager Governance on the Register of Returns disclosing interests of Councillors and Designated Persons be received; and**
- 2. the Register of Returns disclosing the interests of Councillors and designated persons be tabled and it be noted that all Returns were submitted by the return date.**

Executive summary

To consider the Register of Returns of interests of Councillor and designated persons.

Detailed report

The Local Government Act 1993 provided that Councillors and designated persons must periodically lodge returns disclosing certain interests. A specific Return is required to be lodged within 3 months of becoming a Councillor or designated person. In addition, a Councillor or designated person, holding that position at 30 June in any year must similarly lodge a Return in respect of the previous 12 months within 3 months after that date.

The Act also provides that the General Manager must keep a Register of Returns and that this register must be tabled at the first meeting of the Council after the last day for lodgement of these Returns. In this regard, the Returns from Councillor and designated persons required to lodge Returns for the period July 2012 to June 2013 were required to be lodged by 30 September 2013.

The Register will be laid on the table at the Council Meeting on 3 October 2013.

Financial implications

Not applicable.

Strategic or policy implications

The Local Government Act applies.

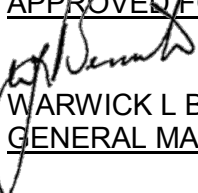


IAN ROBERTS
MANAGER GOVERNANCE

23 September 2013

Attachments: Nil

APPROVED FOR SUBMISSION:



WARWICK L BENNETT
GENERAL MANAGER

URGENT BUSINESS WITHOUT NOTICE

As provided by Clauses 19 & 20 of Council's Code of Meeting Practice (Clause 14 LGMR).

GIVING NOTICE OF BUSINESS

19. (1) The Council must not transact business at a meeting of the Council:
- (a) unless a Councillor has given notice of the business in writing at least two (2) days prior to the day on which the agenda and business paper is prepared and delivered to Councillors; and
 - (b) unless notice of the business has been sent to the Councillors in accordance with Clause 6 of this Code. (see Section 367 LGA & Clause 14(1) LGMR)
- (2) Subclause (1) does not apply to the consideration of business at a meeting if the business:
- (a) is already before, or directly relates to a matter that is already before the Council (see Clause 14(2)(a) LGMR); or
 - (b) is the election of a chairperson to preside at the meeting as provided by Clause 12(1) (see Clause 14(2)(b) LGMR); or
 - (c) is a matter or topic put to the meeting by the chairperson in accordance with Clause 21 (see Clause 14(2)(c) LGMR); or
 - (d) is a motion for the adoption of recommendations of a committee of the Council; (see Clause 14(2)(d) LGMR); or
 - (e) relates to reports from officers, which in the opinion of the Chairperson or the General Manager are urgent;
 - (f) relates to reports from officers placed on the business paper pursuant to a decision of a committee that additional information be provided to the Council in relation to a matter before the Committee; and
 - (g) relates to urgent administrative or procedural matters that are raised by the Mayor or General Manager.

BUSINESS WITHOUT NOTICE

20. (1) Despite Clause 19 of this Code, business may be transacted at a meeting of the Council even though due notice of the business has not been given to the Councillors. However, this can happen only if:
- (a) a motion is passed to have the business transacted at the meeting; and
 - (b) the business proposed to be brought forward is ruled by the Chairperson to be of great urgency. Such a motion can be moved without notice. (see Clause 14(3) LGMR)
- (2) Despite Clause 30 of this Code, only the mover of a motion referred to in subclause (1) can speak to the motion before it is put. (see Clause 14(4) LGMR)

Item 7: Urgent Business Without Notice