

# ORDINARY MEETING

Wednesday 21 May 2014







PO BOX 156  
MUDGEE NSW 2850

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

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14 May 2014

Dear Councillor

MEETING NOTICE  
**Ordinary Meeting**

Wednesday, 21 May 2014

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", is written over the typed name and title.

WARWICK L BENNETT  
GENERAL MANAGER

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Item 1: Apologies

Item 2: Disclosure of Interest

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

Item 3: Confirmation of Minutes

### **3.1 Minutes of Ordinary Meeting held on 7 May 2014**

*COUNCIL DECISION:*

That the Minutes of the Ordinary Meeting held on 7 May 2014, Minute Nos 154/14 to 177/14 be taken as read and confirmed.

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The Minutes of the Ordinary Meeting are attached overleaf.

Mid-Western Regional Council

Date: 7 May 2014

## Minutes of the Ordinary Meeting of Council

Held at the Council Chambers, 86 Market Street, Mudgee  
on Wednesday 7 May 2014, commencing at 6.26pm and concluding at 7.41pm.

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|                          |   |
|--------------------------|---|
| PRESENT                  | Cr D Kennedy (Mayor), Cr P Cavalier (Deputy Mayor), Cr EE Martens (AM),<br>Cr PA Shelley, Cr JP Thompson, Cr MB Walker, Cr JR Webb, Cr L White.   |
| IN ATTENDANCE            | General Manager (WL Bennett), Director Mid-Western Operations (B Cam),<br>Director Development and Community Services (C Van Laeren), Director<br>Finance & Administration (B Exelby), Executive Assistant to the General<br>Manager (M Sutton) |
| MEDIA<br>REPRESENTATIVES | Mudgee Guardian / The Weekly (D Snider) Radio 2MG (M Heldon)  |

### Item 1: Apologies

An apology was received for the absence of Councillor John Weatherley.

#### 154/14 MOTION: Cavalier / Shelley

That the apology for the absence of Councillor John Weatherley be received and leave of absence be granted.

*The motion was put and carried with Councillors voting unanimously.*

### Item 2: Disclosure of Interest

*nil*

### Item 3: Confirmation of Minutes

#### 155/14 MOTION: Cavalier / Walker

That the Minutes of the Ordinary Meeting held on 16 April 2014 (Minute Nos. 133/14 to 153/14) be taken as read and confirmed.

*The motion was put and carried with Councillors voting unanimously.*

### Item 4: Matters in Progress

Protection of the Drip Gorge Res 65/14

#### 156/14 MOTION: White / Thompson

Mid-Western Regional Council

Date: 7 May 2014

- 1 That Mid-Western Regional Council supports the community proposal to protect the Drip Gorge by including the Drip block 45, land to the south of the Goulburn River outside mining licence 1605 and private land block 51 in an extension of the Goulburn River National Park;
- 2 Mid-Western Regional Council conveys this support to the planning assessment commission as a late submission that the proposed extension to Goulburn River National Park be included as a condition of approval; and
- 3 Mid-Western Regional Council writes to Andrew Gee MP, Member for Orange, acknowledging his support to protect the Drip Gorge and informing him of Council's endorsement of the community proposal to extend Goulburn River National Park.

AMENDMENT: Walker / Cavalier

That this matter be deferred until the next meeting of Council.

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

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

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

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



Mid-Western Regional Council

Date: 7 May 2014

**Item 5: Mayoral Minute**

5.1 RECRUITMENT OF GENERAL MANAGER

GOV400038, PER400076

157/14 MOTION: Kennedy

That Council hold an Extraordinary meeting of Council on Thursday 19 June 2014 for the purpose of interviewing and selecting a preferred candidate for the position of General Manager, Mid-Western Regional Council.

*The motion was put and carried with Councillors voting unanimously.*

5.2 EXPENSES POLICY

GOV400038, A0110001

158/14 MOTION: Kennedy

That Council approves Councillor Martens staying in a motel at Council's expense in Mudgee on Council meeting nights during the winter months of May, June, July and August.

*The motion was put and carried with Councillors voting unanimously.*

**Item 6: General Business**

6.1 NOTICES OF MOTION

6.1.1 BLUE MOUNTAINS EXPRESSWAY

GOV400022, GOV400038

159/14 MOTION: Thompson / Walker

That Council makes a submission to the State Government (the Premier and Treasurer – copies to local members) that a proportion of the funds from any sale of NSW's electricity poles and wires be put towards the Blue Mountains expressway development.

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

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

Mid-Western Regional Council

Date: 7 May 2014

6.1.2 MOSSY ROCK LANE ADDED TO COUNCIL'S MAINTAINED  
ROADS REGISTER

GOV400022, GOV400038

160/14 MOTION: Shelley / Cavalier

**That Mossy Rock Lane, Rylstone, be added to Council's Maintained Roads register.**

AMENDMENT: Martens / Thompson

That staff bring a report back to council detailing the number of unmaintained roads with more than 5 houses located off those roads.

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

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

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

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

## 6.1.3 RYLSTONE AERODROME RATES CHARGES

GOV400022, GOV400038

161/14 MOTION: Walker / Shelley

**That the rates charges at the Rylstone Aerodrome for hanger developments be set at \$200 as per the previous resolution of Council.**

AMENDMENT: Thomspson/Martens

Mid-Western Regional Council

Date: 7 May 2014

That Council review the recommended rate charged on the Rylstone Aerodrome hangar developments and change the rates charged on these properties to the minimum rate charge for 2014/15 expected to be \$609.26.

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

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

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

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

## 6.2 REPORTS TO COUNCIL

### 6.2.1 DA0248/2014 – PROPOSED DEMOLITION AND 51 LOT RESIDENTIAL SUBDIVISION, LOT 2 DP 534336, LOT 399 DP 1132580 AND LOT 532 DP 1132581, SALEYARDS LANE, MUDGEE

GOV400038, DA0248/2014

162/14

**MOTION:** Cavalier / Martens

**That:**

1. the report by the Manager Statutory Planning Manager, Statutory Planning on DA0248/2014 – Proposed Demolition and 51 Lot Residential Subdivision, Lot 2 DP 534336, Lot 399 DP 1132580 and Lot 532 DP 1132581, Saleyards Lane, Mudgee be received;
2. Council approve DA0248/2014 – Proposed Demolition and 51 Lot Residential Subdivision, Lot 2 DP 534336, Lot 399 DP 1132580 and Lot 532 DP 1132581, Saleyards Lane, Mudgee as a Deferred Commencement Consent subject to the following conditions:

**DEFERRED COMMENCEMENT CONDITIONS**

- A. A Phase 2 Environmental Assessment is required to identify any further contamination risk. The site is to be remediated and a site validation report provided to Council stating that the land is suitable for residential purposes. This is a deferred commencement condition and the consent does not become operational until Council is satisfied that the condition has been met.**
- B. The part closure of the Saleyards Road reserve is to be completed and the Deposited Plan registered with Land and Property Information (LP). This is a deferred commencement condition and the consent does not become operational until Council is satisfied that the condition has been met.**

**APPROVED DEVELOPMENT**

- 1. Development is to be carried out generally in accordance with the following;**
- **Subdivision Plans stamped plans (Job No. 1202MU) Sheets 1/3;**
  - **Statement of Environmental Effects dated January 2014;**
  - **Addendum to Statement of Environmental Effects Dated 17<sup>th</sup>February 2014;**
  - **Traffic Impact Statement by Jabek P/L (BK138) dated March 2014;**

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.

**DEMOLITION**

- 2. The licensed demolition contractor and/or principal contractor must comply with the following specific requirements in respect of the proposed demolition works:-**
- a) Demolition work is not be undertaken until:**
- **Council has been provided with a copy of any required Hazardous Substances Management Plan;**
  - **The licensed demolition contractor and/or principal contractor has inspected the site and is satisfied that all measures are in place to comply with the provisions of such Plan;**
- b) The removal, handling and disposal of any asbestos material (in excess of 10m<sup>2</sup>) is to be undertaken only by an asbestos removal contractor who holds the appropriate**

Mid-Western Regional Council

Date: 7 May 2014

**class of Asbestos Licence, issued by WorkCover NSW, and in accordance with the requirements of WorkCover NSW, the Work Health and Safety Act 2011 and Australian Standard 2601-2001**

- c) **All asbestos and other hazardous materials are to be appropriately contained and disposed of at a facility holding the appropriate licence issued by the NSW Environmental Protection Agency**
- d) **Seven working days notice in writing is to be given to Council prior to the commencement of any demolition works. Such written notice is to include the date demolition will commence and details of the name, address, contact telephone number and licence details (type of licences held and licence numbers) of any asbestos removal contractor and demolition contractor.**

**PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE**

- 3. **A masonry retaining wall is to be provided adjacent the northern boundary of the development site to retain the proposed fill. It is to be offset by 750mm from the rear boundary and this area landscaped with Photinias (or other approved species) that will achieve a minimum height of 2 metres and planted 1 metre apart. Details of the retaining wall structure and landscaping are to be provided with the application for Construction Certificate.**
- 4. **Prior to development the applicant shall advise Council's Development and Community Services Department, in writing, of any existing damage to Council property before commencement of works. The applicant shall repair (at their own expense) any part of Council's property damaged during the course of this development in accordance with AUS-Spec #1/2 (as modified by Mid-Western Regional Council) and any relevant Australian Standards.**
- 5. **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.**
- 6. **A copy of the Contractor's public liability insurance cover for a minimum of \$20,000,000 is to be provided to Mid-Western Regional Council as an interested party.**
- 7. **The submission to Council of engineering design plans for any road works shall include pavement and wearing surface investigation and design, sedimentation and erosion control plans, and a detailed construction plan. These plans are to be approved by the Council prior to the issue of a Construction Certificate.**

8. Prior to the commencement of subdivision works, the following actions are to be carried out;
- A site supervisor is to be nominated by the applicant;
  - Council is to be provided with two (2) days notice of works commencing.

Note: Failure to comply with these conditions will result in damage to Council's infrastructure being rectified by the applicant and at the applicant's cost.

9. A detailed engineering design is to be submitted to and approved by Council prior to the issue of a *Construction Certificate*. The engineering design is to comply with Council's Development Control Plan and the Standards referenced within Appendix B and D.

10. The causeway at the eastern end of Saleyards Lane shall be upgraded with culverts with sufficient capacity to facilitate a 1 in 10 yr ARI rainfall event without inundation of the roadway.

11. A Construction Certificate is required for, but not limited to, the following civil works;

- Water and sewer main extensions
- Stormwater drainage such as inter-allotment drainage, detention basins,
- Road construction
- Footpath and kerb & gutter
- Landscaping of public reserves
- Construction of culvert on Saleyards Lane.

Note: No works can commence prior to the issue of the Construction Certificate.

12. The subdivision works are to be inspected by the Council (or an *Accredited Certifier* on behalf of Council) to monitor compliance with the consent and the relevant standards of construction, encompassing the following stages of construction:

- Installation of sediment and erosion control measures
- Water and sewer line installation prior to backfilling
- Establishment of line and level for kerb and gutter placement
- Road Pavement construction
- Road Pavement surfacing
- Practical Completion

13. The applicants shall, at their own expense, engage a registered surveyor to relocate any survey mark that may be disturbed by the development or any associated work. Any information regarding relocation should be supplied to the Land Titles Office and Council.

14. All works are to be constructed at the full cost of the developer, in a manner consistent with Aus-Spec #1 and Council's standard drawings.
15. All finished surface levels shall be shown on the plans submitted for the Construction Certificate. Where it is proposed to import fill, the material shall be certified as free of hazardous materials and contamination by a suitably qualified geotechnical engineer. Fill placed in residential or commercial lots shall be compacted in accordance with *AS3798-2007 Guidelines on Earthworks for Commercial and Residential Developments*.
16. Engineering plans of the water and sewer mains extension are to be submitted to and approved by Council or an accredited certifier prior to the issue of a Construction Certificate.  
Note 1: Council will quote on connecting any sewer or water main extension to the existing "live" main on receipt and approval of engineering plans.  
Note 2: Council does not permit other bodies to insert new junctions or connections into 'live' mains.
17. The developer is to grant Council (or an *Accredited Certifier* on behalf of Council) unrestricted access to the site at all times to enable inspections or testing of the subdivision works.
18. The subdivision works are to be inspected by the Council to monitor compliance with the consent and the relevant standards of construction encompassing the following stages of construction:
  - Installation of sediment and erosion control measures
  - Water and sewer line installation prior to backfilling
  - Establishment of line and level for kerb and gutter placement
  - Road and driveway pavement construction (including excavation, formwork and reinforcement)
  - Road pavement surfacing
  - Practical completion
19. The contractor/owner must arrange an inspection by contacting Council's Development and Community Services Department between 8.30am and 4.30pm 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.
20. The applicant is to submit a Drainage Report prepared in accordance with the Institution of Engineers publication *Australian Rainfall and Run-off* to the Principal Certifying Authority for approval prior to the release of the Construction Certificate. The report must demonstrate that stormwater runoff from the site is not increased beyond the existing undeveloped state up to and including a 100 year ARI. All storm water detention

details including analysis shall be included with the drainage report.

21. The drainage report is to include water quality treatment devices meeting targets as stipulated in the DCP and full details of compliance are to be provided with the Construction Certificate.
22. All utilities and services including telecommunications, water and sewer reticulation, street lighting shall be installed prior to pavement construction.
23. Prior to commencement of works, the submission of three road names/road in order of preference, for the proposed two (2) new roads within the subdivision, are to be submitted to Council for approval.
24. Complete landscaping plans for all public reserve areas are to be submitted for approval prior to issue of a Construction Certificate. All landscaping to consist of appropriately advanced trees and shrubs. All landscaping is to be established prior to occupation of the development. Tree and shrub species should require minimal watering and salt resistant. Alternatively, smaller plant sizes will be considered if irrigation systems are implemented.

#### Stormwater Drainage

25. A minimum of two (2) roof-water outlets per allotment are to be provided in the kerb and gutter at the time of installation of kerb and gutter. Such outlets shall be located near the projected line of allotment side boundaries and shall be of no less a quality than kerb adaptors kept at Council's Administration Centre as a guide.
26. 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.
27. Interallotment drainage is to be provided to remove stormwater from any lots that cannot discharge to the street in accordance with Aus Spec #1. Easements not less than 1m wide shall be created over interallotment drainage in favour of upstream allotments.
28. Inter-allotment drainage is to be provided to remove stormwater from any lots that cannot discharge to the street in accordance with Aus Spec #1. Easements not less than 1m wide shall be created over inter-allotment drainage in favour of upstream allotments.
29. A minimum of two (2) roof-water outlets per allotment are to be provided in the kerb and gutter at the time of installation of kerb and gutter.



**Roads, Kerbs and Vehicular Access**

30. Street signs necessitated by the subdivision are to be installed in accordance with Aus-Spec #1 and Council standards.
31. The developer is to upgrade the existing road for the full frontage of the proposed Subdivision and the new roads, such that it has the following characteristics:

**Saleyards Lane and internal subdivision roads**

| Item                     | Requirement  |
|--------------------------|--|
| Full Road Pavement Width | 9 m (2 x 3.5m travel lanes with 1m sealed shoulders)                             |
| Nature Strip             | 2 x 4.5m   |
| Concrete Footpaths       | 1.2m Wide  |
| Seal                     | Two-coat flush seal -14/7 mm (Double/Double) as required                         |
| Kerb & Gutter            | Roll back concrete kerb & gutter   |
| Subsoil Drainage         | Behind kerb if required  |
| Underground Drainage     | Where gutter flow exceeds 2.5m during minor events or adjacent to intersections. |

32. The submission to Council of engineering design plans for any road works shall include pavement and wearing surface investigation and design.
33. All utility crossings are to be perpendicular to the road centreline and performed prior to the addition of the basecourse.
34. 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.
35. Prior to commencement of works, the submission of three possible street/road names in order of preference, for the proposed new road within the subdivision, are to be submitted to Council for approval.
36. Street signs necessitated by the subdivision are to be installed in accordance with Aus-Spec #1 and Council standards. A Give Way sign is required to be installed on the internal subdivision road at the junction with Saleyards Lane.

**Earthworks**

37. 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: The applicant should contact the Aboriginal Land Council and consult a suitably qualified individual to determine if artefacts were uncovered.**

38. **Runoff and erosion controls shall be installed prior to clearing and incorporate:-**
  - **diversion of uncontaminated upsite runoff around cleared and/or disturbed areas and areas to be cleared and/or disturbed;**
  - **sediment control fences at the downslope perimeter of the cleared and/or disturbed area to prevent sediment and other debris escaping from the land to pollute any stream or body of water;**
39. **Maintenance of all erosion control measures at maximum operational capacity until the land is effectively rehabilitated and stabilized beyond the completion of construction.**
40. **The development site is to be managed for the entirety of work in the following manner:**
  - **Appropriate dust control measures;**
  - **Construction equipment and materials shall be contained wholly within the site unless approval to use the road reserve has been obtained;**
  - **Toilet facilities are to be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.**
41. **Any necessary alterations to, or relocations of, public utility services to be carried out at no cost to council and in accordance with the requirements of the relevant authority including the provision of easements over existing and proposed public infrastructure.**

#### **Water and Sewer**

42. **The developer is to extend and meet the full cost of water and sewerage reticulations to service the development plus the cost of connecting to existing services. All water and sewerage work is required to be carried out in accordance with the requirements of Mid-Western Regional Council (as the Water Supply Authority under the Local Government Act,1993) and in accordance with the National Specification – Water & Sewerage Codes of Australia.**
43. **The applicant is to provide separate water and sewer reticulation services to each lot.**
44. **Three metre wide easements, including associated Section 88B Instruments, are to be created in favour of Council over any existing or newly constructed water or sewerage reticulation components located within the subject property, or extended through adjoining private properties as a result of this subdivision.**

45. Water services are to be located on alternate property boundaries to Telstra/Electricity. The developer is to provide a water meter for each lot in the subdivision.

**PRIOR TO THE ISSUE OF THE SUBDIVISION CERTIFICATE**

46. Under the Environmental Planning & Assessment Act, 1979, a *Subdivision Certificate* is required before the linen plan of subdivision can be registered with the Land Titles Office.  
Note: The fee to issue a *Subdivision Certificate* is set out in Council's Fees and Charges
47. A linen plan and two (2) copies are to be submitted to Council for approval and endorsement by the General Manager.
48. If the *Subdivision Certificate* is not issued, for any reason whatsoever, by the end of the financial year immediately following the date of determination, then the charges and contributions contained in this consent, may be increased to the current rate at the time of payment.
49. Underground electricity, street lighting and telecommunications are to be supplied to the subdivision.
50. Prior to issue of the Subdivision Certificate, Council is to be supplied with:
- A certificate from the appropriate power authority indicating that satisfactory arrangements have been made for provision of electricity supply to the subdivision.
  - A certificate from the appropriate telecommunications authorities indicating that satisfactory arrangements have been made for provision of telephone services to the subdivision.
  - all contributions must be paid to Council and all works required by the consent be completed in accordance with the consent, or
  - an agreement be made between the developer and Council;
    - as to the security to be given to Council that the works will be completed or the contribution paid, and
    - as to when the work will be completed or the contribution paid.
51. Following completion of the subdivision works, one full set of work-as-executed plans, on transparent film suitable for reproduction, and an "Autocad compatible" work-as-executed Plan, (in dwg format including pen-map), is to be submitted to Council. All work-as-executed plans shall bear the Consulting Engineer's or Consulting Surveyor's certification stating that all information shown on the plans is accurate.

- 52. The developer must provide Council and land purchasers with a site classification for each lot within the subdivision. The classification is to be carried out at a suitable building site on each lot and is to be carried out by a NATA registered laboratory using method (a) of Clause of AS2870 - 2011. Results are to be submitted to Council prior to issue of the Subdivision Certificate.
- 53. In accordance with the provisions of section 94 of the *Environmental Planning and Assessment Act 1979* and the Mid-Western Regional Council Section 94 Developer Contributions Plan, a contribution shall be paid to Council in accordance with this condition for the purpose of: **SUBJECT TO CPI INCREASE**

|                      |                  |
|----------------------|------------------|
| Transport Management |                  |
| Traffic Management   | \$54,539         |
| Open Space           |                  |
| Local Open Space     | \$85,618         |
| District Open Space  | \$116,249        |
| Community Facilities |                  |
| Library Buildings    | \$11,206         |
| Library Resources    | \$13,448         |
| Administration       |                  |
| Plan Administration  | \$26,148         |
| <b>TOTAL</b>         | <b>\$307,208</b> |

- 54. The developer shall obtain a *Certificate of Compliance* under the Water Management Act. This will require:
  - a) Payment of a contribution for water and sewerage headworks at the following rate:
 

|                    |            |
|--------------------|------------|
| Water Headworks    | \$ 347,083 |
| Sewerage Headworks | \$ 165,631 |
| Total Payable      | \$ 512,714 |
  - b) The adjustment of existing services or installation of new services and meters, as required, in compliance with Australian Standard 3500: National Plumbing and Drainage Code. All costs associated with this work shall be borne by the developer.
- 55. The developer is to provide a water service and meter for each lot in the subdivision. This can be achieved by making a payment to Council of \$1650 per lot to cover the cost of installing both the service and a 20mm meter on the water main.
- 56. Where the water service has been provided by the developer. The developer is to provide a water meter for each lot in the subdivision. This can be achieved through providing a water service ending with a lockable ball valve to each lot and make a payment to Council of \$370.00 per lot to cover the cost of a 20mm meter and installation.

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**Note: Council does not permit other bodies to connect to 'live' water mains.**

57. The developer is to provide a sewer junction for each lot in the subdivision. This can be achieved by making a payment to Council of \$1,450.00 per new junction to cover the cost of Council installing a junction in an existing main.
58. Where the developer is to construct the sewer main to service a lot, the developer is to provide a new junction for each allotment.  
**Note: Council does not permit other bodies to insert new junctions into "live" sewer mains.**
59. All earthworks are to be monitored by a qualified cultural heritage officer and a minimum of one (1) weeks' notice given to the engaged officer.
60. The developer is to provide a 1.8 metre high lapped and capped timber fence along the full length of the northern boundary at full cost to the developer. The fence is to be constructed above the retaining wall.

**Public reserve**

61. Two street trees per allotment are to be provided prior to issue of the Subdivision certificate. The species of tree is to be listed on the Construction certificate drawings and approved as part of the Construction Certificate.
62. The proposed public reserve is to be remediated and adapted to make it suitable for public reserve purposes with native grasses sown and soil erosion rehabilitated. The public reserve is to be remediated prior to issue of the Subdivision Certificate and held in private ownership for a period of two years from issue of the Subdivision Certificate to monitor the remediation works.
63. A plan of management for the public reserve is to be prepared and adopted by Council to address cultural heritage, Endangered Ecological Communities and slope prior to issue of the Subdivision Certificate.

*The motion was put carried with Councillors voting unanimously.*

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6.2.2 DA0258/2014 PROPOSED ERECTION OF FIVE (5) TWO  
BEDROOM UNITS AND ASSOCIATED 5 LOT STRATA  
SUBDIVISION AT LOTS 286 AND 287 DP1181266, 31-33  
BANJO PATERSON AVENUE MUDGEE

GOV400038, DA0258/2014, P22019 &amp; 22020

163/14

**MOTION:** Walker / Thompson**That:**

1. the report by the Senior Planner on DA0258/2014 Proposed Erection of Five (5) Two Bedroom Units and Associated 5 Lot Strata Subdivision at Lots 286 and 287 DP1181266, 31-33 Banjo Paterson Avenue Mudgee be received;
2. Development Application 0258/2014 for the erection of five (5) two bedroom units and the associated five lot strata subdivision of the units at Lot 286 and 287 DP 1181266, 31-33 Banjo Paterson Avenue Mudgee be approved subject to the following conditions:

**APPROVED PLANS**

1. Development is to be carried out generally in accordance with stamped plans Malibu31BAN sheets 1 to 7 and the Application received by Council on 31 January 2014 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. Notwithstanding the approved plans the structures are to be located clear of any easements and/or any water and sewer mains in accordance with Council Policy

**NOTE:** No patio structures or paving is to be located within the easement for sewer.

**PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE – CIVIL**

3. Prior to development the applicant shall advise Council's Development and Community Services Department, in writing, of any existing damage to Council property before commencement of works. The applicant shall repair (at their own expense) any part of Council's property damaged during the course of this development in accordance with AUS-Spec #1/2 (as modified by Mid-Western Regional Council) and any relevant Australian Standards.
4. Prior to works commencing, a copy of the Contractor's public liability insurance cover for a minimum of \$20,000,000 is to be provided to Mid-Western Regional Council. All work is to be at no cost to Council.

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5. A detailed engineering design (including sediment and erosion control) supported by plans, and an "AutoCAD compatible" Plan, (in dwg format including pen-map), material samples, test reports and specifications are 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.
6. The applicants shall, at their own expense, engage a registered surveyor to relocate any survey mark that may be disturbed by the development or any associated work. Any information regarding relocation should be supplied to the Land Titles Office and Council.
7. All works are to be constructed at the full cost of the developer, in a manner consistent with Aus-Spec #1 and Council's standard drawings.
8. All finished surface levels shall be shown on the plans submitted for the Construction Certificate. Where it is proposed to import fill, the material shall be certified as free of hazardous materials and contamination by a suitably qualified geotechnical engineer. Fill placed in residential or commercial lots shall be compacted in accordance with AS3798-2007 Guidelines on Earthworks for Commercial and Residential Developments.
9. Engineering plans of the sewer mains extension are to be submitted to and approved by Council or an accredited certifier prior to the issue of a Construction Certificate

NOTE 1: Council will quote on connecting any sewer or water main extension to the existing "live" main on receipt and approval of engineering plans.

NOTE 2: Council does not permit other bodies to insert new junctions into 'live' sewer mains.

10. The developer is to grant Council (or an Accredited Certifier on behalf of Council) unrestricted access to the site at all times to enable inspections or testing of the works.
  - (a) The subdivision works are to be inspected by the Council (or Accredited Certifier on behalf of Council) to monitor compliance with the consent and the relevant standards of construction encompassing the following stages of construction:
    - I. Installation of sediment and erosion control measures
    - II. Water and sewer line installation prior to backfilling
    - III. Driveway pavement construction (including excavation, formwork and reinforcement)
    - IV. Practical completion

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- (b) The contractor/owner must arrange an inspection by contacting Council's Development and Community Services Department between 8.00am and 4.30pm 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.
11. The applicant is to submit a Drainage Report prepared in accordance with the Institution of Engineers publication Australian Rainfall and Run-off to the Principal Certifying Authority for approval prior to the release of the Construction Certificate. The report must demonstrate that stormwater runoff from the site is not increased beyond the existing undeveloped state up to and including a 1.5 year ARI. All storm water detention details including analysis shall be included with the drainage report.

**PRIOR TO ISSUE OF THE CONSTRUCTION CERTIFICATE BUILDING**

12. The developer shall obtain a Certificate of Compliance under the Water Management Act. This will require:
- (a) Payment of a contribution for water and sewerage headworks at the following rate:
- |                    |           |
|--------------------|-----------|
| Water Headworks    | \$ 10,729 |
| Sewerage Headworks | \$ 11,004 |
| Total Payable      | \$ 21,733 |
- (b) The adjustment of existing services or installation of new services and meters, as required, in compliance with Australian Standard 3500: National Plumbing and Drainage Code. All costs associated with this work shall be borne by the developer.
13. Prior to release of the Construction Certificate, approval pursuant to Section 68 of the Local Government Act, 1993 to carry out water supply, stormwater and sewerage works is to be obtained from Mid-Western Regional Council.
14. Complete landscaping plans are to be submitted for approval to Council prior to issue of a Construction Certificate. All landscaping is to consist of appropriately advanced trees and shrubs. All landscaping is to be established prior to occupation of the development. Tree and shrub species should require minimal watering and salt resistant. Alternatively, smaller plant sizes will be considered if irrigation systems are implemented.  
NOTE: 2.0metres wide area for landscaping the driveway is to be provided along the common boundary of 29 Banjo Paterson Avenue from the property boundary to the building line.

**PRIOR TO THE COMMENCEMENT OF WORKS – BUILDING**

15. No condition – intentionally blank



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16. No work shall commence until a Construction Certificate has been issued and the applicant has notified Council of:
- the appointment of a Principal Certifying Authority and
  - the date on which work will commence.

Such notice shall include details of the Principal Certifying Authority and must be submitted to Council at least two (2) days before work commences.

17. The site shall be provided with a waste enclosure (minimum 1800mm X 1800mm X 1200mm) that has a lid or secure covering for the duration of the construction works to ensure that all wastes are contained on the site. The receptacle is to be emptied periodically to reduce the potential for rubbish to leave the site. Council encourages the separation and recycling of suitable materials.

**NOTE: ALL WASTE GENERATED FROM THE CONSTRUCTION PROCESS IS TO BE CONTAINED ON-SITE**

18. 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;
- stating that unauthorised entry to the work site is prohibited, and
  - showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.
  - the name, address and telephone number of the principal certifying authority for the work,
  - The sign shall be removed when the erection or demolition of the building has been completed.

#### **BUILDING CONSTRUCTION**

19. All building work must be carried out in accordance with the provisions of the National Construction Code, the Environmental Planning & Assessment Act 1979 and Regulations and all relevant Australian Standards.
20. All plumbing and drainage work must be carried out by a licensed plumber and drainer and must comply with the Plumbing Code of Australia.
21. Construction work noise that is audible at other premises is to be restricted to the following times:
- Monday to Saturday - 7.00am to 5.00pm
- No construction work noise is permitted on Sundays or Public Holidays.

22. 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.
23. The strength of the concrete used for the reinforced concrete floor slab must be 25Mpa
24. The requirements of BASIX Certificate numbers 524677S, 524680S\_02, 524684S, 524685S, and 524687S, issued on 16 January 2014 must be installed and/or completed in accordance with the commitments contained in that certificate. Any alteration to those commitments will require the submission of an amended BASIX Certificate to the Council and/or the Principal Certifying Authority prior to the commencement of the alteration/s
25. All buildings are to be within 90 metres of a fire hydrant. This may necessitate the provision of additional hydrants.
26. A Survey Certificate confirming boundary setbacks and floor heights is to be submitted to the PCA prior to pouring of footings or slabs.
27. The finished floor height of units 3 to 5 is not to exceed 100mm above existing ground level. For Unit 3 existing ground level is 476.5 AHD, Unit 4 existing ground level is 476 AHD and Unit 5 existing ground level is 475.5 AHD.

#### ENGINEERING CONSTRUCTION

28. 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.
29. Interallotment drainage is to be provided to remove stormwater from any lots that cannot discharge to the street in accordance with Aus Spec #1. Easements not less than 1m wide shall be created over interallotment drainage in favour of upstream allotments.
30. A sub-surface gravel trench drain is to be constructed around the existing pipes at the rear of the lots with perforated pipes laid to convey subsurface water to the existing pits. The trench drain shall be lined with an impermeable membrane along the eastern wall and floor to intercept any lateral ground water

- NOTE:**
- (i) Details of the design is to be submitted to council prior to the release of the Construction Certificate
  - (ii) The work is to be inspected by Council prior to back filling

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31. Any necessary alterations to, or relocation of, public utility services are to be carried out at no cost to council and in accordance with the requirements of the relevant authority including the provision of easements over existing and proposed public infrastructure.
32. The footpath and driveway levels are not to be altered outside the property boundary without Council's permission. Driveways installed over public footpaths must match the existing footpath profile.
33. 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: The applicant should contact the Aboriginal Land Council and consult a suitably qualified individual to determine if artefacts were uncovered.
34. Runoff and erosion controls shall be installed prior to clearing and incorporate:-
  - diversion of uncontaminated onsite runoff around cleared and/or disturbed areas and areas to be cleared and/or disturbed;
  - sediment control fences at the downslope perimeter of the cleared and/or disturbed area to prevent sediment and other debris escaping from the land to pollute any stream or body of water;
  - maintenance of all erosion control measures at maximum operational capacity until the land is effectively rehabilitated and stabilized beyond the completion of construction.
35. The applicant is to provide separate water and sewer reticulation services to each lot.
36. The developer is to extend and meet the full cost of water and sewerage reticulations to service the development plus the cost of connecting to existing services. All water and sewerage work is required to be carried out in accordance with the requirements of Mid-Western Regional Council (as the Water Supply Authority under the Local Government Act, 1993) and in accordance with the National Specification – Water & Sewerage Codes of Australia.  
  
NOTE: all water meters servicing the development are required to be located at the frontage of Banjo Patterson Avenue
37. Three metre wide easements, including associated Section 88B of the Conveyancing Act 1919 instruments, are to be created in favour of Council over any existing or newly constructed water, or sewerage reticulation components located within the subject

property, or extended through adjoining private properties as a result of this subdivision.

#### **PRIOR TO ISSUE OF THE OCCUPATION CERTIFICATE**

38. All car parking and associated driveway works are to be completed prior to occupation of the development.
39. A section 68 completion certificate for the installation of all water supply, stormwater and sewerage works is to be obtained from Council.
40. Lots 286 and 287 DP1181266 are to be consolidated into one lot and evidence of the lodgement of the Plan of Consolidation with Land Titles Office is to be provided to Council

#### **GENERAL**

41. A 1.8 metre high screen fence is to be provided to all side boundaries prior to occupation of the development. All fencing is to be provided at full cost to the developer.
42. A lattice extension (Colorbond material) to the existing fence is to be provided along the rear boundary of the development to raise the height of the fence to 2.1 metres as measured from the finished ground level at Lots 286 and 287. All fencing is to be provided at full cost to the developer.
43. A 1.8 metre high screen fence is to be provided between the private open space areas of the units, prior to occupation of the development.
44. Outdoor drying facilities and letterboxes are to be provided for each unit prior to occupation.
45. Switchboards for gas, electricity, etc., must not be attached to the front or street facing elevations of the buildings.
46. Private open space areas for both unit 1 and unit 2 are to be provided with a level surface to at least 50% of the open space area.

#### **PRIOR TO THE ISSUE OF SUBDIVISION CERTIFICATE**

47. Under the Environmental Planning & Assessment Act, 1979, a Subdivision Certificate is required before the linen plan of subdivision can be registered with the Land Titles Office.

**(NOTE: The fee to issue a Subdivision Certificate is set out in Council's Fees and Charges)**

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48. A linen plan and two (2) copies are to be submitted to Council for approval and endorsement by the General Manager.
49. Underground electricity and telecommunications are to be supplied to the subdivision.
50. Prior to issue of the Subdivision Certificate, Council is to be supplied with:
  - a) A certificate from the appropriate power authority indicating that satisfactory arrangements have been made for provision of electricity supply to the subdivision.
  - b) A certificate from the appropriate telecommunications authorities indicating that satisfactory arrangements have been made for provision of telephone services to the subdivision.
  - c) all contributions must be paid to Council and all works required by the consent be completed in accordance with the consent, or
  - d) an agreement be made between the developer and Council;
    - I. as to the security to be given to Council that the works will be completed or the contribution paid, and
    - II. as to when the work will be completed or the contribution paid.
51. Following completion of the subdivision works, one full set of work-as-executed plans, on transparent film suitable for reproduction, and an "AutoCAD compatible" work-as-executed Plan, (in dwg format including pen-map), is to be submitted to Council. All work-as-executed plans shall bear the Consulting Engineer's or Consulting Surveyor's certification stating that all information shown on the plans is accurate.
52. In accordance with the provisions of section 94 of the *Environmental Planning and Assessment Act 1979* and the Mid-Western Regional Council Section 94 Developer Contributions Plan, a contribution shall be paid to Council in accordance with this condition for the purpose of: **SUBJECT TO CPI INCREASE**

|                             |                |
|-----------------------------|----------------|
| <i>Transport Management</i> |                |
| Traffic Management          | \$3416         |
| Open Space                  | 0              |
| Local Open Space            | \$5358         |
| District Open Space         | \$7271         |
| <i>Community Facilities</i> |                |
| Library Buildings           | \$702          |
| Library Resources           | \$840          |
| <i>Administration</i>       |                |
| Plan Administration         | \$1634         |
| <b>TOTAL</b>                | <b>\$19221</b> |

53. If the Subdivision Certificate is not issued, for any reason whatsoever, by the end of the financial year immediately following

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the date of determination, then the charges and contributions contained in this consent, may be increased to the current rate at the time of payment.

54. The developer is to provide a water service and meter for each lot in the subdivision. This can be achieved by making a payment to Council of \$1650 per lot to cover the cost of installing both the service and a 20mm meter on the water main.

**TOTAL PAYABLE    3    X   \$1650    =    \$4,950**

**NOTE: Council does not permit other bodies to connect into 'live' water mains.**

55. The developer is to provide a sewer junction for each lot in the subdivision. This can be achieved by making a payment to Council of \$1,450.00 per new junction to cover the cost of Council installing a junction in an existing main.

**TOTAL PAYABLE    3        x   \$1,450.00   =   \$4,350**

**NOTE: Council does not permit other bodies to insert new junctions into "live" sewer mains.**

AMENDMENT:        Webb / Martens

1. the report by the Senior Planner on DA0258/2014 Proposed Erection of Five (5) Two Bedroom Units and Associated 5 Lot Strata Subdivision at Lots 286 and 287 DP1181266, 31-33 Banjo Paterson Avenue Mudgee be received;
2. Development Application 0258/2014 for the erection of five (5) two bedroom units and the associated five lot strata subdivision of the units at Lot 286 and 287 DP 1181266, 31-33 Banjo Paterson Avenue Mudgee be refused for the following reasons:
  - a. The proposed five (5) unit, multi dwelling development is out of character with the local context as the area has been predominantly developed for single dwellings with no multi dwelling development erected in the locality.  
  
(Section 79 C Context and Setting)
  - b. The design of the proposed development locates 3 dwellings within three (3) metres of the rear boundary of the subject property adversely impacting on the amenity of the adjoining dwellings at 20 and 22 Florence Close by increasing the potential noise impact of the development on the existing houses.
  - c. The proposed five (5) units creates undue privacy impacts on the adjoining properties. The slope of the subject site is such that the proposed rear three (3) dwellings will overlook the rear yards and

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Mayor

\_\_\_\_\_  
General Manager

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the back of existing dwellings at 20 and 22 Florence Close, reducing the privacy and amenity of these dwellings.

(MWR DCP 2013 amendment 1 – Multi Dwelling Housing)

- d. The proposed development is inconsistent with the aims and objectives of Clause 1.2 subclause (e) (iii) of MWRLEP 2012 as it will have a detrimental impact on the amenity of the are

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

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

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

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

6.2.3 COUNCIL SUBMISSION TO WESTERN REGION JOINT  
REGIONAL PLANNING PANEL – EXTENSION TO TAFE  
WESTERN – ULAN ROAD MUDGEES

GOV400038, DA0277/2014

164/14

**MOTION:** Webb / Shelley

**That:**

1. the report by the Manager Statutory Planning on the DA 0277/2014 for the proposed Extension to Western Institute of TAFE – Mudgee College at 269 Ulan Road Mudgee be received;
2. Council makes a written submission that indicates Council's and the community's strong support for the development subject to the provision of a footpath/cycleway from the facility to the town

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**of Mudgee highlighting the dangers of pedestrians walking along Ulan Road.***The motion was put and carried with Councillors voting unanimously.***6.2.4 MINIMUM RESIDENTIAL LOT SIZE AND MULTI UNIT HOUSING**

GOV400038, LAN900046

**MOTION: White**

1. the report by the Manager Strategic Planning on the Minimum Residential Lot Size and Multi Unit Housing be received;
2. there be no change to the minimum lot size for residential land in the Local Environmental Plan 2012;
3. a planning proposal be prepared for consideration with the next amendment to the Local Environmental Plan which would seek to reduce the minimum lot size for multi unit housing from 400m2 to 300m2.

The motion lapsed for a want of a seconder

**165/14 MOTION: Shelley / Walker****That:**

1. the report by the Manager Strategic Planning on the Minimum Residential Lot Size and Multi Unit Housing be received;
2. Council staff investigate and report back to Council on options to ensure that corner blocks in subdivisions are adequately serviced in case dual occupancy developments occur, and research how other councils in NSW deal with this matter.
3. a planning proposal be prepared for consideration with the next amendment to the Local Environmental Plan which would seek to reduce the minimum lot size for multi unit housing from 400m2 to 300m2.

*The motion was put and carried with Councillors voting unanimously.***6.2.5 KANDOS MUSEUM**

GOV400038, P1553611

**166/14 MOTION: Shelley / Thompson****That:**

1. the report by the General Manager on the Kandos Museum be received;

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\_\_\_\_\_  
Mayor\_\_\_\_\_  
General Manager



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2. Council allocates an additional \$66,500 to the Kandos Museum building upgrade to be funded from the Asset Replacement Reserve fund, and that the 2013/14 Operational Plan and Budget be adjusted accordingly;
3. That Council indemnify the Incorporated Association against any decisions made by Council in relation to the building and the collection prior to the handover of the Museum with the goods and chattels being described as they exist on the day of handover.
4. That the Incorporated Association be solely responsible the deaccessioning of the collection.
5. Council allocate \$15,000 per annum for a period of three years for operation costs of the Kandos Museum.

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

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

#### 6.2.6 HEALTHY COMMUNITIES – FINAL PROJECT REPORT

GOV400038, COS300021

167/14

**MOTION:** Cavalier / Shelley

**That:**

1. the report by the Manager, Information Services on the Healthy Communities - Final Project Report be received;
2. Council support in principle the continuation of the Mid-Western Healthy Communities Alliance.

*The motion was put and carried with Councillors voting unanimously.*

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6.2.7 CLASSIFICATION OF LAND – LOT 339 DP 1194168 DRAINAGE  
RESERVE 70 BANJO PATERSON AVENUE MUDGEES

GOV400038, P2270011

168/14

**MOTION:** Cavalier / Shelley**That:**

1. the report by the Revenue & Property Manager on the Classification of Land - Lot 339 DP 1194168 Drainage Reserve 70 Banjo Paterson Avenue Mudgee be received;
2. Council notify the public of its intention to classify Lot 339 DP 1194168 as Operational by exhibiting the proposal for 28 days and should there be no submissions from the public, the lands be so classified as Operational.

*The motion was put and carried with Councillors voting unanimously.*6.2.8 GENERAL CONTRACTOR TENDER 2013/04 – ADDITIONAL  
CONTRACTOR

GOV400038, A0411304

169/14

**MOTION:** Cavalier / Shelley**That:**

1. the report by the Procurement Manager on the General Contractor Tender 2013/04 – Additional Contractor be received;
2. Council accepts the additional contractor for Tender 2013/04 for the provision of General Contractors in accordance with clause 178 of the Local Government (General) Regulation 2005 as listed below for incorporation into Councils Preferred Suppliers List for General Contractors;

**Contractor:** Jackson Contracting Services (GM & SA Jackson)

**Services provided:** Pump maintenance & repair; irrigation maintenance & repair; fencing; test & tagging (PAT); handyman maintenance; cleaning (office/window/house).

*The motion was put and carried with Councillors voting unanimously.*

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6.2.9 MOBILE BIOSOLIDS DEWATERING UNIT

GOV400038, 2013/17

170/14

**MOTION:** Cavalier / Shelley

**That:**

1. the report by the Business Manager Services on the Mobile Biosolids Dewatering Unit be received;
2. Council accept the tender of VoR Environmental Australia Pty Ltd for a Volute Dehydrator in the amount of \$405,900.00 (excluding GST) in accordance with clause 178 of the Local Government (General) Regulation 2005;
3. An additional \$73,500 (ex GST) be allocated to the project budget from the sewer fund in the 2014/15 Operational Plan and Budget, adjusting the total project budget from \$350,000 (ex GST) to \$423,500 (ex GST), including an amount of \$17,600.00 in addition to the tender sum to cover, cramage, testing and performance proofing during commissioning; and,
4. the unsuccessful tenderers be notified that their tenders were unsuccessful.

*The motion was put and carried with Councillors voting unanimously.*

6.2.10 HENBURY GOLF CLUB – WATER RATES

GOV400038, P1520511

171/14

**MOTION:** Cavalier / White

**That:**

1. the report by the General Manager on the Henbury Golf Club – water rates be received;
2. Council makes a grant of \$2,623.38 to the Henbury Golf Club to cover the lost water as a result of a water leak on their property and that staff include in the March Quarterly Budget Review an amount to cover this additional grant.

*The motion was put and carried with Councillors voting unanimously.*

6.2.11 REVIEW OF CONFLICTS OF INTERESTS POLICY

GOV400038, A0110003

172/14

**MOTION:** Cavalier / Walker

**That:**

1. the report by the Manager Governance on the review of the Conflicts of Interests policy be received;

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\_\_\_\_\_  
Mayor

\_\_\_\_\_  
General Manager

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**2. Council confirm the current Conflicts of Interests policy.***The motion was put and carried with Councillors voting unanimously.*

## 6.2.12 BUSINESS USE OF THE FOOTPATH

GOV400038, A0100021

173/14

**MOTION: Shelley / Cavalier****That:**

1. the report by the Manager Governance on the Business Use of the Footpath be received;
2. the proposed policy and associated fee structure be placed on public exhibition for 28 days.
3. a further report be submitted for Council's consideration to consider submissions received.
4. that the fees for business use on footpath for the whole region be as follows:

|                                  |              |
|----------------------------------|--------------|
| <b>New Application fee</b>       | <b>\$100</b> |
| <b>Annual renewal fee</b>        | <b>\$75</b>  |
| <b>Area fee per square metre</b> | <b>\$10</b>  |

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

| <b>Councillors</b> | <b>Ayes</b> | <b>Nayes</b> |
|--------------------|-------------|--------------|
| Cr Cavalier        | ✓           |              |
| Cr Kennedy         |             | ✓            |
| Cr Martens         | ✓           |              |
| Cr Shelley         | ✓           |              |
| Cr Thompson        | ✓           |              |
| Cr Walker          |             | ✓            |
| Cr Webb            | ✓           |              |
| Cr White           | ✓           |              |

## 6.2.13 INQUIRY INTO THE 2012 LOCAL GOVERNMENT ELECTIONS

GOV400038, A0121200

174/14

**MOTION: Cavalier / Shelley****That the report by the Manager Governance on the Inquiry into the 2012 Local Government Elections be received and noted***The motion was put and carried with Councillors voting unanimously.*

**Item 8: Confidential Session**

**175/14 MOTION: White / 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 General Manager announced that the following matter would be considered in confidential session and the reason why it was being dealt with in this way.

**Subject: Appointment of Acting General Manager**

***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.***

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

Mr Brad Cam left the meeting at 7.40pm and did not return to the meeting.

*The motion was put and carried with Councillors voting unanimously.*

8.1.1 Appointment of Acting General Manager

GOV400038, PER400076

**176/14 MOTION: Kennedy**

- 1. That pursuant to Section 334 of the Local Government Act 1993, Council appoints Mr Brad Cam as Acting General Manager of the Mid-Western Regional Council from 7 June 2014 until such time as a permanent General Manager is appointed and commences with the Council;**
- 2. Council offers Mr Brad Cam an equivalent of an annual remuneration package of \$240,000 for the period he is Acting General Manager.**

*The motion was put and carried with Councillors voting unanimously.*

**Item 9: Open Council**

**177/14 MOTION: White / Cavalier**

**That the Council move to Open Council.**

*The motion was put and carried with Councillors voting unanimously.*

Mid-Western Regional Council

Date: 7 May 2014

The General Manager announced the decisions taken in Confidential Session.

**Closure**

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

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
General Manager

## Item 4: Matters in Progress

| SUBJECT                               | RESOLUTION NO. & DATE                   | RESOLUTION  | ACTION  |
|---------------------------------------|---|---|---|
| Rylstone/Kandos Sewerage Augmentation | S.85/10<br>Assets Mtg<br>1/12/10        | That:<br>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;<br>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. | <b>Council considered this matter in briefing on the 7<sup>th</sup> May 2014. Council agreed to investigate combined scheme for Rylstone/Kandos and look at options for Charbon and Clandulla.</b><br><br><b>Also Council will approach Sate Government to look at grant funding</b><br><br><b>RECOMMEND COMPLETION</b> |
| Quarry Road – Kandos                  | Res. 64/12<br>Ordinary Mtg<br>15/2/2012 | That consideration of this matter be deferred until discussions with Cement Australia have been completed.  | <b>No determination as yet.</b>   |
| Old Gulgong Hospital                  | Res. 46/14                              | That Council support in principle the retention of the Gulgong Hospital building and defer the matter pending the decision of State Government  | <b>A application has been received by Council to demolish this building. This will be considered by Council in due course following a public exhibition process</b>   |
| Protect the Drip Gorge                | Res. 65/14                              | That Council defers this matter until the report is received from the Committee that is reviewing the future ownership and management of The Drip.  | <b>The Committee is not planning to meet in near future. Council has resolved new strategy at last meeting</b><br><br><b>RECOMMEND COMPLETION</b>   |

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| <b>SUBJECT</b>                                      | <b>RESOLUTION NO. &amp; DATE</b> | <b>RESOLUTION</b>   | <b>ACTION</b>             |
|---|----------------------------------|---|---------------------------|
| Minimum Residential Lot Size and Multi Unit Housing | Res 165.14                       | Council staff investigate and report back to Council on options to ensure that corner blocks in subdivisions are adequately serviced in case dual occupancy developments occur, and research how other councils in NSW deal with this matter. | <b>No action to date.</b> |

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## Item 5: Mayoral Minute

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There is no Mayoral Minute.

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## Item 6: General Business

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### 6.1 Notices of Motion

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#### 6.1.1 Introduce Credit Card Policy

LISTED BY CR LUCY WHITE TO 21 MAY 2014 COUNCIL MEETING

Introduce Credit Card Policy  
GOV400022, GOV400038

#### **MOTION**

**That Mid-Western Regional Council introduces a Credit Card Policy the purpose of which is to regulate the use of credit cards by councillors and staff and to provide guidelines on the issue and use of such cards. The policy should provide clarity of process for the cardholders by setting out instructions for use, the review of transactions and reporting on use of cards. Council's Director Finance should undertake an audit of credit card usage at least once in every 6-month period and provide a copy of the audit report to the council.**

#### **BACKGROUND**

The Division of Local Government (DLG) Circular 04/04 "Appropriate Controls On The Use Of Council Issued Credit Cards" which recommended that Councils develop a clear and comprehensive policy on the use of credit cards in accordance with the Audit Office's Guide to Better Practice – Corporate Credit Card guidelines.

The introduction of a Corporate Credit Card policy will

- strengthen Council's internal controls and provide greater transparency of Council's operations
- be consistent with council's Strategic Goal 5, Good Governance (1)–Provide Strong Civic Leadership & (3.3) Prudently manage risks with all council activities.

#### Comments by General Manager

The internal procedures for the use of Council Credit and Purchase cards are very controlled. I enclose a copy of the Council internal procedure for the use of Purchase Cards (Attachment 1). I also enclose the circular 04/04 referred to in this notice of motion (Attachment 2)

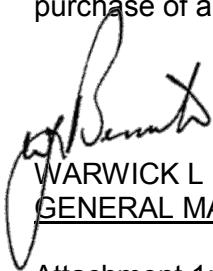
Council staff are trained in the use of Purchase and Credit cards and must sign a declaration to advise that they understand the full implications for the use of credit and/or purchase cards. Each staff member with a card has a monetary limit on each purchase and an overall monthly limit. Those monetary limits are reviewed regularly. Staff are also made aware of the Procurement and the Fraud Policies including related policies.

Finance procedures are inclusive of thorough checking of the use of Purchase (Credit) Cards and as General Manager I review and sign credit cards transactions on a monthly basis.

I acknowledge that the use of Council Purchase and Credit Cards is an internal procedure and not a Council policy. However the procurement policy covers the use of Purchase (Credit) cards as another tool for the order and purchase of goods and services. The Director of Finance & Administration does undertake an annual review on the use of Purchase (Credit) cards which includes analysis on the following:

- Expenditure for the year to date in summary form;
- Any matters indicating the efficiency or effectiveness of the corporate card;
- Action taken in response to issues raised in the report; and
- The results of action taken in response to issues raised in previous reports.


This internal control measure has never been specifically presented to Council for review, however the purpose of the procurement policy is to put in place adequate controls for the procurement or purchase of all goods and services.



WARWICK L BENNETT  
GENERAL MANAGER

Attachment 1: Council's internal procedure for purchase cards

Attachment 2: Division of Local Government circular 0400

|   |                       |  |
|---|-----------------------|--|
|  | <b>PROCEDURE</b>      | ADOPTED<br>11/09/2012  |
|   | <b>Purchase Cards</b> | REF: insert reference<br>REV: insert revision<br>number<br>FILE No. A0140305 |

**OBJECTIVE**

To create a sound framework for the use of corporate purchase cards that provides clear expectations for and responsibilities of card users, affords protection of Council funds, and creates a purchasing mechanism that reduces costs associated with the administration of Council purchasing activities.

Council officers with purchase cards are to comply with this procedure. It is the responsibility of each employee or Councillor to understand the procedures as well as their meaning and intent. Should an employee have any questions, they are to be raised with their respective supervisor or manager. Councillors should contact the General Manager in the first instance.

**DELEGATION OF AUTHORITY**

The Council delegates the General Manager the authority to incur financial expenditure on behalf of Council under the following provisions:

- a. Where expenditure has been provided for in Council's budget; or
- b. Genuine emergency or hardship.

Other officers may only incur expenditure on behalf of the Council if:

- a. The officer has been granted a financial delegations by the General Manager and such delegation is recorded in the Register of Delegations; and
- b. Expenditure is provided for in Council's budget; or
- c. In the case of genuine emergency, or hardship where the power to incur expenditure in these circumstances has also been delegated.

The General Manager must approve financial delegations in writing by recording them in the Register of Delegations.

**ELIGIBILITY**

The provision of a corporate purchase card is a facility offered by Council to officers occupying certain positions. All requests for purchase cards must be approved by the General Manager.

The General Manager reserves the right to amend, alter or vary eligible positions from time to time. Where an officer occupies a position subject to change, such officer will be consulted and a period of at least one calendar month of notice shall be given of the change.

Cards are for the use of designated officers only and must not be given to another employee to use.

## **PURCHASE CARDS**

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### **CREDIT LIMITS**

The maximum credit limit for a Mid-Western Regional Council corporate card shall be \$5,000, with the exception of the General Manager (limit \$15,000) and Purchasing Co-ordinator (limit \$10,000). The General Manager shall have the authority to determine, within this limit, the credit limits for individual card holders.

### **CIRCUMSTANCES IN WHICH CARDS MAY OR MAY NOT BE USED**

Corporate purchase cards must only be used for the payment of goods and services associated with Council business. Activities that would **not** qualify for the use of a corporate purchase card include the following:

- Any use that is of a personal or private nature;
- Cash advances;
- Payment of fines, for example a parking fine or a speeding offence which was incurred whilst on Council business.

The purchase of tools and other equipment should not be made on corporate purchase cards. Purchase of these items should be arranged through Council's store.

Where inappropriate expenditure occurs, the value of the expenditure shall be recovered from the card holder. Should there be an accidental transgression, the Group Manager Finance & Administration is to be notified and the Council reimbursed immediately.

### **FORMAL ACKNOWLEDGEMENT OF POLICY CONDITIONS**

Council officers issued with corporate purchase cards are in a position of trust with regard to the use of public funds. Improper use of that trust may render the cardholder liable to disciplinary action, legal action or criminal prosecution. All corporate card holders are to acknowledge receipt of the corporate card and instructions for use. The acknowledgement will include a signed agreement to abide by all Council and card supplier guidelines and conditions of use.

All purchase cards on issue will be recorded on the Employee Issue file within Finance One.

### **INTERNAL CONTROL & RECONCILIATION PROCEDURES**

Cardholders are required to abide by Councils internal procedures as follows:

- The corporate card must be signed with the card holders' usual signature immediately upon receipt.
- Card holders are to ensure that proposed transactions will not cause the credit limit to be exceeded.
- A compliant Tax Invoice must be obtained for all purchases over \$82.50.
- Should a card holder fail to obtain a Tax Invoice they must make all reasonable attempts to obtain a copy. If they cannot obtain a copy the cardholder will be required to complete a Corporate Card Transaction Declaration as shown in Attachment B.
- Tax Invoices must clearly indicate a complete account number string and an appropriate description of the purchase.
- All coded Tax Invoices (with the credit card docket attached) are to be placed into Purchase Card trays located at Operations, Store and Finance on a daily basis.
- Card statements will be forwarded via Finance One to the card holders' supervisor or manager for retrospective review and approval.

### **PURCHASE CARDS**

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- Monthly statements are to be reviewed and finalised within 14 days of end of month.
- Finance shall maintain a Register of Corporate Purchase Card Holders, detailing cardholder name, card number, credit limit and expiry date for all cards. The Register shall be kept up to date and reflect any changes notified to the corporate card supplier.

Where cardholders fail to fulfil the above requirements, the General Manager may cancel the purchase card and revoke purchasing delegations.

### **ANNUAL REVIEW OF CORPORATE CARD FACILITY**

The Group Manager – Finance & Administration is to prepare a written report on an annual basis to the General Manager that includes details of:

- Expenditure for the year to date in summary form;
- Any matters indicating the efficiency or effectiveness of the corporate card;
- Action taken in response to issues raised in the report; and
- The results of action taken in response to issues raised in previous reports.

### **PROCEDURES FOR LOST, STOLEN OR DAMAGED CARDS**

Cardholders are personally responsible and accountable for the safe custody of the issued card. Cardholders must:

- Secure the card at all times to safeguard against theft or loss;
- Report the loss or theft of a card to the supplying bank immediately in accordance with the bank's terms and conditions, and notify the Group Manager Finance & Administration;
- Damaged cards should be reported to the Group Manager Finance & Administration for replacement.

### **PROCEDURES FOR CESSATION OF EMPLOYMENT**

Upon cessation from employment or membership with Council, the cardholder must ensure that:

- All outstanding transactions are cleared and properly accounted for;
- The card is returned Finance for cancellation and destruction;
- Written acknowledgement of the return of the card is obtained from Finance.

**PURCHASE CARDS**

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**ATTACHMENT A**

**Corporate Card Acknowledgment & Conditions of Use**

To the General Manager

I ..... acknowledge receipt of a Mid-Western Regional Council Corporate Card and acknowledge that I:

1. Am aware of my responsibilities and duties as a Corporate Cardholder under the Purchase Card Administration Instruction; and
2. Will only use the Corporate Card within the approved financial limits and for approved purposes;
3. Am aware that transactions made with the card are subject to authorisation and audit procedures;
4. Will reimburse Council for the cost of purchases that are deemed not for the use of Council, or Council related business;
5. Will keep the card safe from unauthorised use at all times;
6. Will return the card to the Group Manager Finance & Administration:
  - a. on request of the General Manager;
  - b. prior to my assuming duties in another position within Council; or
  - c. on termination of employment with Council;within a reasonable period of time once it has been deemed by the General Manager that I no longer require a Corporate Card;
7. Will advise the Group Manager Finance & Administration and the National Australia Bank customer service department immediately I am aware that the Purchase Card has been lost, mislaid, stolen or misused;
8. Will not use the Corporate Card for any personal or private use; and
9. Will not use the Corporate Card to obtain cash.

Corporate Cardholder's signature: ..... Date.....

General Manager's signature: ..... Date.....

**PURCHASE CARDS**

**ATTACHMENT B**

**Corporate Card Purchase Declaration – No Tax Invoice – Sample**

| Purchase Date | Name of Supplier | Description of Purchase              | Price (excl. GST) | GST  | Total (incl. GST) | Reason for Transaction | Reason for No Supporting Documentation |
|---------------|------------------|--------------------------------------|-------------------|------|-------------------|------------------------|--|
| 09/09/12      | Aeropelican      | Return Airfare from Mudgee to Sydney | \$150             | \$15 | \$165             | Finance Conference     | Receipt misplaced at Conference        |
|               |                  |                                      |                   |      |                   |                        |  |
|               |                  |                                      |                   |      |                   |                        |  |
|               |                  |                                      |                   |      |                   |                        |  |
|               |                  |                                      |                   |      |                   |                        |  |

Credit Card Number .....

Cardholder Name .....

Cardholder Signature ..... Date .....

Finance Authorisation ..... Date .....

*(A copy of this form can be downloaded from the KMS for use on those occasions where no tax invoice could be obtained.)*





Circular No. 04/04  
Date March 2004  
File No. AF98/0150

Contact Dominic Riordan  
4428 4190  
dominic.riordan@dlg.nsw.gov.au

## **APPROPRIATE CONTROLS ON THE USE OF COUNCIL ISSUED CREDIT CARDS**

Corporate credit cards are now a routine aspect of accounts management and procurement for most public sector organisations including councils. Credit cards, when used appropriately, can save councils money, particularly by minimising paperwork and streamlining processes for routine large volume and low value/low risk transactions.

But the use of credit cards, like other accounts payable methods, carries significant risks, particularly in the area of fraud and misuse. The recent Independent Commission Against Corruption publication *Fighting Fraud: Guidelines for state and local government* underlined the need for all councils to actively manage fraud risks, including risks associated with credit card usage.

This circular is to remind all councils that credit cards must be subject to appropriate and rigorous controls in order to protect council funds and to maintain public confidence in council operations.

### *Establishing a business case*

Councils should only use credit cards in circumstances where there is a clear business case to support the use of credit cards in specified circumstances. This should be incorporated in a council policy on credit card usage. By establishing such a case, councils can readily address any community concern about whether such use is appropriate.

Cash advances using credit cards are high-risk transactions that are more difficult to reconcile. Councils should only permit cash advances in very limited circumstances where there is a strong business case to do so.

### *Developing a policy*

Councils should develop a clear and comprehensive policy on the use of credit cards. Issues to be covered in the policy ideally should include:

- The circumstances in which cards may and may not be used including credit limits
- Eligibility and application procedures for new cards
- Formal acknowledgement by card holders of policy conditions

Department of Local Government  
5 O'Keefe Avenue NOWRA NSW 2541  
Locked Bag 3015 NOWRA NSW 2541  
T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209  
E dl@dlg.nsw.gov.au W www.dlg.nsw.gov.au ABN 99 567 863 195

2

- Reconciliation procedures which provide for maintenance of a register of cards and card limits
- Annual reviews of card holders to confirm usage
- Procedures for lost, stolen and damaged cards
- Procedures for returns and final reconciliation of card accounts on cessation of employment.

If credit cards are issued to councillors, council should ensure its policy on councillor expenses and facilities is consistent with this policy. It should be clear to councillors with credit cards that they are only to be used for payment of expenses authorised under council's expenses and facilities policy.

#### *Risk management and fraud control*

All councils are obliged to maintain an effective system of internal control under clause 14 of the Local Government (Financial Management) Regulation 1999. Councils should ensure that as part of their system of internal controls, they develop and maintain a risk management plan that examines key fraud risks. These fraud risks include inappropriate credit card use. The strategies developed in this risk management planning process should be incorporated in the council's corporate credit card policy.

As a further check, it is advisable to ensure that credit card usage is periodically examined as part of the council's internal audit program

Councils should also examine their codes of conduct to ensure that they properly deal with inappropriate or improper use of credit cards.

#### *Resources*

There are a number of useful resources available to councils that provide additional detailed advice and guidance in this area:

- Audit Office of NSW *Guide to Better Practice – Corporate Credit Card* ([www.audit.nsw.gov.au/guides-bp/corpcd98/crdtcard.htm](http://www.audit.nsw.gov.au/guides-bp/corpcd98/crdtcard.htm))
- NSW Treasury *Review of Credit Card Use Best Practice Guide* ([www.treasury.nsw.gov.au/pubs/tpp99\\_2/credcard.html](http://www.treasury.nsw.gov.au/pubs/tpp99_2/credcard.html))
- Queensland Crime and Misconduct Commission Building Capacity Series *Answering the charges – Guidelines for using corporate cards* ([www.cmc.qld.gov.au/library/CMCWEBSITE/BC1\\_CreditCards.pdf](http://www.cmc.qld.gov.au/library/CMCWEBSITE/BC1_CreditCards.pdf))
- Independent Commission Against Corruption *Fighting Fraud: Guidelines for state and local government* ([http://www.icac.nsw.gov.au/files/pdf/pub2\\_66cp.pdf](http://www.icac.nsw.gov.au/files/pdf/pub2_66cp.pdf))



**Garry Payne**  
Director General

## 6.1.2 Lawson Park West as Art Gallery Site

LISTED BY CR WEBB TO 21 MAY 2014 COUNCIL MEETING

NOTICE OF MOTION Council 2013

GOV400022, GOV400038

**MOTION**                      **That Council include Lawson Park-west as an option for the location of a Regional Art Gallery in the pARTicipate investigation.**

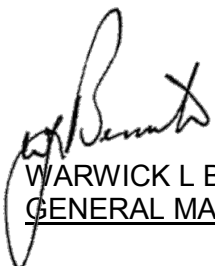
**BACKGROUND**              Council is currently investigating options for a Regional Art Gallery and it is timely that this additional option be investigated as it would provide a parkland setting for the gallery.

### Comments by General Manager

Council has allocated some \$20,000 towards investigation into a regional art gallery. Currently \$2,000 has been spent to date. Council has indicated that one option to be considered will be adjacent to the Stables buildings. Cost estimates to complete conceptual layouts and site analysis is approximately \$10,000 by an architect. Council has within this existing budget the ability to consider one further option however in reading this notice of motion with the additional notice of motion by Cr Webb, Council can only afford to undertake two investigations or will need to increase the budget.

I would strongly advise Council not to proceed with the new Lawson Park as an option for an Art Gallery. Council will recall that this site was also considered as an option for a regional library. During this process Council received a number of very robust submissions to retain this area as an open space for passive recreation. Now that the area has been developed as a passive park at a cost of \$400,000 and it is used extensively by locals and visitors, it is my opinion that this option for an art gallery will generate negative community feedback against the Council.

Council continues to receive widespread accolades for the state of our parks especially the way in which Council has developed the new Lawson Park linking the old Lawson Park and including the walkways and sculptures. I advise Council not to approve the new Lawson Park as an option for an art gallery and create negative public opinion amongst your community. The Community give Council considerable feedback that this park as an open space is an exceptional asset for the region.



WARWICK L BENNETT  
GENERAL MANAGER

### 6.1.3 Old Gulgong Hospital as Art Gallery site

LISTED BY CR WEBB TO 21 MAY 2014 COUNCIL MEETING

Old Gulgong Hospital as Art Gallery site

GOV400022, GOV400038

#### **MOTION**

**That Council include the Old Gulgong Hospital as an option for the location of a Regional Art Gallery in the pARTicipate investigation and prepare a planning proposal to make the use permissible on the site.**

#### **BACKGROUND**

Council is currently investigating options for a Regional Art Gallery and it is timely that this additional option be investigated as it would provide an adaptive reuse and conservation of the hospital

#### Comments by General Manager

Council has allocated some \$20,000 towards investigation into a regional art gallery. Currently \$2,000 has been spent to date. Council has indicated that one option to be considered will be adjacent to the Stables buildings. Cost estimates to complete conceptual layouts and site analysis is approximately \$10,000 by an architect. Council has within this existing budget the ability to consider one further option however in reading this notice of motion with the additional notice of motion by Cr Webb, Council can only afford to undertake two investigations or will need to increase the budget.

This option does not have any support from Management. The site is not owned by Council and the Old Gulgong Hospital building is currently subject to a development application by the owners of the site to demolish it. The building is reportedly filled with asbestos and dieldren although the quantities of each have yet to be determined. Asbestos exposure is well documented in the media these days. Dieldren was used for the elimination of white ant and widely used in the 1950's to early 1970's. It does not easily break down and long term exposure has proven toxic to humans and is now banned in most countries in the world. It is considered by management that to open a regional art gallery requiring much in the way of environment and climate control and with considerable public access that the asbestos and dieldren presence will detract from what is being promoted as an exciting community facility for the Mid-Western.

Council is trying to create a facility which staff will permanently work in and that will create a welcoming atmosphere for all the public – locals and visitors alike. A building that has a history of asbestos and dieldren will not create that environment.

The other concerns for this site are the distance from the town centre of Gulgong and thus would be difficult for visitors to locate and not accessible by pedestrian traffic.. Experience tells us that this building which is not in a good state of repair would be very expensive to modify to "fit for Purpose" for a modern day art gallery.

It must be questioned to the effectiveness of expending ratepayer's money to investigate this option knowing that the asbestos and dieldren are evident in this building

For all the above reasons it is recommended by management that the Old Gulgong Hospital not be considered as an option for the regional art gallery.



WARWICK L. BENNETT  
GENERAL MANAGER

## 6.2 Reports

### 6.2.1 Development Application 0214/2014 Proposed Seven (7) Lot Torrens Title Industrial Subdivision and the Erection of Industrial Buildings at Lot 210 DP775001, 36B Sydney Road, Mudgee

REPORT BY THE SENIOR TOWN PLANNER TO 21 MAY 2014 COUNCIL MEETING  
DA0214\_2014\_DEPOT ROAD\_IND DEVELOPMENT  
GOV400038, DA0214/2014, P 8496

#### RECOMMENDATION

**That:**

1. the report by the Senior Town Planner on the Development Application 0214/2014 Proposed Seven (7) Lot Torrens Title Industrial Subdivision and the Erection of Industrial Buildings at Lot 210 DP775001, 36B Sydney Road, Mudgee be received;
2. Development Application 0214/2014 for the seven (7) lot Torrens Title Industrial subdivision and the erection of industrial buildings on each lot at Lot 210 DP775001, 36B Sydney Road Mudgee be approved subject to the following conditions:

#### APPROVED PLANS

1. Development is to be carried out generally in accordance with stamped plans 3312-A01 to 3312-A09 and BK041.dwg Pages 1 to 4 and the Application received by Council on 16 December 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. Notwithstanding the approved plans the structure is to be located clear of any easements and/or any water and sewer mains in accordance with Council Policy

#### AMENDMENTS

3. The maximum fill permitted to be placed on proposed Lot 1 is limited to 500mm above the existing natural ground level as shown on Plan No.BK041.dwg, Sheet 3 of 4.
4. No roller-doors are to be constructed in the north-western wall of the proposed workshop on Lot 1 in the subdivision of Lot 210 DP775001.
5. A 1.8 metre high lapped and capped timber fence is to be provided along the western and southern boundaries (Golf Club land and adjoining industrial development to the south) of the development prior to the commencement of any works on the site.

**PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE - CIVIL**

6. The submission to Council of engineering design plans for any road works shall include pavement and wearing surface investigation and design, sedimentation and erosion control plans, and a detailed construction plan. These plans are to be approved by the Council prior to the issue of a Construction Certificate.
7. A detailed engineering design (including sediment and erosion control) supported by plans, and an "Autocad compatible" Plan, (in dwg format including pen-map), material samples, test reports and specifications are 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*.
8. Engineering plans of the sewer mains extension are to be submitted to and approved by Council or an accredited certifier prior to the issue of a *Construction Certificate*  
Note 1: Council will quote on connecting any sewer or water main extension to the existing "live" main on receipt and approval of engineering plans.  
Note 2: Council does not permit other bodies to insert new junctions into 'live' sewer mains.
9. The applicant is to submit a Drainage Report prepared in accordance with the Institution of Engineers publication Australian Rainfall and Run-off to the Principal Certifying Authority for approval prior to the release of the Construction Certificate. The report must demonstrate that stormwater runoff from the site is not increased beyond the existing undeveloped state up to and including a 1.5 year ARI. All storm water detention details including analysis shall be included with the drainage report
10. The Cul-de-sac proposed at the end of Depot road must be designed pursuant to "AUSTROADS Design Vehicles and Turning Path Templates Guide 2013" to accommodate at least a B-Double turning radius (15m) when travelling between 5-15km/hr. The turning path plan must be submitted to Council prior to the issue of the Construction Certificate.
11. All finished surface levels shall be shown on the plans submitted for the Construction Certificate. Where it is proposed to import fill, the material shall be certified as free of hazardous materials and contamination by a suitably qualified geotechnical engineer. Fill placed in residential or commercial lots shall be compacted in accordance with *AS3798-2007 Guidelines on Earthworks for Commercial and Residential Developments*.

**PRIOR TO ISSUE OF THE CONSTRUCTION CERTIFICATE - BUILDING**

*The following conditions must be compiled with prior to Council or an accredited Certifier issuing a Construction certificate for the proposed building.*

12. Prior to release of the Construction Certificate, approval pursuant to Section 68 of the Local Government Act, 1993 to carry out water supply, stormwater and sewerage works is to be obtained from Mid-Western Regional Council.
13. A schedule of existing and proposed fire safety measures is to be submitted to the Principal Certifying Authority with the application for the Construction Certificate.

14. The developer shall obtain a *Certificate of Compliance* under the Water Management Act. This will require:
- (a) Payment of a contribution for water and sewerage headworks at the following rate:

|                    |             |
|--------------------|-------------|
| Water Headworks    | \$55,426.00 |
| Sewerage Headworks | \$26,959.00 |
| Total Payable      | \$82,385.00 |

- (b) The adjustment of existing services or installation of new services and meters, as required, in compliance with Australian Standard 3500: National Plumbing and Drainage Code. All costs associated with this work shall be borne by the developer.

**PRIOR TO THE COMMENCEMENT OF WORKS – CIVIL**

15. Prior to development the applicant shall advise Council's Development and Community Services Department, in writing, of any existing damage to Council property before commencement of works. The applicant shall repair (at their own expense) any part of Council's property damaged during the course of this development in accordance with AUS-Spec #1/2 (as modified by Mid-Western Regional Council) and any relevant Australian Standards.
16. 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.
17. A copy of the Contractor's public liability insurance cover for a minimum of \$20,000,000 is to be provided to Mid-Western Regional Council as an interested party. All work is to be at no cost to Council.

**PRIOR TO THE COMMENCEMENT OF WORKS – BUILDING**

18. No work shall commence until a Construction Certificate has been issued and the applicant has notified Council of:
- a) the appointment of a Principal Certifying Authority and
- b) the date on which work will commence.
- Such notice shall include details of the Principal Certifying Authority and must be submitted to Council at least two (2) days before work commences.
19. The site shall be provided with a waste enclosure (minimum 1800mm X 1800mm X 1200mm) that has a lid or secure covering for the duration of the construction works to ensure that all wastes are contained on the site. The receptacle is to be emptied periodically to reduce the potential for rubbish to leave the site. Council encourages the separation and recycling of suitable materials.  
**NOTE: ALL WASTE GENERATED FROM THE CONSTRUCTION PROCESS IS TO BE CONTAINED ON-SITE**
20. 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 unauthorised entry to the work site is prohibited, and
- b) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.
- c) the name, address and telephone number of the principal certifying authority for the work,

- d) The sign shall be removed when the erection or demolition of the building has been completed.

21. Prior to the commencement of works on site, the applicant shall advise Council's Development and Community Services Department, in writing, of any existing damage to Council property.

## CIVIL CONSTRUCTION

The applicants shall, at their own expense, engage a registered surveyor to relocate any survey mark that may be disturbed by the development or any associated work. Any information regarding relocation should be supplied to the Land Titles Office and Council.

22. All works are to be constructed at the full cost of the developer, in a manner consistent with Aus-Spec #1 and Council's standard drawings.
23. The developer is to grant Council (or an Accredited Certifier on behalf of Council) unrestricted access to the site at all times to enable inspections or testing of the subdivision works.
24. The subdivision works are to be inspected by the Council (or Accredited Certifier on behalf of Council) to monitor compliance with the consent and the relevant standards of construction encompassing the following stages of construction:
- Installation of sediment and erosion control measures
  - Water and sewer line installation prior to backfilling
  - Establishment of line and level for kerb and gutter placement
  - Road and driveway pavement construction (including excavation, formwork and reinforcement)
  - Road pavement surfacing
  - Practical completion
25. The contractor/owner must arrange an inspection by contacting Council's Development and Community Services Department between 8.30am and 4.30pm 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.
26. 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.
27. Interallotment drainage is to be provided to remove stormwater from any lots that cannot discharge to the street in accordance with Aus Spec #1. Easements not less than 1m wide shall be created over interallotment drainage in favour of upstream allotments.
28. The requirements for stormwater quality, as specified in the DCP, shall be addressed in the design prior to issue of the Construction Certificate. The design shall be such that there is no increased maintenance burden on Council.
29. The Developer must upgrade Depot road for the full frontage of the subdivision to the following standard:

| Item | Requirement |
|------|-------------|
|------|-------------|



|                    |  |
|--------------------|--|
| Road Reserve Width | 12 m   |
| Pavement Width     | 2 x 3.5m travel lanes                                    |
| Seal               | Two-coat flush seal -14/7 mm (Double/Double) as required |
| Drainage           | To centre median swale                                   |

30. Car parking for lots 1-6 must comply with the following standards:

- All vehicles must be provided adequate means to exit the lot in a forward direction.
- Each parking space is to have minimum dimensions of 5.5m x 2.4m;
- Each disabled car parking space is to be in accordance with the provisions of Clause D3.5 of the Building Code of Australia and Australian Standard as 2890.1 – 2004;
- All car parking spaces are to be line-marked and sealed with a hard standing, all weather material and must be maintained in a satisfactory condition at all times;
- The aisle widths, internal circulation, ramp widths and grades of the car park are to generally conform to the Roads and Traffic Authority *Guide to Traffic Generating Developments 1992* and Australian Standard AS2890.1 – 2004. Details of compliance are to be shown on the relevant plans and specifications.

31. 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: The applicant should contact the Aboriginal Land Council and consult a suitably qualified individual to determine if artefacts were uncovered.

32. Runoff and erosion controls shall be installed prior to clearing and incorporate:-

- diversion of uncontaminated upsite runoff around cleared and/or disturbed areas and areas to be cleared and/or disturbed;
- sediment control fences at the downslope perimeter of the cleared and/or disturbed area to prevent sediment and other debris escaping from the land to pollute any stream or body of water;
- maintenance of all erosion control measures at maximum operational capacity until the land is effectively rehabilitated and stabilized beyond the completion of construction.

## WATER AND SEWER

33. The developer is to extend and meet the full cost of water and sewerage reticulations to service the development plus the cost of connecting to existing services. All water and sewerage work is required to be carried out in accordance with the requirements of Mid-Western Regional Council (as the Water Supply Authority under the Local Government Act,1993) and in accordance with the National Specification – Water & Sewerage Codes of Australia.

34. The applicant is to provide separate water and sewer reticulation services to each lot.

35. Three metre wide easements, including associated Section 88B Instruments, are to be created in favour of Council over any existing or newly constructed water

or sewerage reticulation components located within the subject property, or extended through adjoining private properties as a result of this subdivision.

#### **BUILDING CONSTRUCTION**

36. All building work must be carried out in accordance with the provisions of the National Construction Code, the Environmental Planning & Assessment Act 1979 and Regulations and all relevant Australian Standards.
37. All plumbing and drainage work must be carried out by a licensed plumber and drainer and must comply with the Plumbing Code of Australia.
38. Construction work noise that is audible at other premises is to be restricted to the following times:  
Monday to Saturday - 7.00am to 5.00pm  
No construction work noise is permitted on Sundays or Public Holidays.
39. 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.
40. The strength of the concrete used for the reinforced concrete floor slab must be 25Mpa.
41. The list of measures contained in the schedule attached to the Construction Certificate are required to be installed in the building or on the land to ensure the safety of persons in the event of fire in accordance with Clause 168 of the Environmental Planning and Assessment Regulation 2000.

#### **PRIOR TO THE ISSUE OF THE SUBDIVISION CERTIFICATE**

42. Under the Environmental Planning & Assessment Act, 1979, a *Subdivision Certificate* is required before the linen plan of subdivision can be registered with the Land Titles Office.  
Note: The fee to issue a *Subdivision Certificate* is set out in Council's Fees and Charges
43. A linen plan and two (2) copies are to be submitted to Council for approval and endorsement by the General Manager.
44. If the *Subdivision Certificate* is not issued, for any reason whatsoever, by the end of the financial year immediately following the date of determination, then the charges and contributions contained in this consent, may be increased to the current rate at the time of payment.
45. Underground electricity, street lighting and telecommunications are to be supplied to the subdivision.
46. Prior to issue of the *Subdivision Certificate*, Council is to be supplied with:
  - A certificate from the appropriate power authority indicating that satisfactory arrangements have been made for provision of electricity supply to the subdivision.
  - A certificate from the appropriate telecommunications authorities indicating that satisfactory arrangements have been made for provision of telephone services to the subdivision.

- all contributions must be paid to Council and all works required by the consent be completed in accordance with the consent, or an agreement be made between the developer and Council;
- as to the security to be given to Council that the works will be completed or the contribution paid, and
- as to when the work will be completed or the contribution paid.

47. Following completion of the subdivision works, one full set of work-as-executed plans, on transparent film suitable for reproduction, and an "Autocadcompatible" work-as-executed Plan, (in dwg format including pen-map), is to be submitted to Council. All work-as-executed plans shall bear the Consulting Engineer's or Consulting Surveyor's certification stating that all information shown on the plans is accurate.

48. The developer must provide Council and land purchasers with a site classification for each lot within the subdivision. The classification is to be carried out at a suitable building site on each lot and is to be carried out by a NATA registered laboratory using method (a) of Clause of AS2870 - 2011. Results are to be submitted to Council prior to issue of the Subdivision Certificate.

49. In accordance with the provisions of section 94A of the Environmental Planning and Assessment Act 1979 and the Mid-Western Regional Council Section 94A Development Contributions Plan, a levy of 1% of the cost of carrying out the development shall be paid to Council in accordance with this condition for the purpose of:

The levy is: \$24,500 based on the estimated cost of development of \$ 2,450,000.00

50. The developer is to provide a water service and meter for each lot in the subdivision. This can be achieved by making a payment to Council of \$1650 per lot to cover the cost of installing both the service and a 20mm meter on the water main.

$$6 \quad \times \quad \$1650 \quad = \quad \$9,900$$

**TOTAL PAYABLE**

Note: Council does not permit other bodies to connect to 'live' water mains.

**OR**

51. Where the water service has been provided by the developer. The developer is to provide a water meter for each lot in the subdivision. This can be achieved through providing a water service ending with a lockable ball valve to each lot and make a payment to Council of \$370.00 per lot to cover the cost of a 20mm meter and installation.

$$\text{TOTAL PAYABLE} \quad 6 \quad \times \quad \$370 \quad = \quad \$2,220$$

Note: Council does not permit other bodies to connect to 'live' water mains.

52. The developer is to provide a sewer junction for each dwelling in the subdivision. This can be achieved by making a payment to Council of \$1,450.00 per new junction to cover the cost of Council installing a junction in an existing main.

$$\text{TOTAL PAYABLE} \quad 6 \quad \times \quad \$1,450.00 \quad = \quad \$8,700$$

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

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**PRIOR TO ISSUE OF THE OCCUPATION CERTIFICATE**

The following conditions are to be completed prior to occupation of the building and are provided to ensure that the development is consistent with the provisions of the Building Code of Australia and the relevant development consent.

53. Prior to the occupation of a new building, or occupation or use of an altered portion of, or an extension to an existing building, an Occupation Certificate is to be obtained from the Principal Certifying Authority appointed for the erection of the building.
54. All car parking and associated driveway works are to be completed prior to occupation of the development.

**CONDITIONS RELATED TO THE ONGOING USE OF THE SITE**

55. All vehicles are required to enter and leave the site in a forward direction at all times. Signage to this effect is to be appropriately located within the site.
  56. All loading and unloading in connection with the premises shall be carried out wholly within the site.
  57. Garbage areas are to be adequately screened from public view with an opaque fence and / or adequate landscaping.
  58. All waste generated by the proposed development shall be disposed of to an approved location in accordance with the Waste Minimization & Management Act 1995.
  59. All security fencing is to be pre-coloured or powder coated. Security fencing to the public road frontage is to be erected on or behind the front building line. Full details of proposed fencing is to be included on the landscaping plan.
  60. All exterior lighting associated with the development shall be designed and installed so that no obtrusive light will be cast onto any adjoining property or roadways, in accordance with Australian Standard 4282 "Control of the Obtrusive Effects of Outdoor Lighting".
  61. No display or sale of goods is to take place from public areas or footpaths fronting the premises.
  62. All 'Colorbond' material for the proposed sheds is to be non-reflective.
  63. Hours of operation of the industrial buildings are restricted to the following times;  
Monday to Saturday 7.00am to 6.00pm  
No work is permitted on Sundays or Public Holidays
  64. The combined maximum permitted noise level for all activities within the subject industrial development is 5dB(A) above the background noise level of 39dB(A) as measured at the property boundary of Lot 210 DP 775001 and the Mudgee Golf Course and the residentially zoned land.
-

## Executive Summary

|   |  |
|---|--|
| <b>Applicant:</b>                       | <b>DTM Property Enterprises</b>  |
| <b>Estimated Cost of Development:</b>   | <b>\$2,425,000</b>   |
| <b>Reason for reporting to Council:</b> | <b>unresolved objections, the cost of development and variation to DCP</b> |
| <b>Public Submissions:</b>              | <b>3 plus petition from Mudgee Golf Club</b>                               |

Council has received a development application for a seven (7) lot Torrens title industrial subdivision and the erection of industrial buildings at Lot 210 DP 775001, 36B Sydney Road Mudgee from DTM Property Enterprises.

The subject land is 4.18 hectares in area and has an access handle to the Castlereagh Highway and frontage to Depot Road. The land is a long rectangular allotment at the end of Depot Road. Adjoining land includes the Mudgee Golf Club, other industrial buildings in Depot Road, vacant residential land at the end of Inverness Avenue and dwellings within Inverness Avenue.

The development site is currently occupied by self-storage units and a dwelling to the north of the site. It is proposed to develop the land with three industrial buildings to the west of the site, construct one large building comprising twelve individual units on the eastern side of the site and construct additional self-storage units adjacent to the existing self-storage complex. It is also proposed to subdivide the land into seven lots and extend Depot Road.

Central to the development proposal is the use of a large median strip in the middle of the road that will be used for water quality treatment and also offer a soft landscaping feature. The road will be separated by this feature and the development is also designed so that service vehicles associate with the development will utilise a right of carriageway and only through vehicles will utilise the public road system. The development is essentially providing part of the road system on the proposed lots.

The proposed development was notified to the adjoining landowners and three submissions were received. The submission from the Mudgee Golf Club included 46 form letters signed by members. The subdivision and industrial buildings meet the requirements of Mid-Western Local Environmental Plan 2012. The proposed development requires variation to the Comprehensive Development Control Plan 2013 in regard to the width of the road, landscaping treatment and manoeuvring areas. Council staff support the variations on the basis that the proposal has provided additional Water Sensitive Urban Design infrastructure and extended Depot Road to facilitate a cul-de-sac that will enable all users of Depot Road to more readily turn around.

The application is reported to Council due to the value of the development exceeding staff delegation, the variations to the DCP and a number of unresolved objections.

The application is recommended for approval subject to the conditions contained in the Recommendation.

## Detailed report

### ASSESSMENT:

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

#### 1. *REQUIREMENTS OF REGULATIONS AND POLICIES:*

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

The land is zoned IN1 General Industrial pursuant to Mid-Western Regional Local Environmental Plan 2012.

**Zone IN1 General Industrial***1 Objectives of zone*

- To provide a wide range of industrial and warehouse land uses.
- To encourage employment opportunities.
- To minimise any adverse effect of industry on other land uses.
- To support and protect industrial land for industrial uses.
- To promote a safe and efficient network for the movement of heavy vehicles and to minimise the intrusion of heavy vehicles into nearby residential areas.

Comment:

The proposed seven (7) lot subdivision is for industrial purposes and is permissible in the zone. The design includes the extension of Depot Road including a cul-de-sac to allow users of Depot Road to more easily turn around. No access is created through to the Castlereagh Highway.

The proposed industrial buildings include small industrial units, large industrial buildings and extension to the small rental self-storage sheds on the Sydney Road property. The development is compliant with the zoning.

Dwellings are prohibited in the IN1 zone, so the existing dwelling is an existing non-conforming use. To minimize the potential for land use conflicts the dwelling will be located with the largest industrial building which will ensure that the industrial building and house remain in common ownership.

The proposed development is considered to be compatible with the objectives of the IN1 General Industrial zone. It should be noted that whilst the development is permissible and consistent with the zone objectives, the land is adjacent to two other zones; the R1 General Residential Zone and the RE2 Private Recreation Zone. This does create an opportunity for land use conflict and as such, the Recommendation includes a condition requiring an acoustic fence along the common boundary between the three zones and a maximum permitted noise level for the industrial development.

(b) Provisions of any Development Control Plan or Council Policy*Mid-Western Regional Comprehensive Development Control Plan – Amendment No.1***Part 4.6 Industrial development**

|   |                        |                  | <b>Proposal</b>  | <b>Compliance</b> |
|---|------------------------|------------------|------------------|-------------------|
| <b>Site Area</b>                          | <b>Street Frontage</b> | <b>Side/Rear</b> |                  |                   |
| Less than 2000m <sup>2</sup>              | 6m                     | Nil              | N/A              | N/A               |
| 2,001 to 5,000m <sup>2</sup>              | 12m                    | Nil              | 10.8m            | No                |
| Over 5,001m <sup>2</sup>                  | 15m                    | Nil              | 10.6m,<br>and 3m | 12.8 No           |
| <b>Secondary Frontage for corner lots</b> |                        |                  |                  |                   |

|                              |  |               | <b>Proposal</b> | <b>Compliance</b> |
|------------------------------|--|---------------|-----------------|-------------------|
| Less than 2000m <sup>2</sup> | 4 m  | Nil           |                 | N/A               |
| 2001 to 5,000m <sup>2</sup>  | 10m  | Nil           | Min. 3m         | Yes               |
| Over 5,001m <sup>2</sup>     | 12m  | Nil           | Min. 3m         | Yes               |
| <b>Site Coverage</b>         |  |               |                 |                   |
| Less than 2000m <sup>2</sup> | 60%  |               |                 | N/A               |
| 2001 to 5,000m <sup>2</sup>  | 55%  |               | 36 to 43%       | Yes               |
| Over 5001m <sup>2</sup>      | 50%  |               | 59%             | No                |
| <b>LANDSCAPING</b>           |  |               |                 |                   |
| Landscaping requirements:    |  |               |                 |                   |
| ○                            | Front 5m where site adjoins Sydney Road  |               |                 | No                |
| ○                            | Front 3m on all other sites  |               |                 | No                |
| ○                            | Landscaping is in front of the building line & increases visual presentation to the street   |               |                 | No                |
| ○                            | Side & rear setbacks provide visual relief from public street or area  |               |                 | Yes               |
| ○                            | Landscaping is mature trees & lawn, low maintenance, drought & frost tolerant  |               |                 | No                |
| ○                            | Landscaping provided in outdoor car parking areas where >10 spaces for shade & reduce visual impact  |               |                 | No                |
| <b>DESIGN</b>                |  |               |                 |                   |
| ○                            |  |               |                 |                   |
| ○                            | Low scale elements as display areas, offices, staff amenities located at front of building   |               |                 | Yes               |
| ○                            | Constructed in brick or finished concrete  |               |                 | No                |
| ○                            | Roof materials to be non-reflective  |               |                 | Conditioned       |
| <b>FENCING</b>               |  |               |                 |                   |
| ○                            |  |               |                 |                   |
| ○                            | Security fencing to be pre-coloured or powder coated   | Not Specified |                 | Conditioned       |
| ○                            | Open work area or storage areas visible from street or public place be fenced by masonry materials or per-coloured metal cladding minimum height 2m. | N/A           |                 | N/A               |
| ○                            | This fencing to be located behind the front building line  | N/A           |                 | N/A               |
| ○                            | Access gates in perimeter fencing setback from boundary by length of longest vehicle accessing site  | N/A           |                 | N/A               |
| <b>UTILITIES</b>             |  |               |                 |                   |
| ○                            |  |               |                 |                   |
| ○                            | Statement of servicing provided for water, sewer, stormwater for proposed development  | Yes           |                 | Yes               |
| ○                            | Adequate provision for storage and handling of solid waste   | Yes           |                 | Yes               |
| ○                            | Is a Liquid Trade Waste application required   | Yes           |                 | Yes               |

|  | <b>Proposal</b> | <b>Compliance</b>                                       |
|--|-----------------|---|
| ○ Buildings not located on easements   | No              | Yes   |
| ○ Structures located a minimum of 1.5m from centre line of water and/or sewer main               | Yes             | Yes   |
| <b>TRAFFIC &amp; ACCESS</b>  |                 |   |
| ○ Traffic assessment report submitted  | Yes             | Yes   |
| (i) Site access  |                 |   |
| (ii) Loading & unloading facilities provided   |                 |   |
| (iii) Safe on-site manoeuvring area for largest design vehicle                                   |                 |   |
| ○ Vehicle manoeuvring areas are sealed   |                 |   |
| ○ Vehicles can enter and leave in a forward direction  | Yes             | Yes   |
| ○ Access points to any one street limited to one ingress & one egress                            | Yes             | Yes   |
| ○ No access to Main Road where alternate access is available                                     | Yes             | Yes   |
| ○ Driveway meets AS2890.1 Parking facilities   | No              | Yes   |
| ○ Separate sealed hardstand area provided for trucks servicing site                              | Yes             | Yes   |
| ○ Loading area located behind building line at rear or side of building                          | Yes             | Yes   |
|  | No              | No  |
| <b>CAR PARKING</b>   |                 |   |
| ○ Customer parking provided close to public entrance/office                                      | Yes             | Yes   |
| ○ Car Spaces provided at rate:   |                 |   |
| (i) Bulky goods 1 space per 50m <sup>2</sup> GFA   | N/A             |   |
| (ii) Manufacturing 1 space per 75m <sup>2</sup> GFA  | Yes             | Yes, 99 spaces provided.90 spaces required.             |
| (iii) Warehouse 1 space per 100m <sup>2</sup> GFA  | N/A             |   |
| <b>SIGNAGE</b>   |                 |   |
| ○ comply with section 4.4 DCP  |                 | No information provided – uses not known                |
| ○ Single occupant site:  |                 |   |
| (i) One free standing sign within 5m landscaped setback  |                 |   |
| (ii) One sign integrated within facade no higher than building roof line                         |                 |   |
| ○ Multiple unit development  |                 |   |
| (i) One index board near side entrance or within 5m landscaped setback                           |                 |   |
| (ii) One sign integrated with facade of which unit no higher than building roof line             |                 |   |
| <b>OUTDOOR LIGHTING &amp; NOISE</b>  |                 |   |
| ○  |                 |   |
| ○ Comply with AS4282 Control of Obtrusive Effects of Outdoor Lighting                            | Not known       | Conditioned   |
| ○ Windows doors, & wall openings minimize noise impacts where 400m or less from residential zone | Yes             | Limited openings to western boundary and acoustic fence |
| ○ External plant enclosed where adjoining residential area                                       |                 |   |



|  | <b>Proposal</b> | <b>Compliance</b><br>conditioned. |
|--|-----------------|-----------------------------------|
| <b>SUBDIVISION</b>   |                 |                                   |
| ○  |                 |                                   |
| ○ minimum 30m frontages                                      | Min. 50m        | Yes                               |
| ○ roads designed to AusRoads standard                        | Yes             | Yes                               |
| ○ reticulated water & sewer                                  | Yes             | Yes                               |
| ○ stormwater drainage & water quality complies with standard | Yes             | Yes                               |
| ○ telecommunications and underground power provided          | Yes             | Yes                               |
| ○ all lots B – Double accessible                             | Yes             | Yes                               |
| ○ road bitumen sealed  | Yes             | Yes                               |

**Comment:**

The development as submitted to Council does not comply with the provisions of Council's DCP. Lot 210 DP 775001 is an irregularly shape lot with a long battle axe handle from Sydney Road. Part of the allotment is developed for self-storage units and the rear of the lot has been used for a residence and horse activities.

The width of the allotment would make it difficult to comply with Council's standards within the DCP. As such, the applicant sought to vary the DCP. The applicant has been made aware that the proposed development sits outside the DCP and whilst does not comply with landscaping, manoeuvring and setback controls within the DC Phas sought to offer a development that provides benefits that could be supported by Council. These include additional water quality treatment features, separating service vehicle traffic from the public road system and moving them to a 'private road' (right of carriageway).

The development is also worthy of support because it provides a cul-de-sac that will enable better manoeuvring for vehicle uses of Depot Road. Currently Depot Road ceases and vehicles must do a three point turn to get back out of Depot Road. The development is also at the end of Depot Road and therefore will set its own character and is not likely to have an impact on the character of adjoining development.

Landscaping is not provided within the development sites but will be constructed by the developer within the road reserve. This area will provide additional water quality treatment and will be designed to ensure that there are no additional maintenance costs for Council. This has been conditioned so that further details are submitted with the Construction Certificate.

The proposed road will be not as wide as a normal industrial road but has been developed to move service vehicles off the public road system and onto the right of carriageway (private road). This reduces the amount of on street parking available to the development but also moves the maintenance costs associated with the private road to the lot owners and not Council.

Off street parking is therefore critical to the development's success. The development has been designed to cater for manufacturing uses that employ a greater number of workers rather than the warehousing standard which is lesser. This will mean that on average there will be more parking available than with other developments.

The variation to setback controls can also be supported because the proposal will develop its own streetscape with the majority of buildings being constructed as part of this approval.

It should also be noted that the original concept for this area was that a through road would be provided on Golf club land that would have provided optimum access for developments with two

access points back to the Castlereagh Highway. This proposal was put together in partnership with the majority of landowners but has not come to fruition. This has left the development site constrained to the small frontage available off Depot road.

(c) Section 94 and 64 Developer Contributions

*Section 94A Developer Contributions Plan*

Lot 210 DP 775001 is located in Catchment 2 in the section 94 and 94A Contribution plans. As the proposal is for an industrial subdivision within Catchment 2 and erection of industrial buildings the Section 94A Contribution Plan applies to this development. The cost of works is \$2,450,000 and the contribution payable is 1% of the cost being \$24,500.

*Water and Sewer Development Servicing Plan*

The development proposal also attracts developer contributions under the Development Servicing Plan for the provision of water and sewer to the development. As the proposed uses of the industrial buildings have not been advised each industrial unit has been charged the equivalent of 4 ETs per hectare in accordance with Council's policy. The area of the lot being developed is 2.1 hectares. As the land contains an existing dwelling, a credit of \$12,051.00 applies to the water headworks charges and \$3,852.00 for sewer headworks.

The area of land associated with the self-storage units has been excluded from the calculation as the land has already been developed and the headworks would have been applied at the time of development.

The cost for the development is:

|       |  |             |
|-------|--|-------------|
| Water | $(\$8,033 \times 4) \times 2.1 - \$12,051 =$ | \$55,426.00 |
| Sewer | $(\$3,668 \times 4) \times 2.1 - \$3,852 =$  | \$26,959.00 |
| Total |  | \$82,385.00 |

The developer will also be responsible for the full cost of the extension and/or adjustment of the existing services to provide services to the newly created lots.

2. *IMPACT OF DEVELOPMENT*

(a) Context and Setting

The subject land is surrounded by industrial development or industrial zoned land on all sides except the west. To the west are an existing residential development and the Mudgee Golf Club.

The subject land is one of the last lots to be developed in the area. Council has resolved with the adjoining development to the south to require a 1.8m high lapped and capped fence above an existing acoustic mound. It is considered necessary to address amenity issues with this development adjoining residential and recreation uses. An acoustic report was requested and it has identified that no specific measures are required to address the Noise criteria. The Noise assessment did not the adjacent residential zone that has not been developed and therefore Council is imposing further conditions that address the vacant residential area. This includes a lapped and capped timber fence, restriction on noise generation and the removal of a roll-a-door on one elevation.

Proposed Lot 1 which adjoins the residentially zoned land requires a condition limiting the cut and fill able to be carried out on site to maintain the height of the buildings relative to the adjoining residential area.

(b) Access, transport and traffic

Access to the proposed development is from Depot Road and its proposed extension. Access to the development direct from the Castlereagh Highway is not proposed. The existing development of self-storage units and the house will retain the ability to access from the access handle to the Highway which is consistent with their approval.

There will be no road link into the residential area. Traffic movement will be through the industrial estate (Depot road) to the subject land.

(c) Public domain

Currently any development on Lot 210 is visible from the adjoining street being Inverness Ave and the drainage reserve as well as the Mudgee Golf Course. To reduce the visual impact a fence is required to be constructed along the full boundary of the development site to reduce noise and visual impacts.

(d) Utilities

All services are to be provided to each of the industrial lots including water, sewer, stormwater, electricity and telecommunication facilities. Stormwater is proposed to be managed by the landscaped median in the middle of Depot Road.

(e) Heritage

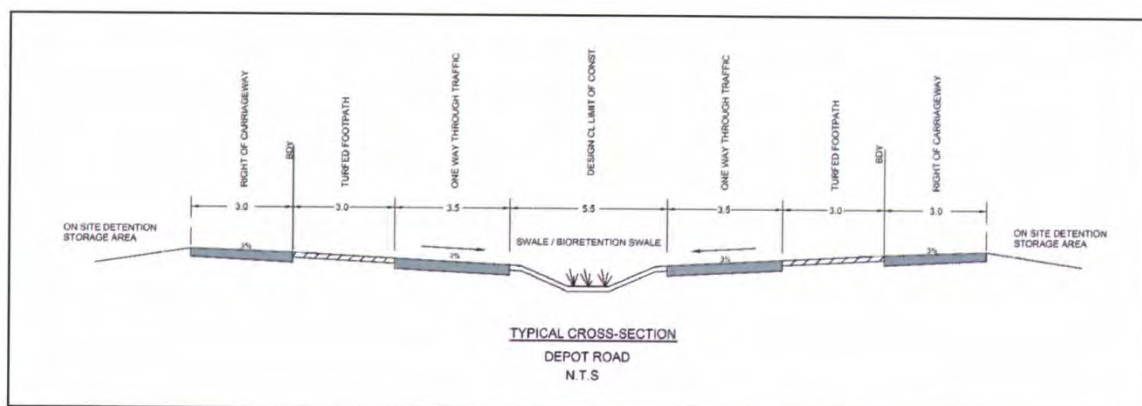
There are no items of European Heritage listed on this site. The land is not considered to be a sensitive landscape from a cultural heritage aspect and this is consistent with Council's mapping.

(f) Other land resources

The development is unlikely to affect other land resources.

(g) Water

Reticulated water is available to the subdivision. Trade Wastes licences will be required for any use producing waste water. All stormwater is to be collected and disposed to the stormwater system via a bio filtration system in the middle of the road.



Bio filtration systems are usually constructed of sand/pebbles with vegetated ground cover and shrubs. They can be designed to ensure that there is minimal maintenance and this is a condition of consent.

(h) Soils

Saline soils have not been noted on the development site. Ground water vulnerability will be reduced with the provision of stormwater drainage for all roofed and hard stand areas. Erosion and sediment control measures are mandatory requirements for any development.

(i) Air and Microclimate

The construction of the development may give rise to dust nuisances to the adjoining residences. It is recommended that a condition requiring management of dust during construction be imposed on the development. Further, all traffic movement areas should be hardstand areas to reduce noise and dust impacts on the adjoining land uses. An appropriate condition is included in the recommendation to Council.

(j) Flora & fauna

There are no flora or fauna issues at this site. The land has been used for grazing and the trees on the site are located around the existing structures which are proposed to be retained.

(k) Waste

All waste from the construction of the development is to be disposed of at a licensed facility. Screened waste disposal areas are to be provided for each proposed building

(l) Energy

Electricity supplies can be connected to the site. The developer will be responsible for the full cost of providing services for the industrial uses.

(m) Noise & vibration

Some noise and vibration will be generated from the construction works for the subdivision. This is of a temporary nature and can be mitigated by construction work hours.

The noise assessment report by Spectrum Acoustics predicted an increase in noise of 4dB(A) at the nearest residential receptor (dwelling) above the existing background noise level. The report does not recommend that any mitigation measures are required as the development meets the criteria.

The assessment did not account for vacant residential land owned by the Golf Club and as such Council has proposed additional mitigation measures. These include;

- the upgrade of the proposed fence from Colorbond to a lapped and capped timber fence;
- A maximum noise level of 5dB(A) above the background noise level of 39dB(A) as measured at the boundary of Lot 210 be imposed on the future uses of the industrial workshops;
- Deletion of a roll-a-door on the elevation of the southernmost shed that faces to the residential area;

(n) Natural Hazards

There are no known natural hazards that adversely impact on the proposed development

(o) Technological hazards

There are no known technological hazards impacting on the proposed development

(p) Safety, security and crime prevention

The development proposes that each industrial building will have security fencing from the building setback to the respective property boundaries. Further the rear boundaries will be fenced in accordance with Council's DCP. The extension of Depot Road will be required to have street lights for both vehicular safety and security

(q) Social impact in the locality

There will be minimum social impact from this development as the self-storage units have been previously established and the land has been zoned as industrial for some time.

(r) Economic impact in the locality

The provision of medium to large industrial units widens the potential for small industrial developments to expand and the base of the local economy to be broadened through further and varied economic activity. Construction of both the subdivision and buildings will provide construction jobs.

(s) Site design and internal design

The site design is restricted by the narrow width of the land and the extension of Depot Road including the cul-de-sac head into the site. Detailed discussions were held to maximize the design outcome for the development and the application, as submitted, reflects the agreement reached. Traffic movement has been maximized and the installation of the centre median bio filtration system in the middle of the road. This also assists with the landscaping requirements of the DCP.

(t) Construction

Standard construction methods are proposed for the development.

(u) Cumulative Impacts

The subject land is one of the last areas to be developed on Depot Road within the industrial estate. The majority of the site adjoins land owned by the Mudgee Golf Club and zoned for recreational use. The residential area has limited exposure to the proposed development however noise barriers are required to minimize potential impacts from noise and visual intrusion.

**3. SUITABILITY OF SITE FOR DEVELOPMENT**

(a) Does the proposal fit in the locality

The site is zoned IN1 General Industrial under the LEP 2012 and the proposed subdivision and industrial buildings are permitted with consent. As the subject site is located on the zone boundary where the zone changes from industrial to residential and recreation, noise attenuation measures are recommended to limit the potential impact of noise and light spillage from the development.

This will be achieved by the lapped and capped timber fence being constructed along the entire western boundary of the residentially zoned land and the Mudgee Golf Course and the imposition of a maximum noise level for the development.

(b) Are the site attributes conducive to development

The site is located at the end of the constructed section of Depot Road. The design for the development of the subject and provides for the extension of Depot Road. The design as submitted provides for the extension of the public road and the utilisation of the industrial zoned land.

4. SUBMISSIONS MADE IN ACCORDANCE WITH ACT OR REGULATIONS

(a) Public Submissions

Three public submissions were received, two from or on behalf of residential land holders and one from Mudgee Golf Club which included 46 form letters.

The points of objection were:

- alter the design to reduce the height of the buildings adjoining the residential zone
- extend the earth berm and double paling fence along the whole property boundary.
- need to maintain the attractiveness of the Mudgee Golf Course

Comment:

The fence is recommended to be extended for the full length of Lot 210 with the land owned by Mudgee Golf Club and the residential zoned land. This will provide a noise barrier and reduce impacts on visual amenity.

The shed heights vary from 5.5m to 8.0m across the site. The building proposed to be located closest to the Inverness Avenue dwellings proposes a height to eaves of 8.0m. All other buildings adjacent to the boundary with the Golf Club have a proposed height to eaves of 6.5m.

The proposed buildings are considered to be consistent in height to adjoining industrial development and compatible with the expectations of a General Industrial zone. It is considered that the issue of visual amenity has been addressed by the acoustic fence.

There are no height limits in the General Industrial zone and the proposed development does not affect privacy, overshadowing or significantly impact on views for the residential lots.

(b) Submissions from public authorities

Essential Energy has no objection to the proposed development. No other submissions were received from public authorities

5. THE PUBLIC INTEREST

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

There are no matters of federal, state or local government interest in this application. The community interest is in the provision of employment opportunities and the potential impacts of the development on a community sporting facility and adjoining residential development.

The visual impact of the industrial development will be mitigated by the acoustic fence.

6. CONSULTATIONS

(a) Health & Building Section.

The Manager Health and Building has recommended conditions relating to the construction of the proposed factory units, and provision of stormwater drainage from the buildings.

(b) Development Engineering Section

The Manager of Development Engineering has recommended conditions relating to the provision of services and stormwater for the subdivision, the requirements for road construction and the payment of headworks contributions for the proposed development. For the proposal for the industrial buildings recommendations for onsite traffic movements and trade waste licensing have been made.

Financial and Operational Plan implications

Not applicable.

Community Plan implications

The assessment of the development application sits under theme 1 Looking after our Community, Goal 1.1 – A safe and Healthy Community.



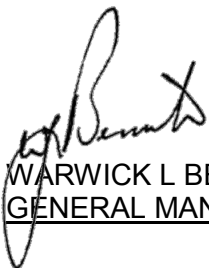
CATHERINE VAN LAEREN  
DIRECTOR, DEVELOPMENT & COMMUNITY SERVICES

ELIZABETH STONEMAN  
SENIOR TOWN PLANNER

9 May 2014

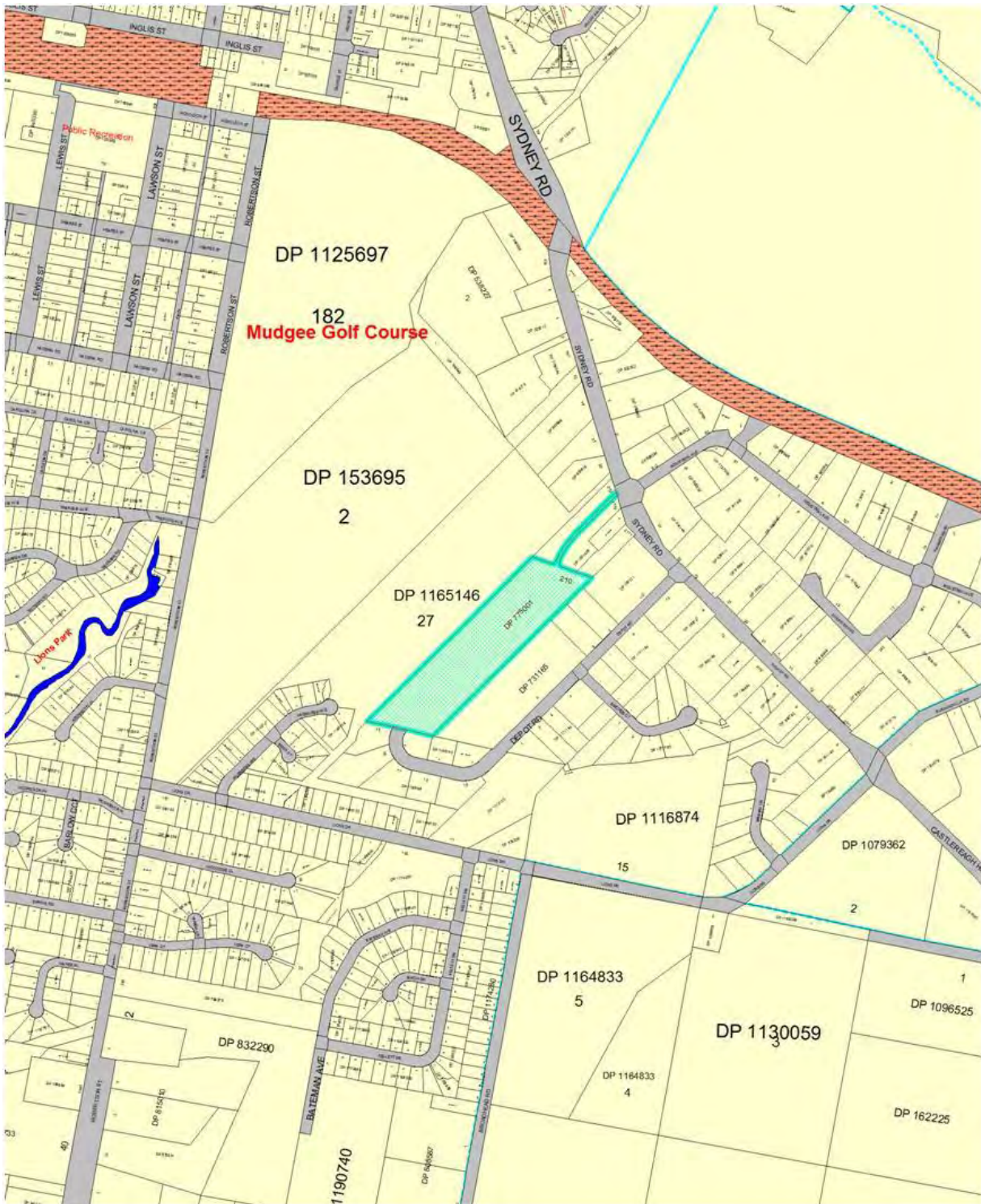
- Attachments:*
1. Location Plan
  2. Site plan
  3. Submissions (copy of all Golf Club submissions to be provided at briefing)
  4. Acoustic Report

APPROVED FOR SUBMISSION:



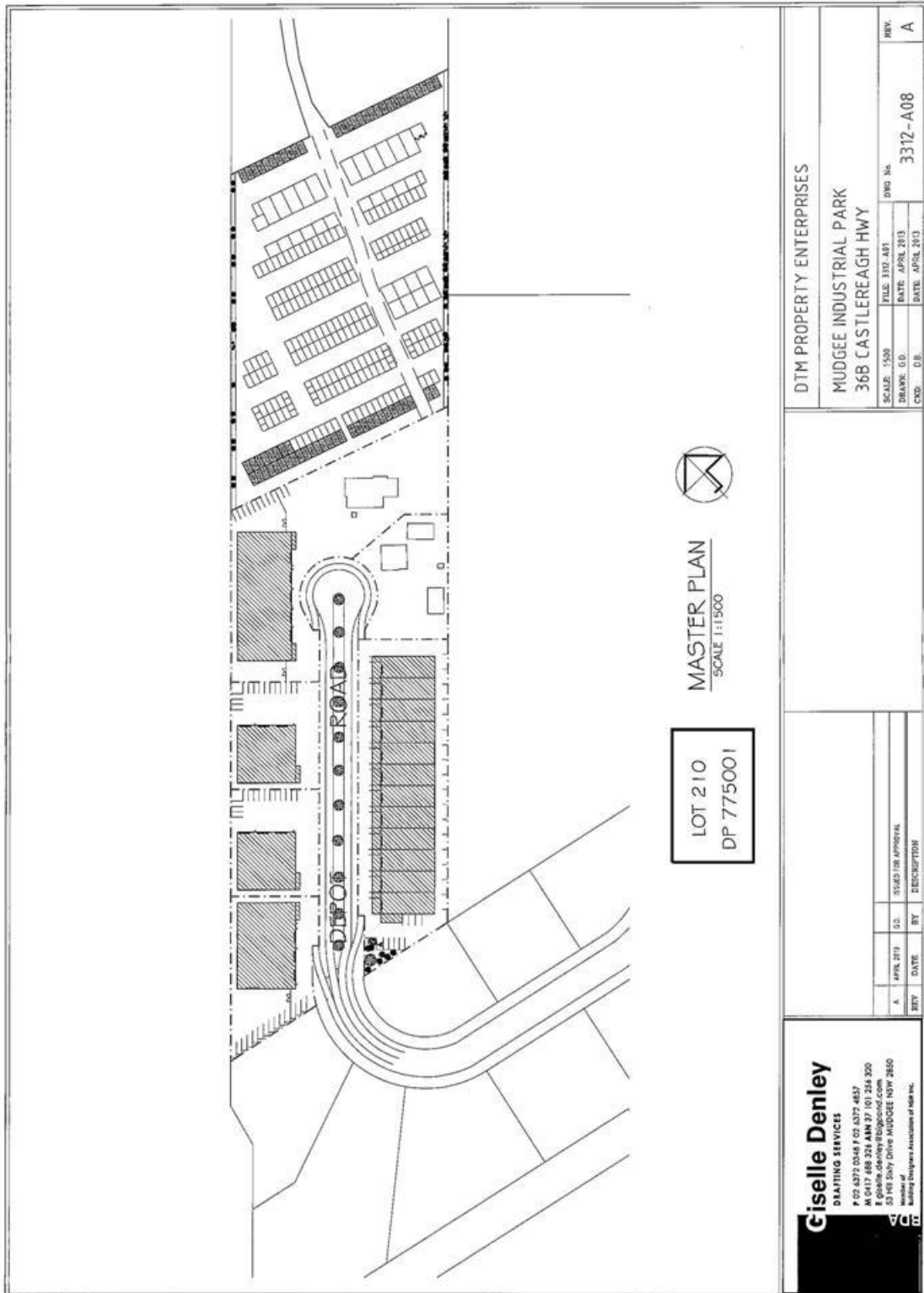
WARWICK L BENNETT  
GENERAL MANAGER

ATTACHMENT 1 – Location Plan





ATTACHMENT 2 – site plan



LOT 210  
 DP 775001



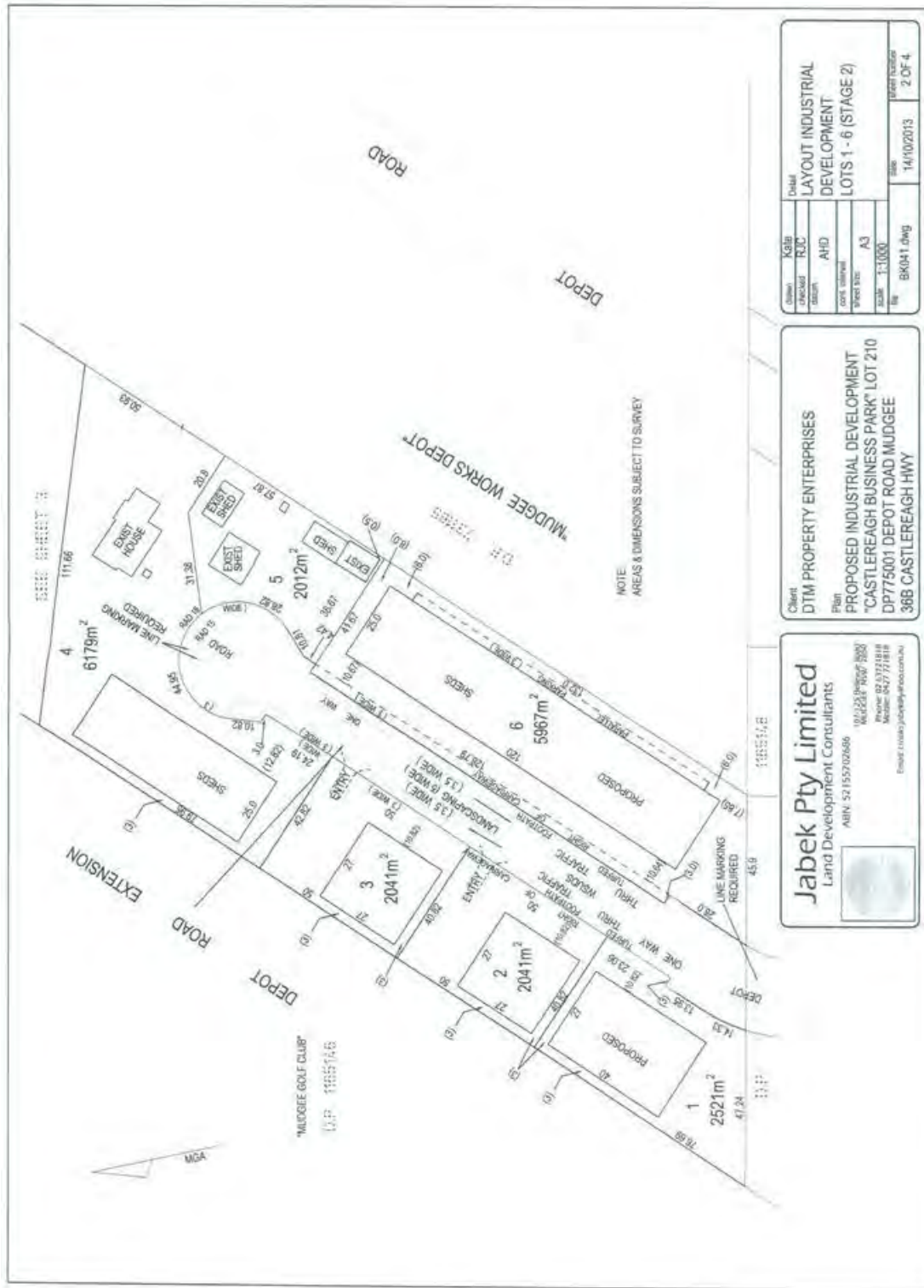
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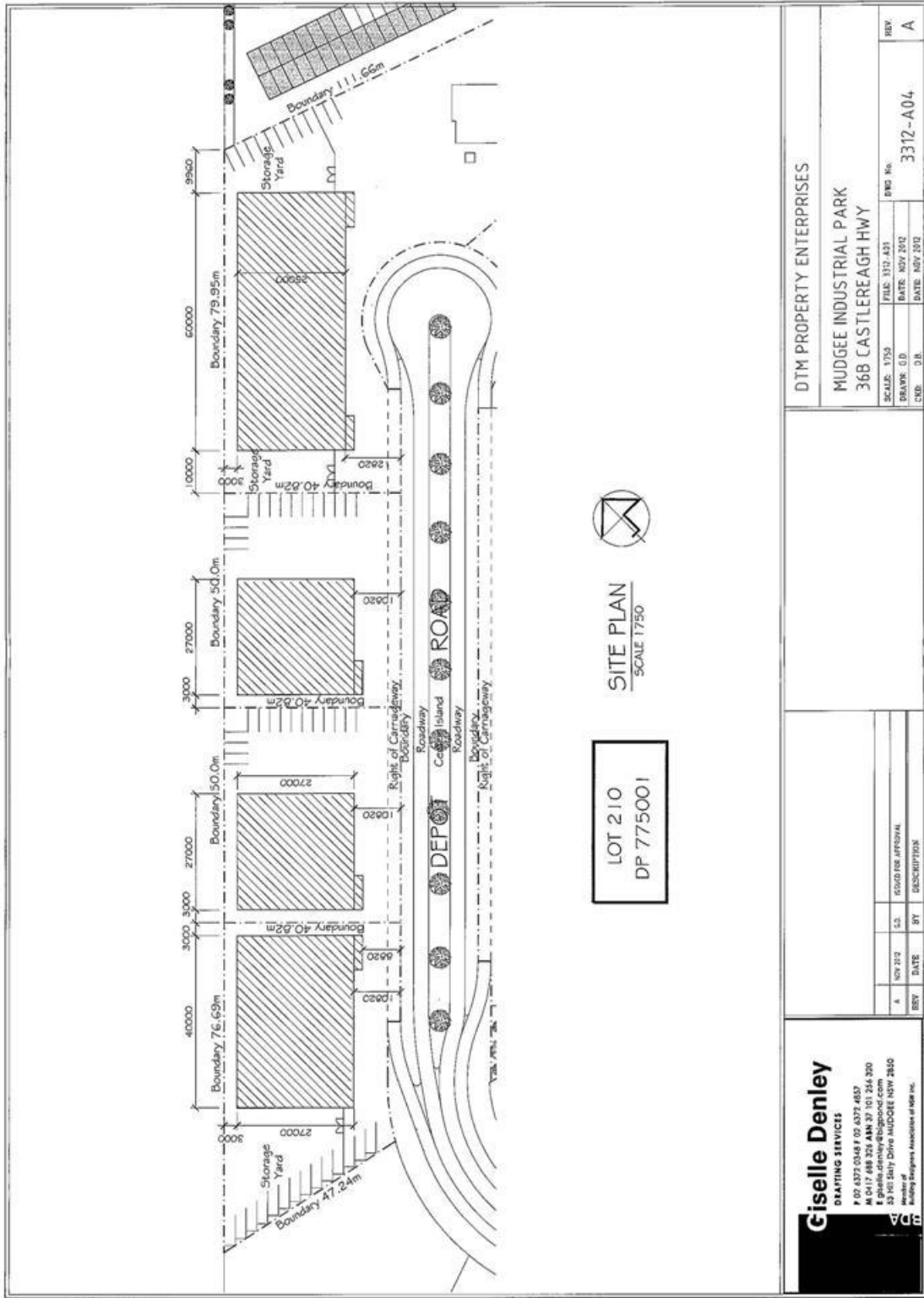
**Ciselle Denley**  
 DRAFTING SERVICES  
 P 02 4372 0348 F 02 4372 4857  
 M 0417 486 326 AIN 37 101 254 320  
 15/08/05 15/08/05  
 15/08/05 15/08/05  
 MEMBER OF  
 Building Designers Association of NSW INC.

| REV | DATE       | BY   | DESCRIPTION         |
|-----|------------|------|---------------------|
| A   | APRIL 2013 | G.L. | ISSUED FOR APPROVAL |

DTM PROPERTY ENTERPRISES  
 MUDGE INDUSTRIAL PARK  
 368 CASTLEREAGH HWY

|               |                  |         |          |
|---------------|------------------|---------|----------|
| SCALE: 1:500  | FILE: 3312-A01   | DWG No. | 3312-A08 |
| DRAWN: G.L.   | DATE: APRIL 2013 |         |          |
| CHECKED: D.B. | DATE: APRIL 2013 |         |          |
|               |                  | REV.    | A        |





LOT 210  
 DP 775001



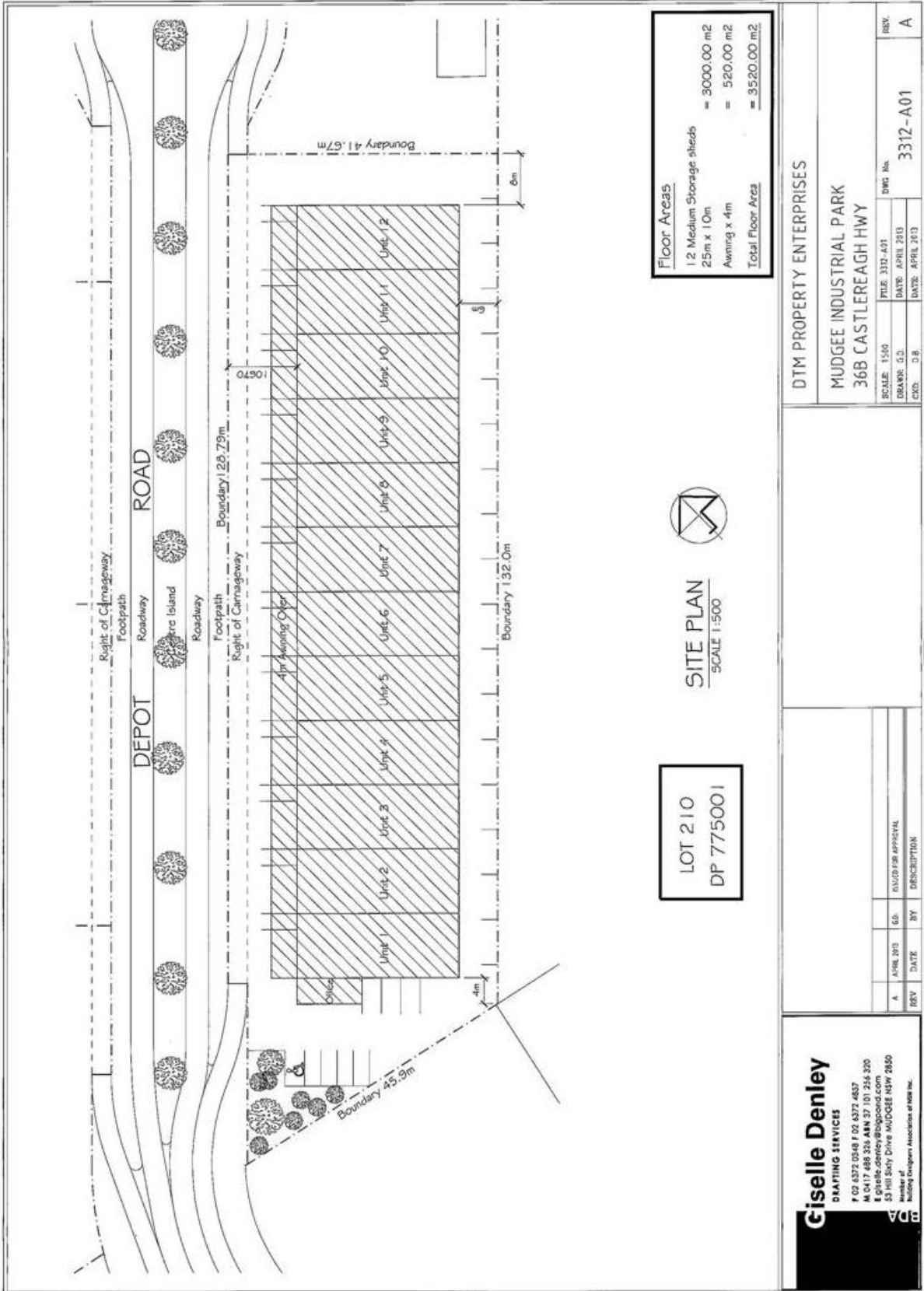
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 SCALE 1:750

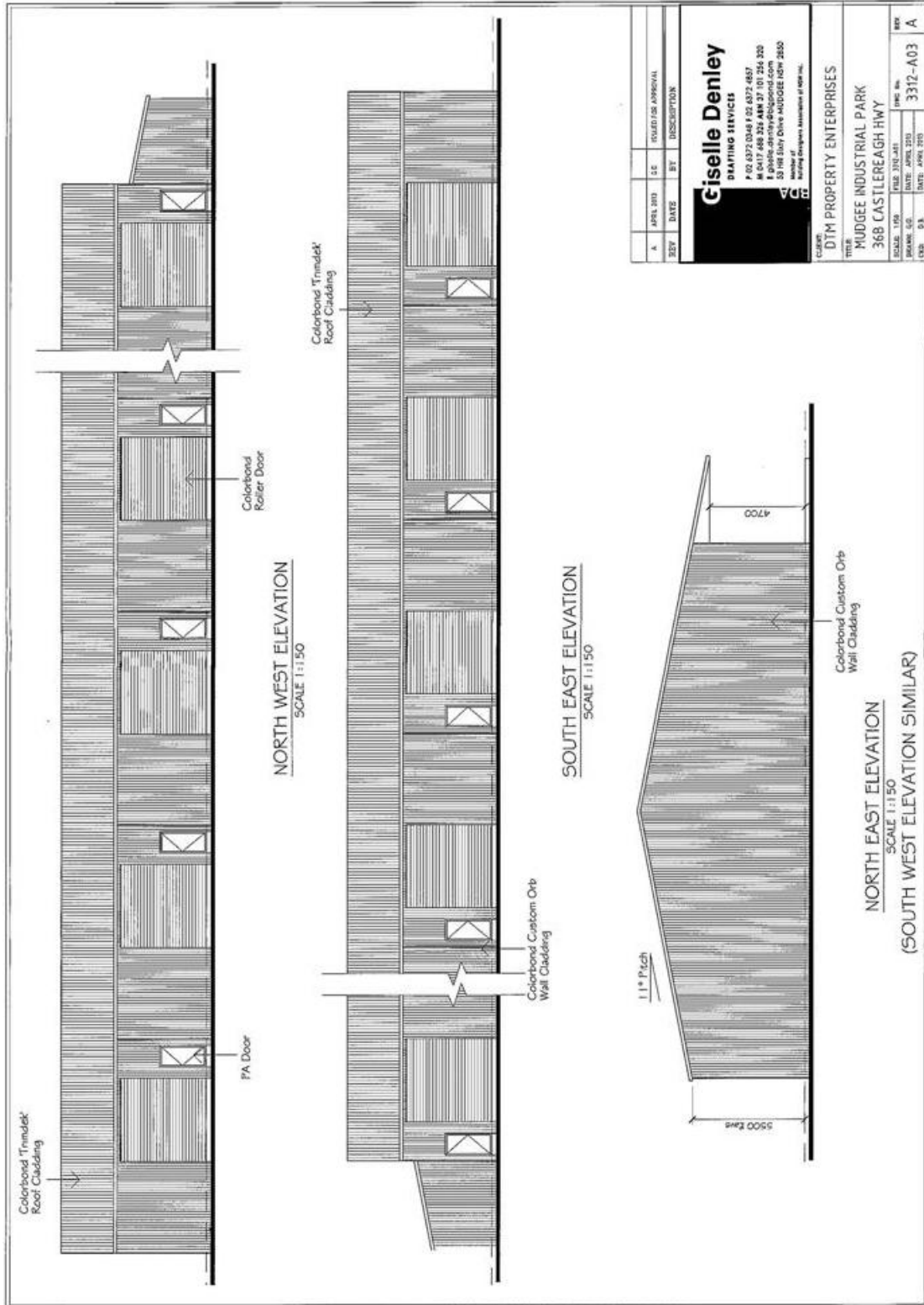
DTM PROPERTY ENTERPRISES  
 MUDGEE INDUSTRIAL PARK  
 36B CASTLEREAGH HWY

|              |                |          |      |
|--------------|----------------|----------|------|
| SCALE: 1:750 | FILE: 3312-A01 | BWG No.  | REV. |
| DRAWN: G.D.  | DATE: NOV 2012 | 3312-A04 | A    |
| CND: D.B.    | DATE: NOV 2012 |          |      |

| REV | DATE     | BY   | DESCRIPTION  |
|-----|----------|------|--------------|
| A   | NOV 2012 | G.D. | FOR APPROVAL |

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 E giselle.denley@bigpond.com  
 33 101 Sally Drive MUDGEE NSW 2850  
 Member of  
 Building Engineers Association of New South Wales

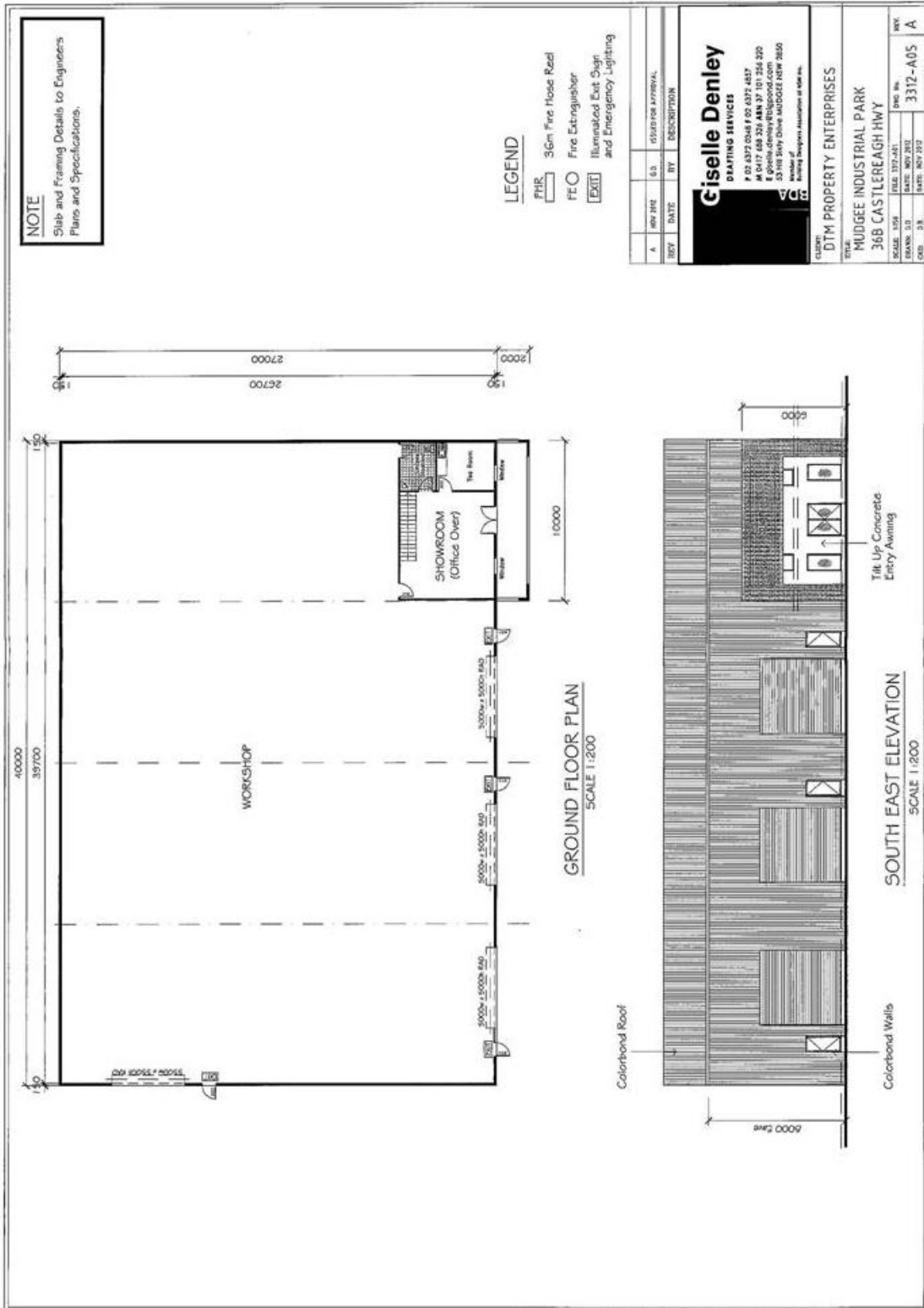


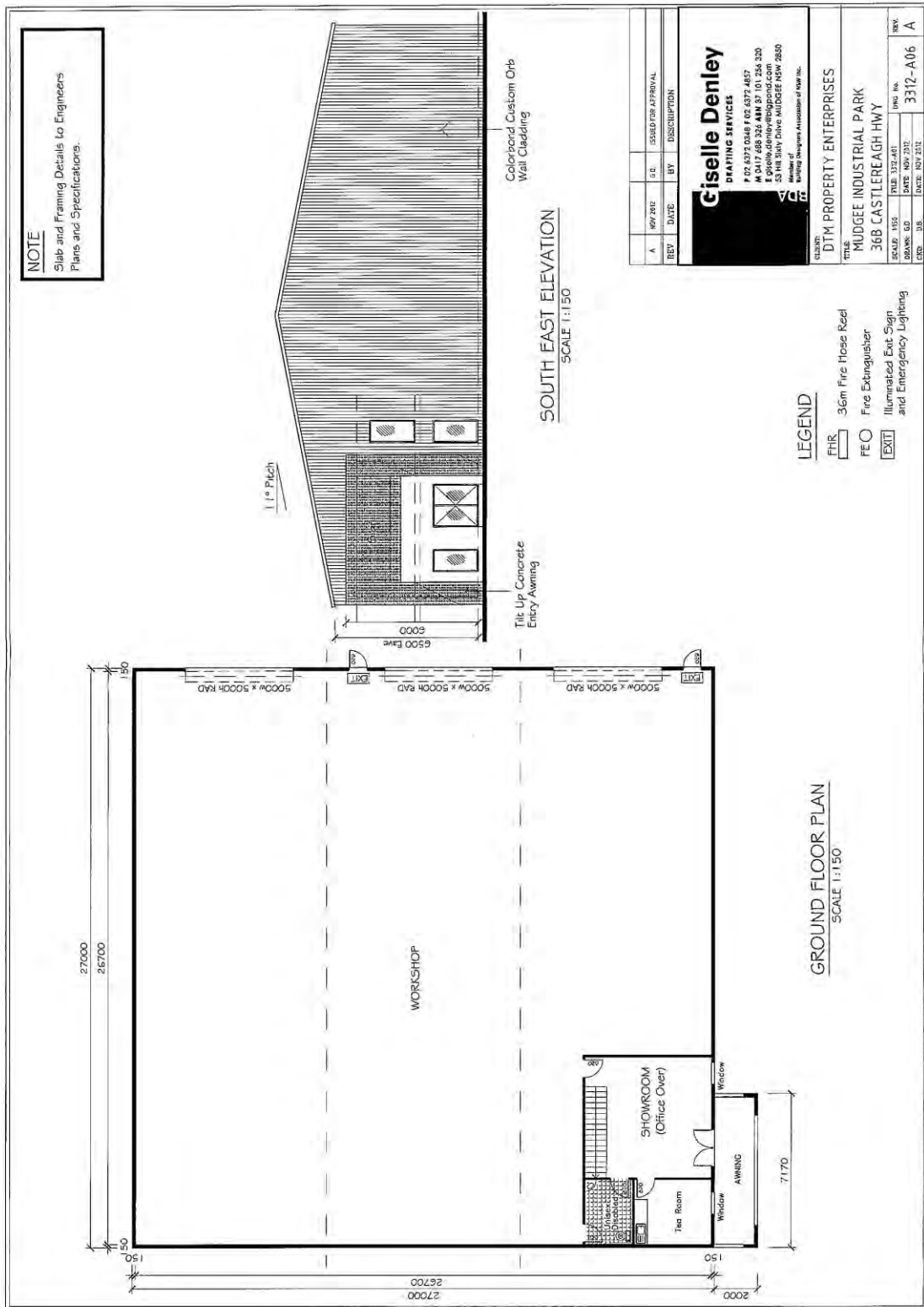


| REV | DATE       | BY | DESCRIPTION        |
|-----|------------|----|--------------------|
| A   | APRIL 2013 | SE | FOURD FOR APPROVAL |

**Ciselle Denley**  
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 110/111 HURDLE CREEK ROAD  
 53 HIRI DRIVE ANDRIDGE NSW 2850  
 Member of  
 Drafting Engineers Association of NSW Inc.

CUSTOMER: DTM PROPERTY ENTERPRISES  
 TITLE: MUDGEES INDUSTRIAL PARK  
 368 CASTLEREAGH HWY  
 SCALE: 1:50 DATE: APRIL 2013 SHEET NO: 3312-A03 REV: A  
 DRAWN: SE DATE: APRIL 2013 (REV: 03)





## ATTACHMENT 3 - submissions

The General Manager,  
Mid-Western Regional Council,  
MUDGEE NSW 2850

Dear Sir,

Although I am not opposed to development in the Depot Road area, as a landholder I feel that the amenity of the area has not been sufficiently addressed in the Statement of Environmental Effects.

I feel that the development would be more compatible with the adjoining residential and recreational (Golf Course) zones if the smaller (in height) industrial buildings proposed on the eastern side were relocated to the western side and the larger (in height) sheds be located on the eastern side.

Also consideration should be given to the extension of the earth berm and double paling fence along the whole boundary of the development.

This would at least provide some mitigation of noise and visual disturbance both now and in the future.

Thought should also be given to bringing all interested parties together to discuss this development to ensure a satisfactory outcome for the developer and the community.

Thank you for considering my comments.

Yours sincerely,

RON CAMPBELL



Dear Councillors

On behalf of the residents of the Fairway Estate (Inverness Av, Imber Close and Lions Drive to some extent), I respectfully request that you give due consideration to postponing any decision on industrial development in and around the western end of Depot Road,

DA- 0214/2014

Lot 210

DP 775001

36B Sydney Road, Mudgee

Staged Lot7 industrial subdivision and construction of individual sheds

until all affected residents of the estate have had an opportunity to examine such development in detail.

To date I believe that the only residents who have been notified of any development are those who have property which directly joins the blocks in question within the industrial area. This may be in line with Council's policies, but falls short of generating sufficient public consultation.

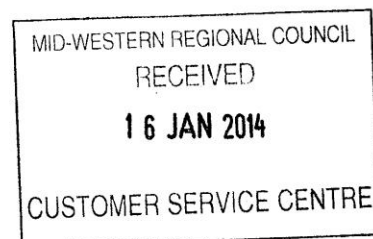
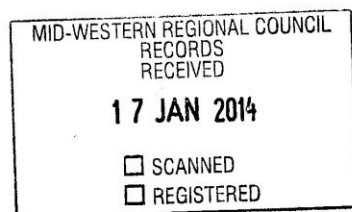
Additionally, the public have been restricted in obtaining information regarding this development, due to the following reasons:

- Council's web site due to technical difficulties has been down since the 20<sup>th</sup> December 2013, as yet, not listed or displayed any information on the proposal
- Residents being absent during the Christmas break
- Council's policy of only contacting adjacent residents only.

Your intervention to ensure that the above points are overcome prior to a formal decision on the proposal would be appreciated.

Regards

  
Peter Mayson  
[linwoodgolf@hotmail.com](mailto:linwoodgolf@hotmail.com)  
ph 0409811729



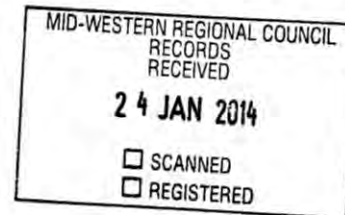


c/- 21 Robertson Street, Mudgee NSW 2850  
 PO Box 1096, Mudgee NSW 2850  
 Ph: (02) 6372-1811 Email: info@mudgeegolfclub.com.au  
 ABN: 28 001 001 305

Elizabeth  
 Starna

21 January 2014

The General Manager  
 Mid-Western Regional Council  
 MUDGEE NSW 2850



Dear Sir,

**Re: DA0214/2014/LOT 210 DP775001 - 36b SYDNEY ROAD, MUDGEE**

As the official representative of Mudgee Golf Club Limited (known as "MGC") I would like to make Council aware of the feelings our organisation in regards to the abovementioned Development Application.

The MGC is a very important community asset that services the residents of the Greater Mudgee area. Furthermore, the venue attracts thousands of visitors to the area each year and it is most important to maintain the attractiveness and ambience of the golf course in having the adjoining properties blend in as much as physically possible given the different zonings involved.

I feel MWRC in particular should support this standpoint as we move forward together in promoting Mudgee to visitors and continual improvement of our asset to the residents of Mudgee. We can make improvements on the inside of the property and seek MWRC's assistance in controlling the surrounds.

I feel that the amenity of the overall space put forward in the Development Application has not been sufficiently addressed in the Statement of Environmental Effects.

I feel that the development would be more compatible with both the adjoining residential and recreational (golf course) zones if the smaller (in height) industrial buildings proposed on the eastern side were relocated on the western side and the larger (in height) sheds be located on the eastern side.

Also consideration should be given to the extension of the raised bank and double paling fence along the whole boundary of the development. This would at least provide some mitigation of noise and visual disturbance both now and in the future.

I have also included letters from forty-five (45) individual members (who are basically part the owners of MGC). They wished to have their thoughts heard, which are consistent with this letter.

Thought should also be given to bringing all interested parties together to discuss this development to ensure a satisfactory outcome for the developer and the community.

Yours Faithfully,

A handwritten signature in black ink, appearing to read 'Ray Duncan', with a stylized flourish extending from the end.

Ray Duncan  
General Manager  
Mudgee Golf Club



MATT CONSADINE Member No.: 499  
c/- 21 Robertson Street, Mudgee NSW 2850  
PO Box 1096, Mudgee NSW 2850  
Ph: (02) 6372-1811 Email: info@mudgeegolfclub.com.au  
ABN: 28 001 001 305

17 January 2014

The General Manager  
Mid-Western Regional Council  
MUDGEE NSW 2850

Dear Sir,

**Re: DA0214/2014/LOT 210 DP775001 - 36b SYDNEY ROAD, MUDGEE**

In the main, I am not fundamentally opposed to the overall development at 36b Sydney Road (Note: physically located closer to the Depot Road area). However, as a member of the Mudgee Golf Club Limited, who is an adjacent landholder, I would like to make Council aware of my feelings in regards to the abovementioned Development Application.

The Mudgee Golf Club Limited is a very important community asset that services the residents of the Greater Mudgee area. Furthermore, the venue attracts thousands of visitors to the area each year. I feel it is most important to maintain the attractiveness and ambience of the golf course in having the adjoining properties blend in as much as physically possible given the different zoning involved.

I feel that the amenity of the overall space put forward has not been sufficiently addressed in the Statement of Environmental Effects.

I feel that the development would be more compatible with both the adjoining residential and recreational (golf course) zones if the smaller (in height) industrial buildings proposed on the eastern side were relocated on the western side and the larger (in height) sheds be located on the eastern side.

Also consideration should be given to the extension of the raised bank and double paling fence along the whole boundary of the development. This would at least provide some mitigation of noise and visual disturbance both now and in the future.

Thought should also be given to bringing all interested parties together to discuss this development to ensure a satisfactory outcome for the developer and the community.

Yours Faithfully,

**Mudgee Golf Club Member**



Project No: 14893

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**Noise Impact Assessment  
Proposed Industrial Development  
“Castlereagh Business Park”  
Depot Road, Mudgee - NSW**

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Prepared for:

DTM Property Enterprises  
c/- Minespex  
P.O. Box 604  
Mudgee NSW 2850

Author:

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

.....  
**Ross Hodge**  
B.Sc. (Hons)  
Principal / Director

Review:

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

.....  
**Neil Pennington**  
B.Sc., B. Math. (Hons), MAAS, MASA  
Principal / Director

April 2014



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## 1.0 INTRODUCTION

This report presents the results and findings of an acoustic assessment of a proposed industrial development at Mudgee, NSW.

The proposed development is to be known as Castlereagh Business Park and is to consist of five industrial sheds constructed on Lot 210 D.P. 775001, Depot Road, Mudgee.

This Noise Impact Assessment (NIA) has been conducted in accordance with procedures as detailed in the *NSW Industrial Noise Policy* (INP).

## 2.0 DESCRIPTION OF TERMS

**Table 1** contains the definitions of commonly used acoustical terms and is presented as an aid to understanding this report.

| Term         | Definition  |
|--------------|---|
| <b>dB(A)</b> | The quantitative measure of sound heard by the human ear, measured by the A-Scale Weighting Network of a sound level meter expressed in decibels (dB).  |
| <b>SPL</b>   | Sound Pressure Level. The incremental variation of sound pressure above and below atmospheric pressure and expressed in decibels. The human ear responds to pressure fluctuations, resulting in sound being heard.  |
| <b>STL</b>   | Sound Transmission Loss. The ability of a partition to attenuate sound, in dB.  |
| <b>Lw</b>    | Sound Power Level radiated by a noise source per unit time re 1pW.  |
| <b>Leq</b>   | Equivalent Continuous Noise Level - taking into account the fluctuations of noise over time. The time-varying level is computed to give an equivalent dB(A) level that is equal to the energy content and time period.  |
| <b>L1</b>    | Average Peak Noise Level - the level exceeded for 1% of the monitoring period.  |
| <b>L10</b>   | Average Maximum Noise Level - the level exceeded for 10% of the monitoring period.  |
| <b>L90</b>   | Average Minimum Noise Level - the level exceeded for 90% of the monitoring period and recognised as the Background Noise Level. In this instance, the L90 percentile level is representative of the noise level generated by the surrounds of the residential area. |




### 3.0 NOISE ASSESSMENT CRITERIA

The Office of Environment and Heritage (OEH) and local councils share responsibility for the approval and control of noise emissions from commercial and industrial premises within council boundaries. These approvals are generally based on procedures and criteria detailed in the INP.

In relation to residential receivers, the INP specifies two noise criteria: an *Intrusiveness criterion* which limits Leq noise levels from the industrial source to a value of 'background plus 5dB' and an *Amenity criterion* which aims to protect against excessive noise levels where an area is becoming increasingly developed.

Amenity criteria are dependent upon the nature of the receiver area and the existing level of industrial noise. Based on definitions in the INP the residential areas nearest the site are best described acoustically, through the day, as "suburban".

The acoustic environment of the area has been quantified as part of previous acoustic assessments undertaken for other projects in the area.

Two separate short term measurements made in 2003 and 2008 determined a background noise level for the area of 38 dB(A) L90. This background level was adopted for previous approved developments in the area.

A long term ambient noise survey was conducted in the area from Monday 26<sup>th</sup> November to Sunday 2<sup>nd</sup> December 2012.

An ARL EL315 environmental noise logger was installed at a location approximately 700m from the current project area. A background noise level of 42 dB(A) L90 was measured, although this measurement may have been influenced by nearby industrial activity.

Spectrum Acoustics undertook unattended noise logging on the site during the afternoon of Tuesday April 15<sup>th</sup> and the morning of Wednesday April 16<sup>th</sup>, 2014.

A Svan 949 Sound and Vibration analyser was installed on the site and programmed to continuously register environmental noise levels over 15 minute intervals with internal software calculating and storing L<sub>n</sub> percentile noise levels for each sampling period. Calibration of the logger was performed as part of the instrument's initialisation procedures, with calibration results being within the allowable  $\pm 0.5$  dB(A) range.

Noise levels were continuously monitored at 15-minute statistical intervals in accordance with relevant EPA guidelines and AS1055-







1997 "Acoustics - Description and measurement of environmental noise".

A background noise level of 39 dB(A) L90 was measured in April 2014.

For a conservative assessment the lower of the measured background noise levels is adopted here, that is **38 dB(A) L90**.

To quantify the existing industrial noise in the area a series of attended noise measurements were made at the boundary of the current site on April 15<sup>th</sup>, 2014.

Attended noise monitoring was conducted with a Brüel & Kjær Type 2250 Precision Sound Analyser. This instrument has Type 1 characteristics as defined in AS1259-1982 "Sound Level Meters" and has current NATA calibration. Field calibration is carried out at the start and end of each monitoring period.

A-weighted noise levels were measured over the 15 minute period with data acquired at 1 second statistical intervals and the meter set to "fast" response. Each 1 second measurement is accompanied by a third-octave band spectrum from 20 - 20k Hz which is required for analysing INP 'modifying factors'. Time based field notes allow for determination of the relative contributions to the overall noise level of all significant noise sources.

The noise was analysed using Brüel & Kjaer "Evaluator" software was used to quantify the contributions of the various noise sources to the overall measured level.

The day time acoustic environment of the area is influenced by noise from traffic travelling on the Castlereagh Highway, industrial noise from the surrounding estate and ground maintenance on the golf course.

The measured industrial noise level ranged from **35 to 40 dB(A) Leq (15 min)**. This is more than 10 dB(A) below the Acceptable level for a suburban area and, thus the Acceptable level is adopted as the Amenity Criterion (as per procedures in the INP).

**Table 2** below specifies the applicable base noise objectives for the site being assessed.

| TABLE 2<br>BASE NOISE LEVEL OBJECTIVES |  |   |
|--|--|---|
| Period                                 | Intrusiveness Criterion*<br>L <sub>eq</sub> (15 min) dB(A) | Amenity Criterion**<br>L <sub>eq</sub> (Period) dB(A) |
| Day                                    | 43   | = Acceptable level - 55                               |



Noise Impact Assessment – Castlereagh Business Park - Mudgee

\* Rating Background Level (RBL) + 5dB. RBL is the median value of each ABL (Assessment Background Level) over the entire monitoring period. The ABL is a single figure representing the "L<sub>90</sub>" of the L<sub>90,5</sub>" for each separate day of the monitoring period.  
\*\* Suburban zone amenity criterion per Tables 2.1 and 2.2 of INP.

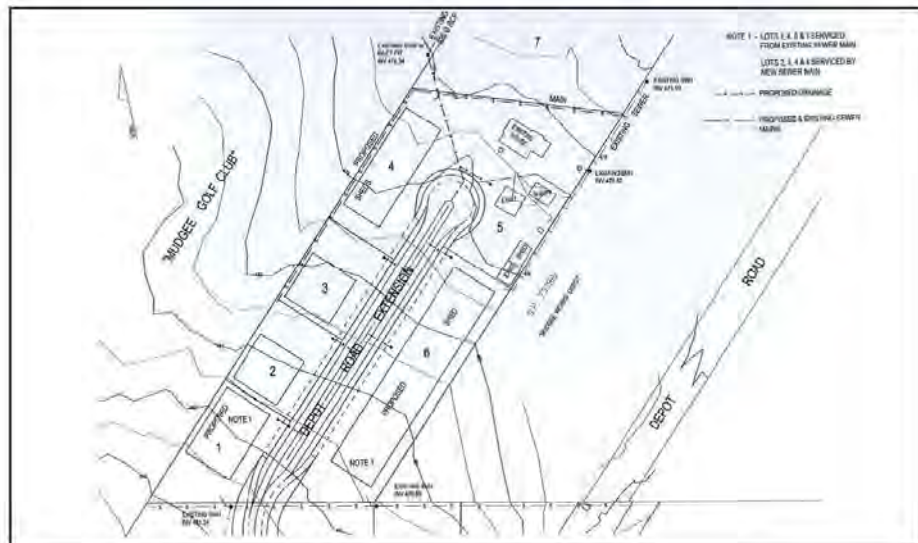
The project specific noise level for the site is the lower of the Intrusiveness and Amenity criteria as shown below,

Day **43 dB(A) L<sub>eq</sub> (15 min)**

In addition to the above, the INP also lists acceptable noise levels from noise sources to maintain the acoustic amenity of various, specific land uses. The acceptable amenity criterion for a golf course is **55 dB(A)Leq**, when in use.

### 4.0 NOISE IMPACT ASSESSMENT

The proposed layout of the site is shown in **Figure 1**.



**FIGURE 1 – SITE LAYOUT**

As shown in Figure 1 it is proposed that the site will be subdivided into six separate "lots" with a steel industrial style shed to be erected on these.





The sheds will be leased or sold to various users. As such, the type of any industrial or commercial activities that may operate in the sheds could not be confirmed at the time of this assessment.

The approach taken here is to perform theoretical calculations of potential noise impacts using an indicative noise source located in each shed. This methodology will allow for the determination of a limiting sound power level (Lw) for the each shed building, compliance with which will ensure compliance with the adopted criterion.

The nearest existing and approved residential receivers to the site are to the south west, in Inverness Avenue.

To assess potential worst case noise impacts from the use of the sheds noise levels from various industrial activities were taken from the Spectrum Acoustics technical database.

The database contains the results of a series of noise measurements made at various industrial facilities. All measurements have been made throughout representative periods to ensure capture of all significant noise sources to enable an assessment of the worst case for noise emissions.

All sound levels have been measured with either a Bruel & Kjaer Type 2250 or 2260 Precision Sound Level Analyser with calibration performed before and after the measurements.

The noise level used in this assessment is based on measurements made in a large mechanical workshop servicing mining machinery. This included noise from vehicles in the workshop, compressor, use of pneumatic wrenches, a hoist and various tools and equipment, impacts and other noises.

This is considered to be at the higher end of noise levels to be potentially emitted from the premises.

The nature of noise producing activities in typical workshops or similar facilities is that they occur intermittently throughout a day. To assess a worst case it was considered that the noise source was consistent throughout a full 15 minute period. The noise was also considered to be impacting on the entire internal surface of the shed wall.

In reality, in most workshops, noise sources would be located at various places throughout a shed. In addition, individual noise sources may be shielded, or partially shielded, in the direction of receivers by internal building elements or other impediments to the passage of sound.

In addition, OH&S regulations in relation to hearing damage commonly lead to management practises which minimise sections of industrial





facilities which are exposed to high levels of noise. This means that noisy plant items and activities may be acoustically isolated from general operational areas or offices etc.

Similarly, not all noise sources will always be operating simultaneously.

The noise sources are also located at various places throughout the shed. The noise level shown for workshop noise in Table 5 represents a calculated sound power level for a worst case 15 minute period when all activities measured are being carried out.

The adopted noise level in the shed was theoretically propagated to the nearest residences taking into account the effects of transmission loss through building elements, with the roller doors closed, and hemispherical spreading (distance loss) to the receiver. From consideration of the dimensions and orientation of the various building elements, the sound pressure levels immediately outside these were propagated to the nearest receiver using an equation<sup>1</sup> giving the sound field due to an incoherent plane radiator.

**Table 3** shows a calculation of the adopted workshop noise propagated through the western (rear) façade of Shed 1 and impacting on the nearest residential receiver to the south west in Inverness Avenue.

| TABLE 3<br>WORKSHOP NOISE at NEAREST BOUNDARY as dB(A) Leq (15 min)<br>South West Façade |       |                                  |     |     |     |    |    |     |    |
|--|-------|----------------------------------|-----|-----|-----|----|----|-----|----|
|  | TOTAL | Octave Band Centre Frequency, Hz |     |     |     |    |    |     |    |
| Propagation Elements   | dB(A) | 63                               | 125 | 250 | 500 | 1k | 2k | 4k  | 8k |
| Source Lw  | 104   | 79                               | 79  | 86  | 93  | 96 | 98 | 101 | 96 |
| Average distance loss in shed (20m)  |       | 17                               | 17  | 17  | 17  | 17 | 17 | 17  | 17 |
| STL of wall (0.4mm steel)  |       | 13                               | 11  | 14  | 18  | 21 | 26 | 24  | 23 |
| Exterior SPL   | 65    | 49                               | 51  | 55  | 58  | 58 | 53 | 60  | 56 |
| SPL at Boundary  | 43    |                                  |     |     |     |    |    |     |    |

The results in Table 3 show that the theoretical noise from the adopted source, when transmitting through the western façade of Shed 1 will be equal to the daytime noise criterion at the nearest residential boundary.

In addition to the noise transmitting through the western façade there may also be noise transmission through the southern façade and the roof of the shed. Some of the noise from the southern façade will be partially attenuated by the existing 2m high acoustic bund that is on the

<sup>1</sup> Equation (5.104), DA Bies and CH Hansen, *Engineering Noise Control*, E & FN Spon, 1996.



boundary of the adjacent residential subdivision (in the direction of the nearest receivers).

Current plans for the development show that there will be a roller door in the southern facade of Shed 1. For the calculations it was assumed that the roller door was closed whilst the noise producing activities were taking place.

**Table 4** shows a summary of the combined noise from all of the facades when propagated to the nearest residential boundary as for Table 3.

| TABLE 4<br>WORKSHOP NOISE at NEAREST BOUNDARY as dB(A) Leq (15 min)<br>All Facades |       |                                  |     |     |     |    |    |     |    |
|--|-------|----------------------------------|-----|-----|-----|----|----|-----|----|
|  | TOTAL | Octave Band Centre Frequency, Hz |     |     |     |    |    |     |    |
| Propagation Elements   | dB(A) | 63                               | 125 | 250 | 500 | 1k | 2k | 4k  | 8k |
| Source Lw  | 104   | 79                               | 79  | 86  | 93  | 96 | 98 | 101 | 96 |
| West Wall  | 43    |                                  |     |     |     |    |    |     |    |
| South Wall   | 42    |                                  |     |     |     |    |    |     |    |
| Roof   | 35    |                                  |     |     |     |    |    |     |    |
| SPL at Boundary  | 46    |                                  |     |     |     |    |    |     |    |
| Criterion  | 43    |                                  |     |     |     |    |    |     |    |
| Impact   | 3     |                                  |     |     |     |    |    |     |    |

The results in Table 4 show that the theoretical combined noise from the adopted source could be up to 3 dB(A) Leq (15 min) higher than the daytime noise criterion under the assessed conditions.

As described above the noise source and noise propagation paths are considered to represent the worst case of a relatively loud noise source emitting for a full 15 minutes.

It is generally accepted, however, that noise control to attenuate up to 3 dB(A) of typical industrial noise is readily achievable in such situations by applying acoustic design principles and simple acoustic/architectural treatments.

Similar calculations to those shown in Tables 3 and 4 were performed for noise emissions from Sheds 2, 3 and 4 which are also located near the western boundary of the site.

The calculations assume the same theoretical workshop noise source, as described for Shed 1, was located in each of the sheds and that each was simultaneously at the maximum Lw for a full 15 minute period. As for Shed 1 noise from each source was considered to be impacting across the entire internal wall surfaces of each shed.

Where applicable, the calculations took into account the various shielding and partial shielding effects of the intervening sheds. The





Noise Impact Assessment – Castlereagh Business Park - Mudgee

results of the calculations are shown in **Table 5**. The noise level shown for each shed represents the total noise from that shed (walls and roof) as per the calculations in Table 4.

| TABLE 5<br>COMBINED NOISE at NEAREST BOUNDARY as dB(A) Leq (15 min)<br>Sheds 1, 2, 3 and 4 |       |                                  |     |     |     |    |    |     |    |
|--|-------|----------------------------------|-----|-----|-----|----|----|-----|----|
|  | TOTAL | Octave Band Centre Frequency, Hz |     |     |     |    |    |     |    |
| Propagation Elements   | dB(A) | 63                               | 125 | 250 | 500 | 1k | 2k | 4k  | 8k |
| Source Lw  | 104   | 79                               | 79  | 86  | 93  | 96 | 98 | 101 | 96 |
| Shed 1   | 46    |                                  |     |     |     |    |    |     |    |
| Shed 2   | 37    |                                  |     |     |     |    |    |     |    |
| Shed 3   | 33    |                                  |     |     |     |    |    |     |    |
| Shed 4   | 31    |                                  |     |     |     |    |    |     |    |
| SPL at Boundary  | 47    |                                  |     |     |     |    |    |     |    |
| Criterion  | 43    |                                  |     |     |     |    |    |     |    |
| Impact   | 4     |                                  |     |     |     |    |    |     |    |

The results in Table 5 show that the theoretical noise from each of the sheds individually (except Shed 1), as a result of emissions from the workshop noise source, will comply with the adopted criterion at the nearest residential receiver to the site.

The results do show, however, that, under the assessed conditions, the combined noise from all sheds could exceed the criterion by up to 4 dB(A) Leq (15 min).

As described, the results are based on an assumed noise source with an Lw of 104 dB(A) Leq (15 min). Final occupants of the sheds may undertake noise producing activities with a lower (or higher) Lw, or of a different spectral character to that used in the calculations shown here. Under such circumstances the received noise may be different to that shown in Tables 3 to 5.

It must also be noted that the INP contains provisions for modifying factor corrections which are, effectively, penalties applicable to noise which contains tonal, impulsive or low frequency components as per definitions in the INP. Any noise emissions from the sheds must not contain any of the above or penalties, effectively in the form of reduced acceptable received noise levels may apply.

As a general indication, Table 6 shows the range of typical noise levels of some noise producing activities or plant items which are sometimes associated with similar style developments. The levels shown in Table 6 are approximate only and are based on published data supplemented with measurements in the Spectrum Acoustics technical database.

TABLE 6  
INDICATIVE INDUSTRIAL NOISE LEVELS



| Noise Producing Activity     | dB(A) Leq (15 min) |
|------------------------------|--------------------|
| Recycling Facility (general) | 100-110            |
| Metal Fabrication            | 100-110            |
| Commercial/Retail            | 60-70              |
| Gym (classes)                | 80-90              |
| Dance Studio                 | 85-95              |
| Ice Works                    | 80-90              |
| Mechanical Workshop          | 95-105             |

Should an impending occupier of one of the sheds be identified as having the potential to undertake particularly noisy activities (i.e. louder than that used in the calculations in this assessment) it is recommended that a specific acoustic assessment be considered to ensure maintenance of the acoustic amenity of the residential area.

The presence of a noise source or noise producing activities with a higher Lw than that used for this assessment does not necessarily preclude an occupant from any of the sheds. Rather, it may require some form(s) of noise control be applied prior to occupancy.

The noise control could include (but not be limited to) relatively simple actions such as;

- Lining the internal walls or parts of the walls,
- Isolating particularly noisy plant or activities and acoustically shielding these,
- Locating noisy plant or activities "behind" internal partitions or offices relative to receivers, or
- Sourcing noise attenuation equipment specific to a particular plant item, e.g. mufflers, attenuator guards, cowlings etc.

## 5.0 CONCLUSION

An assessment has been conducted to determine the potential for adverse noise impacts arising from the proposed development of the Castlereagh Business Park industrial sheds constructed on Lot 210 D.P. 775001, Depot Road, Mudgee.

The assessment has used a typical sound power level for a workshop to show that noise emissions from the sheds can comply with the day time noise criterion for nearby residential receivers.

Based on the results detailed above, we conclude that the proposal can operate without adversely impacting upon the acoustical amenity of any residential receiver.



## 6.2.2 DA0249/2014 – Proposed 45 Lot Residential Subdivision, Lot 2 DP 538790, 17-29 Fairydale Lane, Mudgee

REPORT BY SENIOR TOWN PLANNER TO 21 MAY 2014 COUNCIL MEETING

DA0249\_2014\_Subd\_Fairydale lane

GOV400038, DA0249/2014

### RECOMMENDATION

That:

1. The report by the Senior Town Planner on Development Application 0249/2014 - 45 lot staged subdivision of Lot 2 DP538790 17-29 Fairydale Lane, Mudgee be received;
2. That Development Application 0249/2014 for 45 lot staged subdivision of Lot 2 DP538790 17-29 Fairydale Lane, Mudgee be approved subject to the following conditions:

### APPROVED PLANS

1. Development is to be carried out generally in accordance with stamped plans BK083 CONCEPT.dwg dated 8 April 2014 sheet 1 of 2 and the Application received by Council on 21 January 2014 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.

### GENERAL

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

2. A new Restriction as to User be placed upon proposed lots 1 – 7 and 27 – 33 requiring all dwellings to be constructed in accordance with Category 2 Acoustic Treatment of Residences, Appendix C of the Department of Planning's publication, Development near Rail Corridors and Busy Roads – Interim Guidelines as follows;
  - Windows/ Sliding doors – Openable 6mm monolithic glass and full perimeter acoustic seals;
  - Timber frame or Cladding Construction – 6mm fibre cement sheeting or weatherboards or plank cladding externally, 90mm deep timber stud or 92mm metal stud, 13mm standard plasterboard internally with R2 insulation in wall cavity;
  - Brick veneer Construction – 110mm brick, 90mm deep timber stud or 92mm metal stud, minimum 50mm clearance between masonry and stud frame, 10mm standard plasterboard internally;
  - Double brick cavity Construction – 2 leaves of 110mm brickwork separated by 50mm gap;
  - Roof – Pitched concrete or terracotta tile or metal sheet roof with sarking, 10mm plasterboard ceiling fixed to ceiling joists, R2 insulation batts in roof cavity;



- **Entry door – 40mm solid core timber door fitted with full perimeter acoustic seals;**
  - **Floor – 1 layer of 19mm structural floor boards, timber joists on piers, or concrete slab on ground;**
  - **Ducted air conditioning and/or ventilation is to be provided to all living rooms and bed rooms.**
3. **A Restriction as to User be placed upon proposed lots 3 – 7 and 27 – 33 stating no habitable buildings are to be located on the allotments within the area twenty five metres from the rail line without a full noise assessment being undertaken by an acoustic consultant and a report detailing findings and recommendations.**
4. **A Restriction as to User be placed upon proposed lot 18 stating that multi dwelling housing is not permitted on the allotment due to non-compliance with Council's DCP.**

#### **PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE**

1. **Prior to development the applicant shall advise Council's Development and Community Services Department, in writing, of any existing damage to Council property before commencement of works. The applicant shall repair (at their own expense) any part of Council's property damaged during the course of this development in accordance with AUS-Spec #1/2 (as modified by Mid-Western Regional Council) and any relevant Australian Standards.**
2. **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.**
3. **A copy of the Contractor's public liability insurance cover for a minimum of \$20,000,000 is to be provided to Mid-Western Regional Council. All work is to be at no cost to Council.**
4. **A detailed engineering design (including but not limited to sediment and erosion control, sewer/water main extensions, drainage networks and road works) supported by plans, and an "Autocad compatible" Plan, (in dwg format including pen-map), material samples, test reports and specifications are 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 prior to the issue of a *Construction Certificate*.**
- Note 1: Council will quote on connecting any sewer or water main extension to the existing "live" mains on receipt and approval of engineering plans.**  
**Note 2: Council does not permit other bodies to insert new junctions into 'live' sewer mains.**
5. **The applicants shall, at their own expense, engage a registered surveyor to relocate any survey mark that may be disturbed by the development or any associated work. Any information regarding relocation should be supplied to the Land Titles Office and Council.**
6. **All works are to be constructed at the full cost of the developer, in a manner consistent with Aus-Spec #1 and Council's standard drawings.**

7. Prior to commencement of works, the submission of three possible street/road names in order of preference, for the proposed two (2) new roads within the subdivision, are to be submitted to Council for approval.
8. All finished surface levels shall be shown on the plans submitted for the Construction Certificate. Where it is proposed to import fill, the material shall be certified as free of hazardous materials and contamination by a suitably qualified geotechnical engineer. Fill placed in residential or commercial lots shall be compacted in accordance with *AS3798-2007 Guidelines on Earthworks for Commercial and Residential Developments*.
9. The developer is to grant Council (or an *Accredited Certifier* on behalf of Council) unrestricted access to the site at all times to enable inspections or testing of the subdivision works.
  - The subdivision works are to be inspected by the Council (or Accredited Certifier on behalf of Council) to monitor compliance with the consent and the relevant standards of construction encompassing the following stages of construction:
    - Installation of sediment and erosion control measures
    - Water and sewer line installation prior to backfilling
    - Establishment of line and level for kerb and gutter placement
    - Road and driveway pavement construction (including excavation, formwork and reinforcement)
    - Road pavement surfacing
    - Practical completion

The contractor/owner must arrange an inspection by contacting Council's Development and Community Services Department between 8.00am and 4.30pm 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.
10. The applicant is to submit a Drainage Report prepared in accordance with the Institution of Engineers publication *Australian Rainfall and Run-off* to the Principal Certifying Authority for approval prior to the release of the Construction Certificate. The report must demonstrate that stormwater runoff from the site is not increased beyond the existing undeveloped state up to and including a 1.5yr ARI. All storm water detention details including analysis shall be included with the drainage report.

## **STORMWATER DRAINAGE**

11. A minimum of two (2) roof-water outlets per allotment are to be provided in the kerb and gutter at the time of installation of kerb and gutter. Such outlets shall be located near the projected line of allotment side boundaries.
12. 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.
13. Interallotment drainage is to be provided to remove stormwater from any lots that cannot discharge to the street in accordance with Aus Spec #1. Easements not less than 1m wide shall be created over interallotment drainage in favour of upstream allotments.

## ROADS, KERBS AND VEHICULAR ACCESS

14. Street signs necessitated by the subdivision are to be installed in accordance with Aus-Spec #1 and Council standards.
15. All accesses must comply with Council's Access Policy, AUSTRROADS Part 4A and any other relevant RMS supplements.
16. The developer is to upgrade Fairydale Lane for the full frontage of the proposed subdivision, such that it has the following characteristics:

| Item                     | Requirement  |
|--------------------------|--|
| Half Road Pavement Width | 5 m @ 3% crossfall   |
| Nature Strip (x1)        | 4.5 m  |
| Concrete Footpath (x1)   | 2.5m wide  |
| Seal                     | Two-coat flush seal -14/7 mm (Double/ Double) as required                        |
| Kerb & Gutter            | Roll back concrete kerb & gutter   |
| Subsoil Drainage         | Behind kerb if required  |
| Underground Drainage     | Where gutter flow exceeds 2.5m during minor events or adjacent to intersections. |

17. The new roads in the subdivision are to be constructed in accordance with the following:

| Item                    | Requirement  |
|-------------------------|--|
| Road Reserve Width      | 18 m   |
| Pavement Width          | 9 m @ 3% crossfall   |
| Nature Strip (x2)       | 4.5 m  |
| Concrete Footpaths (x1) | 1.2m wide  |
| Seal                    | Two-coat flush seal -14/7 mm (Double/ Double) as required                        |
| Kerb & Gutter           | Roll back concrete kerb & gutter   |
| Subsoil Drainage        | Behind kerb if required  |
| Underground Drainage    | Where gutter flow exceeds 2.5m during minor events or adjacent to intersections. |

## EARTHWORKS

18. 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: The applicant should contact the Aboriginal Land Council and consult a suitably qualified individual to determine if artefacts were uncovered.
19. Runoff and erosion controls shall be installed prior to clearing and incorporate:-

- diversion of uncontaminated upsite runoff around cleared and/or disturbed areas and areas to be cleared and/or disturbed;
- sediment control fences at the downslope perimeter of the cleared and/or disturbed area to prevent sediment and other debris escaping from the land to pollute any stream or body of water;
- maintenance of all erosion control measures at maximum operational capacity until the land is effectively rehabilitated and stabilized beyond the completion of construction.

## **WATER AND SEWER**

20. The developer is to extend and meet the full cost of water and sewerage reticulations to service the development plus the cost of connecting to existing services. All water and sewerage work is required to be carried out in accordance with the requirements of Mid-Western Regional Council (as the Water Supply Authority under the Local Government Act,1993) and in accordance with the National Specification – Water & Sewerage Codes of Australia.
21. The applicant is to provide separate water and sewer reticulation services to each lot.
22. Three metre wide easements, including associated Section 88B of the *Conveyancing Act 1919* instruments, are to be created in favour of Council over any existing or newly constructed water or sewerage reticulation components located within the subject property, or extended through adjoining private properties as a result of this subdivision.

## **PRIOR TO THE ISSUE OF THE SUBDIVISION CERTIFICATE**

23. Under the Environmental Planning & Assessment Act, 1979, a *Subdivision Certificate* is required before the linen plan of subdivision can be registered with the Land Titles Office.  
Note: The fee to issue a *Subdivision Certificate* is set out in Council's Fees and Charges
24. A linen plan and two (2) copies are to be submitted to Council for approval and endorsement by the General Manager.
25. If the *Subdivision Certificate* is not issued, for any reason whatsoever, by the end of the financial year immediately following the date of determination, then the charges and contributions contained in this consent, may be increased to the current rate at the time of payment.
26. Underground electricity, street lighting and telecommunications are to be supplied to the subdivision.
27. Prior to issue of the *Subdivision Certificate*, Council is to be supplied with:
  - A certificate from the appropriate power authority indicating that satisfactory arrangements have been made for provision of electricity supply to the subdivision.
  - A certificate from the appropriate telecommunications authorities indicating that satisfactory arrangements have been made for provision of telephone services to the subdivision.

- all contributions must be paid to Council and all works required by the consent be completed in accordance with the consent, or
- an agreement be made between the developer and Council;
  - as to the security to be given to Council that the works will be completed or the contribution paid, and
  - as to when the work will be completed or the contribution paid.

28. Following completion of the subdivision works, one full set of work-as-executed plans, on transparent film suitable for reproduction, and an “Autocad compatible” work-as-executed Plan, (in dwg format including pen-map), is to be submitted to Council. All work-as-executed plans shall bear the Consulting Engineer's or Consulting Surveyor's certification stating that all information shown on the plans is accurate.

29. The developer must provide Council and land purchasers with a site classification for each lot within the subdivision. The classification is to be carried out at a suitable building site on each lot and is to be carried out by a NATA registered laboratory using method (a) of Clause of AS2870 - 2011. Results are to be submitted to Council prior to issue of the Subdivision Certificate.

30. In accordance with the provisions of section 94 of the *Environmental Planning and Assessment Act 1979* and the Mid-Western Regional Council Section 94 Developer Contributions Plan, a contribution shall be paid to Council in accordance with this condition for the purpose of: **SUBJECT TO CPI INCREASE**

Stage 1:

|                      |               |
|----------------------|---------------|
| Transport Management |               |
| Traffic Management   | 17,078        |
| Open Space           | 0             |
| Local Open Space     | 26,792        |
| District Open Space  | 36,353        |
| Community Facilities | 0             |
| Library Buildings    | 3,508         |
| Library Resources    | 4,202         |
| Administration       | 0             |
| Plan Administration  | 8,173         |
| <b>TOTAL</b>         | <b>96,105</b> |

Stage 2:

|                      |                |
|----------------------|----------------|
| Transport Management |                |
| Traffic Management   | 33,017         |
| Open Space           | 0              |
| Local Open Space     | 51,798         |
| District Open Space  | 70,282         |
| Community Facilities | 0              |
| Library Buildings    | 6,782          |
| Library Resources    | 8,124          |
| Administration       | 0              |
| Plan Administration  | 15,800         |
| <b>TOTAL</b>         | <b>185,803</b> |

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

- (a) Payment of a contribution for water and sewerage headworks at the following rate:

Stage 1 (16 lots):

|                      |                   |
|----------------------|-------------------|
| Water Headworks      | \$ 132,546        |
| Sewerage Headworks   | \$ 58,872         |
| <b>Total Payable</b> | <b>\$ 191,418</b> |

Stage 2 (29 lots):

|                      |                   |
|----------------------|-------------------|
| Water Headworks      | \$ 222,918        |
| Sewerage Headworks   | \$ 103,992        |
| <b>Total Payable</b> | <b>\$ 326,910</b> |

- (b) The adjustment of existing services or installation of new services and meters, as required, in compliance with Australian Standard 3500: National Plumbing and Drainage Code. All costs associated with this work shall be borne by the developer.

- 32. The developer is to provide a water service and meter for each lot in the subdivision. This can be achieved by making a payment to Council of \$1650 per lot to cover the cost of installing both the service and a 20mm meter on the water main.

**TOTAL PAYABLE            44            x \$1650            = \$72,600**

**Note:** Council does not permit other bodies to connect into 'live' water mains.

**OR**

- 33. Where the water service has been provided by the developer. The developer is to provide a water meter for each lot in the subdivision. This can be achieved through providing a water service ending with a lockable ball valve to each lot and make a payment to Council of \$370.00 per lot to cover the cost of a 20mm meter and installation.

**TOTAL PAYABLE            44            x \$370            = \$16,280**

**Note:** Council does not permit other bodies to connect into 'live' water mains.

- 34. The developer is to provide a sewer junction for each dwelling in the subdivision. This can be achieved by making a payment to Council of \$1,450.00 per new junction to cover the cost of Council installing a junction in an existing main.

**TOTAL PAYABLE            45            x \$1,450.00            = \$65,250**

**Note:** Council does not permit other bodies to insert new junctions into "live" sewer mains.

- 35. In accordance with the provisions of section 94 of the Environmental Planning and Assessment Act 1979 and the Mid-Western Regional Council Section 94 Developer Contributions Plan, a contribution shall be paid to Council for Drainage in Catchment 2A. The contributions are subject to CPI INCREASE

Stage 1: 16 lots x \$5003.79 = \$80 060.64

Stage 2: 29 lots x \$5003.79 = \$145 109.91

Executive summary

|                                  |   |
|----------------------------------|---|
| Applicant:                       | Leigh and Gregory Murkins               |
| Estimated cost of development:   | Not applicable                          |
| Reason for reporting to council: | Number of lots exceeds staff delegation |

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**Public submissions:** **0**

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The proposed development relates to a Staged application for a forty five (45) lot residential subdivision. The subdivision is located on the north western side of Mudgee on the periphery of the urban area (Locality Plan provided as Attachment 1). The site fronts Fairydale Lane and adjoins the railway at the rear of the site. Two dwellings are located on the subject site. These dwellings will be retained and have been incorporated into the subdivision layout.

The subdivision plan includes a restriction as to user excluding residential development (dwellings) at the rear of all lots adjoining the rail corridor. This complies with the Department of Planning – Development Near Rail Corridors and Busy Roads – Interim Guidelines. The buffer proposed as part of this application is located on private property and will therefore be maintained by the future landowner as their rear yard rather by Council as open space.

Ten (10) lots will front Fairydale Lane and the remainder of the lots will gain vehicular access via proposed new roads. The lots range in size from 602m<sup>2</sup> to 2080m<sup>2</sup>.

The proposed development has been assessed in accordance with Council's Development Control Plan (DCP), 7.1 Urban Subdivision. The proposed subdivision is considered generally consistent with the DCP.

The application was notified to adjoining land owners and an advertisement placed in the local press accordance with Part 1.10 of the DCP. The exhibition period concluded 14 February 2014 and no submissions were received.

Council has prepared a concept subdivision lot layout that includes the subject site and adjoining sites. This concept plan will ensure orderly subdivision of this area. Landowners have been consulted.

The application was referred to the John Holland Rail who manages the Country Regional Network railway lines. It was requested Council consider noise, vibration, fencing and stormwater, these have been considered in the assessment of the application and included as conditions in the recommendation.

The application is reported to Council due to the number of lots of the subdivision exceeds staff delegation. The application is being reported with a recommendation for approval.

## Detailed report

### *1. REQUIREMENTS OF REGULATIONS AND POLICIES:*

#### **SEPP 55 – Remediation of Land**

Clause 7 of the SEPP requires the consent authority to consider whether the land is contaminated.

A preliminary site assessment has been carried out to determine the need for more detailed assessment. The applicant has submitted a detailed history of ownership and statement with regard to previous land uses indicating no contaminating land uses have occurred onsite. A shed onsite that has a partial concrete floor, earthmoving machinery maintenance is limited to this area. The SEE states based on the known features of the site and land use occurring, site contamination is not likely and further detailed investigations are not warranted.

#### **SEPP (Infrastructure) 2007**

The subject site is adjoining a rail corridor, therefore Division 15 Railways, Clause 87 Impact of rail noise or vibrations on non-rail development of State Environmental Planning Policy (Infrastructure) has been considered.

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

*(1) This clause applies to development for any of the following purposes that is on land in or adjacent to a rail corridor and that the consent authority considers is likely to be adversely affected by rail noise or vibration:*

The subject site is on land adjacent to the rail corridor and the future development with dwellings may be likely to be adversely affected by rail noise or vibration, therefore this Clause has been considered in the assessment of this development application.

*(2) Before determining a development application for development to which this clause applies, the consent authority must take into consideration any guidelines that are issued by the Director-General for the purposes of this clause and published in the Gazette.*

The Department of Planning – Development Near Rail Corridors and Busy Roads – Interim Guideline (Guideline) have been considered in the assessment of the application.

The Guideline provides a guide as to the level of assessment required when noise sensitive development, in this case a residential subdivision are located in the vicinity of the rail corridor.

A restriction as to user 11 metres wide along all lots adjoining the rail corridor have been detailed on the plan of subdivision, this will provide a 25 metre setback from the track as required by the Guideline (this area is consider 'Zone A'). Development for residential purposes within 'Zone A' requires a full noise assessment, it is anticipated no residential development will occur in this area.

The area measured from 25 metres to 60 metres from the track is identified as 'Zone B'. For dwellings within 'Zone B' standard building construction mitigation measures for development will normally provide adequate mitigation to reduce internal noise levels to an acceptable level in line with that required by the SEPP. Building envelopes for all lots can be achieved in 'Zone B'. A condition has been included within the recommendation regarding these mitigation measures.

Such building construction mitigation measures include –

- Windows/ Sliding doors – Openable 6mm monolithic glass and full perimeter acoustic seals;
- Timber frame or Cladding Construction – 6mm fibre cement sheeting or weatherboards or plank cladding externally, 90mm deep timber stud or 92mm metal stud, 13mm standard plasterboard internally with R2 insulation in wall cavity;
- Brick veneer Construction – 110mm brick, 90mm deep timber stud or 92mm metal stud, minimum 50mm clearance between masonry and stud frame, 10mm standard plasterboard internally;
- Double brick cavity Construction – 2 leaves of 110mm brickwork separated by 50mm gap;
- Roof – Pitched concrete or terracotta tile or metal sheet roof with sarking, 10mm plasterboard ceiling fixed to ceiling joists, R2 insulation batts in roof cavity;
- Entry door – 40mm solid core timber door fitted with full perimeter acoustic seals;
- Floor – 1 layer of 19mm structural floor boards, timber joists on piers, or concrete slab on ground;
- Ducted air conditioning and/or ventilation is to be provided to all living rooms and bed rooms.



## **Mid-Western Regional Local Environmental Plan 2012 (LEP)**

The land is zoned R1 General Residential pursuant to the Mid-Western Regional Local Environmental Plan 2012. The proposal can be achieved and is consistent with Clause 4.1 Minimum subdivision lot size of the LEP.

The Zone Objectives have been considered below -

### **1 Objectives of zone**

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

The subdivision will deliver lots that will allow for future development of dwellings in turn providing for the housing needs of the community. The lots are of a size to allow the future development of single dwellings and attached dual occupancy.

The relevant Clauses of the LEP have been considered below:

#### *Clause 4.1 Minimum subdivision lot size*

The lot sizes range from 602m<sup>2</sup> to 2080m<sup>2</sup>. Council's DCP requires the following setbacks for single dwellings and dual occupancy; 4.5m to the building line, 5.5m to the garage, 900mm to the side and rear boundaries and 2m to the side boundary for corner lots. It is considered these setbacks can be achieved on the proposed lots facilitating future residential development.

All lots are above the minimum size shown on the Lot Size Map.

It should be noted that proposed Lot 18 measures 1645m<sup>2</sup> however is of a shape not suitable for multi dwelling housing. Council's DCP stipulates lots sizes should be greater than 1200m<sup>2</sup> and have a frontage width greater than 25 metres, therefore the site is again not suitable for multi dwelling housing. A suitable condition is included within the recommendation stating a restriction on the use of the land to alert future purchasers as to the development potential of the lot being limited to a dual occupancy.

#### *Clause 6.1 Salinity*

The site is not mapped as being subject to salinity; however the Mid-Western Local Government Area is generally prone to dry land salinity. The proposed subdivision would not alter the salinity risk associated with the development.

#### *Clause 6.3 Earthworks*

The development is not proposing any additional earthworks in terms of filling land other than that what is necessary for construction purposes such as road pavement. The development is considered acceptable and compatible with the provisions of this clause.

#### *Clause 6.4 Groundwater Vulnerability*

The development is affected by groundwater vulnerability but it is not anticipated that the development would increase the risk of groundwater contamination or affect groundwater systems.

#### *Clause 6.9 Essential Services*

Development consent must not be granted unless the consent authority is satisfied that essential services for the proposed development are available or that adequate arrangements have been made to make them available when required. Due to the sites location, adjoining the urban area and suitable conditions included within the recommendation this Clause can be satisfied.

### Mid-Western Regional Development Control Plan 2012 (DCP)

#### Part 7 - Urban Subdivision

| <b>Part 7.1 Urban Subdivision</b> | <b>Requirement</b>   | <b>Compliance/Comment</b>   |
|-----------------------------------|--|---|
| Applies to                        | land zoned residential village zones<br>rural residential lots up to 2 hectares  | Yes, the land is zoned General Residential - R1   |
| Lot size                          | Minimum lot size as determined by MWRC LEP 2012 (600m <sup>2</sup> ).<br><br>All lots have street frontage.<br><br>lots increase in size relative to slope as follows:<br><br>0-10 degrees: 600m <sup>2</sup><br>10-15 degrees: 700m <sup>2</sup><br>15-20 degrees: 800m <sup>2</sup><br>>20: subdivision prohibited<br><br>all lots have 16m width at building line in residential and village zones.<br><br>battle-axe handles in R1, R3 & RU5 Village have width of 4m.<br><br>battle-axe handles in R2 & R5 residential zones have width of 6m | Yes.<br><br>All lots have frontage to a public road, two have frontage via a battle axe handle<br><br>The slope of the land does not exceed 10 degrees.<br><br>Yes<br><br>The battle-axe handles achieve the appropriate width. |
| Lot Design                        | For infill subdivision lot orientation maximises solar access and takes account of existing pattern of development.<br><br>For new release subdivision lot orientation maximises solar access by maximising north-south lots.  | N/A<br><br>All lots that front Fairydale Lane have a north-south orientation. Due to the irregular shape of the site the remainder of the lots don't have a strict north-south orientation, however are considered appropriate. |

| Part 7.1 Urban Subdivision | Requirement   | Compliance/Comment   |
|----------------------------|---|--|
|                            | For new release subdivision east-west orientated lots have increased width and midpoint.                                | Eight of the forty five lots have an east west orientation; these lots are greater in area.  |
|                            | Lots generally rectangular in shape.  | The development includes a majority of rectangular lots. Lot 39 is squarer in shape and located on a corner making it suitable for the future development with a dual occupancy. |
|                            | Lots on southern side of road provide greater frontage width for better solar orientation of future dwelling.           | Yes  |
|                            | corner lots have sufficient area to allow dual occupancy and independent utility connection points.                     | Yes  |
| Street Layout & Design     | Traffic Impact statement submitted for 5+ lots  | Assessment carried out by Council Engineering staff.   |
|                            | Traffic Impact Statement submitted for all subdivisions where new road required.  | The Statement of Environmental Effects details an expected traffic generation for the development  |
|                            | Subdivision integrates with existing residential area.  | A concept subdivision plan has been prepared by Council and consultation with landowners undertaken to ensure this subdivision and future subdivisions are integrated.           |
|                            | New roads must provide "through road" connections to surrounding roads and road heads where they exist in the locality. | Yes, 'through roads' have been provided.   |
|                            | Where cul-de-sac treatment unavoidable pedestrian linkages between streets provided.                                    | No cul-de-sacs have been proposed.   |
|                            | multiple cul-de-sacs and "no through roads" discouraged.  | No cul-de-sacs have been proposed.   |
|                            | maximum number of lots in cul-de-sac is 12 lots.  | N/A  |

| <b>Part 7.1 Urban Subdivision</b>   | <b>Requirement</b>   | <b>Compliance/Comment</b>  |
|-------------------------------------|--|--|
|                                     | Subdivision >80lots should not require backtracking.   | N/A  |
| Road Standards for New Development. | Urban Road Standards required.   | Yes.   |
|                                     | 1x1.2m footpath, barrier kerbing.  | Yes  |
|                                     | Commercial & Industrial Subdivision Roads: 22m road reserve, 13m carriageway, 2x4.5m nature strip, 1x1.2m footpath, barrier /roll over kerbing.                    | N/A  |
| Cycle ways and footpaths            | Cycle ways and pedestrian networks included in new subdivisions.   | Concrete footpaths will be provided to Fairdale Lane and within road reserves of the new roads of the subdivision. |
|                                     | If subdivision site identified in council cycleway plan or pedestrian strategy subdivision needs to respond to strategy.   | N/A  |
|                                     | New subdivisions provide direct, convenient and safe access to major facilities.   | Yes  |
|                                     | Cul-de-sacs may be required to include 10m wide shared overland flow/pathway.  | N/A  |
|                                     | Developer to provide contribution to council for installation of cycle ways and footpaths prior to release of subdivision certificate.                             | N/A  |
| Open Space                          | Greenfield sites >20 lots ensure that lots are <400m from local park, playground or passive open space.  | Yes, Jubilee Park  |
|                                     | Where on-site detention basins double as open space must include raised level area which incorporates playground or fitness equipment etc and shading landscaping. | N/A  |
| Landscaping                         | Landscape plan provided detailing treatment of public domain.  | N/A  |
|                                     | Land dedicated as public reserve   |  |

| <b>Part 7.1 Urban Subdivision</b> | <b>Requirement</b>   | <b>Compliance/Comment</b>  |
|-----------------------------------|--|--|
|                                   | top soiled, levelled, turfed prior to release of subdivision certificate and maintained by developer for period of two years.            | N/A  |
| Street Trees                      | 2 street trees provided per lot.   | Yes  |
|                                   | Developer provides levy to council to provide these trees after 80% of works carried out.  | N/A  |
| Utility Services                  | servicing plan submitted showing provision of underground electricity, sewer, water, drainage and telecommunications to the development. | Lots to be connected to reticulated water, sewer, electricity and telecommunications.  |
|                                   | Evidence of consultation with relevant authorities submitted with application.   |  |
| Drainage                          | As per Section 5.3 Stormwater & Drainage.  | Water quality treatment required as a condition of consent. No onsite detention required as the applicant will pay section 94 contributions for community basins as the land is within Catchment 2A. |

### Section 94 Developer Contributions Plan

The subject land is within Catchment 2 of the Section 94 Contribution plans. As the proposal is for a residential subdivision, a contribution of \$6,407.00 for each additional allotment is required.

#### Stage 1:

|                      |               |
|----------------------|---------------|
| Transport Management |               |
| Traffic Management   | 17,078        |
| Open Space           | 0             |
| Local Open Space     | 26,792        |
| District Open Space  | 36,353        |
| Community Facilities | 0             |
| Library Buildings    | 3,508         |
| Library Resources    | 4,202         |
| Administration       | 0             |
| Plan Administration  | 8,173         |
| <b>TOTAL</b>         | <b>96,105</b> |

#### Stage 2:

|                      |        |
|----------------------|--------|
| Transport Management |        |
| Traffic Management   | 33,017 |
| Open Space           | 0      |
| Local Open Space     | 51,798 |
| District Open Space  | 70,282 |
| Community Facilities | 0      |
| Library Buildings    | 6,782  |
| Library Resources    | 8,124  |
| Administration       | 0      |

|                     |                |
|---------------------|----------------|
| Plan Administration | 15,800         |
| <b>TOTAL</b>        | <b>185,803</b> |

In addition, the subject land is within Catchment 2A and is required to pay a contribution per lot of \$5003.79 towards community detention basins.

### **Water and Sewer Development Servicing Plan**

The development proposal also attracts developer contributions under the Development Servicing Plan for the provision of water and sewer to the development. Water contributions and sewer contributions are \$8,033.00 and \$3,668.00 respectively.

|                    |            |
|--------------------|------------|
| Stage 1 (16 lots): |            |
| Water Headworks    | \$ 132,546 |
| Sewerage Headworks | \$ 58,872  |
| Total Payable      | \$ 191,418 |
| Stage 2 (29 lots): |            |
| Water Headworks    | \$ 222,918 |
| Sewerage Headworks | \$ 103,992 |
| Total Payable      | \$ 326,910 |

The developer will also be responsible for the full cost of the extension and/or adjustment of the existing services to provide services to the newly created lots.

## *2. IMPACT OF DEVELOPMENT*

### **(a) Context and Setting**

The proposed development consists of a two stage subdivision of a 5 hectare allotment into 45 allotments ranging in size from 602m<sup>2</sup> to 2080m<sup>2</sup>. The development is located on the north western side of Mudgee on the periphery of the urban area with frontage to Fairydale Lane.

The development site is bound by Fairydale lane to the north and the rail corridor to the south west. The surrounding development includes small scale agriculture and the urban development of Bellevue Estate over the rail corridor.

The proposed development is considered acceptable and unlikely to create any significant issues.

### **(b) Access, transport and traffic**

Access to the site is from Fairydale Lane. Suitable conditions have been included within the recommendation regarding the upgrade of Fairydale Lane and specific standards of the proposed new roads.

The proposed development would not significantly impact on the road network and the local road network is considered to be capable of accepting traffic from the development.

### **(c) Utilities**

Water and sewer mains are required to be extended to service the development.

Electricity and telecommunication services can be connected to the subject site.

**(d) Heritage**

A Cultural Heritage assessment was carried out on the subject site and found no items of places of cultural significance which would be affected by the development.

**(e) Other land resources**

The development proposal would not alter the impact or effect on other land resources.

**(f) Water**

All lots will be capable of draining to the road and water quality treatment will be required as part of the drainage infrastructure. The development is located within Catchment 2A pursuant to the Section 94, therefore Section 94 will be levied towards to construction of a community detention basin.

**(g) Soils**

Contamination risk and salinity have been addressed above in the report.

**(h) Air and Microclimate**

The development will not adversely affect air quality nor will the micro climate be adversely affected. During construction, there is the likelihood of limited impact, however this can be mitigated by dust suppression.

**(i) Flora & fauna**

The subject land will be cleared of existing vegetation. Supplementary information (flora survey) was submitted by the applicant to demonstrate these species are not part of an endangered ecological community.

**(j) Energy**

There are no energy concerns with this application. Proposed lots can be serviced with underground electricity.

**(m) Noise & vibration**

Noise and vibration have been previously discussed in this report.

**(n) Natural Hazards**

The site is not affected by any natural hazard.

**(o) Safety, security and crime prevention**

All lots are designed to front the public roads.

**(p) Economic and Social impact in the locality**

The provision of new residential lots will provide additional housing choice in the Mudgee area.

**(q) Site design and internal design**

The development is designed to comply with Council's DCP 2013 including the provision of services and utilities.

### 3. SUITABILITY OF SITE FOR DEVELOPMENT

#### (a) Does the proposal fit in the locality?

The proposed development will alter the locality as the site has been developed with a dual occupancy and earth moving machinery business for some time. The impacts are considered positive and will provide greater housing choice.

#### (b) Are the site attributes conducive to development?

The subject site has road frontage and good proximity to the existing urban area making the site conducive to the development.

### 4. SUBMISSIONS MADE IN ACCORDANCE WITH ACT OR REGULATIONS

#### (a) Public Submissions

The application was notified to adjoining owners and advertised in the local newspaper with the public exhibition period ending on the 10 March 2014. No submissions were received.

#### (b) Submissions from public authorities

##### **John Holland - Country Regional Rail Network**

The application was referred to the John Holland who manages the Country Regional Network railway lines. It was requested Council consider noise, vibration, fencing and stormwater as per the SEPP (infrastructure) 2007. Council considered the SEPP and a suitable condition is included within the recommendation detailing a restriction as to user specifying the particular construction standards required to achieve –

(a) *in any bedroom in the building—35 dB(A) at any time between 10.00 pm and 7.00 am,*

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

This is the same restriction placed on the allotments adjoining the rail corridor of the Winter Street subdivision.

### 5. THE PUBLIC INTEREST

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

N/A

### 6. CONSULTATIONS

#### (a) Health & Building.

No objection subject to conditions included within the recommendation.

#### (b) Development Engineer.

No objection subject to conditions included within the recommendation.



## Financial and Operational Plan implications

Not applicable.

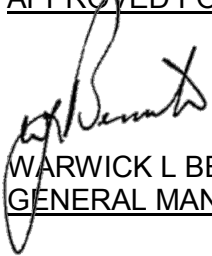
## Community Plan implications

The assessment of the development application sits under theme 1 Looking after our Community, Goal 1.1 – A safe and Healthy Community.

ELIZABETH STONEMAN  
SENIOR TOWN PLANNER

*Attachments:* 1. Locality Plan  
2. Subdivision Plan  
3. Concept Subdivision Layout for Locality

APPROVED FOR SUBMISSION:



WARWICK L BENNETT  
GENERAL MANAGER



Map Scale: 1:2,955



**Development Application: DA0249/2014**  
**Property Address: 17-29 Fairydale Lane, Mudgee**  
**Legal Description: Lot 2 DP 538790**







## 6.2.3 DA0326/2014 – Proposed Staged Development - Dwelling – Lot 313 DP 1183266, 52 Lue Road Milroy

REPORT BY SENIOR TOWN PLANNER TO MAY 21 COUNCIL MEETING

da0326\_2014\_Lue Road\_Staged Dwelling

GOV400038, DA0326/2014

### RECOMMENDATION

#### That:

1. the report by the Senior Town Planner on Development Application 0326/2014 for the staged development of a dwelling on Lot 313 DP1183266 52 Lue Road, Milroy be received;
2. That Development Application 0326/2014 for the staged development of a dwelling on Lot 313 DP1183266 52 Lue Road, Milroy be refused for the following reasons;
  1. The proposed development for a dwelling to be located within the High Flood Risk Precinct is inconsistent with the Mid-Western Regional Development Control Plan Clause 5.2 Flooding – Development Controls Matrix 2 that does not support residential development in the high risk precinct.
  2. The proposed development for a dwelling to be located within the High flood risk Precinct is inconsistent with Clause 6.2 (1) of the Mid-Western Regional LEP 2012 as the development does not meet the objectives of the clause to minimise risk to life and property associated with flooding.
  3. The proposed development for a dwelling to be located within the High flood risk Precinct is inconsistent with Clause 6.2 (3) of the Mid-Western Regional LEP 2012 as the development is incompatible with the flood hazard, does not incorporate measures to reduce risk and may result in unsustainable social and economic costs to the community as a consequence of flooding.
  4. The proposed development for a dwelling to be located within the High Flood Risk Precinct is inconsistent with the Mid-Western Regional Development Control Plan Clause 5.2 Flooding Development Control, Performance Criteria (c) as a reliable access is not available for evacuation.
  5. The proposed development fails to provide a suitable road access which is inconsistent with the Clause 6.9 Essentials Services of the Mid-Western Regional Local Environmental Plan 2012 as Council cannot be satisfied that emergency services can adequately access the site during a flood event or that the future inhabitants will have suitable means of access during flood/storm events.
  6. The proposed development for a dwelling with a front setback of 30 metres is inconsistent with the Mid-Western Regional Development Control Plan Clause 6.1 Dwellings in Rural Areas as the setback standard of 60 metres as it will degrade the existing open visual amenity of the locality.

7. **The proposed development is not considered to be in the public interest as it will increase the costs to the community during flood events and may lead to further development on the floodplain.**
8. **The applicant has failed to demonstrate that the intensive plant agriculture use has sufficient water supply which is inconsistent with clause 4.2B of the Mid-Western Regional LEP 2012 and the Comprehensive DCP 2013 Part 6.1.**

## Executive summary

|   |                               |
|---|-------------------------------|
| <b>APPLICANT:</b>                       | MR TOM ADAMS                  |
| <b>ESTIMATED COST OF DEVELOPMENT:</b>   | N/A                           |
| <b>REASON FOR REPORTING TO COUNCIL:</b> | INCONSISTENT WITH LEP AND DCP |
| <b>PUBLIC SUBMISSIONS:</b>              | 0                             |

The proposed development relates to the staged development for a dwelling house on Lots 313 1183266. The proposal seeks to establish the legal entitlement to erect a dwelling house.

Lot 313 DP 1183266 measures 20.18 hectares and is zoned RU4 Primary Production Small Lots. The subject site is developed with an existing shed and has frontage to Lue Road.

The subject site is wholly located within the high flood risk precinct. Since the adoption of the Mudgee Floodplain Management Study and Plan in 2002 no dwellings have been approved within the high flood risk precinct.

The applicant has stated a dwelling was once located on the adjoining lot to the west (Lot 311 DP 1175652 and that the dwelling was occupied until 1967. It should be noted the applicant does not own this lot. The dwelling no longer exists on that lot. It is not known to what extent the dwelling was affected by the 1955 flood and Council has more up to date information with the adoption of the Mudgee Floodplain Management Study and Plan.

The application was notified to adjoining land owners and an advertisement placed in the local press accordance with Part 1.10 of the DCP. Several enquiries were made and when advised that the site was located within the high hazard flood area, no formal submissions were received.

The proposed development has been assessed against the provisions of Councils Local Environmental Plan (LEP) 2012 and Comprehensive Development Control Plan 2013 (DCP 2013). The proposed development is inconsistent with the flood standards contained in the LEP 2012 and DCP 2013.

The application is being reported to Council for refusal due to the significant inconsistencies with the LEP 2012 and DCP 2013 as the proposal is located in the high hazard flood precinct.

## Detailed report

### *1. REQUIREMENTS OF REGULATIONS AND POLICIES:* **State Environmental Planning Policy (Rural Lands) 2008**

The applicable Rural Planning Principles are as follows:

*(d) in planning for rural lands, to balance the social, economic and environmental interests of the community,*

Comment: Supporting the development within the high flood risk precinct is not in the interest of the community as it will result in increased economic and social costs through increased risk to life and property during flooding events.

*(g) the consideration of impacts on services and infrastructure and appropriate location when providing for rural housing*

Comment: Supporting such a development without a flood free access would place greater burden on emergency services during a flood event.

### **Mid-Western Regional Local Environmental Plan 2012 (LEP)**

The land is zone RU4 Primary Production Small Lots dwellings are permissible with the consent of Council.

The Zone Objectives have been provided and considered below -

- *To enable sustainable primary industry and other compatible land uses.*
- *To encourage and promote diversity and employment opportunities in relation to primary industry enterprises, particularly those that require smaller lots or that are more intensive in nature.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To ensure that land is available for intensive plant agriculture.*
- *To encourage diversity and promote employment opportunities related to primary industry enterprises, particularly those that require smaller holdings or are more intensive in nature.*

Comment: The applicant has generally addressed the objectives of the Zone; however this does not provide a justification for the support of a dwelling in the high hazard flood precinct.

The relevant Clauses of the LEP have been considered below:

#### *4.2A Erection of dwelling houses and dual occupancies on land in certain zones*

*(3) Development consent must not be granted for the erection of a dwelling house or dual occupancy on land in a zone to which this clause applies, and on which no dwelling house or dual occupancy has been erected, unless the land:*

*(a) is a lot that is at least the minimum lot size shown on the Lot Size Map in relation to that land,*

Comment: The subject site measures 20.18 hectares which meets the minimum lot size.

#### *4.2B Dwelling houses on land in Zone RU4 Primary Production Small Lots*

*(1) The objective of this clause is to ensure that dwelling houses are erected only where they support the permitted agricultural use of the land.*

Comment: Due to the site proximity to the town of Mudgee the necessity of a dwelling to be located on site is questionable.

*(2) Development consent must not be granted for the erection of a dwelling house on land in Zone RU4 Primary Production Small Lots unless the consent authority is satisfied that:*

*(a) the land is being used, or is intended to be used, for the purpose of intensive plant agriculture, and*

Comment: The applicant has stated the land will be used for irrigated lucerne; however the details of the water licence provided fail to demonstrate the volume of water available.

*(b) the dwelling house will be required to support the carrying out of the intensive plant agriculture or the irrigation of pasture and fodder crops, and*

Comment: Due to the site close proximity to the town of Mudgee the necessity of a dwelling to be located on a site with such significant hazard is questionable.

*(c) the dwelling house is not likely to cause any land use conflict with existing agricultural uses being undertaken on neighbouring properties in the zone, and*

Comment: The proposed dwelling location is close to the eastern boundary. The location is determined by the highest point on site; this location close to this boundary limits the opportunity for effective buffers.

*(d) services for the supply of water and electricity to support that agricultural use are available or adequate arrangements have been made to make them available when required.*

The details of the water licence provided fail to demonstrate the volume of water available.

#### *Clause 6.2 Flood Planning*

*(1) The objectives of this clause are as follows:*

- (a) to minimise the flood risk to life and property associated with the use of land,*
- (b) to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change,*
- (c) to avoid significant adverse impacts on flood behaviour and the environment.*

*(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development:*

- (a) is compatible with the flood hazard of the land, and*
- (b) is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and*
- (c) incorporates appropriate measures to manage risk to life from flood, and*
- (d) is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and*
- (e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.*

The land is located within the High Flood Hazard Precinct.

Since the adoption of the Mudgee Floodplain Management Study and Plan no dwellings have been approved within the high flood risk precinct. Council made the decision in 2002 to adopt the Floodplain Management Study and Policy to reduce the risk to life and property on land affected by flood hazard.



The 1 in 100 year flood event is the flood planning level. Council's DCP requires that finished floor levels are to be 500mm above the flood planning level. The natural ground level of the proposed dwelling location is 470mm below the flood planning level. This would result in a dwelling being building upon a 970mm mound only 30 metres from Lue Road.

In addition no flood free access can be achieved to and from the site. During a 1 in 100 year flood event, at the subject site Lue Road would be under water by approximately 500mm and up to 1.5 metres of water at the intersection with Ulan Road.

A flood free access cannot be achieved and therefore during flood events will place a greater demand on emergency services and in turn costs to the community.

*Clause 6.9 Essential Services*

Development consent must not be granted unless the consent authority is satisfied that essential services for the proposed development are available or that adequate arrangements have been made to make them available when required. The clause requires that all development have a suitable road access; i.e. flood free access. A flood free access cannot be achieved, therefore Council cannot be satisfied that emergency services can adequately access the site during a flood event.

**Mid-Western Regional Development Control Plan 2012 (DCP)**

**Part 5.2 Flooding**

The DCP provides a matrix of land uses and their appropriateness in the three hazard precincts; low, medium and high. All residential development is excluded in the high flood risk precinct; therefore the DCP does not stipulate provisions for the development of any residential development in the high flood risk precinct.

| <b>Part 5.2 Flooding</b> | <b>Requirement</b>  | <b>Compliance/ Comment</b>   |
|--------------------------|---|--|
| Flood Risk Precincts     | High and Medium Flood Risk  | Dwellings are not permitted in high hazard precinct.   |
| Development Control      | Performance Criteria<br>(a) The proposed development should not result in any increased risk to human life.<br><br>(b) The additional economic and social costs which may arise from damage to property from flooding should not be greater than that which can reasonably be managed by the property owner and general community.<br><br>(c) The proposal should only be permitted where effective warning time and reliable access is available for the evacuation of an area potentially affected by floods, where | Flood free access cannot be achieved, so risk to human life cannot be determined.<br><br>A dwelling located in the floodplain will increase community costs through the use of emergency services, insurance and reconstruction costs after flood affectation.<br><br>A reliable access cannot be achieved. Warning time for the Cudgegong River is about 8 hours. |

| Part 5.2 Flooding       | Requirement  | Compliance/ Comment  |
|-------------------------|--|--|
|                         | likely to be required.   |  |
|                         | (d) Development should not detrimentally increase the potential flood affectation on other development or properties.  | The development will marginally increase the flood affectation on other properties.                            |
| Fill                    | Earthworks that change the nature of a watercourse and have the potential to affect upstream or downstream properties is not permitted.  | The development will require almost 1 metre of fill and therefore will impact on up and down stream properties |
|                         | This standard applies to watercourses in the high hazard flood risk precinct.  |  |
| Development Application | Applications must include information which addresses all relevant controls listed above, and the following matters as applicable.   | Not satisfactorily addressed.  |
| Survey Plan Details     | Development applications for Flood Prone Land shall be accompanied by a survey plan showing:-  |  |
|                         | (a) The position of the existing building/s or proposed building/s;  | Yes  |
|                         | (b) The existing ground levels to Australian height datum around the perimeter of the building and contours of the site;   | Yes  |
|                         | (b) The existing or proposed floor levels to Australian height datum; and  | Yes  |
|                         | (c) A reliable access route, with regular levels to Australian Height Datum along the centreline of this route, wherever development is within a high or medium flood risk precinct. | No   |
|                         | Applications for earthworks, filling of land and subdivision shall be accompanied by a survey plan (with a contour interval of 0.25m) showing relative levels to Australian height   | No   |

| Part 5.2 Flooding             | Requirement  | Compliance/ Comment   |
|-------------------------------|--|---|
| Flood Study                   | <p>datum.</p> <p>For large scale developments, or developments in critical situations, particularly where an existing catchment based flood study is not available, a flood study using a fully dynamic one or two dimensional computer model may be required.</p> <p>For smaller developments the existing flood study may be used if available and suitable (eg it contains sufficient local detail), or otherwise a one dimensional steady state flood model would normally suffice. A flood study must demonstrate that the cumulative impact of a development on flood levels for up and downstream properties is negligible.</p> | <p>Not provided.</p> <p>Not provided, an Engineers Flood Assessment is provided.</p>  |
| <b>Part 6.1 Dwellings</b>     |  |   |
| Primary Production Small Lots | <p>Business plan prepared by a suitably qualified professional detailing production costs, harvesting potential and conservative market prices</p> <p>Evidence of water licenses satisfactory for the use</p>  | <p>The application has failed to provide a Business plan.</p> <p>The applicant has failed to provide appropriate details.</p> |
| Building Setbacks             | 60 metre front setback   | The applicant is proposing a setback of 30 metres   |

## 2. IMPACT OF DEVELOPMENT

### (a) Context and Setting

The subject site is located directly north of the town of Mudgee and bound by Lue Road to the north and the Cudgegong River to the South. The site is developed with a shed.

Land adjoining to the north, east and west is also zone RU4 Primary Production Small Lots.

### (b) Access, transport and traffic

The subject site fronts Lue Road and has an existing vehicular access. As discussed above the proposal fails to provide flood free access to and from the site.

**(d) Utilities**

Electricity and telecommunication services are available in the locality.

**(e) Heritage**

A Cultural Heritage assessment was carried out on the subject site and two objects were identified along with scatters of existing resource materials such as quartz, volcanic material chert and quartzite. The SEE states the identified artefacts will not be disturbed by the nominated building envelope.

**(f) Other land resources**

The development proposal would not alter the impact or effect on other land resources.

**(h) Soils**

Contamination risk and salinity have been addressed in the provided SEE.

**(i) Air and Microclimate**

During construction of any future structure onsite, there is the likelihood of limited impact; however this can be mitigated by dust suppression.

**(j) Flora & fauna**

The subject land has been cleared. There is no significant flora or fauna on the site.

**(m) Noise & vibration**

The proposal is unlikely to significantly increase the noise impacts in the locality.

**(n) Natural Hazards**

The site is affected by flooding as discussed earlier in this report. The flooding is of such a hazard that the DCP does not facilitate residential development within the high flood hazard risk precinct.

**(q) Economic and Social impact in the locality**

A flood free access cannot be achieved and therefore during flood events will place a greater demand on emergency services and in turn costs to the community.

**3. SUITABILITY OF SITE FOR DEVELOPMENT****(a) Does the proposal fit in the locality?**

Existing dwellings are located within the locality however they were approved prior to the Mudgee Floodplain Management Study and Plan.

**(b) Are the site attributes conducive to development?**

No, the subject site is located within the high flood risk precinct; this site with such a significant hazard is not conducive to the proposed development.

**4. SUBMISSIONS MADE IN ACCORDANCE WITH ACT OR REGULATIONS**

**(a) Public Submissions**

No submissions.

**(b) Submissions from public authorities**

No submissions.

*5. THE PUBLIC INTEREST*

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

Supporting such development without a flood free access within the high flood risk hazard precinct is not in the public interest as it will place additional demand on emergency services during flood events.

*6. CONSULTATIONS*

Not applicable.

Financial and Operational Plan implications

Not applicable.

Community Plan implications

The assessment of the development application sits under theme 1 Looking after our Community, Goal 1.1 – A safe and Healthy Community.



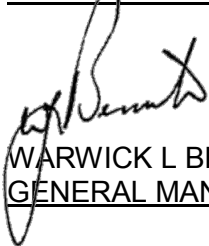
CATHERINE VAN LAEREN  
DIRECTOR, DEVELOPMENT & COMMUNITY SERVICES

SARAH ARMSTRONG  
SENIOR TOWN PLANNER

7 May 2014

- Attachments:*
1. Locality plan
  2. Proposed location of dwelling
  3. Proposed building envelope detailed on flood map (dark purple – high flood risk)

APPROVED FOR SUBMISSION:



WARWICK L BENNETT  
GENERAL MANAGER



Map Scale: 1:8,321



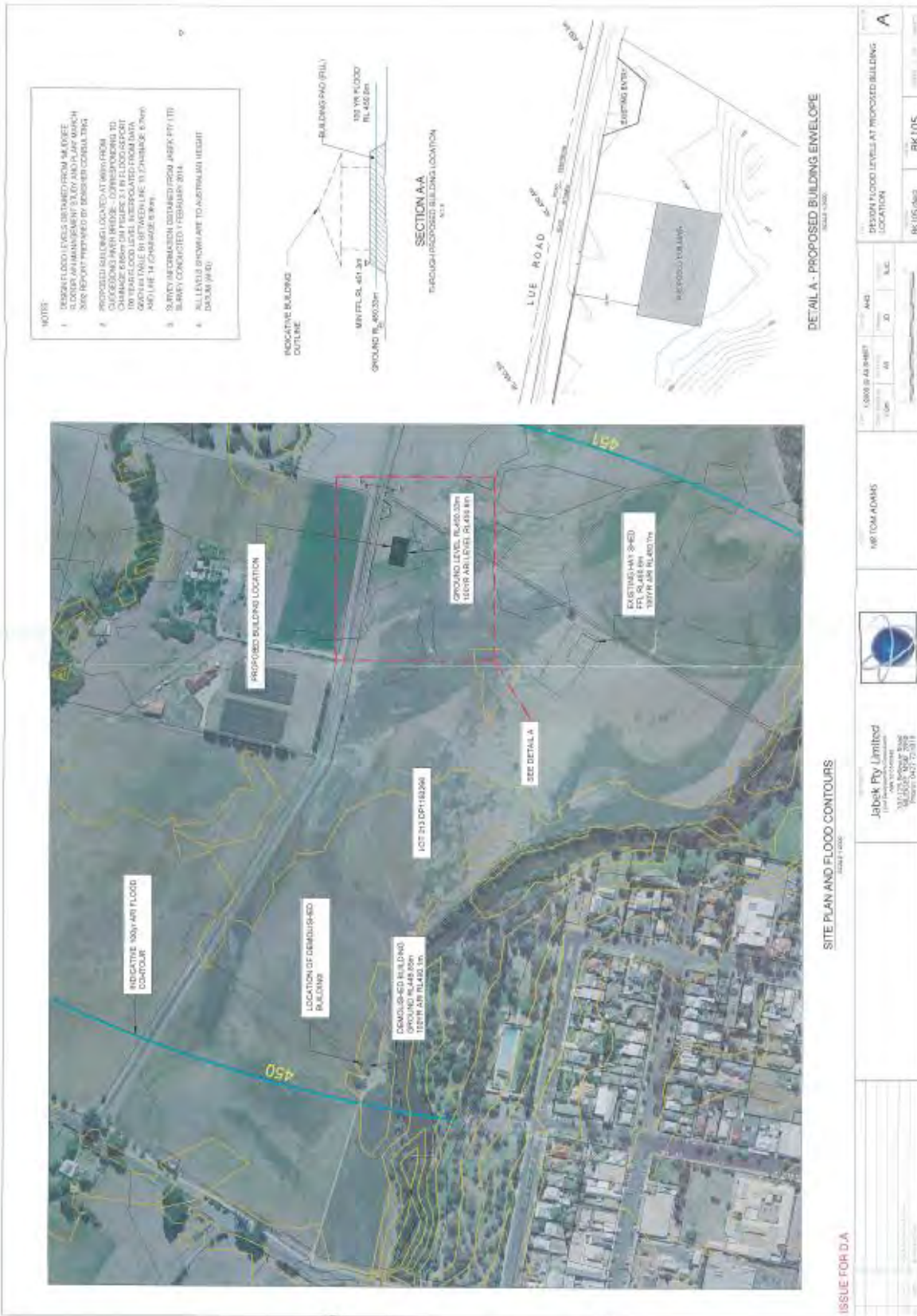
**Development Application: DA0326/2014**

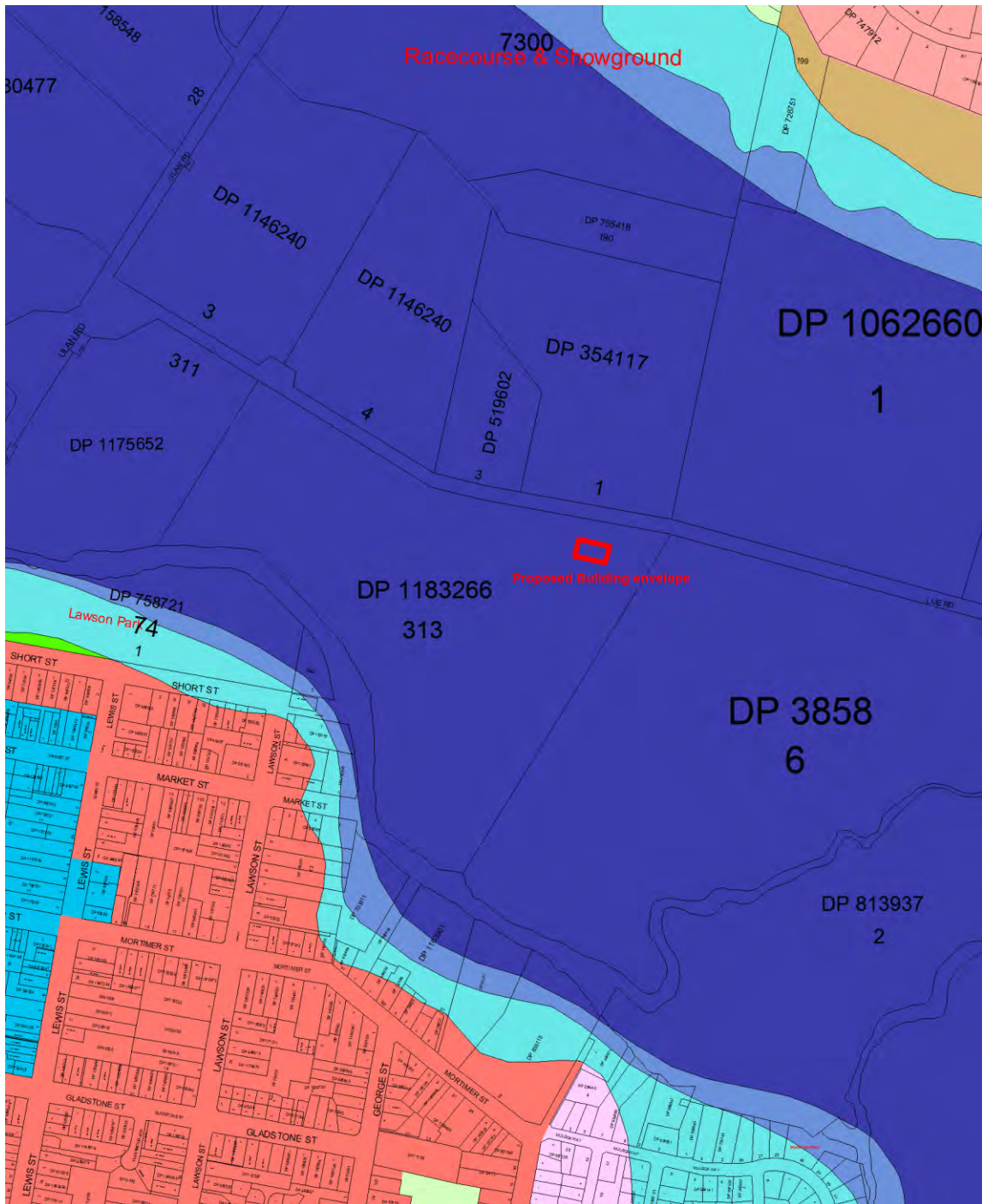
**Property Address: 52 Lue Road, Milroy**

**Legal Description: Lot 313 DP 1183266**



Wednesday, 7 May 2014





Map Scale: 1:7,455

**Disclaimer**

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

**Legend**

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





## 6.2.4 MA0080/2014 – Internal alterations to the Kandos Bi-Centennial Industrial Museum – Lots 10 & 11 Sec. 1 DP 8161, 20-24 Buchanan Street Kandos

REPORT BY THE MANAGER, STATUTORY PLANNING TO 21 MAY 2014 COUNCIL MEETING  
MA0080\_2014  
GOV400038, MA0080/2014

### RECOMMENDATION

That:

1. the report by the Manager, Statutory Planning on the MA0080/2014 – Internal alterations to the Kandos Bi-Centennial Industrial Museum – Lots 10 & 11 Sec. 1 DP 8161, 20-24 Buchanan Street Kandos be received;
2. MA0080/2014 – Internal alterations to the Kandos Bi-Centennial Industrial Museum – Lots 10 & 11 Sec. 1 DP 8161, 20-24 Buchanan Street Kandos be approved with the following conditions;

### APPROVED PLAN

1. Development is to be carried out in accordance with stamped plans and drawing forming part of application 0362/2011 received by Council on 15.06.2011 and drawings forming part of application MA0080/2014 received by Council on the 23.04.2014 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.

### GENERAL

1. Signage indicating the location of disabled parking is to be displayed at the driveway entrance to the site and adjacent to the new building entrance.
2. An entrance ramp at grade 1:14 is to be provided; the purpose being to enable wheelchair access to the building.
3. Internal upgrades to enable wheelchair access within the building are to be undertaken without compromising significant building fabric.

### HEALTH AND BUILDING

4. Submission of construction certificate  
No work is to commence until such time as Council has received a construction certificate for all the proposed works. Council or an Accredited Certifier may issue construction certificates.
5. Construction operating hours  
Site works and building works, including the delivery of materials to and from the property are to be carried out between the hours of 7.00 am and 6.00 p.m. only from Mondays to Fridays and between 8.00 am and 1.00 p.m. only on

Saturdays. No construction works or deliveries for the construction are to take place on Sundays or public holidays.

**Compliance with Building Code of Australia**

6. All building work must be carried out in accordance with the requirements of the Building Code of Australia. This includes, but is not limited to the following:
7. A second exit is to be provided to comply with Part D1.4 of the Building Code of Australia.
8. Both exits are to be constructed in accordance with Parts D1.10 and D2.13 of the Building Code of Australia.
9. Doors and latches are to comply with Parts D2.20 and D2.21 of the Building Code of Australia.
10. Handrails are to be provided to all ramps in accordance with Part D2.17 of the Building Code of Australia.
11. Two disabled car parking spaces shall be provided adjacent to the new entry of the building in accordance with part D3.5 of the Building Code of Australia.
12. Portable fire extinguishers shall be provided in accordance with Part E1.6 of the Building Code of Australia.
13. Exit signs and direction signs shall be upgraded/provided to comply with Part E4.5 of the Building Code of Australia.

**Final Fire Safety Certificate**

14. On completion of the alterations a copy of the final Fire Safety Certificate is to be provided to the Commissioner of NSW Fire Brigades, Council and a further copy is to be prominently displayed in the building.

**Annual Fire Safety Certificate**

15. For every 12 month period after the issue of the Final Fire Safety Certificate the owner/agent of the building must provide the Council with a copy of an Annual Fire Safety Certificate certifying that each specified fire safety measure is capable of performing to its specification.

**Use Of Building Not To Recommence Until Conditions Of Consent Satisfied**

16. The use of the premises is not to recommence until all terms of this consent have been satisfied.

**Salinity prevention**

17. The strength of the concrete used for the reinforced concrete floor slab must be 25Mpa.

---

## Executive summary

|   |                              |
|---|------------------------------|
| <b>APPLICANT:</b>                       | MID-WESTERN REGIONAL COUNCIL |
| <b>ESTIMATED COST OF DEVELOPMENT:</b>   | \$120,000                    |
| <b>REASON FOR REPORTING TO COUNCIL:</b> | COUNCIL APPLICATION          |
| <b>PUBLIC SUBMISSIONS:</b>              | 2                            |

Council has received an application to amend Development Consent 0362/2011 which was approved in 2011. The application sought to carry out works to improve the internal exhibition space and increase storage within the Kandos Bi-Centennial Industrial Museum.

The current application seeks to do the following works;

- Install a plywood floating floor system across the tiered stepped floor of the former church nave (Exhibition area 1);
- Install a concrete slab floor to the rear room (Exhibition area 2);
- New concrete driveway and disabled parking access.

The new floor levels will allow for a fully accessible exhibition space with access from the new side entrance.

The application was notified to adjoining owners and two submissions were received. Both submissions were in support of the application.

The application is reported to Council because the application involves Council land and Council is the applicant.

## Detailed report

### ASSESSMENT:

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

#### 1. REQUIREMENTS OF REGULATIONS AND POLICIES:

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

The land is zoned RU5 Village pursuant to the Mid-Western Regional Local Environmental Plan 2012 (LEP 2012).

##### **Objectives of zone**

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

The proposed development is considered to be not inconsistent with the objectives of the zone.

##### Clause 5.10 Heritage conservation

The subject site is listed as being an item of heritage. The application was accompanied by a Statement of Heritage impact.

The Statement of Significance is;

*“Architecturally a unique style in Australian Church architecture, American-Spanish, using local cement in the overall concrete construction.*

*Aesthetically an imposing and impressive landmark building set on a high point in town.*

*Socially this church served many Kandos residents.*

*Its contents as a museum reflect the social history of the area and the links between local history and the town.”*

The proposed works are considered relatively minor and would contribute to the overall functionality of the building by improving access to the exhibition space.

The significance is therefore unlikely to be affected by the proposed works.

#### Clause 6.1 Salinity

The site is not mapped as being subject to salinity; however the Mid-Western Local Government Area is generally prone to dry land salinity. The proposed works will be required to carry out construction works that are saline resistant.

#### Clause 6.2 Flood Planning

The land is not mapped as being affected by flooding.

#### Clause 6.3 Earthworks

The development is not proposing any earthworks.

#### Clause 6.4 Groundwater Vulnerability

The development would not affect groundwater vulnerability as all works are internal.

#### Clause 6.9 Essential Services

Essential services are already available to the development.

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

### **Mid-Western Regional Development Control Plan 2013**

There are no provisions within the DCP that are relevant to the application.

#### (c) Section 94 & 64 Contributions

There are no section 64 or 94 contributions associated with this development.

### *2. IMPACT OF DEVELOPMENT*

The subject site is listed as an item of heritage in Council's LEP 2012. The application was accompanied by a Statement of Heritage impact which concluded that the works are minor and would improve the usability and accessibility of the exhibition space within the building.

### *3. SUITABILITY OF SITE FOR DEVELOPMENT*

The site contains an existing museum and the proposed works are intended to improve access to the building.

### *4. SUBMISSIONS MADE IN ACCORDANCE WITH ACT OR REGULATIONS*

The application was notified to adjoining owners for probity reasons due to Council being the applicant.

Two submissions were received in support of the application.

### *5. THE PUBLIC INTEREST*

The application is considered to be in the public interest as it improves access to a public building.

## Financial and Operational Plan implications

Council has budgeted for these works.

## Community Plan implications

The assessment of the development application sits under theme 1 Looking after our Community, Goal 1.1 – A safe and Healthy Community.



GARY BRUCE  
MANAGER, STATUTORY PLANNING

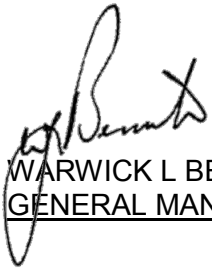


CATHERINE VAN LAEREN  
DIRECTOR, DEVELOPMENT & COMMUNITY SERVICES

9 May 2014

- Attachments:*
1. Locality Plan
  2. Floor plans
  3. Submissions
  4. Heritage Impact Statement

APPROVED FOR SUBMISSION:



WARWICK L BENNETT  
GENERAL MANAGER



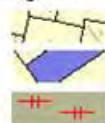
Map Scale: 1:3,489

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**Legend**



Parcel  
Crown Land  
Railway



Parish  
Localities  
LGA Boundary



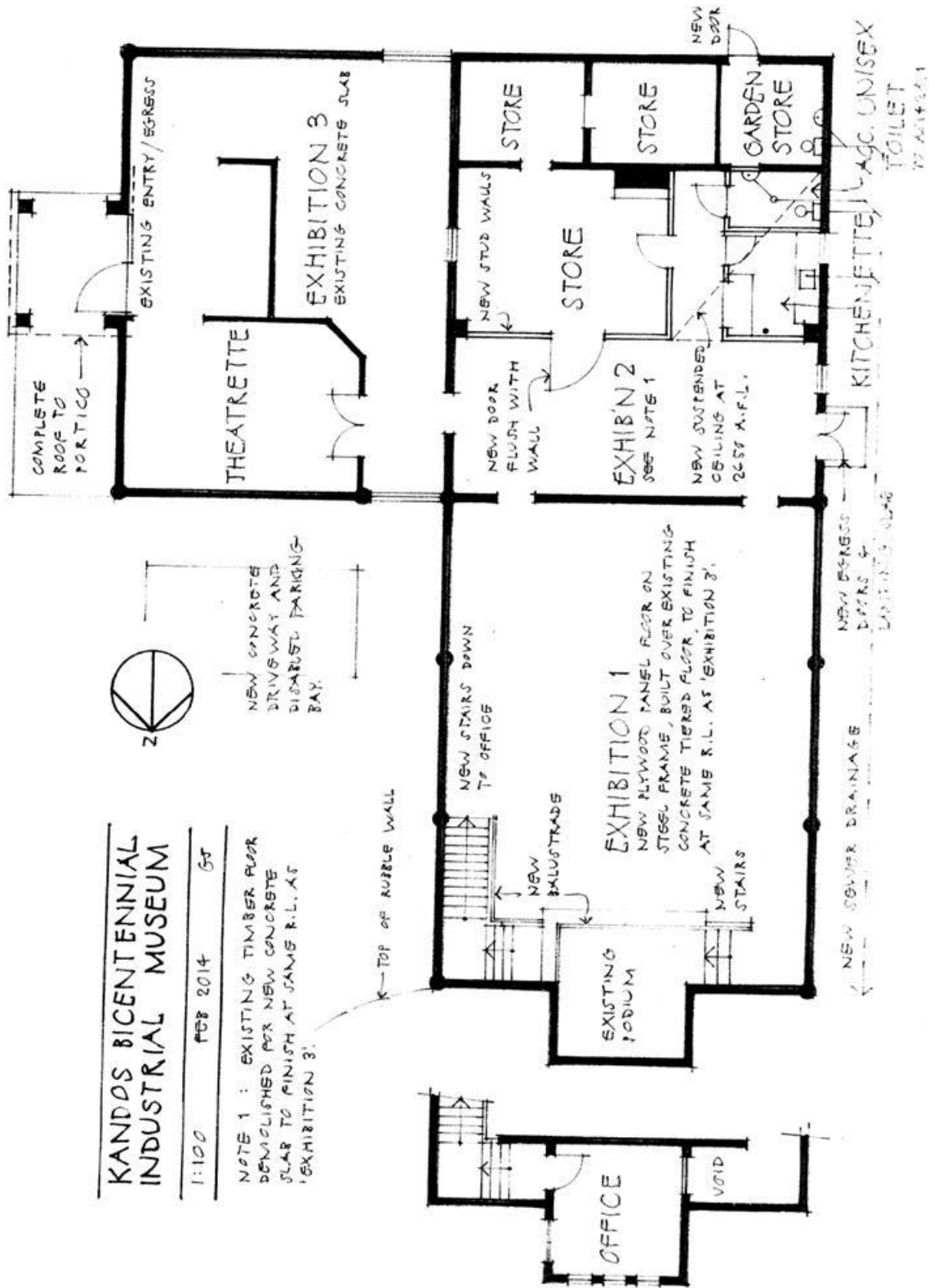
Road  
State Forest  
Waterway



NORTH



Printed on Monday, 12 May 2014



## ATTACHMENT 3

Jennifer More and James Brett Nutting  
42 Buchanan Street Kandos  
PO Box 79 Kandos 2848 NSW  
Phone 02 6379 4550  
jennymore@bigpond.com

The General Manager  
Mid Western Regional Council  
Mudgee NSW

8 May 2014

Dear Mid Western Regional Council

Re: Development application for Kandos Museum  
MA0080/2014 Proposed Internal Upgrade – Changes to Internal layout  
Lots 9, 10, 11 DP8161 Buchanan Street, Kandos

We are writing in support of this development application. The ideas proposed are appropriate for the museum and will make a significant improvement to the amenity and usefulness of the building.

In particular, we think it is a good idea to have the floor of the exhibition areas all on the same level. This will make public access more convenient and create a space that is more conducive to exhibiting and managing the museum's collection.

Yours sincerely,

Jennifer More and James Brett Nutting  
Buchanan Street  
Kandos



The General Manager  
Mid-Western Regional Council

Dear Sir,  
I write in support of the proposed development.

The indicated works will enhance the building in its role of being a museum. The building is of heritage significance and the proposed changes do not lastingly compromise that significance but they do allow for an enhanced adaptive reuse of the building, formally a church with a latterly attached hall, as a museum.

In particular the rendering of a single floor level throughout the main exhibition, storage and facility spaces will enable patrons to move readily between exhibitions and facilities enhancing the visitor experience of the museum. The proposed single floor level will also improve the operation of the museum allowing for exhibition spaces to be refreshed and exhibitions renewed or rotated. The proposal sets aside a dedicated storage facility that will allow the museum to better manage its collection.

The proposal also address the lack of suitable facilities to cater for both visitors and staff, in particular, the provision of appropriate toilet and kitchen facilities. These facilities are an operational requirement for successful operation of the museum.

The proposed development will help the museum maintain and improve its position as a cultural centre with in the Kandos Rylstone region.

Yours faithfully

Dr R.J. (Buzz) Sanderson  
Chairperson, Kandos Bicentennial Industrial Museum Inc.  
E: [buzz@esi.com.au](mailto:buzz@esi.com.au)  
M: 0417 214 522

**Kandos Bi-centennial Industrial Museum**  
**Statement of significance**  
**Statement of Heritage Impact**



Figure 1: View of Museum  
from Buchanan Street Kandos  
28<sup>th</sup> March 2014  
Report Date:

23<sup>rd</sup> April 2014

Prepared by BJ Hickson  
Architect and Heritage adviser  
PO BOX 610 Mudgee 2850

---

**INVESTIGATE SIGNIFICANCE & STATEMENT OF HERITAGE IMPACT**

**Address and property description:** of the affected heritage item or place:

22 Buchanan Street Kandos NSW

LOT 10 SECTION 1 DP 8161

---

**Owner of the proposed development site**

Mid Western Regional Council and Trustees

---

**A brief description of proposal**

The proposal consists of alterations to the existing museum building including:

Installing a plywood floating floor across the tiered stepped floor of the former church nave, (Exhibition area 1) retaining the stepped concrete floor beneath.

Installing a concrete raft or waffle pod slab to the rear room (Exhibition area 2) behind the nave to create a space for storage of heavy museum items. New suspended ceiling to Kitchenette area.

The new floor levels are to be set to match each other in order to allow full accessibility from the new side entrance of the museum.

New concrete driveway and disabled parking access.

---

## Contents

Investigate Significance .....4

Brief History.....4

Physical Description.....6

Listings .....7

Statement of significance.....7

The following plan shows the proposed works.....8

Statements of Heritage Impact (SOHI).....9

The affect of alterations and additions to this place .....9

Recommendation:.....10

References:.....10

## Investigate Significance

### Brief History

Many Scottish families with pastoral interests in sheep had settled in the district of Rylstone and Kandos (originally called Coomber Melon) gradually creating a need for a Presbyterian Church meetings and service. One of the earliest ministers in the country Presbyterian Church was Colin Stewart<sup>1</sup>, known as the 'Travelling Parson', who settled for a time at Bowenfels near Lithgow and who rode on horseback at considerable speed to cover long distances to this area.

The first record of a Methodist service in Kandos was the baptism of Frederick Carl Green in 1916<sup>2</sup>. That same year the block of land in Buchanan Street was purchased for the construction of a church. The first serving minister was the Rev Stanley Drummond, who lived in Rylstone.

In 1919 the new church was opened in Kandos. It was described as a unique flat roofed church in the Mexican Mission Style by the newspapers of the day, and was opened by the Rev. J. G. Wheen, the Methodist Conference president. It was the only church of its type in the State. The cost of the building was reported as being £1100, with a debt of £360 remaining.<sup>3</sup> The Mexican style influence is understood to have been to the design of a local American Manager of the NSW Cement, Lime and Coal Co. in Kandos, Floyd S Richards. His design dated from 1915. This style and design reflected churches from his past growing up in the USA. The cement works manager encouraged the construction of this unusual church building with the whole structure to be constructed of concrete, generally lift slab style.

Floyd S Richards donated the materials to build the church on the condition it was built in the style of a church he had suggested. The church was duly opened and a commemorative stone laid by local man James Dawson in 1919.

The Rev. Bray took services there in the 1930s.



Figure 2: The commemorative stone

<sup>1</sup> *ibid*

<sup>2</sup> Rylstone Area History of Settlement p 55

<sup>3</sup> The Sydney Morning Herald (NSW : 1842 - 1954) Friday 26 September 1919 p 7 Article

In November 1942<sup>4</sup> it was reported that both the Rylstone and Kandos Methodist and Presbyterian church congregations had decided to effectively amalgamate<sup>5</sup>. The Synod of the Methodist Church was to write from Sydney 'expressing its complete satisfaction with the working of the united scheme in Rylstone and Kandos.'

Mr. James Dawson of Henbury, Kandos, who had officiated at the opening, died at his residence in Jan 1937, at age 83 years.

The church services ended and the building closed as a church in 1970 with the amalgamation of the uniting, Methodist and Presbyterian churches creating a surplus of church facilities.

In 1981 the building reopened as coffee shop and drop in centre until late 1982. Today the former church is used as a museum. This was established with bicentennial grant money covering alterations and additions. It was opened by Mr. David Berry on 30<sup>th</sup> November 1988.



Figure 3: The Bicentenary Plaque

The Collections Australia website describes the Museum as having a strong focus on the Cement industry based in this shire. It is possibly the only Museum in the state to collect, record and present the history and development of the cement industry. There are other collections relating to the domestic, agricultural, leisure, communications and transport history of the area. An extensive photograph collection together with written records relating to the development of Kandos in particular and of the Rylstone Shire in general has been gathered since the Museum's inception in 1988 as the major Bicentennial project for Rylstone Shire.<sup>6</sup>

<sup>4</sup> The Grenfell Record and Lachlan District Advertiser (NSW : 1876 - 1948) Monday 16 November 1942 p 4 Article

<sup>5</sup> The Grenfell Record and Lachlan District Advertiser (NSW : 1876 - 1948) 16 November 1942 p 4 Article

<sup>6</sup> <http://www.collectionsaustralia.net/org/178/about>



Figure 4 : External east side view showing some collection items

### Physical Description

This is a simple but imposing rectangular reinforced slip-form concrete building with a flat roof and prominent square front tower. The tower is an open structure with arched openings set above the entry porch and sanctuary area. There are three arched window openings the tower in the porch, and an arched entry door. Decorative wrought iron screens cover the porch windows. These features give the building is 'Spanish' aspects. The tower is only decorative and is inaccessible.

Highlight windows line the sides of the church which is divided into 3 bays. The windows have multi-coloured small paned glazing, 12 lites per pane.

The walls are paint finished, but this probably dates from the 1988 alterations.



Figure 5 above  
Multi-paned highlight windows

Figure 6 left  
The front entry to the building

The Commemorative stone is located near the front entrance porch.

Set into a steeply sloping block the church entry porch is on the lower ground with access via a ramp to a stepped concrete nave and the altar area. The porch and altar are sited at the north end of the building.

Additions to then rear and side of the building have been added in a generally sympathetic form. The original flat roof has been roofed over with metal deck after roof leakages became a problem.



Figure 7: The original flat roof of the museum, now covered over with a pitched metal lined roof. (Dept of Environment image- copyright)

There have been two major additions to the building. The first to the rear or south side, the second to the eastern side (1998). Other additions are the possible construction of a ceiling in the 1950s.

### Listings

The Kandos Bicentennial Industrial Museum is listed on the Mid Western Regional LEP

### Statement of significance

Architecturally a unique style in Australian Church architecture, American- Spanish , using local cement in the overall concrete construction.

Aesthetically an imposing and impressive landmark building set on a high point in the town.<sup>7</sup>

Socially this church served many Kandos residents.

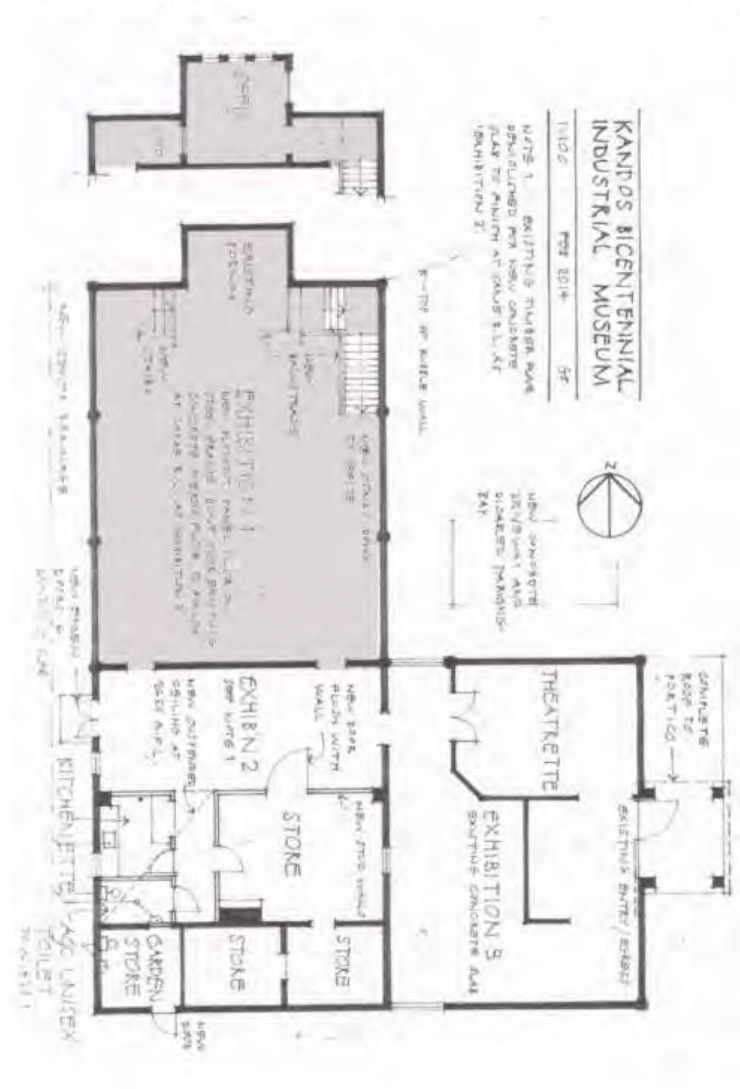
Its contents as a museum reflect the social history of the area and the links between local industry and the town.

<sup>7</sup> Heritage Branch Web site



**The following plan shows the proposed works. (Dated Feb 2014)**

The area shaded light grey indicates the original and most significant area of the building being the original church structure.



Plan by KBIM Interim Committee member Gregory Sky; B.Arch FRAIA

## Statements of Heritage Impact (SOHI)

By 'impact' the report covers any effect that may alter the historic significance of a place. It can be a visual or physical effect. It can be a small effect or large. Having an 'impact' on a heritage item or place does not mean that such a proposal cannot proceed. The description of the impact will enable council staff to determine whether to approve such a development, and if the impact is acceptable.

### The affect of alterations and additions to this place

|  |   |
|--|---|
| <b>1. why the item is of heritage significance</b>                               | Architecturally a unique style in Australian Church architecture, American- Spanish , using local cement in the overall concrete construction. An imposing and impressive landmark building set on a high point in the town. <sup>8</sup><br>Socially this church served many Kandos residents.<br>Its contents as a museum reflect the social history of the area and the links between local industry and the town.   |
| <b>2. what positive impact will the proposed works have on its significance.</b> | The building will be better able to serve the community in its capacity as a museum and a community accessible facility with disabled access.   |
| <b>3. what negative impact will the proposed works have on its significance.</b> | These alterations are generally affecting no significant fabric, however the tiered floors of the original church will be hidden from view.<br><br>A new concrete floor will be laid in Exhibition area 2   |
| <b>4. what measures are proposed to mitigate the negative impacts</b>            | The tiered floors of the original church will not be altered by the works, simply not longer able to be seen. An interpretive panel with a photograph of the floor as it exists now and an explanation will mitigate the negative effects.<br><br>This floor can be exposed again at some time in the future if required.<br><br>The new concrete floor will be laid in Exhibition area 2 is to be physically separated from the wall of the original fabric. Then if this floor is altered damage will not be incurred to the original wall. |
| <b>5. why were more sympathetic solutions not viable.</b>                        | The tiered floors of the original church could be retained in view but this severely limits accessibility . .<br><br>A timber floor could be retuned and or replaced in Exhibition area 2 but this would not enable heavy museum loads to be applied and is not part of the original fabric. Concrete is an appropriate choice of material and if this floor had been part of the original plan it would  |

<sup>8</sup> Heritage Branch Web site

|  |  |
|--|--|
|  | have been constructed in concrete.   |
| <b>6. Demolition</b>   | No demolition to original fabric is proposed and only minor demolition elsewhere   |
| <b>7. Has the advice of a heritage consultant been sought?</b> | Yes.   |
| <b>8. Additions</b>  | No additions are proposed  |
| <b>9. Tree removal</b>   | One tree is to be removed. It is a mature conifer nearing the end of its life. Its removal will assist parking manoeuvrability. Other large trees such as a Lemon Scented Eucalypt are being retained. |
| <b>10 Streetscape</b>  | No change  |

### Recommendation:

- π The plans as proposed form a good proposal that will retain significance and allow maximum accessibility.
- π An interpretation sign should be placed on the wall of the original nave explaining the current changes to that space.
- π The new concrete slab should be physically separate from the original back wall of the nave.
- π As with any building of this level of significance a CMP to cover any future work should be considered in the future.

### References:

- π Rylstone Area History of Settlement
- π Trove Newspapers : The Sydney Morning Herald, Grenfell Record and Lachlan District Advertiser
- π <http://www.collectionsaustralia.net/org/178/about>
- π The Heritage Branch of the Dept of Planning - Listings



Barbara Hickson  
Architect and heritage adviser

## 6.2.5 Planning Proposals: Yamble Close, Lot 113 DP755433 Snelson's Lane Gulgong and Lot Size for Multi-unit housing

REPORT BY THE MANAGER STRATEGIC PLANNING TO 21 MAY 2014 COUNCIL MEETING

Planning Proposals report  
GOV400038, LAN900046

### RECOMMENDATION

That:

1. **the report by the Manager Strategic Planning on the Planning Proposals: Yamble Close, Lot 113 DP755433 Snelson's Lane Gulgong and Lot Size for Multi-unit housing be received;**
2. **Council prepare a Planning Proposal to**
  - a) **amend the minimum lot size in Yamble Close to 2000m<sup>2</sup>,**
  - b) **facilitate the development of a Transport depot in Snelson's Lane Gulgong and**
  - c) **reduce the minimum lot size for Multi-unit housing from 400m<sup>2</sup> to 300m<sup>2</sup>; and**
3. **the Planning Proposal be forwarded to the Gateway for determination.**

### Executive summary

Council receives a number of Planning Proposals over the course year all of which generate a significant amount of administration in addition to the technical requirements for assessment. Recently, Mid-Western Regional Local Environmental Plan 2012 (LEP 2012) Amendment No. 7 was published. This amendments was a merging of five individual Planning Proposals which had reached conclusion around the same time prompting a decision to submit them to the Parliamentary Counsel and subsequently Planning and Infrastructure at the same time with a significant efficiency saving.

Following on from this, it is proposed that, where practical to do so and timing allows, Planning Proposal are bundled together to reduce administration and time for both staff and the proponents.

This report represents the first of such processes combining three matters into a single amendment. It is important to note that, if a particular issue threatens to delay a separate proposal, the amendment can once again be divided and those controversial issues dealt with as a separate amendment so as not to disadvantage individual proponents or proposals.

In this case the report relates to three Planning Proposals as follows:

- 1) Yamble Close – an amendment to the Lot Size Map to permit the subdivision of land within the R1 General Residential zone consistent with the former area excluded from DCP South Mudgee.
- 2) An amendment to Schedule 1 to enable the development of a bus depot on Lot 113 DP 755433 in 10 Snelson's Lane Gulgong.
- 3) Amendment of the minimum lot size for multi unit housing from 400m<sup>2</sup> to 300m<sup>2</sup>

The specific detail of each of the proposals is outlined in the report.

## Detailed report

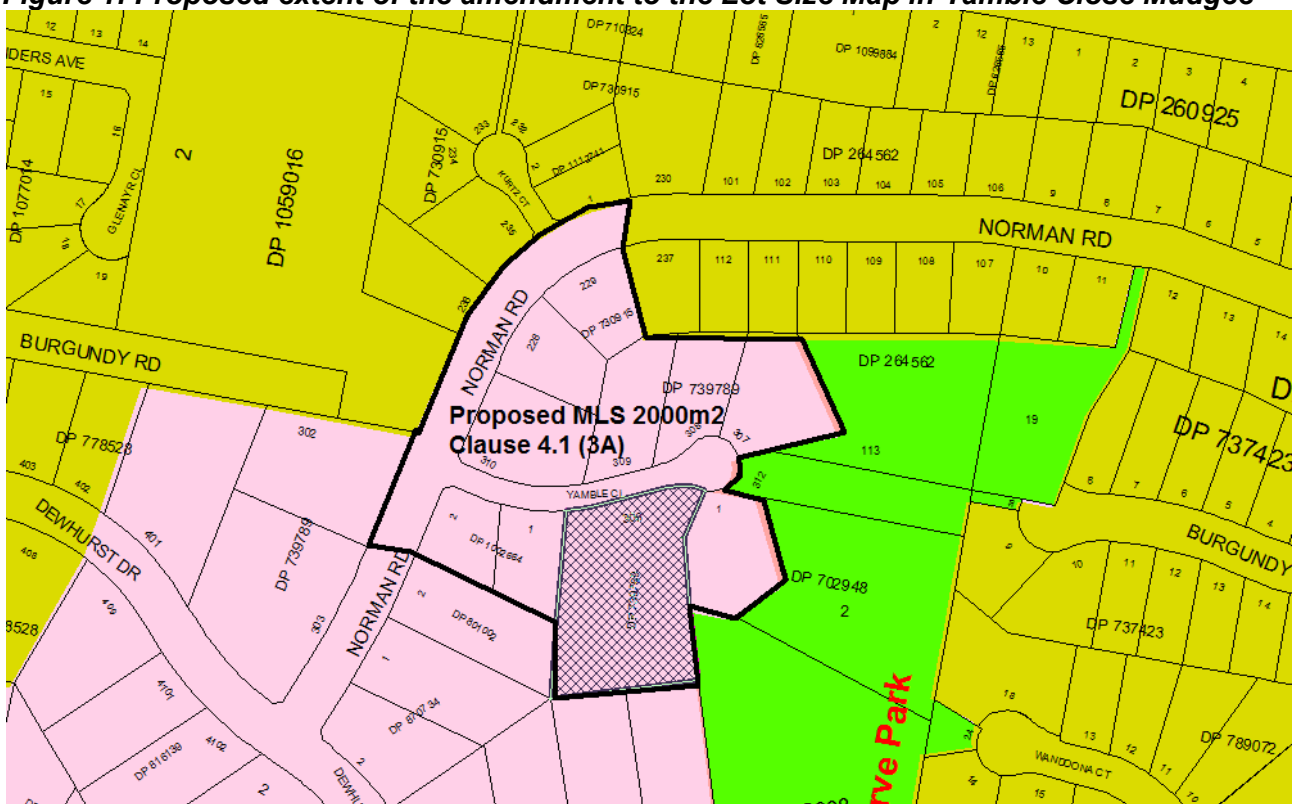
### Amendment to Minimum Lot Size - Yamble Close

South Mudgee DCP sat under Mid-Western Regional Interim LEP 2008 but was originally drafted in 1985 to prevent the subdivision of land on steeply sloping land in the vicinity of Dewhurst Drive from creating lots below 2000m<sup>2</sup> (attachment 1). The intention of the LEP 2012 in applying a minimum lot size (MLS) for 10ha in this area was to ensure that no further subdivision occurred generally consistent with the DCP. However, in drafting the LEP, the mapping inadvertently included land in Yamble Close that was outside the DCP and not necessarily intended to be caught up in the provisions.

All of the lots in Yamble Close have achieved a lot size of between 1400-2000m<sup>2</sup> other than the subject Lot 306 DP 739789 shown hatched in the Figure below. A Planning Proposal has been prepared on behalf of the owner of Lot 306 requesting that Council consider reducing the MLS consistent with the surrounding area to 2000m<sup>2</sup> (attachment 2). In order to maintain consistency in the Lot Size Map, it is proposed to extend the provisions of clause 4.1 (3A), Area A with a MLS of 2000m<sup>2</sup> to all of Yamble Close.

The planning proposal would only result in one additional residential lot and it is not considered relevant to the Urban Release Strategy currently being undertaken.

**Figure 1: Proposed extent of the amendment to the Lot Size Map in Yamble Close Mudgee**



**An amendment to Schedule 1 to enable the development of a bus depot on Lot 113 DP 755433 in 10 Snelson's Lane Gulgong**

This issue has come about as one of the local bus operators in Gulgong currently houses two buses on his property in Snelson's Lane as exempt development (under the previous planning instrument) , however, is now seeking approval for the housing of another two buses at the site. The land is zoned Primary Production RU1 with an area of 3.7ha. The use is defined in the LEP 2012 as a "transport depot" as follows:

***transport depot*** means a building or place used for the parking or servicing of motor powered or motor drawn vehicles used in connection with a business, industry, shop or passenger or freight transport undertaking.

The definition replaces the definition of "bus depot" in the previous Interim LEP 2008.

A transport depot is prohibited in the RU1 zone.

There are three definitions in the Standard Instrument Dictionary relevant to "depots". Transport depot as above, "depot" and "truck depot".

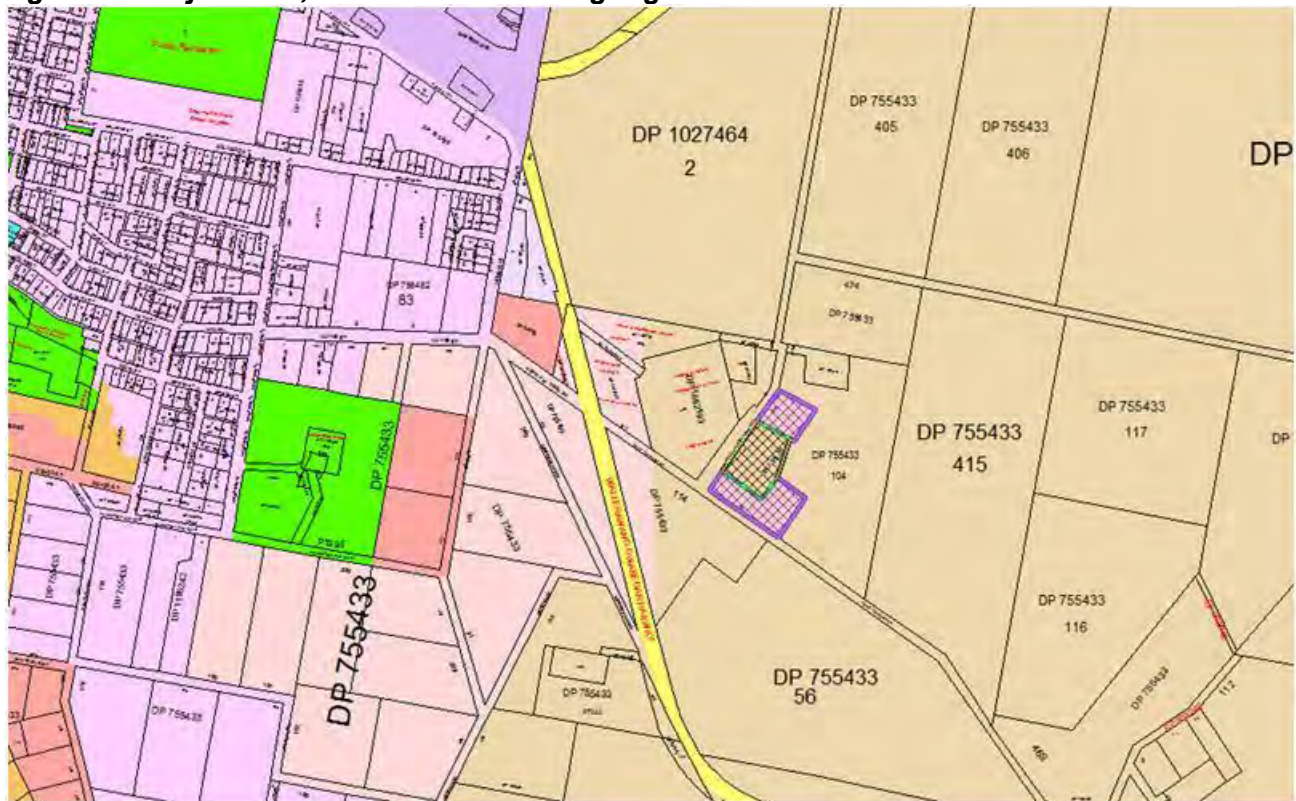
***depot*** means a building or place used for the storage (but not sale or hire) of plant, machinery or other goods (that support the operations of an existing undertaking) when not required for use, but does not include a farm building.

***truck depot*** means a building or place used for the servicing and parking of trucks, earthmoving machinery and the like.

Depots of any kind can cause land use conflict in particular circumstances. The smaller scale operations have, in the past, been recognised as exempt development, however, as an operation increases in scale the merit assessment of the application is very site specific. Transport and truck depots are not uses that are seen as generally compatible with the objectives to the Primary Production, Primary Production Small Lots and Large Lot Residential zones and the intent is not to amend the land use tables (LUT) for any or all of these zones to accommodate all of these uses. It may be the case however, that failing an attempt to utilise Schedule 1, Council consider amending the LUT for the RU1 zone to include "transport depots" but not extend the amendment to "truck depots".

A preliminary assessment has been undertaken of the proposal at Snelson's Lane and the circumstances of that particular case. The site is already being used to accommodate school buses. The land is on the fringe of Gulgong and while it is zoned RU1 Primary Production, the use of the land is primarily residential with the bus business.

**Figure 2: Subject Site, Snelson's Lane Gulgong**



The preferred option is to amend Schedule 1 of the LEP 2012 to enable this particular use to occur on this specific parcel of land. Should that not be acceptable by Planning and Infrastructure the alternative is to rezone the site Industrial or amend the LUT for all land in the RU1 zone to include "Transport depots" as a development permissible with consent.

The purpose of Schedule 1 is provide an opportunity to permit a particular class of development on a specific parcel or parcels of land not ordinarily or otherwise permissible in the particular zone. Council have recently used these provisions in the case of the Motel in Sydney Road and to achieve a dwelling at Botobolar. There are always going to be circumstances specific to a particular site, hence, the inclusion of Schedule 1 in the Standard Instrument LEP. In this case the use is existing as exempt (under the previous planning instrument) and intensification of that use could reasonably be considered through the development application process.

The alternative mechanisms available are rezoning the site or all land in Snelson's Lane or an amendment to the Land Use Table.

Difficulties arise in the rezoning of the site to an Industrial zone in terms of the consistency with the Comprehensive Land Use Strategy, expectation of adjoining land owners and implications for development of infrastructure and servicing of an industrial zone. While it is acknowledged that the vicinity of Snelson's Lane is already representative of a non-agricultural zone, the uncertainty associated with actually changing the zone to industrial for the purpose of facilitating the development of a site to accommodate additional buses is unacceptable.

The other option would be to amend the LUT for the Primary Production RU1 zone to include "Transport depot" as a permissible use. This would open the use up to all parcels in the RU1 zone and as suggested above and is not considered generally consistent with the objectives of the zone and would mean that Council could potentially have transport or bus depots anywhere in the rural area.

**Amendment of the minimum lot size for multi unit housing from 400m2 to 300m2**

In the Ordinary Council meeting on May 7 2014, Council resolved to follows:

*“a planning proposal be prepared for consideration with the next amendment to the Local Environmental Plan which would seek to reduce the minimum lot size for multi unit housing from 400m2 to 300m2.”*

The background to this resolution as per the report presented has been extracted as follows.

Dual occupancy development essentially takes two forms; attached and detached. There are different requirements in terms of the lot sizes and how that then relates to the ability to subdivide. This is discussed further below.

In addition the LEP provides for the development of *multi dwelling housing*, defined as three or more dwellings whether attached or detached on a single lot of land, and *residential flat buildings* which is a single building containing three or more dwellings (Note: this is not a form of development typical in the LGA)

The specific provisions in the LEP are as follows:

**4.1A Minimum lot sizes for dual occupancies, multi dwelling housing and residential flat buildings**

(1) *The objective of this clause is to achieve planned residential density in certain zones.*

(2) *This clause applies to the following land:*

- (a) *land within Zone R1 General Residential,*
- (b) *land within Zone R3 Medium Density Residential,*
- (c) *land in Rylstone or Kandos that is within Zone RU5 Village.*

(3) *Despite any other provision of this plan, development consent may be granted to development on land to which this clause applies:*

- (a) *for the purposes of a dual occupancy (attached), if the area of the lot is equal to or greater than 600 square metres, or*
- (b) *for the purpose of a dual occupancy (detached), if the area of the lot is equal to or greater than 800 square metres, or*
- (c) *for the purposes of multi dwelling housing, if the area of the lot is equal to or greater than 1,200 square metres, or*
- (d) *for the purposes of a residential flat building, if the area of the lot is equal to or greater than 1,200 square metres.*

In addition there are provisions that facilitate subdivision of land below the MLS in certain circumstances.

**4.1B Exceptions to minimum lot sizes for certain residential development**

(1) *This clause applies to the following land:*

- (a) *land within Zone R1 General Residential,*
- (b) *land within Zone R3 Medium Density Residential,*
- (c) *land in Rylstone or Kandos that is within Zone RU5 Village.*

(2) *Despite any other provision of this Plan, development consent may be granted to the subdivision of land to which this clause applies if:*



- (a) *multi dwelling housing or a dual occupancy is lawfully erected on the land, and*
  - (b) *the area of each resulting lot will not be less than:*
    - (i) *300 square metres for a dual occupancy (attached), or*
    - (ii) *400 square metres for a dual occupancy (detached) or multi dwelling housing, and*
  - (c) *only one dwelling will be located on each lot resulting from the subdivision.*
- (3) *Development consent may be granted to a single development application for development to which this clause applies that is both of the following:*
- (a) *the subdivision of land into 2 or more lots,*
  - (b) *the erection of a dual occupancy (attached), dual occupancy (detached) or multi dwelling housing on each lot resulting from the subdivision, if the size of each lot is equal to or greater than:*
    - (i) *300 square metres for a dual occupancy (attached), or*
    - (ii) *400 square metres for a dual occupancy (detached) or multi dwelling housing.*

Of particular interest are dual occupancies and multi dwelling housing where the application is for three or four free standing dwellings. In such cases the circumstance may arise whereby the development proponent could undertake the development as attached dual occupancy with a minimum subdivision lot size of 300m<sup>2</sup> rather than multi dwelling housing which has a 400m<sup>2</sup> MLS.

This was the case in a recent development in Gulgong. Clause 4.1A(2)(b)(ii) of the LEP allows for subdivision of multi dwelling housing. The clause stipulates a minimum area of 400m<sup>2</sup> per lot/unit. The four units in the Gulgong case failed to meet this requirement. The same outcome could have been achieved by subdividing the parent 1300m<sup>2</sup> lot into two 650m<sup>2</sup> lots, then make an application for an attached dual occupancy on each of the 650m<sup>2</sup> lots and then subdividing those lots to create lots of 325m<sup>2</sup> each with a unit attached.

While it may not be in the best interest of Council to revise down the MLS for residential lots generally, consideration could be given to a review of the MLS for multi unit housing in clause 4.1B(2) and (3) from 400m<sup>2</sup> to 300m<sup>2</sup>. Multi unit housing is, in terms of gross floor area generally of a scale consistent with if not less than attached dual occupancy, therefore, to have the MLS align with attached rather than detached dual occupancy would make practical sense as well as reducing the labyrinth of processes that a proponent could go through (as described in the example above) to achieve the same built outcome.

In order to avoid this scenario again and to provide a more efficient and streamlined development process, an amendment to the LEP to amend clause 4.1B(2) and (3) from 400m<sup>2</sup> to 300m<sup>2</sup> for multi unit housing.

The planning proposal will be prepared by Council and include the proposal submitted by the proponent for Yamble Close and a detailed proposal from the proponent for Snelson's Lane and forwarded to Planning and Infrastructure for a Gateway determination.

## Financial and Operational Plan implications

Not applicable.

## Community Plan implications

The strategic planning function sits under the theme Looking After Our Community in the Community Plan. Should be recommendation proceed it will have implications for land use development as a result of an amendment to the LEP 2012.



ELIZABETH DENSLEY  
MANAGER, STRATEGIC PLANNING

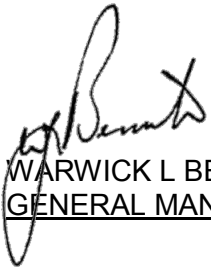


CATHERINE VAN LAEREN  
DIRECTOR, DEVELOPMENT & COMMUNITY SERVICES

9 May 2014

*Attachments:* 1. Planning Proposal Yamble Close (included at the end of the business paper)

APPROVED FOR SUBMISSION:



WARWICK L BENNETT  
GENERAL MANAGER

## 6.2.6 Monthly Development Applications Processing & Determined

REPORT BY THE DIRECTOR, DEVELOPMENT AND COMMUNITY SERVICES TO 21 MAY 2014  
COUNCIL MEETING

DA applications processing and determined REPORT TO COUNCIL April 2014

GOV400038, A100055, A100056

### RECOMMENDATION

**That the report by the Director, Development and Community Services on the Monthly Development Applications Processing & Determined in April 2014 be received.**

### Executive summary

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

### Detailed report

Included in this report is an update for month ending 30 April 2014 of Development Applications determined and development applications processing. The report will detail:

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

### Financial and Operational Plan implications

Not applicable.

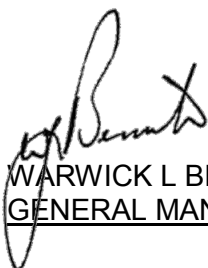


CATHERINE VAN LAEREN  
DIRECTOR, DEVELOPMENT AND COMMUNITY SERVICES

15 April 2014

*Attachments:* 1. Monthly development applications processing and determined April 2014.

APPROVED FOR SUBMISSION:



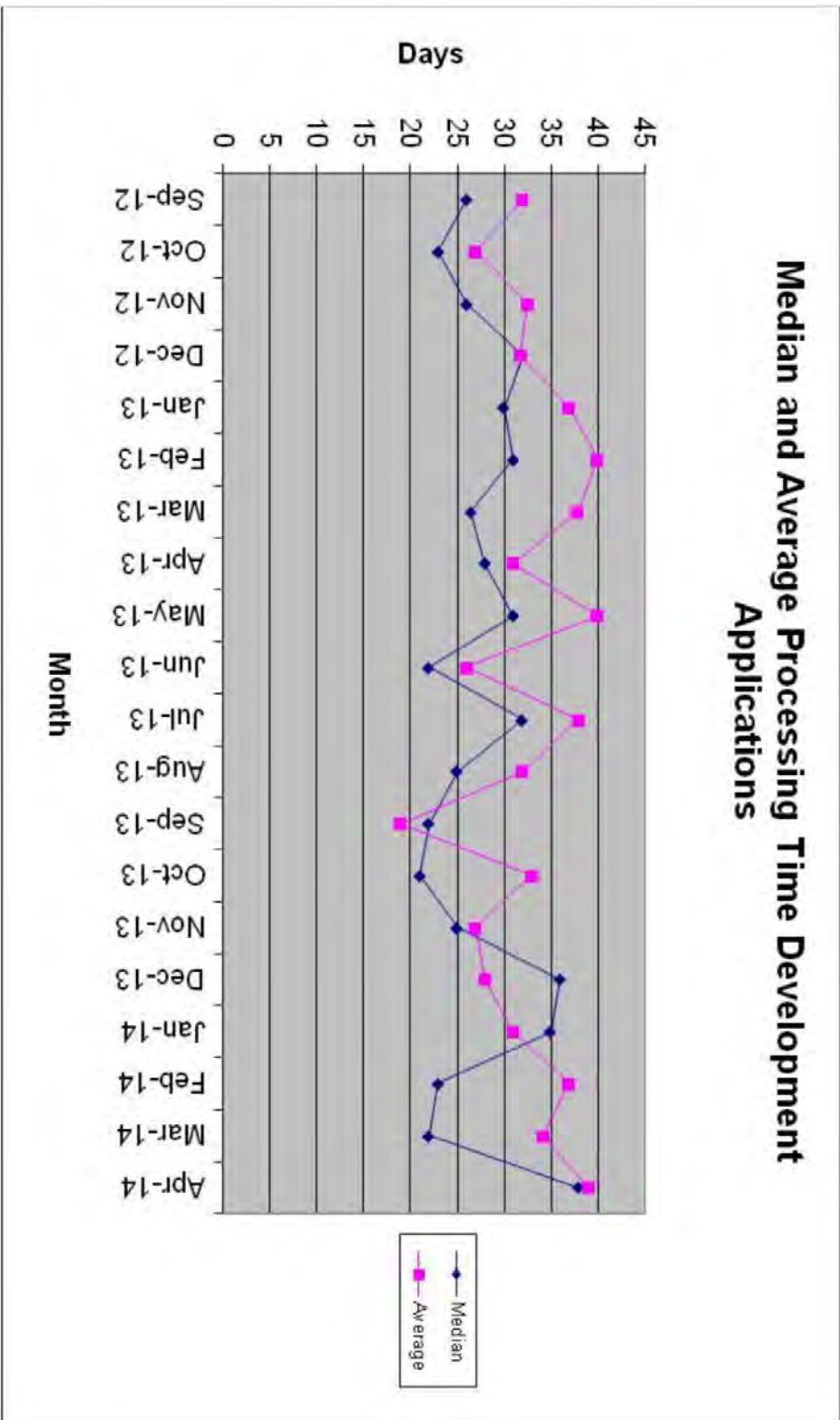
WARWICK L BENNETT  
GENERAL MANAGER

ATTACHMENT 1

**Monthly Development Application Processing Report – April, 2014**

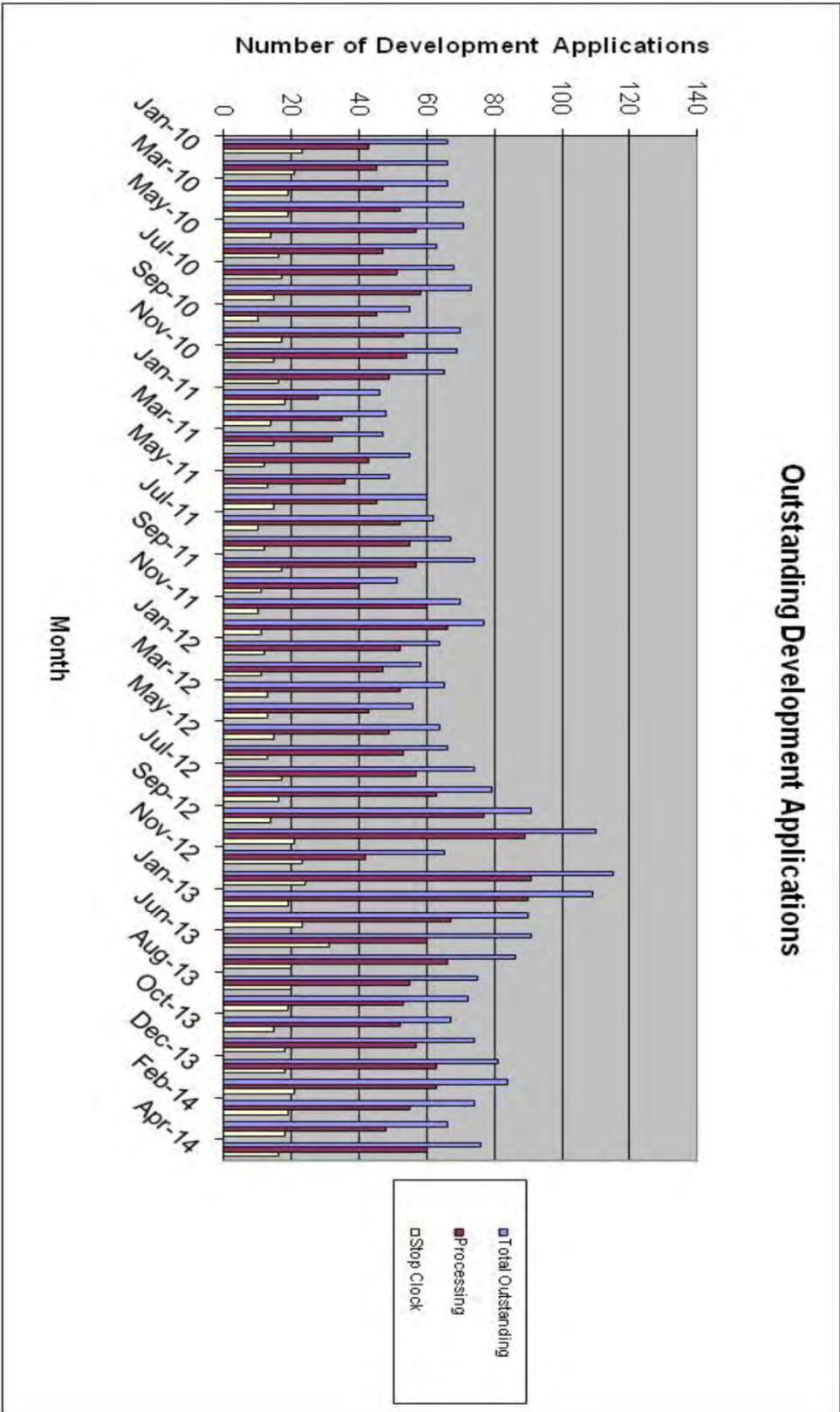
This report covers the period for the month of April, 2014.

Graph 1 indicates the processing times up to 30 April, 2014 with the month of April having an average of 39 days and a median time of 38 days.



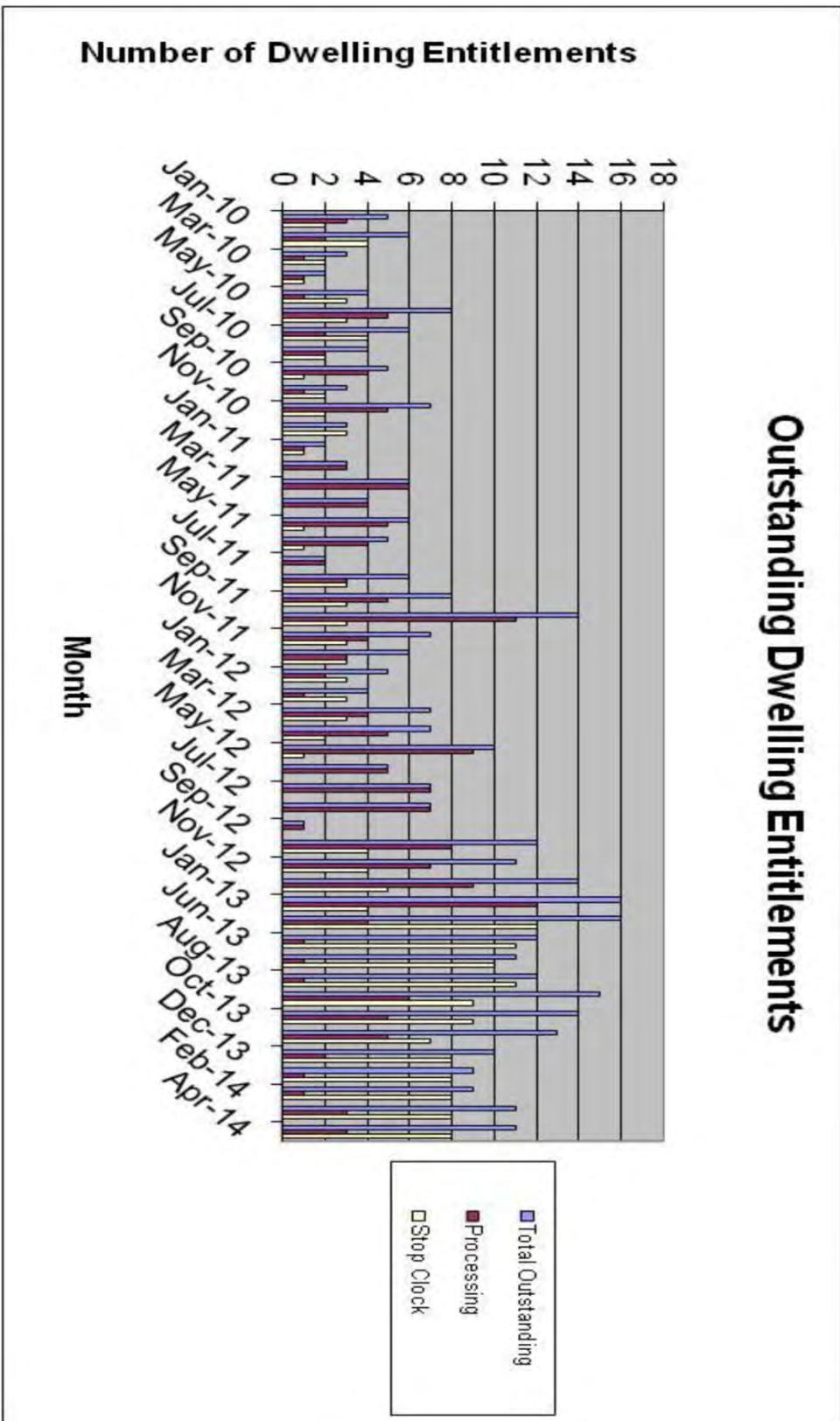
Monthly Development Application Processing Report – April, 2014

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



Monthly Development Application Processing Report – April, 2014

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



### Monthly Development Application Processing Report – April, 2014

The Planning and Development Department determined 19 Development Applications either by Council or under delegation during April, 2014.

#### Development Applications Determined – April, 2014.

| Appl/Proc ID | Description  | House No | Street Name           | Locality   |
|--------------|--|----------|-----------------------|------------|
| DA0140/2014  | Tourist Accommodation (owners do not live in)      | 97       | Herbert Street        | GULGONG    |
| DA0173/2014  | Dual Occupancy                                     | 55       | George Campbell Drive | BOMBIRA    |
| DA0231/2014  | Dual Occupancy                                     | 217      | Bergalin Road         | GULGONG    |
| DA0245/2014  | Commercial Premises                                | 1        | Inglis Street         | MUDGEE     |
| DA0260/2014  | Subdivision - Torrens Title                        | 28       | Horatio Street        | MUDGEE     |
| DA0266/2014  | Shed less than 150m <sup>2</sup>                   | 7        | Tindale Street        | RYLSTONE   |
| DA0273/2014  | Subdivision - Torrens Title                        | 4        | Perry Street          | MUDGEE     |
| DA0275/2014  | Dual Occupancy                                     | 28       | Rifle Range Road      | MUDGEE     |
| DA0276/2014  | Alterations & Additions                            | 29       | Douro Street          | MUDGEE     |
| DA0281/2014  | Dual Occupancy                                     | 35       | Melton Road           | MUDGEE     |
| DA0287/2014  | Subdivision - Torrens Title                        | 14       | Thomas Clark Place    | MUDGEE     |
| DA0288/2014  | Change of use - Dwelling to Serviced Accommodation | 29       | Short Street          | MUDGEE     |
| DA0293/2014  | Dual Occupancy                                     | 4        | Wentworth Avenue      | MUDGEE     |
| DA0298/2014  | Boundary Adjustment                                | 21       | George Street         | MUDGEE     |
| DA0308/2014  | Dwelling House                                     | 105      | Bellevue Road         | MUDGEE     |
| DA0312/2014  | Alterations & Additions                            | 58       | Market Street         | MUDGEE     |
| DA0314/2014  | Dwelling House                                     | 255      | Whittabker Lane       | GRATTAL    |
| DA0316/2014  | Alterations & Additions                            | 29       | Court Street          | MUDGEE     |
| DA0320/2014  | Staged Development - Dwelling                      | 444      | Merotherie Road       | MEROTHERIE |

Monthly Development Application Processing Report – April, 2014

Development Applications currently being processed – April, 2014.

| Appl/Proc ID | Description   | House No | Street Name          | Locality     |
|--------------|---|----------|----------------------|--------------|
| DA0352/2014  | AltAdd  | 1579     | Castlereagh Highway  | TALLAWANG    |
| DA0071/2014  | AltAdd  | 480      | Ridge Road           | COOKS GAP    |
| DA0191/2014  | AltAdd  | 34       | Crossings Road       | MENAH        |
| DA0205/2012  | AltAdd  | 1834     | Blue Springs Road    | BUNGABA      |
| DA0319/2014  | BoundAdj  | 259      | Melrose Road         | MOUNT FROME  |
| DA0299/2014  | BoundAdj  | 23       | George Street        | MUDGE        |
| DA0349/2014  | Carport   | 177      | Mayne Street         | GULGONG      |
| DA0343/2014  | Carport   | 46       | Wollar Road          | BUDGEE BUDGE |
| DA0345/2014  | ChangeUse - existing shed to detached extension to dwelling   | 2807     | Ulan Road            | COOKS GAP    |
| DA0217/2014  | ChangeUse - Temporary Dwelling to Dual Occupancy              | 1509     | Hill End Road        | GRATTAI      |
| DA0341/2014  | ChangeUse - Use 5 Cabins as Tourist and Visitor Accommodation | 939      | Henry Lawson Drive   | EURUNDEREE   |
| DA0278/2014  | ChangeUse - Shed to Dwelling                                  | 2012     | Aarons Pass Road     | AARONS PASS  |
| DA0323/2014  | ChangeUse - Existing Shed to Home Industries                  | 38       | Scotts Lane          | GULGONG      |
| DA0333/2014  | ChangeUse - Dwelling to Bed and Breakfast/Homestay            | 24       | Abernethy Close      | MUDGE        |
| DA0014/2014  | CommAltAdd  | 61-65    | Ilford Road          | KANDOS       |
| DA0300/2014  | CommPrem  | 5        | Tindale Street       | RYLSTONE     |
| DA0331/2014  | Demolition  | 34       | Goolma Road          | GULGONG      |
| DA0297/2014  | DualOcc   | 3        | Hardwick Avenue      | MUDGE        |
| DA0294/2014  | DualOcc   | 12       | Faucett Drive        | MUDGE        |
| DA0296/2014  | DualOcc   | 16       | Rifle Range Road     | MUDGE        |
| DA0339/2014  | DualOcc   | 4        | Faucett Drive        | MUDGE        |
| DA0279/2014  | DualOcc   | 85       | Inglis Street        | MUDGE        |
| DA0318/2014  | DualOcc   | 5        | Hollingsworth Drive  | GULGONG      |
| DA0328/2014  | DualOcc   | 12       | Hardwick Avenue      | MUDGE        |
| DA0348/2014  | Dwelling  | 7        | Hollingsworth Drive  | GULGONG      |
| DA0346/2014  | Dwelling  | 241      | Robertson Road       | SPRING FLAT  |
| DA0351/2014  | Dwelling  | 48       | Buchanan Street      | KANDOS       |
| DA0347/2014  | Dwelling  | 48-60    | Winter Street        | MUDGE        |
| DA0221/2014  | Dwelling  | 83       | Campbells Creek Road | WINDEYER     |
| DA0338/2014  | Dwelling  | 894      | Bocoble Road         | BOCOBL       |
| DA0317/2014  | Dwelling  | 409      | Botobolar Road       | BOTOBOLAR    |
| DA0327/2014  | Dwelling  | 285      | Botobolar Road       | BOTOBOLAR    |
| DA0309/2014  | Dwelling  | 6        | McLachlan Street     | RYLSTONE     |
| DA0332/2014  | Dwelling  | 5342     | Ilford Sofala        | SOFALA       |
| DA0335/2014  | Dwelling  | 839      | Bocoble Road         | BOCOBL       |



## Monthly Development Application Processing Report – April, 2014

| Appl/Proc ID | Description | House No | Street Name           | Locality    |
|--------------|-------------|----------|-----------------------|-------------|
| DA0214/2011  | Dwelling    | 663      | Castlereagh Highway   | BURRUNDULLA |
| DA0145/2014  | Dwelling    | 480      | Ridge Road            | COOKS GAP   |
| DA0468/2013  | Dwelling    | 12       | Miller Crescent       | MUDGE       |
| DA0283/2014  | Dwelling    | 28       | Bumberra Place        | BOMBIRA     |
| DA0271/2014  | Dwelling    | 36       | Banjo Paterson Avenue | MUDGE       |
| DA0277/2014  | Educest     | 269      | Ulan Road             | BOMBIRA     |
| DA0350/2014  | Pergola     | 24       | White Circle          | MUDGE       |
| DA0327/2011  | Shed        | 23       | Horatio Street        | MUDGE       |
| DA0322/2014  | Shed        | 63       | Peach Tree Lane       | RIVERLEA    |
| DA0315/2014  | ShedsSmall  | 2        | Robert Jones Street   | MUDGE       |
| DA0174/2012  | ShedsSmall  | 1        | Rayner Street         | MUDGE       |
| DA0267/2014  | Sign        | 33       | Sydney Road           | MUDGE       |
| DA0047/2014  | Sign        | 420      | Cope Road             | STUBBO      |
| DA0258/2014  | SubStrata   | 31 & 33  | Banjo Paterson Avenue | MUDGE       |
| DA0046/2014  | SubTorrens  | 4-6      | Armstrong Street      | RYLSTONE    |
| DA0239/2014  | SubTorrens  | 1872     | Castlereagh Highway   | CUDGEONG    |
| DA0423/2013  | SubTorrens  | 1193     | Yarrabin Road         | YARRABIN    |
| DA0448/2013  | SubTorrens  | 61-65    | Bellevue Road         | MUDGE       |
| DA0213/2014  | SubTorrens  | 265      | Broadhead Road        | SPRING FLAT |
| DA0178/2014  | SubTorrens  | 7291     | Castlereagh Highway   | ILFORD      |
| DA0171/2014  | SubTorrens  | 56-66    | Henry Bayly Drive     | MUDGE       |
| DA0180/2014  | SubTorrens  | 71       | Guttrawang Road       | GALAMBINE   |
| DA0248/2014  | SubTorrens  | 100      | Saleyards Lane        | MUDGE       |
| DA0310/2014  | SubTorrens  | 243      | Castlereagh Highway   | BURRUNDULLA |
| DA0308/2012  | SubTorrens  | 433      | Ulan Road             | EURUNDEREE  |
| DA0214/2014  | SubTorrens  | 36B      | Sydney Road           | MUDGE       |
| DA0344/2014  | SubTorrens  | 21       | Shepards Lane         | GULGONG     |
| DA0311/2014  | SubTorrens  | 52       | Boronia Road          | RYLSTONE    |
| DA0337/2014  | SubTorrens  | 142      | Wollar Road           | BUDGE BUDGE |
| DA0249/2014  | SubTorrens  | 17-29    | Fairydale Lane        | MUDGE       |
| DA0154/2014  | DwellingEnt | 81       | King Johns Lane       | YARRAWONGA  |
| DA0157/2013  | DwellingEnt | 809      | Campbells Creek Road  | WINDEYER    |
| DA0158/2013  | DwellingEnt | 809      | Campbells Creek Road  | WINDEYER    |
| DA0159/2013  | DwellingEnt | 809      | Campbells Creek Road  | WINDEYER    |
| DA0160/2013  | DwellingEnt | 809      | Campbells Creek Road  | WINDEYER    |
| DA0161/2013  | DwellingEnt | 809      | Campbells Creek Road  | WINDEYER    |
| DA0162/2013  | DwellingEnt | 809      | Campbells Creek Road  | WINDEYER    |

Monthly Development Application Processing Report – April, 2014

| Appl/Proc ID | Description | House No | Street Name          | Locality |
|--------------|-------------|----------|----------------------|----------|
| DA0163/2013  | DwellingEnt | 809      | Campbells Creek Road | WINDEYER |
| DA0326/2014  | DwellingEnt | 52       | Lue Road             | MILROY   |
| DA0321/2014  | DwellingEnt | 809      | Campbells Creek Road | WINDEYER |
| DA0330/2014  | DwellingEnt | 809      | Campbells Creek Road | WINDEYER |

Monthly Development Application Processing Report – April, 2014

Heritage Development Applications currently being processed – April, 2014.

| Appl/Proc ID | Description  | House No | Street Name     | Locality |
|--------------|--|----------|-----------------|----------|
| DA0271/2011  | AltAdd   | 87       | Short Street    | MUDGEE   |
| DA0336/2014  | Carport  | 52       | Lewis Street    | MUDGEE   |
| DA0049/2014  | ChangeUse - dwelling and alterations               | 140-142  | Mayne Street    | GULGONG  |
| DA0342/2014  | ChangeUse - Food Premises                          | 18-22    | Loue Street     | RYLSTONE |
| DA0234/2014  | ChangeUse - Carport to Extension of Fitness Centre | 96       | Mortimer Street | MUDGEE   |
| DA0284/2014  | ChangeUse - Antique Shop & B&B to Funeral Home     | 131      | Mortimer Street | MUDGEE   |
| DA0216/2014  | ChildCare  | 128      | Mortimer Street | MUDGEE   |
| DA0353/2014  | Demolition   | 9        | Douro Street    | MUDGEE   |
| DA0325/2014  | Sign   | 71-73    | Market Street   | MUDGEE   |
| DA0334/2014  | Sign   | 34-36    | Inglis Street   | MUDGEE   |
| DA0324/2014  | SubTorrens   | 90       | Horatio Street  | MUDGEE   |
| DA0199/2014  | SwimPool   | 67       | Lewis Street    | MUDGEE   |

## 6.2.7 Urban Stormwater Harvesting and Reuse, Mudgee.

REPORT BY THE MANAGER, DEVELOPMENT ENGINEERING TO 21 MAY 2014 COUNCIL MEETING  
REPORT Urban Stormwater Harvesting and Reuse  
GOV400038, ENV200033

### RECOMMENDATION

#### That:

1. **the report by the Manager, Development Engineering on Urban Stormwater Harvesting and Reuse, in Mudgee be received;**
2. **Council not proceed with further investigation into stormwater harvesting and reuse in Mudgee.**

### Executive summary

Council has requested an investigation into options for stormwater harvesting and reuse in Mudgee. Seven options were identified as possibilities within the town.

Stormwater harvesting and reuse has environmental benefits which have to be weighed against risks to public health and safety. Estimated rates were obtained from other entities that have constructed such schemes elsewhere. The rates indicate that these projects are expensive in terms of irrigated area achieved. The staff recommendation does not support further investigation into stormwater harvesting and reuse.

### Detailed report

An investigation into options for stormwater harvesting and reuse has been requested by Council. Presently in Mudgee, harvesting urban runoff is generally limited to roof water containment by rainwater tanks in new developments. BASIX requirements require householders to achieve water and energy sustainability targets in new buildings. An investigation into BASIX certificates that have been submitted to Council over the past two years has revealed that it nearly all new dwellings are equipped with rainwater tanks that are plumbed to the toilet, laundry and an outside tap. At the micro scale it appears that urban stormwater harvesting and reuse is occurring and it is unnecessary to introduce further policy on this issue.

In regards to Council land, toilets at Glenn Willow, Billy Dunn and Victoria Park sporting fields are serviced by rainwater. There is also minimal irrigation at Glenn Willow Stadium performed from runoff captured from the main playing surface.

Stormwater harvested from urban environments for reuse has environmental benefits but also poses health risks. Environmental benefits include water conservation, improvements to water quality and stream flow objectives. However, these need to be weighed against the public safety constraints such as:

- chemical toxicants in water,
- pathogens in water,
- risk of drowning,
- and the creation of mosquito habitat (spread of virus).

These risks are typically managed through water treatment and/or methods of exclusion and contribute considerably to the expense of such schemes.

Key components of harvesting and reuse schemes are collection and storage, treatment and the distribution network. The configuration of these components is strongly reliant on the intended end use. The capital cost of the distribution network is naturally minimised where the storage is located within close proximity to the point of reuse. Similarly, the costs associated with degree of treatment escalate as risks to public health increase. Schemes such as Orange City's Blackman's Swamp Creek stormwater harvesting system which was intended for reuse in the potable supply cost approximately \$5M and was subject to exhaustive regulatory scrutiny and detailed analyses in order to satisfy safety concerns.

More commonly urban stormwater reuse schemes are used for supplementary irrigation of public open space. This strikes a balance between the required level of treatment to alleviate public health concerns and financial considerations. With these considerations in mind, a preliminary investigation into possibilities for urban stormwater reuse was conducted in Mudgee. The following options are identified as potential opportunities:

1. 'Turkey Nest' dam at the end of Inverness Avenue within the Golf Club land.
2. Increased depth of Winter Street detention basin to retain open water storage.
3. Underground tanks in Lawson Park at the rear of the swimming complex.
4. Underground tanks end of Caerleon Ct, Dewhurst Reserve.
5. Underground tanks Glenn Willow Sports Stadium.
6. Increased depth or underground tanks at the Showground detention basin.
7. Lease of farm dam Lot 1 DP999783 for irrigation at Jubilee Park.

Attachment 1 provides locality maps for each of these options. Options 1 and 7 above would obviously depend on negotiations with other entities. Approximate estimating rates for the other options are provided below.

## Financial and Operational Plan implications

There are no funds allocated for stormwater harvesting and reuse projects in the 2014/15 budget. Should Council choose to pursue stormwater harvesting and reuse then this will have to be considered for the subsequent budget.

To provide Councillors with indicative costs, advice provided by NSW Public Works (based on similar projects) is that for an underground storage system adjacent to a park the capital cost would be around \$6.6M per megalitre of water stored. Based on present water usage, one football field (0.7Ha) in Mudgee requires around 4ML/yr and the capital investment to facilitate this would be substantial.

Alternatively, above ground storages (dams - Options 2 and 6 only) would need to be costed individually as capital expenditure is related to site specific circumstances. A preliminary estimate to add 1m depth to the Showground detention basin to achieve 4ML storage is \$250,000. However, it should be noted that it would be necessary to exclude the public from this land resulting in a net loss of public space.

## Community Plan implications

Stormwater harvesting and reuse would fall under the second theme of the adopted Community Plan, 'Protecting our Natural Environment' and is related specifically to the goal of providing total water cycle management. Council has recently commissioned HydroScience Consulting to formulate an Integrated Water Cycle Management (IWCM) Plan. If Council chooses to proceed

with a stormwater harvesting and reuse strategy then this should be done in conjunction with the IWCM Plan.

It should be noted that Council is in the process of developing and integrated water sensitive urban design (WSUD) concept plan for the urban catchments in Mudgee. This will provide environmental benefits in regards to water quality discharging into the Cudgegong River and is also aligned with the protecting the natural environment goal. Given budgetary constraints and the indicative estimating rates above, it may be in the Community's best interest if Council concentrates on developing WSUD strategies then pursuing harvesting and reuse schemes.



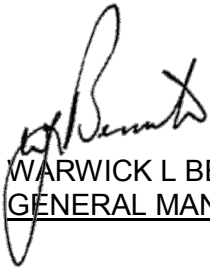
CATHERINE VAN LAEREN  
DIRECTOR, DEVELOPMENT & COMMUNITY SERVICES

DARYL COLWELL  
MANAGER, DEVELOPMENT ENGINEERING

9 May 2014

*Attachments:* 1. Locality Maps for Options 1-7.

APPROVED FOR SUBMISSION:



WARWICK L BENNETT  
GENERAL MANAGER

Option 1: 'Turkey Nest' dam end of Inverness Avenue within the Golf Club land



Option 2: Increased depth of Winter Street detention basin to retain open water storage



Option 3: Underground tanks in Lawson Park at rear of swimming complex



Option 4: Underground tanks end of Caerleon Court Dewhurst Reserve







Option 7: Lease of farm dam (Lot 1 DP999783) for irrigation at Jubilee Park



## 6.2.8 Re-Establishment of Alcohol Free Zones

REPORT BY THE MANAGER, HEALTH AND BUILDING TO 7 MAY 2014 COUNCIL MEETING

AFZ Report

GOV400038, A0130008

### RECOMMENDATION

#### That:

1. **the report by the Manager, Health and Building on the Re-Establishment of Alcohol Free Zones be received;**
2. **That Council support the re-establishment of Alcohol Free Zones for a further four years within the Central Business Districts of Kandos, Rylstone, Mudgee and Gulgong in order to:**
  - d) **Improve community safety by preventing disorderly behaviour caused the by the consumption of alcohol**
  - e) **Contribute to increasing and fostering; accessible and safe areas, community confidence and pride in local identity.**
  - f) **Assist in preventing damage to business premises and infrastructure by creating safe areas adjacent to those business premises with the Central Business Districts.**

---

### Executive summary

The purpose of this report is to re-establish the existing alcohol free zones within the Central Business Districts (CBDs) of Gulgong, Mudgee, Kandos and Rylstone as the existing Alcohol Free Zones (AFZs) have now expired. The location of these AFZs can be seen in the attached maps.

Section 644 of the Local Government Act 1993 allows a Council to create an AFZ for a further period of four 4 years.

### Detailed report

In June 2009 Council resolved to establish Alcohol Free Zones (AFZ) within the Central Business Districts (CBD) of Rylstone, Kandos, Gulgong and Mudgee. These zones have recently expired and as such this report seeks to re-establish all four AFZs.

The Ministerial Guidelines on Alcohol Free Zones states that an AFZ can be re-established under Section 644B Clause 4 of the Local Government Act 1993 for a maximum period of four (4) years.

Council Staff have consulted with the Jason Turnbull the Licensing Officer for the Mudgee Local Area Command, which incorporates all four towns.

Constable Turnbull has advised that the alcohol free zones have been highly effective in reducing the number of instances involving alcohol related violence within the CBD areas. Constable Turnbull further advised that the police strongly supports the re-establishment of these alcohol free zones.

## Financial and Operational Plan implications

The existing Alcohol Free Zone signs would be required to be updated to include the new operational dates. The cost associated with this has been allowed for in the current financial budget.

## Community Plan implications

Not applicable.

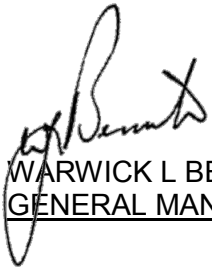
TIM O'REILLY  
MANAGER, HEALTH & BUILDING

10 April 2014

*Attachment:*

1. Gulgong AFZ Map
2. Mudgee AFZ Map
3. Kandos AFZ Map
4. Rylstone AFZ Map

APPROVED FOR SUBMISSION:

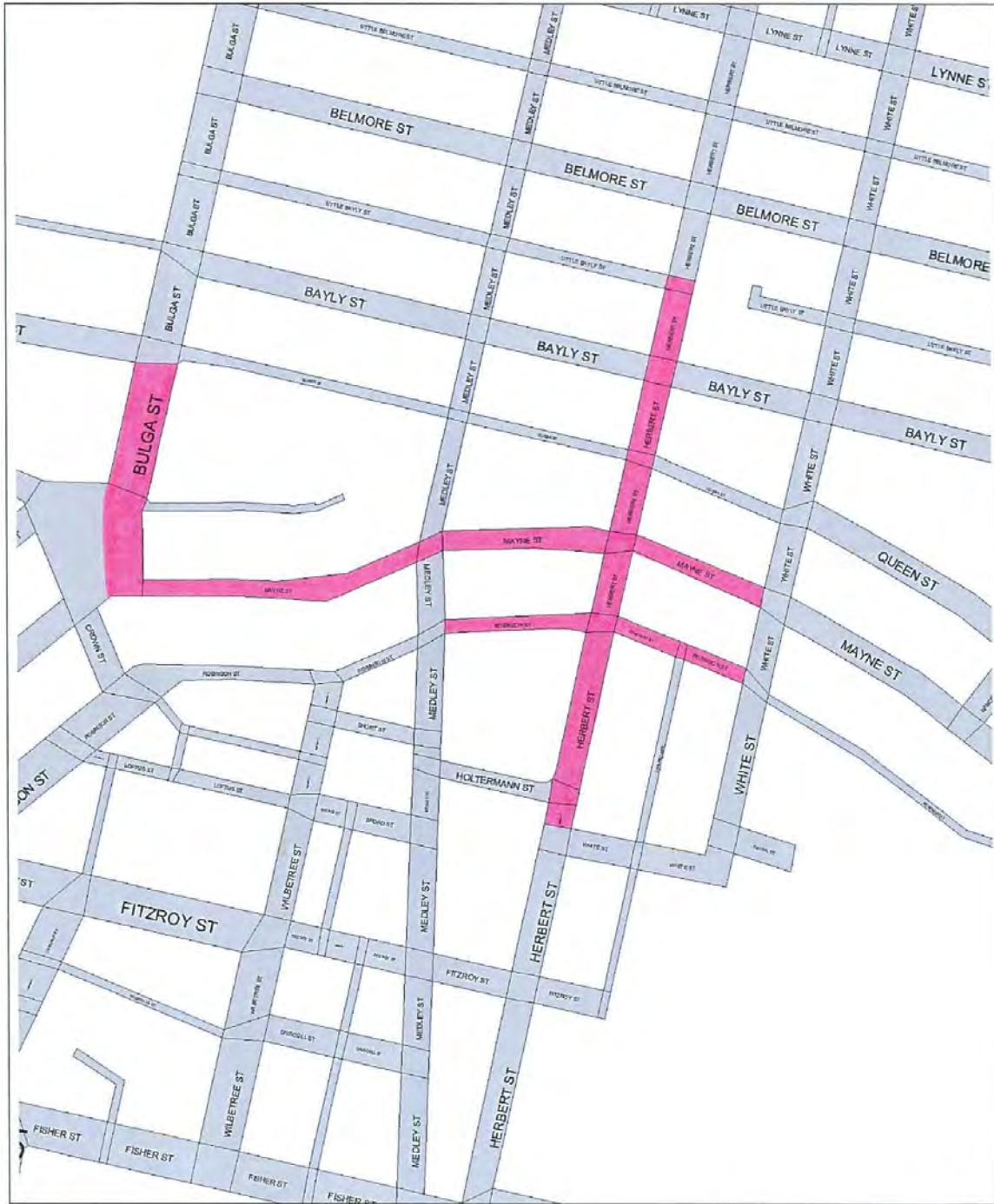


WARWICK L BENNETT  
GENERAL MANAGER



CATHERINE VAN LAEREN  
DIRECTOR, DEVELOPMENT & COMMUNITY SERVICES

ATTACHMENT 1 – Gulgong AFZ



**Disclaimer**  
 This map has been created for the purpose of showing basic locality information over Mid-Western Regional Council. Property boundary line network data is supplied by Department of Lands.  
 This map is a representation of the information currently held by Mid-Western Regional Council. While every effort has been made to ensure the accuracy of the product, Council accepts no responsibility for any errors or omissions.

**Legend**

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

Printed on Monday, 28 April 2014










ATTACHMENT 2 – Mudgee AFZ Map



Map Scale: 1:8,935

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**Legend**

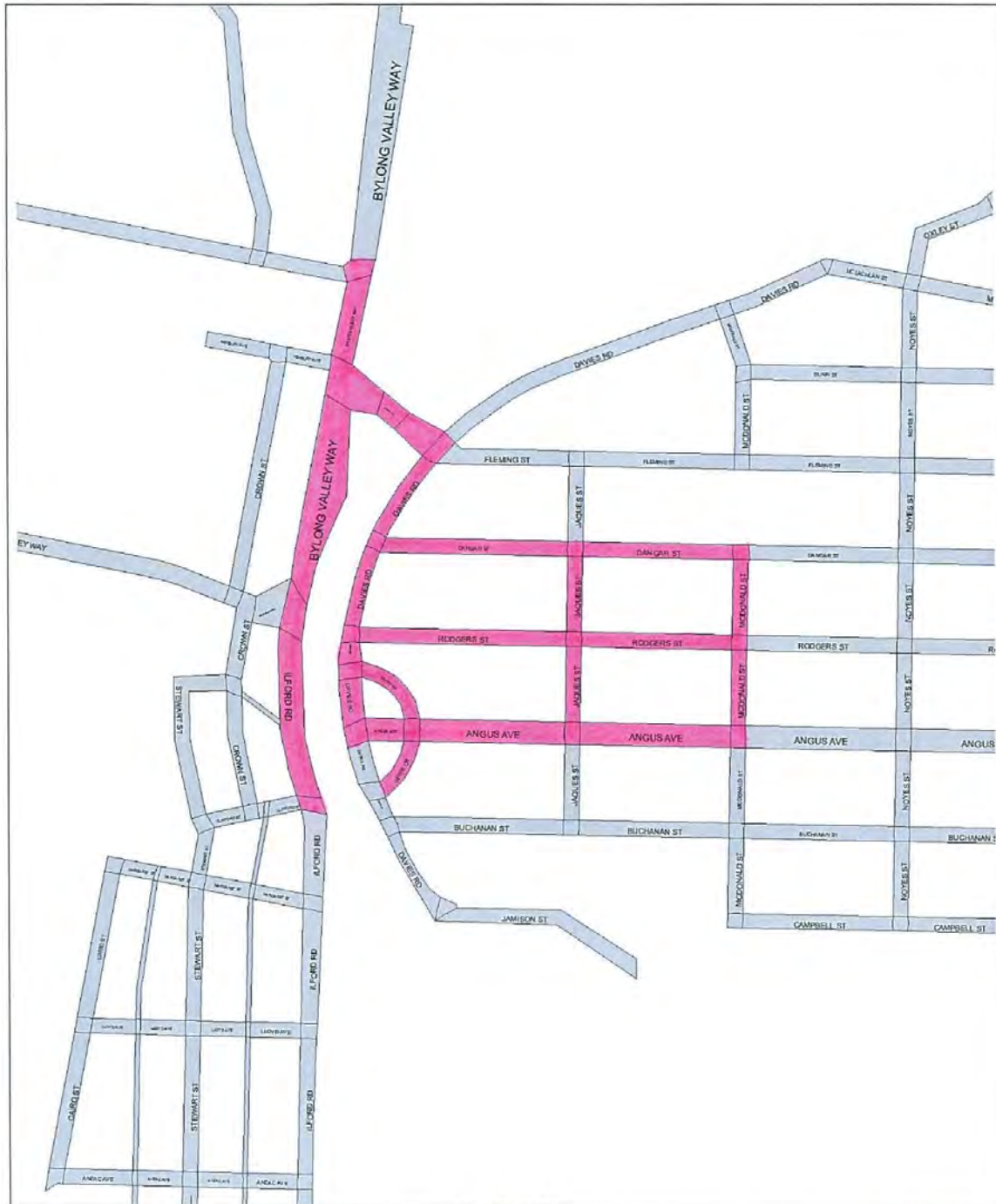
- |   |            |   |              |  |              |
|---|------------|---|--------------|--|--------------|
|  | Parcel     |  | Parish       |  | Road         |
|  | Crown Land |  | Localities   |  | State Forest |
|  | Railway    |  | LGA Boundary |  | Waterway     |

NORTH



Printed on Monday, 28 April 2014

ATTACHMENT 3 – Kandos AFZ



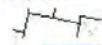









Map Scale: 1:7,134

**Disclaimer**

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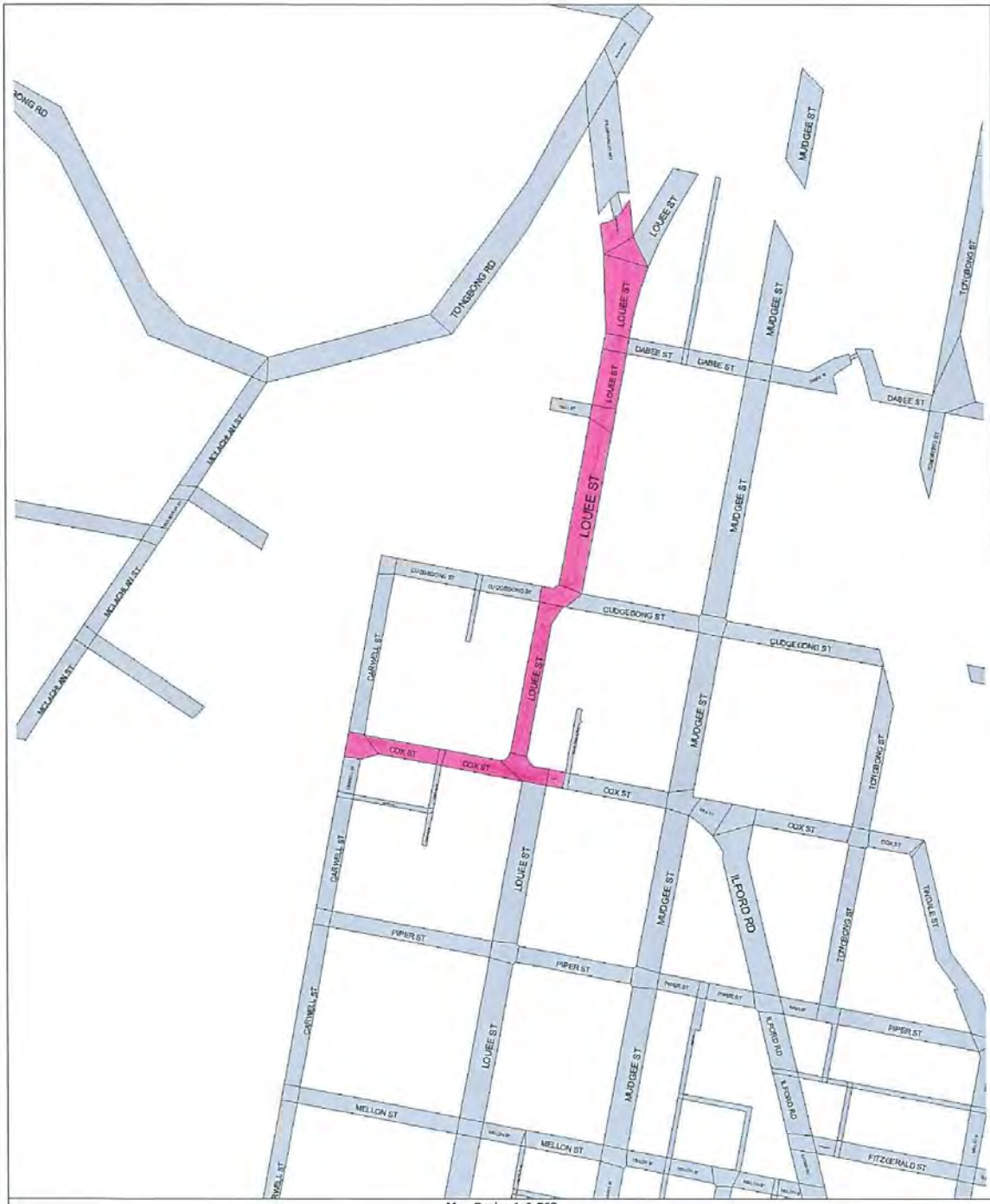
**Legend**

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



Printed on Monday, 28 April 2014










ATTACHMENT 4 – Rylstone AFZ



Map Scale: 1:6,562

**Disclaimer**  
This map has been created for the purpose of showing basic locality information over Mid-Western Regional Council. Property boundary line network data is supplied by Department of Lands.  
  
This map is a representation of the information currently held by Mid-Western Regional Council. While every effort has been made to ensure the accuracy of the product, Council accepts no responsibility for any errors or omissions.

**Legend**

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

**NORTH**



Printed on Monday, 28 April 2014



## 6.2.9 Monthly statement of bank balances and investments as at 30 April 2014

REPORT BY THE MANAGER, FINANCIAL PLANNING TO 21 MAY 2014 COUNCIL MEETING

Bankrep.docx

GOV400038, A0100056, A0140304

### RECOMMENDATION

#### That:

1. **the report by the Manager, Financial Planning on the Monthly statement of bank balances and investments as at 30 April 2014 be received;**
2. **the certification of the Responsible Accounting Officer be noted.**

---

### Executive summary

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

### Detailed report

As per Clause 212 of the Local Government (General) Regulation 2005 the Responsible Accounting Officer certifies that;

- a) this report sets out details of all money that the Council has invested under Section 625 of the Act, and
- b) all investments have been made in accordance with the Act, the regulations and Council's investment policies.

This report has been made up to the last day of the month preceding this meeting.

### Financial implications

Not applicable.

## Strategic or policy implications

Not applicable.



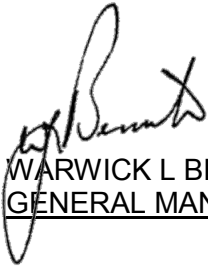
LEONIE JOHNSON  
MANAGER FINANCIAL PLANNING

BRETT EXELBY  
DIRECTOR, FINANCE & ADMINISTRATION

7 May 2014

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

APPROVED FOR SUBMISSION:



WARWICK L BENNETT  
GENERAL MANAGER

ATTACHMENT 1

For the month ended: **30-Apr-14**

| Bank Accounts           | Opening Balance | Receipts     | Payments     | Closing Balance | Overdraft Limit |
|-------------------------|-----------------|--------------|--------------|-----------------|-----------------|
| National Australia Bank | \$ 538,709      | \$ 7,396,032 | \$ 7,585,728 | \$ 349,013      | \$ 700,000      |

The bank balance has been reconciled to the General Ledger as at **30/04/2014**

| Investments              | Type                    | Amount               | Yield % | Maturity Date | Term    | Rating | Govt Rating | NAV        | % of Portfolio |
|--------------------------|-------------------------|----------------------|---------|---------------|---------|--------|-------------|------------|----------------|
| National Australia Bank  | At Call                 | \$ 650,000           | 2.80%   | N/A           | At Call | A-1+   | 1           |            | 1.8%           |
| National Australia Bank  | Term Deposit            | \$ 1,000,000         | 3.72%   | 1/10/2014     | 182     | A-1+   | 2           |            | 2.8%           |
| National Australia Bank  | Term Deposit            | \$ 2,000,000         | 3.74%   | 22/10/2014    | 182     | A-1+   | 2           |            | 5.6%           |
| National Australia Bank  | Term Deposit            | \$ 1,500,000         | 3.70%   | 28/05/2014    | 105     | A-1+   | 2           |            | 4.2%           |
| National Australia Bank  | Term Deposit            | \$ 2,200,000         | 3.68%   | 25/06/2014    | 105     | A-1+   | 2           |            | 6.2%           |
| National Australia Bank  | Term Deposit            | \$ 500,000           | 3.68%   | 9/07/2014     | 112     | A-1+   | 2           |            | 1.4%           |
| St George Bank           | Term Deposit            | \$ 1,300,000         | 3.80%   | 24/09/2014    | 182     | A-1+   | 1           |            | 3.7%           |
| St George Bank           | Term Deposit            | \$ 1,250,000         | 3.70%   | 23/07/2014    | 119     | A-1+   | 2           |            | 3.5%           |
| St George Bank           | Term Deposit            | \$ 500,000           | 3.55%   | 14/05/2014    | 98      | A-1+   | 2           |            | 1.4%           |
| St George Bank           | Term Deposit            | \$ 1,700,000         | 3.64%   | 16/07/2014    | 119     | A-1+   | 2           |            | 4.8%           |
| St George Bank           | Term Deposit            | \$ 1,000,000         | 3.50%   | 30/07/2014    | 91      | A-1+   | 2           |            | 2.8%           |
| St George Bank           | Term Deposit            | \$ 1,000,000         | 3.60%   | 4/06/2014     | 98      | A-1+   | 2           |            | 2.8%           |
| Commonwealth Bank        | Term Deposit            | \$ 2,700,000         | 3.68%   | 16/07/2014    | 119     | A-1+   | 1           |            | 7.6%           |
| Bankwest                 | Term Deposit            | \$ 1,000,000         | 3.53%   | 11/06/2014    | 98      | A-1+   | 1           |            | 2.8%           |
| ANZ                      | Term Deposit            | \$ 1,000,000         | 3.65%   | 21/05/2014    | 91      | A-1    | 1           |            | 2.8%           |
| ANZ                      | Term Deposit            | \$ 1,300,000         | 3.64%   | 11/06/2014    | 98      | A-1    | 2           |            | 3.7%           |
| ANZ                      | Term Deposit            | \$ 1,700,000         | 3.65%   | 2/07/2014     | 91      | A-1    | 2           |            | 4.8%           |
| ANZ                      | Term Deposit            | \$ 2,000,000         | 3.67%   | 8/10/2014     | 182     | A-1    | 2           |            | 5.6%           |
| ANZ                      | Term Deposit            | \$ 1,000,000         | 3.64%   | 21/05/2014    | 104     | A-1    | 2           |            | 2.8%           |
| ANZ                      | Term Deposit            | \$ 1,200,000         | 3.64%   | 18/06/2014    | 105     | A-1    | 2           |            | 3.4%           |
| Macquarie Bank           | Term Deposit            | \$ 1,000,000         | 3.50%   | 21/05/2014    | 90      | A-1    | 1           |            | 2.8%           |
| Macquarie Bank           | Term Deposit            | \$ 1,000,000         | 3.50%   | 4/06/2014     | 97      | A-1    | 2           |            | 2.8%           |
| Newcastle Permanent      | Term Deposit            | \$ 1,800,000         | 3.60%   | 25/06/2014    | 112     | A-2    | 1           |            | 5.1%           |
| Beyond Bank Australia    | Term Deposit            | \$ 1,000,000         | 3.60%   | 18/06/2014    | 98      | A-2    | 1           |            | 2.8%           |
| Beyond Bank Australia    | Term Deposit            | \$ 1,000,000         | 3.58%   | 14/05/2014    | 103     | A-2    | 2           |            | 2.8%           |
| Members Equity Bank      | Term Deposit            | \$ 1,000,000         | 3.58%   | 7/05/2014     | 98      | A-2    | 1           |            | 2.8%           |
| Members Equity Bank      | Term Deposit            | \$ 1,100,000         | 3.74%   | 1/10/2014     | 188     | A-2    | 2           |            | 3.1%           |
| Longreach Series 26      | Property<br>Linked Note | \$ 1,000,000         |         | 7/06/2014     | 7 yrs   | A+     | -           | \$ 997,000 | 2.8%           |
| <b>Total Investments</b> |                         | <b>\$ 35,400,000</b> |         |               |         |        |             |            | <b>100.0%</b>  |

**Financial Claims Scheme**

- 1 Guaranteed to \$250,000
- 2 Not Covered

## ATTACHMENT 2

## MWRC Policy Requirements:

| Investments by Insitution | Long/Short<br>Term Ratings | Amount               | % of Portfolio |              |
|---------------------------|----------------------------|----------------------|----------------|--------------|
|                           |                            |                      | Actual         | Policy Limit |
| National Australia Bank   | AA/A-1+                    | \$ 7,850,000         | 22%            | 25%          |
| Bankwest                  | AA/A-1+                    | \$ 1,000,000         | 3%             | 25%          |
| St George Bank            | AA/A-1+                    | \$ 6,750,000         | 19%            | 25%          |
| Commonwealth Bank         | AA/A-1+                    | \$ 2,700,000         | 8%             | 25%          |
| ANZ                       | AA/A-1                     | \$ 8,200,000         | 23%            | 25%          |
| Longreach                 | A+/A-1                     | \$ 1,000,000         | 3%             | 20%          |
| Macquarie Bank            | A/A-1                      | \$ 2,000,000         | 6%             | 15%          |
| Newcastle Permanent       | BBB+/A-2                   | \$ 1,800,000         | 5%             | 10%          |
| Beyond Bank Australia     | BBB+/A-2                   | \$ 2,000,000         | 6%             | 10%          |
| Members Equity Bank       | BBB+/A-2                   | \$ 2,100,000         | 6%             | 10%          |
|                           |                            | <b>\$ 35,400,000</b> | <b>100%</b>    |              |

| Investments by Rating | Rating*  | Amount               | % of Portfolio |       |
|-----------------------|----------|----------------------|----------------|-------|
|                       |          |                      | Actual         | Limit |
| Direct Securities     | AA/A-1+  | \$ 18,300,000        | 52%            | 100%  |
|                       | AA/A-1   | \$ 8,200,000         | 23%            | 100%  |
|                       | A/A-1    | \$ 3,000,000         | 8%             | 60%   |
|                       | BBB/A-2  | \$ 5,900,000         | 17%            | 20%   |
|                       | BBB-/A-3 | \$ -                 | 0%             | 20%   |
|                       | Unrated  | \$ -                 | 0%             | 20%   |
| Managed Funds         | AAA      |                      | 0%             |       |
|                       | AA       |                      | 0%             |       |
|                       | A        |                      | 0%             |       |
|                       | BBB      |                      | 0%             |       |
|                       | Unrated  |                      | 0%             |       |
|                       |          | <b>\$ 35,400,000</b> | <b>100%</b>    |       |

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

| Term to Maturity      | Amount               | Actual      | % of Portfolio |         |
|-----------------------|----------------------|-------------|----------------|---------|
|                       |                      |             | Minimum        | Maximum |
| Less than 1 year      | \$ 34,400,000        | 97%         | 30%            | 100%    |
| Between 1 and 3 years | \$ -                 | 0%          | 0%             | 70%     |
| Between 3 and 5 years | \$ -                 | 0%          | 0%             | 50%     |
| More than 5 years     | \$ 1,000,000         | 3%          | 0%             | 25%     |
|                       | <b>\$ 35,400,000</b> | <b>100%</b> |                |         |

ATTACHMENT 3

**Monthly Investment Portfolio Activity:**

The below table shows monthly investment activity within the portfolio including investments that have

| <b>Bank Accounts</b>    | <b>Opening Balance</b> | <b>Redeemed Balance</b> | <b>Re-invested Balance</b> | <b>Change in interest rate</b> | <b>Change in Term (days)</b> | <b>New Term Rate</b> |
|-------------------------|------------------------|-------------------------|----------------------------|--------------------------------|------------------------------|----------------------|
| National Australia Bank | \$ 1,000,000           | \$ 350,000              | \$ 650,000                 | 0.00%                          | At Call                      | 2.80%                |
| National Australia Bank | \$ 1,000,000           | \$ -                    | \$ 1,000,000               | -0.08%                         | 0                            | 3.72%                |
| ANZ                     | \$ 1,700,000           | \$ -                    | \$ 1,700,000               | -0.01%                         | 2                            | 3.65%                |
| ANZ                     | \$ 2,000,000           | \$ -                    | \$ 2,000,000               | -0.01%                         | 91                           | 3.67%                |
| St George Bank          | \$ 1,000,000           | \$ 1,000,000            | \$ -                       | Redeemed                       |                              |                      |
| National Australia Bank | \$ 1,000,000           | \$ 1,000,000            | \$ -                       | Redeemed                       |                              |                      |
| National Australia Bank | \$ 1,000,000           | \$ 1,000,000            | \$ -                       | Redeemed                       |                              |                      |
| National Australia Bank | \$ -                   |                         | \$ 2,000,000               | New Deposit                    |                              | 3.74%                |
| ING Australia Bank      | \$ 1,500,000           | \$ 1,500,000            | \$ -                       | Redeemed                       |                              |                      |
| St George Bank          | \$ 1,000,000           | \$ -                    | \$ 1,000,000               | -0.10%                         | -7                           | 3.50%                |
|                         | <u>\$ 11,200,000</u>   |                         | <u>\$ 8,350,000</u>        |                                |                              |                      |

**Net Portfolio Movement**      **\$2,850,000 Reduction**

## 6.2.10 Financial Assistance Applications

REPORT BY THE FINANCIAL ACCOUNTANT TO 21 MAY 2014 COUNCIL MEETING

Financial Assistance Requests

GOV400038, A0100056, A0140201

### RECOMMENDATION

#### That:

1. **the report by the Financial Accountant on the Financial Assistance Applications be received;**
2. **Council note that the Financial Assistance budget for 2013/2014 is fully expended. Councillors should consider any donations from their discretionary funds.**

### 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.

Due to the full allocation of financial assistance funds, it is recommended that Councillors consider using their discretionary funds to assist with the following requests:

#### *KANDOS CENTENARY WORKING PARTY*

The Kandos Centenary Working Horse Party requires the Kandos Community Hall for a Gala Ball between 1 October and 8 October 2014. As there is limited funding available the request is for Council to consider waiving the hiring fee of \$307 and bond of \$500. It should be noted that Council has already made a number of grants to the Centennial celebration committee and that the Horse Working Party should seek the financial assistance from the centennial committee.

#### *MID WESTERN WORKING HORSE ASSOCIATION*

The Mid Western Working Horse Association recently held a competition at Mudgee Showground, 22 and 23 March with the view to donate the profits to the drought relief. They would like to ask if Council would waive the hiring costs for that week with a total charge of \$390 for the two days.

#### *TWIN TOWN PLAYERS*

The Twin Town Players are asking that Council make funds available in regards to the painting of the proscenium (front of stage) at the Rylstone Memorial Hall in a non reflective black. The present glass white is said to interfere with the lighting systems installed in the hall. The estimated cost for

the paint, undercoat and rollers is approximately \$500 and the work will be carried out by volunteer labour from the Show Society and Debutant Ball committee.

*GULGONG HERITAGE FESTIVAL COMMITTEE*

The Gulgong Heritage Festival Committee held their Heritage Festival on the June Long Weekend. \$1,300 was allocated to the cost of the TV Advertisement with WIN TV and the request is for Council to consider a contribution towards this cost.

*MUDGEE ENDURANCE RIDERS ASSOCIATION INC*

The Mudgee Endurance Riders Club is a not-for-profit organisation and will be holding their annual endurance ride at Cooyal. This year the ride base will be held on private property which will require an additional cost of \$620 for amenities due to the unavailability of the Cooyal Community Grounds. The club relies on donations and event entry fees to cover costs and they would like to be considered for any financial assistance support.

*MUDGEE DISABILITY SUPPORT SERVICE INC*

Mudgee Disability Support Service is a not-for-profit organisation that supports people with a disability to live independently. They are holding a concert on 20 June 2014 and the request is that the cost of hiring the Town Hall Theatre for the performance (\$200) and the hire of the hall for three rehearsals (\$120) be waived.

## Financial and Operational Plan implications

Funding of \$152,000 is provided in the Operational Plan for Financial Assistance. An additional \$32,636 has been allocated to the budget giving total funding of \$184,636.

All general funding has been allocated for this financial year and only Councillor's discretionary funds remain.

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

| <b>Councillor</b> | <b>Remaining Funds</b> |
|-------------------|------------------------|
| Cr Thompson       | \$1,200.00             |
| Cr Shelley        | \$0.00                 |
| Cr Walker         | \$917.44               |
| Cr Webb           | \$100.00               |
| Cr Martens        | \$1,100.00             |
| Cr Kennedy        | \$2,000.00             |
| Cr Weatherley     | \$1,500.00             |
| Cr White          | \$200.00               |
| Cr Cavalier       | \$500.00               |

Community Plan implications

Council's Financial Assistance Policy applies.

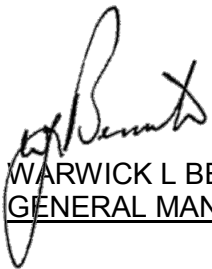
NEIL BUNGATE  
FINANCIAL ACCOUNTANT

BRETT EXELBY  
DIRECTOR, FINANCE & ADMINISTRATION

9 May 2014

*Attachments:* 1. Applications for financial assistance

APPROVED FOR SUBMISSION:



WARWICK L BENNETT  
GENERAL MANAGER





6th April 2014

The General Manager  
Mid Western Regional Council  
MUDGEE NSW 2850

Dear Sir

Mid Western Working Horse Association recently held a competition at Mudgee Showground, 22<sup>nd</sup> and 23<sup>rd</sup> March, with the view to donating the profits to drought relief.

We would like to ask Council if they would waive the hiring costs for that weekend, to allow MWWHA to include those costs in our donation. We were very fortunate in our fund raising efforts, with cattle, cartage, feed, lighting towers etc., being donated by local businesses to further our efforts.

Actual charity is being decided upon very soon, but will probably be 'Buy a Bale' or something very similar.

Thank you for your consideration.

Kind regards

.....  
Lea Cuthbertson  
President  
Mid Western Working Horse Association  
0400 036 286



**Kandos  
Centenary  
Committee**

C/- Kandos Post Office  
KANDOS NSW 2848  
E: [kandoscentenary@gmail.com](mailto:kandoscentenary@gmail.com)  
[www.kandoscentenary.com.au](http://www.kandoscentenary.com.au)

3 April 2014

General Manager  
Mid-Western Regional Council  
86 Market Street  
Mudgee 2850

*Warwick  
I wasn't sure  
if this goes  
to Council or  
you see  
approval  
Colleen*

*Neil B*

**KANDOS CENTENARY GALA BALL 4 OCTOBER 2014**

I am enclosing an application for a tentative booking of the Kandos Community Hall for the Gala Ball.

The Kandos Centenary Working Party requires access to the hall between 1-8 October which will cost \$307 plus \$500 bond.

I have enclosed a copy of preliminary costings for the ball which leave little room to cover additional costs. There is limited funding available and we are determined to keep the ball costs within the \$18,000 budget.

In the circumstances I would ask that Council consider waiving the hiring fee and bond.

The committee will ensure that the hall will be cleared by the end of the booking and left in a clean condition with all tables and chairs stacked.

Yours Sincerely

Colleen O'Sullivan

(Ball Sub-Committee)



**Zola Spurr**

---

**From:** Twin town Players [twintownplayers@yahoo.com.au]  
**Sent:** Thursday, 10 April 2014 2:03 PM  
**To:** Council  
**Cc:** deechickm@gmail.com; ojames@winsoft.net.au; kellyacurtis@yahoo.com

Dear sirs,

I am writing in regards to the painting of the proscenium, or front of stage, in the Rylstone Memorial Hall in non reflective black.

We have discussed this with various council members over several years, as the present gloss white interferes with the lighting systems installed in the hall. I have now discussed this with other hall users, namely the Show Society and the Debutant Ball committee and we are in agreement that it should be carried out.

I believe a suitable product to use would be Rosco Supersaturated paint, which can be seen at the following website.

<http://www.rosco.com/scenic/supersaturated.cfm>

We ask that council make funds available to purchase this paint and undercoat, rollers etc. The work will be carried out by volunteer labour from the above organizations. I estimate the cost to be approximately \$500.

Yours sincerely

Roger Heap

[twintownplayers@yahoo.com.au](mailto:twintownplayers@yahoo.com.au)

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This e-mail has been scanned for viruses by MCI's Internet Managed Scanning Services - powered by MessageLabs. For further information visit <http://www.mci.com> or contact Information Technology Business Unit - Mid-Western Regional Council



# Gulgong Heritage Festival Committee

## TAX INVOICE

P.O. Box 361  
Gulgong 2852  
Phone: (02) 6374 1209  
Email:  
smalltownsgulgong@hotmail.com

12.4.2014

COUNCIL CONTRIBUTION TO COST OF TV AD FOR  
THE GULGONG HERITAGE FESTIVAL, 2014

Contact: Kevin Robson,  
Treasurer  
Home Ph: 02 6374 1944

The General Manager  
Mr Warwick Bennett  
Mid-Western Regional Council  
P O Box 156  
Mudgee. 2850

I am writing to you on behalf of the Heritage Festival Committee at Gulgong, in regard to your appreciated financial contribution to the Heritage Festival on the June Long Weekend, of \$1300.00 towards the cost of the TV Ad with WIN TV, as discussed with you recently by our Secretary, Joy Harrison.

Councils contribution is of great benefit, considering the increase in costs in regard to the Festival, often due to its popularity & increase in attendances.

Please consider this as the **Tax Invoice for \$1300**, and if you wish to pay a direct deposit our banking details are on Councils files.

Note that there is no GST as the Heritage Account is run as a sub-account of the Henry Lawson Society (ABN-32438301774), which is a tax exempt charitable entity.

Thanking You,

  
*Kevin Robson*

Treasurer





## MUDGEE ENDURANCE RIDERS ASSOCIATION INC.

PO Box 109 MUDGEE NSW 2850

ABN 63285274500

~ Established 1971 ~

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



16 April 2014

Dear Sir

### MUDGEE ENDURANCE RIDE & RAY GOOLEY MEMORIAL- 17 & 18 May 2014

The Mudgee Endurance Riders Association Inc (MERA) will once again be holding the annual endurance ride at Cooyal. The financial assistance that has been forthcoming from Council in the past has been most gratefully appreciated. Without this support, and that of the community, the Mudgee Endurance ride would not be the success that it has been for the past 40 years.

The weekend includes a 20km introductory ride, a 40km training ride and an 80km endurance ride. It is expected that these events will attract up to 100 competitors with an additional 200 plus support crew and volunteers.

The ride will be attended by riders from all over the state and it gives local riders the opportunity to compete in an event close to home. It also offers local community groups such as the Cooyal Progress Association and the Cooyal and Moolarben RFS fund raising opportunities. The RFS have the added opportunity of practicing their radio communications. Competitors are encouraged to take advantage of local services as they pass through our region's townships as they travel to and from the event. The event is well publicised in NSW endurance newsletters, on its website and chat-line.

The Club is mindful of its budget and tries to keep costs to a minimum with the Committee, friends and family all assisting to help minimise costs. This year the ride base will be held on private property which will require an additional cost of \$620 for amenities for the weekend due to the unavailability of the Cooyal Community Grounds. MERA is a not-for-profit organisation and therefore relies on donations and event entry fees to cover costs. The events budget for the Mudgee Endurance Ride is approximately \$9,000.

MERA would like for Council to consider our 2014 event for financial assistance. In return, Council's contribution will be acknowledged on all event correspondence and on the day, and the local community and local businesses will benefit financially from this event proceeding in our region.

Yours sincerely

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

Mette Sutton  
MERA President



**MUDGEES DISABILITY SUPPORT SERVICE INC.**  
Quality of life, integration and empowerment in the community  
49 Lewis Street Mudgee NSW 2850

PO Box 598 Mudgee NSW 2850  
Email: [mdss@internode.on.net](mailto:mdss@internode.on.net)

Ph/fax: (02) 6372 3848  
ABN: 35956852902

5<sup>th</sup> May, 2014

The General Manager  
Mid-Western Regional Council  
86 Market Street  
MUDGEES NSW 2850

Dear Sir

Mudgee Disability Support Service is a not-for-profit organisation that supports people with a disability to live independently in their own homes as well as providing a group home for clients with high care needs.

MDSS is also a provider of day programs, respite and various other services to assist persons with a disability and their families and carers.

One of the services that we provide is running a drama group for people with a disability where they learn skills such as public speaking; acting; singing; dancing; confidence building; writing and an avenue to express themselves physically and emotionally. The MDSS drama group holds a concert every year where they showcase their talents by putting on a play that we adapt to cater for each persons specific needs.

We are very fortunate that over the years the community has rallied behind us to make our concerts memorable and successful. We have performers from other organisations join our plays and work alongside the clients of our drama group.

This year, our clients asked if they could perform their play at the Town Hall Theatre after watching the wonderful performance of Aladdin by MPAS. We thought this was a wonderful idea. Each year over 250 people attend our performance where we have previously held them at the Baptist Church.

MDSS is requesting that the cost of hiring the Town Hall Theatre for the performance (\$200.00) and the hire of the hall for three rehearsals (\$120.00) be waived. We have currently been quoted \$320.00 for the performance and three rehearsals.

If Mid-Western Regional Council can assist us with this, we would like to book in another three rehearsals at the cost of \$120.00 so that we will have six rehearsals in total for \$120.00 if at all possible.

---

As our clients have intellectual disabilities, repetition in familiar surroundings is extremely important to ensure that they are comfortable and able to perform in front of an audience.

Mid-Western Regional Council has been wonderful in supporting our organisation in performances in the past with the donation of costume hire from Ironed Out. MDSS has recognised and acknowledged Council's contribution in the past and have used Council logo on promotional material and event programs as well as on Power Point presentations to our Board and to ADHC. This year we will be extending this to our website and Facebook page as well.

Our concert is booked in for June 20<sup>th</sup> 2014 plus the three rehearsal dates on Wednesday 4<sup>th</sup>, 11<sup>th</sup> and 18<sup>th</sup> from 3.00pm – 5.30pm. If we are able to utilise the Town Hall for more practises at a reduced rate we will try to book in for some Saturday rehearsals as well.

Please find attached copies of our insurance and our ABN and account details are as follows:

ABN: 35956852902

Bank Account: Mudgee Disability Support Service Inc.

Commonwealth Bank Mudgee

BSB: 062577

Account: 28017589

Thank you so much for your time and consideration.

Kind Regards

Ingrid Puxty  
Program Officer

## 6.2.11 Classification of Land – Lot 1 DP 1187003, Library Laneway 62A Market Street Mudgee

REPORT BY THE REVENUE & PROPERTY MANAGER TO 21 MAY 2014 COUNCIL MEETING

Classification of Land – Library Lane 62A Market St  
GOV400038, P0057611

### RECOMMENDATION

#### That:

1. **the report by the Revenue & Property Manager on the Classification of Land – Lot 1 DP 1187003, Library Laneway 62A Market Street Mudgee be received;**
2. **Council notify the public of its intention to classify the land adjacent to the Mudgee Library being Lot 1 DP 1187003 as Operational by exhibiting the proposal for 28 days and should there be no submissions from the public, the lands be so classified as Operational.**

### Executive summary

This report seeks to commence the process for classification of Lot 1 DP 1187003, being land vested in the ownership of Mid-Western Regional Council for the purpose of accommodating the extension to the Library Building, as Operational.

### Detailed report

In accordance with the Local Government Act 1993 (LGA), all public land must be classified as either “Community” or “Operational” land. The purpose of classification is to identify clearly that land which should be kept for use by the general public (community land) and that land which need not (operational land). Community land would ordinarily incorporate land such as a public park. Land that is classified Operational would include land held as an asset, land that may not be open to the public or; land which facilitates a council carrying out its functions, such as in this case, where the land is required for the purpose of accommodating the extension to the Library Building.

To commence the process for the classification of this land parcel, Council must resolve to classify the land as Operational and its intention must be advertised for a period of 28 days during which time written submissions to the proposed classification will be accepted from the public. The classification can then be formalised after this period.

### Financial and Operational Plan implications

Not applicable.



## Community Plan implications

The Council requires that this land parcel be classified as Operational for the purpose of accommodating the extension to the Library Building and to satisfy the conditions stipulated under Chapter 6, Part 2, Division 1 of the LGA relating to the classification of land.

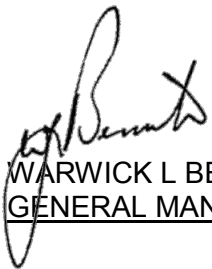
DIANE SAWYERS  
REVENUE & PROPERTY MANAGER

BRETT EXELBY  
DIRECTOR, FINANCE & ADMINISTRATION

9 May 2014

*Attachments:* 1. Plan of Lot 1 DP 1187003

APPROVED FOR SUBMISSION:



WARWICK L BENNETT  
GENERAL MANAGER



## 6.2.12 Purchase of Land for Hangar Development at Mudgee Airport

REPORT BY THE GENERAL MANAGER TO 21 MAY 2014 COUNCIL MEETING  
Purchase of Land for Hangar Development Mudgee Airport  
GOV400038, F0470025

### RECOMMENDATION

#### That:

1. **the report by the General Manager on the Purchase of Land for Hangar Development at Mudgee Airport be received;**
2. **Council decline the request by Mr Noel Dawson to purchase 3000 square metres of Council land at the Mudgee Airport adjacent to George Campbell Drive containing the aircraft hangar he owns.**

### Detailed report

Please find attached a self explanatory letter from Mr Noel Dawson who is seeking that Council sells 3000 square metres of land to him at the Mudgee Airport adjacent to George Campbell Drive and the entrance to the airport terminal. Mr Dawson currently owns that hangar on this land and would like to purchase the land and then build small temporary accommodation on this site.

The recommendation in this report is to decline the application because the land in question is too close to the commercial operations of the airport and the disposal of this land may inhibit future development of the airport for public and commercial operations.

Council has recently purchased some four hectares of land on the north side of George Campbell Drive. The intention of the purchase of this land was to create an aviation subdivision sometime in the future where land will be sold to the general public for aviation related purposes. This site would be more suitable for Mr Dawson's proposed development and private ownership.

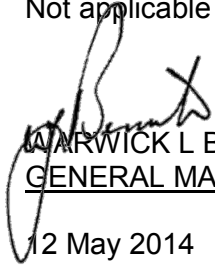
For Councillors information we are currently have a master plan being prepared by consultants for the future use and development of the Mudgee Airport. The first draft of this master plan will be with Council in the next few months for discussion and input. The Master Plan will address the subdivision needs of the land recently purchased by Council and how that will interrelate with the balance of the airport. The plan will also address all other future operational needs at the airport. This Master Plan is funded under the Resources for the Regions allocation.

### Financial and Operational Plan implications

Not applicable at this time

COMMUNITY PLAN IMPLICATIONS

Not applicable at this time



WARWICK L BENNETT  
GENERAL MANAGER

12 May 2014

Attachments: 1. Letter – Noel Dawson

Mr Warwick Bennett  
General Manager  
Mid Western Regional Council

6<sup>th</sup> May 2014

Dear Warwick,

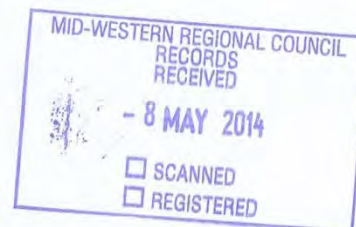
As previously discussed, I'm interested in purchasing from council an area of land surrounding my Hangar at the Mudgee Airport.

The proposed land area is shown on the attached page marked in red. It makes sense to me to purchase land out to the existing fence line, as the narrow gap in between the hangar and fence would make lawn maintenance implacable for the groundsman. The total area I might like to buy would depend on the cost and also what is needed for any aircraft movements within the newly compounded secure area.

In addition to the acquisition of land, I would like to build a small temporary residence onto the side of the Hangar and seek approval to do this if the purchase of land is affordable. Please see the attached draft for your consideration.

If you would like to discuss the foregoing matters with me in person I will be happy to call and visit at a time convenient to yourself.

Kind regards  
Noel Dawson

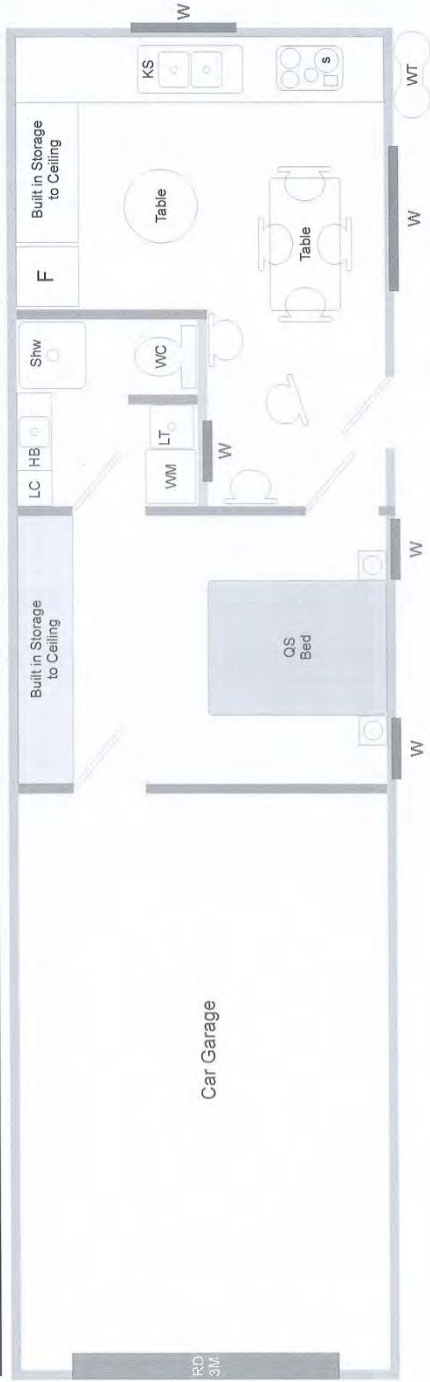
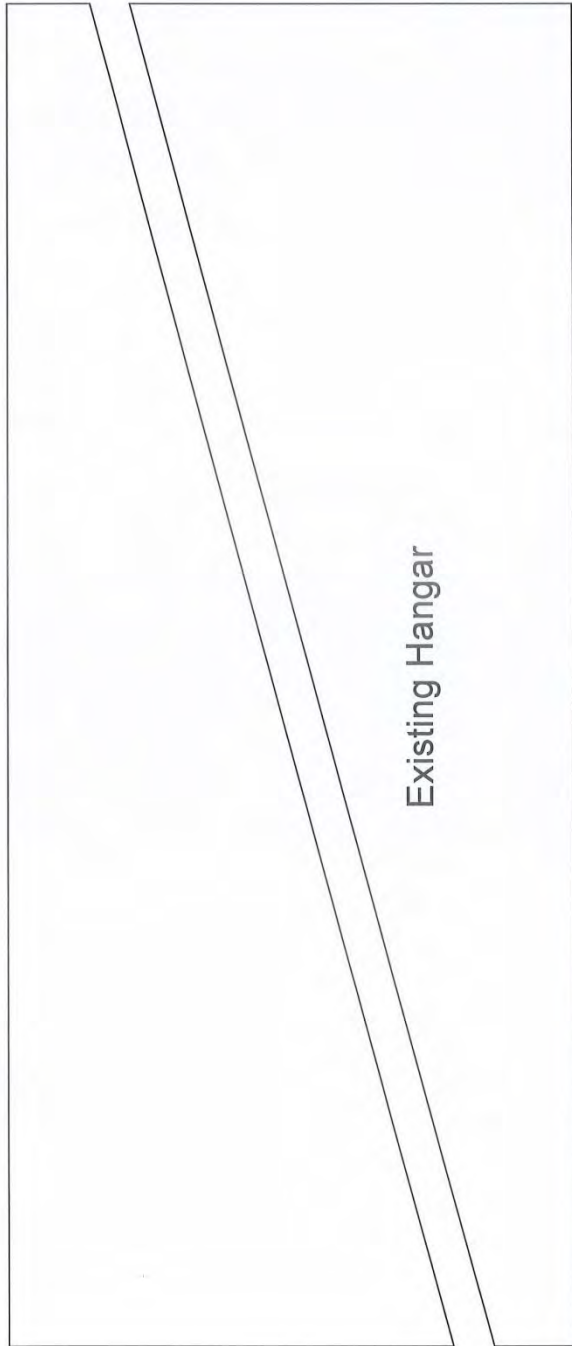


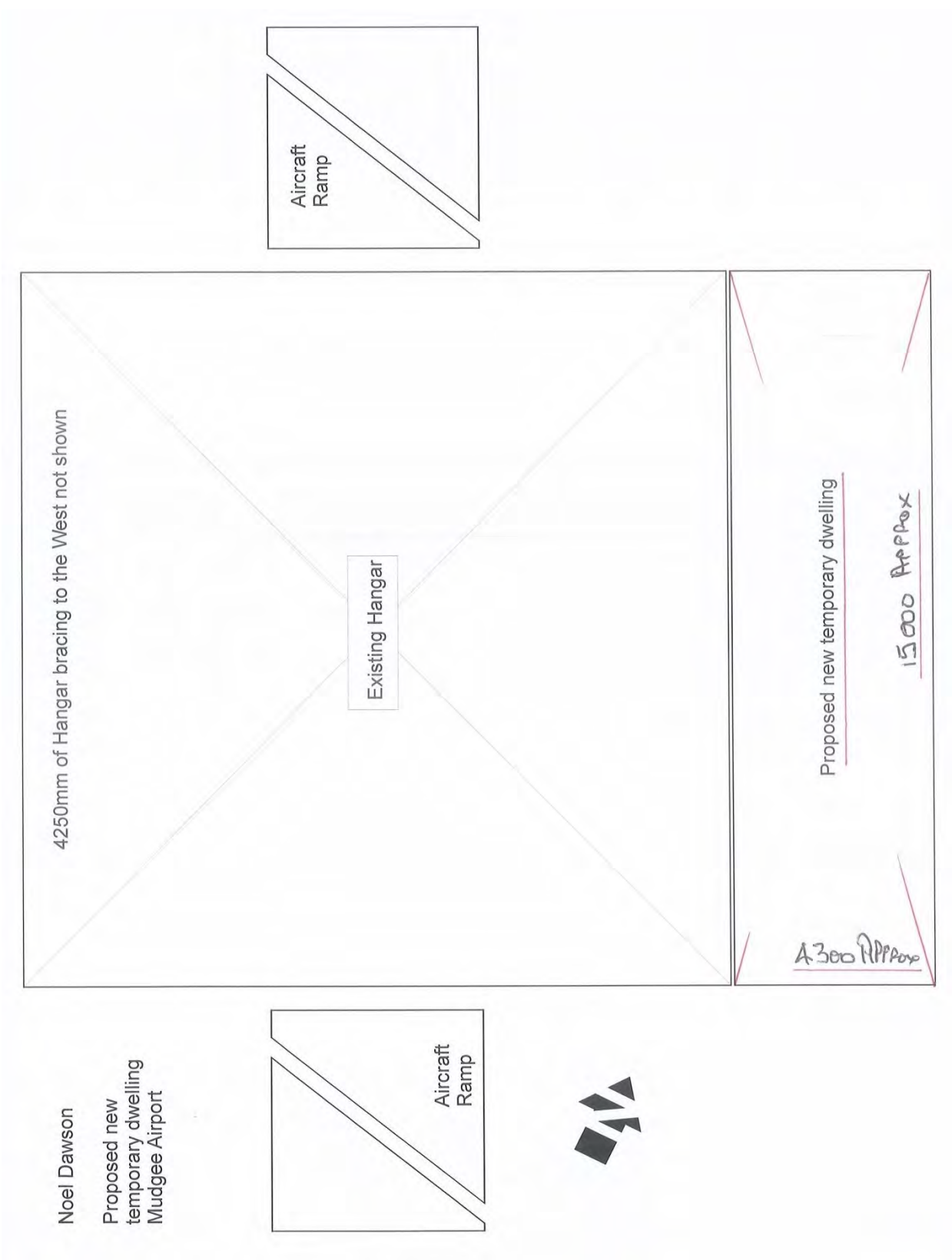
NL Dawson  
30 Sydney Road  
Mudgee, NSW 2850  
Ph: 02 6372 1030  
Fax: 02 6372 3873  
studio30@bigpond.net.au

Drawing  
NL Dawson  
6<sup>th</sup> May 2014



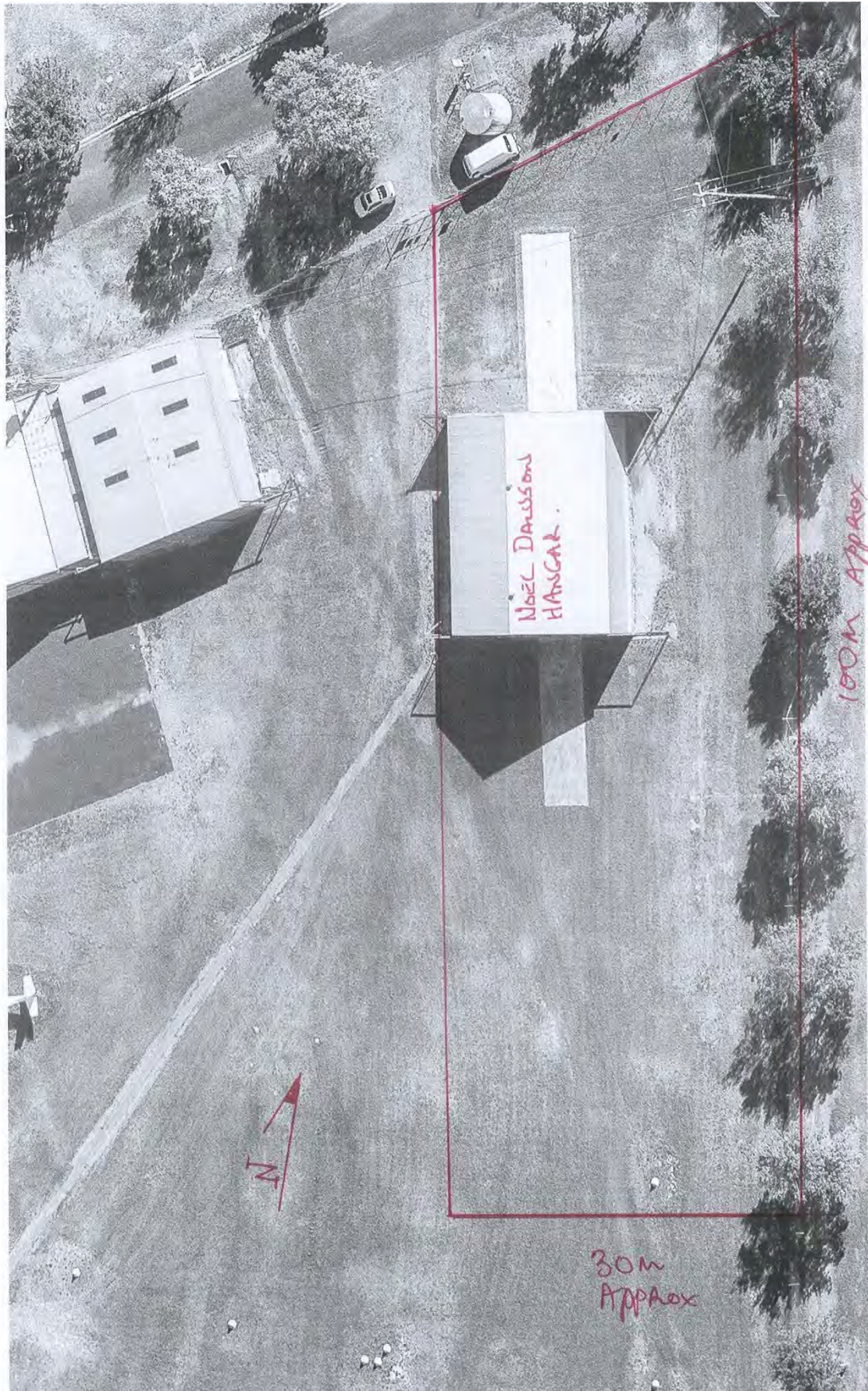
Noel Dawson  
Proposed new  
temporary dwelling  
at Mudgee Airport





Proposed Land Acquisition Site Area.

6<sup>th</sup> MAY 2014.

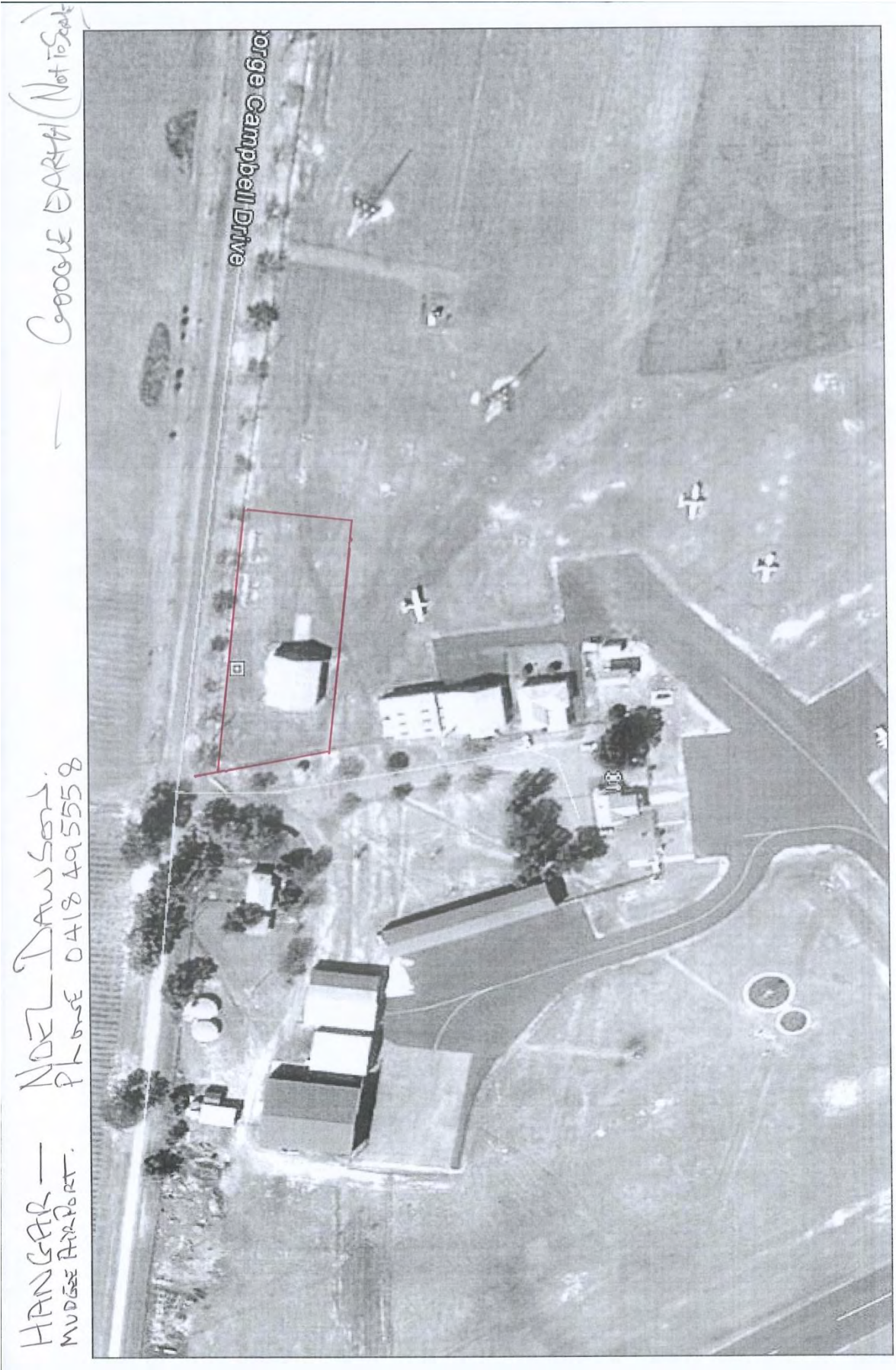




6th May 2014

MURKIN AIRPORT OVERVIEW. (SHOWING NORTON, HANCOCK & HANCOCK SITES).





## 6.2.13 Rates 2014/15

REPORT BY THE GENERAL MANAGER TO 21 MAY 2014 COUNCIL MEETING

Rates 2014\_15

GOV400038, RAT700032

### RECOMMENDATION

#### That:

1. **the report by the General Manager on the Rates 2014/15 be received;**
2. **Council maintains its current draft Revenue Policy that is on public exhibition as its preferred option.**

### Detailed report

Council has recently placed its 2014/15 Operational Plan (including budget) as well as the 4 year delivery programme on public exhibition. Submissions on these documents closed on Friday 16<sup>th</sup> May. As part of those documents, Council includes the Revenue Policy which indicated to the community the split of the rates between the various categories.

There are four principle categories that are listed in the Local Government Act that Council has the ability to rate. They are:

- Mining
- Farmland
- Business
- Residential

Council can choose to have (and does) sub-categories within those broader categories.

The Council rate increase in the 2014/15 financial year is in two parts. The IPART rate cap is dictated at 2.3% for all Councils in New South Wales. Council has not applied for a rate increase beyond the 2.3% cap. However, Council has the legal ability to recoup rate income lost in 2012/13 because of errors made by the Valuer General to farmland valuations. This lost income amounted to \$172,535. Other valuation objections were also received by the Valuer General which resulted in a further loss of income totalling \$18,084. Thus, the total income loss for Council was \$190,619. Council is entitled by law to recover this \$190,619 plus the 2.3% rate cap in the 2014/15 financial year. The publicly exhibited Revenue Policy seeks to collect both the lost income from 2012/13 and the 2.3% allowable increase, which totals \$580,312 and equates to a 3.6% overall increase in Councils revenue from the general purpose rate.

Commonwealth, State and Local governments generally apply the same taxation principles when determining how to collect or generate taxation based income. These principles are equity, efficiency, simplicity, sustainability, and policy consistency.

The rates model that Council has included in the Revenue Policy has stated that the full amount of this income be allocated (or collected from) to the mining category and coal mining sub-category. Council came to this conclusion because of the following reasons:

- Ability of the mining industry to pay;
- The significant drought that has a major effect on incomes for the farmland sector. The farming sector in this community is now eligible for State Government drought relief packages;
- The nature of farming enterprises makes them susceptible to sudden impacts on profitability through gradual market decline & frequent market fluctuations;
- The shift in valuation between rural residential and urban residential properties has resulted in an increase in the urban residential category;
- The residential sector is receiving increases in the water, waste and sewer charges thus their overall rate increases will be generally over 4%;
- Generally, many businesses throughout the MWRC area suffer from a flow on effect directly with the drought-induced spending contraction cycle originating in the farming sector. It has been recognised that the longer a drought persists and the increased frequency of new El Nino weather events, the more severe the impact throughout the entire commercial and industrial business sectors;
- The commercial and business sectors also have to fund the increases in water, waste and sewer;
- Service charges for 2014/2015 proposed to increase as follows:

|                  |      |
|------------------|------|
| Water            | 3.7% |
| Sewer            | 7.8% |
| Waste - General  | 1.7% |
| Waste - Business | 2.7% |

- The total revenue from mining in Mid Western Region compared with other local government areas that have significant mining impacts is still very low with examples as follows:

| <b>Municipality</b> | <b>Income from mining (%)</b> |
|---------------------|-------------------------------|
| Mid Western         | 11.5%                         |
| Blayney             | 37%                           |
| Broken Hill         | 23%                           |
| Gunnedah            | 11%                           |
| Lithgow             | 17%                           |
| Muswellbrook        | 32%                           |
| Maitland            | 24%                           |
| Singleton           | 34%                           |

These figures relate to the 2013/14 financial year. With the proposed increase for 2014/15 the percentage for Mid Western will rise to 15%

Council has requested that staff prepare alternative options for its consideration prior to the adoption of the 2014/15 rates being levied. If Council was to make any amendments to the current Revenue Policy then Council will be required to undertake the public exhibition process again. Thus any decision made at this meeting would need to be publicly advertised for a further 28 days. Council would then need to hold an extra-ordinary meeting late in June to finalise the rates structure prior to the 30<sup>th</sup> June. The reality is that Council has the time available to it if Council decides to make amendments or alterations to its rating income structure.

The recommendation in this report is that Council maintain its current Revenue Policy. The reasons that Council based its decision upon, as listed previously above have not changed. A copy of the preliminary legal opinion on this matter is included as an attachment in the confidential section of this business paper.

However if Council was of the opinion to open up this matter for further public discussion then Management would recommend that Council provides a number of options for the public to comment on. The options would include, but are not limited to the following five (5) options.

*OPTION 1*

The current draft policy

*OPTION 2*

Increasing the rates revenue for the farmland, business and residential categories by 1% with the balance of the rating revenue be allocated to the mining category – being 23.8% and 25.3% (see attachment 1)

*OPTION 3*

Increase the rates revenue for farmland, business and residential categories by 1% plus the portion of available catch up with the balance of the rating revenue be allocated to the mining category – being 14.6% and 16.1% (see attachment 2)

*OPTION 4*

Increasing the rates revenue for the farmland, business and residential categories by 2% with the balance of the rating revenue be allocated to the mining category – being 16.1% and 17.5% (see attachment 3)

*OPTION 5*

Increase the rates revenue for farmland, business and residential categories by 2% plus the portion of available catch up with the balance of the rating revenue be allocated to the mining category – being 6.9% and 8.3% (see attachment 4)

An alternative recommendation to the one in this report could be as follows:-

**That Council puts out for public consultation for 28 days (from 23<sup>rd</sup> May until 20<sup>th</sup> June 2014) an amended draft Revenue Policy to include options for the portion of rates per category that will be raised in the 2014/15 financial year. Those options to be based on the following options:**

- 1. the current draft Revenue Policy that has no increase in the rates revenue for the farmland, business and residential categories and the balance of the rating revenue be allocated to the mining category – being 31.5% and 33.1%.**
- 2. Increasing the rates revenue for the farmland, business and residential categories by 1% with the balance of the rating revenue be allocated to the mining category – being 23.8% and 25.3%.**
- 3. Increase the rates revenue for farmland, business and residential categories by 1% plus the portion of available catch up with the balance of the rating revenue be allocated to the mining category – being 14.6% and 16.1%.**
- 4. Increasing the rates revenue for the farmland, business and residential categories by 2% with the balance of the rating revenue be allocated to the mining category – being 16.1% and 17.5%.**
- 5. Increase the rates revenue for farmland, business and residential categories by 2% plus the portion of available catch up with the balance of the rating revenue be allocated to the mining category – being 6.9% and 8.3%.**

**And that Council hold an extraordinary meeting on Monday 30th June to consider submissions on the revised draft Revenue Policy and the options contained therein**

**and determine at that extra-ordinary meeting the allocation of rating revenue from each category for the 2014/15 financial year.**

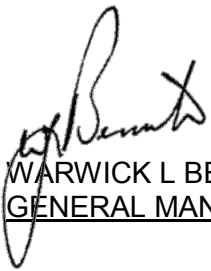
### Financial and Operational Plan implications

Council has produced and put on public exhibition an Operational Plan and Budget for 2014/15 that requires income from General Rates totalling \$16,603,817. Council needs to review how that revenue will be allocated amongst the different rating categories.

### Community Plan implications

Not applicable at this time

### APPROVED FOR SUBMISSION:



WARWICK L BENNETT  
GENERAL MANAGER

13 May 2014

- Attachments:*
1. 2014-2015 Rate Estimate Analysis - Report 6
  2. 2014-2015 Rate Estimate Analysis - Report 7
  3. 2014-2015 Rate Estimate Analysis - Report 8
  4. 2014-2015 Rate Estimate Analysis - Report 9
  5. Email from Lindsay Taylor Lawyers re Advice (included in the Confidential section of this business paper)

## 2014-2015 Rate Estimate Analysis - Report 6

### Model Summary

Total 2014/2015 rate revenue projected in this model is **\$16,603,817** being an overall increase of **3.6%**.

This model is based on an initial increase of **2.3%** being the maximum increase prescribed by IPART.

In addition to the 2.3% IPART increase (Being \$ 369,014), The following additional adjustments have been added in accordance with rate pegging requirements :-

- \$18,084.00 - Added to restore Council's rate base due to the net reduction in total land value due to LV OBJECTIONS during 2013/2014
- \$2,662.60 - Added to restore Council's rate base due to the net reduction in total land value due to RE-ASCERTAINMENTS during 2013/2014
- \$101.00 - Added to CATCH-UP permissible revenue not levied in 2013/2014
- \$172,535.00 - CATCH-UP of rate revenue lost in 2012-2013 due to LV OBJECTIONS during 2012/2013
- \$18,084.00 - CATCH-UP of rate revenue lost in 2013-2014 due to LV OBJECTIONS during 2013/2014

This model distributes the revenue described above as follows :-

Business, Farmland & Residential categories increase by 1.0%, while the balance of the total revenue is distributed to Mining.

As a result, Mining Coal increases by 23.8% and Mining by 25.3%.

Minimum rates for all categories have increased by the maximum 2.3% to \$609.26.

Within the residential category, Residential Urban (3.0%) increases more than Residential Rural (-2.0%) due to the relative change in land values from the 2011 to 2013 valuation base dates, Residential Urban values increased by 13.7% as opposed to Residential Rural values which increased by 5.7%.

### RATES / LV ANALYSIS

\*\*\*The Table and graphs below subsequently indicates:-

\*\*\*under the heading of Revenue, 1.0% increase for Business, Farmland & residential and 23.8% overall increase for Mining

\*\*\*under the heading of Land Value, a comparison of the 2011 base date to that of 2013 which indicates 5.71% variation

\*\*\*under the heading of Rates/Minimums the new rates in \$ and new Minimum Cut-Offs to produce the required revenue based upon 2013 LVs

### LV DRILLDOWN

\*\*\*These Summaries shows Basic Statistics and a Range Analysis by category

\*\*\*shows LV ranges and subsequent changes to rates payable, again in ranges

\*\*\*Graphs highlight information in table

2014-2015 Rate Estimate Analysis - Report 6

| Category / Sub-category | No of Assts   | REVENUE           |                     |                | LAND VALUE  |                      |                      | RATES / MINIMUMS   |              |                      |                   |                      |                       |                        |
|-------------------------|---------------|-------------------|---------------------|----------------|-------------|----------------------|----------------------|--------------------|--------------|----------------------|-------------------|----------------------|-----------------------|------------------------|
|                         |               | 2013/2014 Actual  | 2014/2015 Projected | Difference     | % variation | 2013/2014 2011 LV BD | 2014/2015 2013 LV BD | Difference         | % variation  | Rate In \$ 2013/2014 | Minimum 2013/2014 | Rate In \$ 2014/2015 | NEW Minimum 2014/2015 | NEW Minimum LV cut-off |
| RYLSTONE AEROPARK       | 0             | 0                 | 0                   | 0              | 0           | 0                    | 0                    | 0                  | 0            | 0                    | 0                 | 0.917259             | 200.00                | 21,804                 |
| BUSINESS                | 634           | 1,304,599         | 1,316,716           | 12,117         | 1.0%        | 135,693,310          | 137,598,380          | 1,905,070          | 1.4%         | 0.922521             | 575.98            | 0.917259             | 609.26                | 66,422                 |
| FARMLAND                | 1908          | 4,305,741         | 4,348,799           | 43,058         | 1.0%        | 737,799,591          | 735,670,491          | -2,129,100         | -0.3%        | 0.580605             | 575.98            | 0.587918             | 609.26                | 103,630                |
| MINING COAL             | 11            | 1,810,847         | 2,241,504           | 430,657        | 23.8%       | 25,596,554           | 25,221,542           | -375,012           | -1.5%        | 7.074573             | 575.98            | 8.887261             | 609.26                | 6,855                  |
| MINING                  | 2             | 31,623            | 39,637              | 8,014          | 25.3%       | 447,000              | 446,000              | -1,000             | -0.2%        | 7.074573             | 575.98            | 8.887261             | 609.26                | 6,855                  |
| RESIDENTIAL RURAL       | 3709          | 3,401,002         | 3,332,672           | -68,330        | -2.0%       | 452,095,484          | 477,650,859          | 25,755,375         | 5.7%         | 0.688833             | 575.98            | 0.626931             | 609.26                | 97,181                 |
| RESIDENTIAL URBAN       | 6694          | 5,169,693         | 5,324,490           | 154,796        | 3.0%        | 653,231,200          | 742,465,320          | 89,234,120         | 13.7%        | 0.688833             | 575.98            | 0.626931             | 609.26                | 97,181                 |
| RESIDENTIAL             | 10403         | 8,570,695         | 8,657,162           | 86,467         | 1.0%        | 1,105,326,684        | 1,220,316,179        | 114,989,495        | 10.4%        | 0.688833             | 575.98            | 0.626931             | 609.26                | 97,181                 |
| <b>TOTAL</b>            | <b>12,958</b> | <b>16,023,505</b> | <b>16,603,817</b>   | <b>580,312</b> | <b>3.6%</b> | <b>2,004,863,139</b> | <b>2,119,252,592</b> | <b>114,389,453</b> | <b>5.71%</b> |                      |                   |                      |                       |                        |

K:\Finance\Revenue\Estimates\Rates\2014-2015\IBIS Rate Data by Category - Model 6 LV & rate Comparison - 1.0% evenly - Balance + CU dist to Mining



**2014-2015 Rate Estimate Analysis - Report 7**

**Model Summary**

Total 2014/2015 rate revenue projected in this model is **\$16,603,817** being an overall increase of **3.6%**.

This model is based on an initial increase of **2.3%** being the maximum increase prescribed by IPART.

In addition to the 2.3% IPART increase (Being \$ 369,014), The following additional adjustments have been added in accordance with rate pegging requirements :-

\$18,084.00 - Added to restore Council's rate base due to the net reduction in total land value due to LV OBJECTIONS during 2013/2014

\$2,662.60 - Added to restore Council's rate base due to the net reduction in total land value due to RE-ASCERTAINMENTS during 2013/2014

\$101.00 - Added to CATCH-UP permissible revenue not levied in 2013/2014

\$172,535.00 - CATCH-UP of rate revenue lost in 2012-2013 due to LV OBJECTIONS during 2012/2013

\$18,084.00 - CATCH-UP of rate revenue lost in 2013-2014 due to LV OBJECTIONS during 2013/2014

This model distributes the revenue described above as follows :-

Business, Farmland & Residential categories increase by 1.0% + their proportion of the available catch-up, while the balance of the total revenue is distributed to Mining. As a result, Business, Farmland & Residential increase by 2.2% while Mining Coal increases by 14.6% and Mining by 16.1%.

Minimum rates for all categories have increased by the maximum 2.3% to \$609.26.

Within the residential category, Residential Urban (4.2%) increases more than Residential Rural (-0.8%) due to the relative change in land values from the 2011 to 2013 valuation base dates, Residential Urban values increased by 13.7% as opposed to Residential Rural values which increased by 5.7%.

**RATES / LV ANALYSIS**

\*\*\*The Table and graphs below subsequently indicates:-

\*\*\*under the heading of Revenue, 2.2% increase for Business, Farmland & residential and 14.7% overall increase for Mining

\*\*\*under the heading of Land Value, a comparison of the 2011 base date to that of 2013 which indicates 5.71% variation

\*\*\*under the heading of Rates/Minimums the new rates in \$ and new Minimum Cut-Offs to produce the required revenue based upon 2013 LVs

**LV DRILLDOWN**

\*\*\*These Summaries shows Basic Statistics and a Range Analysis by category

\*\*\*shows LV ranges and subsequent changes to rates payable, again in ranges

\*\*\*Graphs highlight information in table

2014-2015 Rate Estimate Analysis - Report 7

| Category / Sub-category | No of Assts   | REVENUE           |                     |                | LAND VALUE  |                      |                      | RATES / MINIMUMS   |              |                      |                   |                       |                                  |         |
|-------------------------|---------------|-------------------|---------------------|----------------|-------------|----------------------|----------------------|--------------------|--------------|----------------------|-------------------|-----------------------|----------------------------------|---------|
|                         |               | 2013/2014 Actual  | 2014/2015 Projected | Difference     | % variation | 2013/2014 2011 LV BD | 2014/2015 2013 LV BD | Difference         | % variation  | Rate in \$ 2013/2014 | Minimum 2013/2014 | NEW Minimum 2014/2015 | NEW Minimum 2014/2015 LV cut-off |         |
| RYLSTONE AEROPARK       | 0             | 0                 | 0                   | 0              | 0           | 0                    | 0                    | 0                  | 0            | 0                    | 0                 | 0.929015              | 200.00                           | 21,528  |
| BUSINESS                | 634           | 1,304,599         | 1,332,224           | 27,626         | 2.2%        | 135,693,310          | 137,598,380          | 1,905,070          | 1.4%         | 0.922521             | 575.98            | 0.929015              | 609.26                           | 65,581  |
| FARMLAND                | 1908          | 4,305,741         | 4,400,021           | 94,280         | 2.2%        | 737,799,591          | 735,670,491          | -2,129,100         | -0.3%        | 0.580605             | 575.98            | 0.594986              | 609.26                           | 102,399 |
| MINING COAL             | 11            | 1,810,847         | 2,075,736           | 264,889        | 14.6%       | 25,596,554           | 25,221,542           | -375,012           | -1.5%        | 7.074573             | 575.98            | 8.230011              | 609.26                           | 7,403   |
| MINING                  | 2             | 31,623            | 36,706              | 5,083          | 16.1%       | 447,000              | 446,000              | -1,000             | -0.2%        | 7.074573             | 575.98            | 8.230011              | 609.26                           | 7,403   |
| RESIDENTIAL RURAL       | 3709          | 3,401,002         | 3,374,083           | -26,918        | -0.8%       | 452,095,484          | 477,890,859          | 25,795,375         | 5.7%         | 0.688833             | 575.98            | 0.637472              | 609.26                           | 95,574  |
| RESIDENTIAL URBAN       | 6894          | 5,169,693         | 5,385,047           | 215,353        | 4.2%        | 653,231,200          | 742,465,320          | 89,234,120         | 13.7%        | 0.688833             | 575.98            | 0.637472              | 609.26                           | 95,574  |
| RESIDENTIAL             | 10403         | 8,570,695         | 8,759,130           | 188,435        | 2.2%        | 1,105,326,684        | 1,220,316,179        | 114,989,495        | 10.4%        | 0.688833             | 575.98            | 0.637472              | 609.26                           | 95,574  |
| <b>TOTAL</b>            | <b>12,958</b> | <b>16,023,505</b> | <b>16,603,817</b>   | <b>580,312</b> | <b>3.6%</b> | <b>2,004,863,139</b> | <b>2,119,252,592</b> | <b>114,389,453</b> | <b>5.71%</b> |                      |                   |                       |                                  |         |

K:\Finance\Revenue\Estimates\Rates\2014-2015\BIS Rate Data by Category - Model 7 LV & rate Comparison - 1.0% + Proportion of CU evenly - Balance to Mining

### 2014-2015 Rate Estimate Analysis - Report 8

#### Model Summary

Total 2014/2015 rate revenue projected in this model is \$16,603,817 being an overall increase of 3.6%.

This model is based on an initial increase of 2.3% being the maximum increase prescribed by IPART.

In addition to the 2.3% IPART increase (Being \$ 369,014), The following additional adjustments have been added in accordance with rate pegging requirements :-

\$18,084.00 - Added to restore Council's rate base due to the net reduction in total land value due to LV OBJECTIONS during 2013/2014

\$2,662.60 - Added to restore Council's rate base due to the net reduction in total land value due to RE-ASCERTAINMENTS during 2013/2014

\$101.00 - Added to CATCH-UP permissible revenue not levied in 2013/2014

\$172,535.00 - CATCH-UP of rate revenue lost in 2012-2013 due to LV OBJECTIONS during 2012/2013

\$18,084.00 - CATCH-UP of rate revenue lost in 2013-2014 due to LV OBJECTIONS during 2013/2014

This model distributes the revenue described above as follows :-

Business, Farmland & Residential categories increase by 2.0%, while the balance of the total revenue is distributed to Mining.

As a result, Mining Coal increases by 16.1% and Mining by 17.5%.

Minimum rates for all categories have increased by the maximum 2.3% to \$609.26.

Within the residential category, Residential Urban (4.0%) increases more than Residential Rural (-1.0%) due to the relative change in land values from the 2011 to 2013 valuation base dates, Residential Urban values increased by 13.7% as opposed to Residential Rural values which increased by 5.7%.

#### RATES / LV ANALYSIS

\*\*\*The Table and graphs below subsequently indicates:-

\*\*\*under the heading of Revenue, 2.0% increase for Business, Farmland & residential and 16.1% overall increase for Mining

\*\*\*under the heading of Land Value, a comparison of the 2011 base date to that of 2013 which indicates 5.71% variation

\*\*\*under the heading of Rates/Minimums the new rates in \$ and new Minimum Cut-Offs to produce the required revenue based upon 2013 LVs

#### LV DRILLDOWN

\*\*\*These Summaries shows Basic Statistics and a Range Analysis by category

\*\*\*shows LV ranges and subsequent changes to rates payable, again in ranges

\*\*\*Graphs highlight information in table

K:\Finance\Revenue\Estimates\Rates\2014-2015\IBIS Rate Data by Category - Model 8 LV & rate Comparison - 2.0% evenly - Balance + CU dist to Mining

2014-2015 Rate Estimate Analysis - Report 8

| Category / Sub-category | No of Assts   | REVENUE           |                     |                | LAND VALUE  |                      |                      | RATES / MINIMUMS   |              |                      |                          |                       |                    |
|-------------------------|---------------|-------------------|---------------------|----------------|-------------|----------------------|----------------------|--------------------|--------------|----------------------|--------------------------|-----------------------|--------------------|
|                         |               | 2013/2014 Actual  | 2014/2015 Projected | Difference     | % variation | 2013/2014 LV BD      | 2014/2015 LV BD      | Difference         | % variation  | Rate In \$ 2013/2014 | NEW Rate In \$ 2014/2015 | NEW Minimum 2014/2015 | Minimum LV cut-off |
| RYLSTONE AEROPARK       | 0             | 0                 | 0                   | 0              | 0           | 0                    | 0                    | 0                  | 0            | 0                    | 0.927143                 | 200.00                | 21,572             |
| BUSINESS                | 634           | 1,304,599         | 1,329,752           | 25,153         | 2.0%        | 135,693,310          | 137,598,380          | 1,905,070          | 1.4%         | 0.922521             | 0.927143                 | 609.26                | 65,714             |
| FARMLAND                | 1908          | 4,305,741         | 4,391,856           | 86,115         | 2.0%        | 737,799,591          | 735,670,491          | -2,129,100         | -0.3%        | 0.550605             | 0.593859                 | 609.26                | 102,593            |
| MINING COAL             | 11            | 1,810,847         | 2,102,160           | 291,313        | 16.1%       | 25,596,554           | 25,221,542           | -375,012           | -1.5%        | 7.074573             | 8.334778                 | 609.26                | 7,310              |
| MINING                  | 2             | 31,623            | 37,173              | 5,550          | 17.5%       | 447,000              | 446,000              | -1,000             | -0.2%        | 7.074573             | 8.334778                 | 609.26                | 7,310              |
| RESIDENTIAL RURAL       | 3709          | 3,401,002         | 3,367,480           | -33,522        | -1.0%       | 452,095,464          | 477,850,959          | 25,755,375         | 5.7%         | 0.688833             | 0.635798                 | 609.26                | 95,826             |
| RESIDENTIAL URBAN       | 6694          | 5,169,693         | 5,375,396           | 205,703        | 4.0%        | 653,231,200          | 742,465,320          | 89,234,120         | 13.7%        | 0.688833             | 0.635798                 | 609.26                | 95,826             |
| RESIDENTIAL             | 10403         | 8,570,695         | 8,742,876           | 172,181        | 2.0%        | 1,105,326,684        | 1,220,316,179        | 114,989,495        | 10.4%        | 0.688833             | 0.635798                 | 609.26                | 95,826             |
| <b>TOTAL</b>            | <b>12,958</b> | <b>16,023,505</b> | <b>16,603,817</b>   | <b>580,312</b> | <b>3.6%</b> | <b>2,004,863,139</b> | <b>2,119,252,592</b> | <b>114,389,453</b> | <b>5.71%</b> |                      |                          |                       |                    |

K:\Finance\Revenue\Estimates\Rates\2014-2015\IBIS Rate Data by Category - Model 8 LV & rate Comparison - 2.0% evenly - Balance + CU dist to Mining

### 2014-2015 Rate Estimate Analysis - Report 9

#### Model Summary

Total 2014/2015 rate revenue projected in this model is **\$16,603,817** being an overall increase of **3.6%**.

This model is based on an initial increase of **2.3%** being the maximum increase prescribed by IPART.

In addition to the 2.3% IPART increase (Being \$ 369,014), The following additional adjustments have been added in accordance with rate pegging requirements :-

- \$18,084.00 - Added to restore Council's rate base due to the net reduction in total land value due to LV OBJECTIONS during 2013/2014
- \$2,662.60 - Added to restore Council's rate base due to the net reduction in total land value due to RE-ASCERTAINMENTS during 2013/2014
  - \$101.00 - Added to CATCH-UP permissible revenue not levied in 2013/2014
- \$172,535.00 - CATCH-UP of rate revenue lost in 2012-2013 due to LV OBJECTIONS during 2012/2013
- \$18,084.00 - CATCH-UP of rate revenue lost in 2013-2014 due to LV OBJECTIONS during 2013/2014

This model distributes the revenue described above as follows :-

Business, Farmland & Residential categories increase by 2.0% + their proportion of the available catch-up, while the balance of the total revenue is distributed to Mining. As a result, Business, Farmland & Residential increase by 3.2% while Mining Coal increases by 6.9% and Mining by 8.3%.

Minimum rates for all categories have increased by the maximum 2.3% to \$609.26.

Within the residential category, Residential Urban (5.1%) increases more than Residential Rural (0.2%) due to the relative change in land values from the 2011 to 2013 valuation base dates. Residential Urban values increased by 13.7% as opposed to Residential Rural values which increased by 5.7%.

#### RATES / LV ANALYSIS

\*\*\*The Table and graphs below subsequently indicates:-

\*\*\*under the heading of Revenue, 3.2% increase for Business, Farmland & residential and 7.0% overall increase for Mining

\*\*\*under the heading of Land Value, a comparison of the 2011 base date to that of 2013 which indicates 5.71% variation

\*\*\*under the heading of Rates/Minimums the new rates in \$ and new Minimum Cut-Offs to produce the required revenue based upon 2013 LVs

#### LV DRILLDOWN

\*\*\*These Summaries shows Basic Statistics and a Range Analysis by category

\*\*\*shows LV ranges and subsequent changes to rates payable, again in ranges

\*\*\*Graphs highlight information in table

2014-2015 Rate Estimate Analysis - Report 9

| Category / Sub-category | No of Asss    | REVENUE           |                     |                        | LAND VALUE  |                      |                      | RATES / MINIMUMS       |                      |                   |                       |                        |
|-------------------------|---------------|-------------------|---------------------|------------------------|-------------|----------------------|----------------------|------------------------|----------------------|-------------------|-----------------------|------------------------|
|                         |               | 2013/2014 Actual  | 2014/2015 Projected | Difference % variation | 2011 LV BD  | 2013 LV BD           | 2014/2015            | Difference % variation | Rate in \$ 2013/2014 | Minimum 2014/2015 | NEW Minimum 2014/2015 | NEW Minimum LV out-off |
| RYLSTONE/AEROPARK       | 0             | 0                 | 0                   | 0                      | 0           | 0                    | 0                    | 0                      | 0                    | 0.938882          | 200.00                | 21,302                 |
| BUSINESS                | 634           | 1,304,599         | 1,345,261           | 40,662                 | 3.2%        | 135,693,310          | 137,598,380          | 1,905,070              | 1.4%                 | 0.922521          | 575.98                | 64,892                 |
| FARMLAND                | 1908          | 4,305,741         | 4,443,078           | 137,337                | 3.2%        | 737,799,591          | 735,670,491          | -2,129,100             | -0.3%                | 0.580605          | 575.98                | 101,387                |
| MINING COAL             | 11            | 1,810,847         | 1,936,391           | 125,544                | 6.9%        | 25,596,554           | 25,221,542           | -375,012               | -1.5%                | 7.074573          | 575.98                | 7,936                  |
| MINING                  | 2             | 31,623            | 34,242              | 2,618                  | 8.3%        | 447,000              | 446,000              | -1,000                 | -0.2%                | 7.074573          | 575.98                | 7,936                  |
| RESIDENTIAL RURAL       | 3709          | 3,401,002         | 3,408,970           | 7,968                  | 0.2%        | 452,095,484          | 477,850,859          | 25,755,375             | 5.7%                 | 0.688833          | 575.98                | 94,276                 |
| RESIDENTIAL URBAN       | 6694          | 5,169,693         | 5,435,875           | 266,182                | 5.1%        | 653,231,200          | 742,465,320          | 89,234,120             | 13.7%                | 0.688833          | 575.98                | 94,276                 |
| RESIDENTIAL             | 10403         | 8,570,695         | 8,844,845           | 274,150                | 3.2%        | 1,105,326,684        | 1,220,316,179        | 114,989,495            | 10.4%                | 0.688833          | 575.98                | 94,276                 |
| <b>TOTAL</b>            | <b>12,958</b> | <b>16,023,505</b> | <b>16,603,817</b>   | <b>580,312</b>         | <b>3.6%</b> | <b>2,004,863,139</b> | <b>2,119,252,592</b> | <b>114,389,453</b>     | <b>5.71%</b>         |                   |                       |                        |

K:\Finance\RevenueEstimates\Rates\2014-2015\IBIS Rate Data by Category - Model 9 LV & rate Comparison - 2.0% + Proportion of CU evenly - Balance to Mining

## 6.2.14 MAC Group Appeal

REPORT BY THE GENERAL MANAGER TO 21 MAY 2014 COUNCIL MEETING

MAC Group Appeal  
GOV400038, A0420251

### RECOMMENDATION

**That the report by the General Manager on the MAC Group Appeal be received.**

### Detailed report

At the time of preparing this business paper the legal advice on whether there are any grounds on which the Council can appeal Commissioner Dixon's decision in *Mac Services Group v Mid-Western Regional Council* [2014] NSWLEC 1072 has not been received.

That advice and recommendation will be sent under separate covers to Councillors

The Land and Environment Court (**LEC**) website indicates that an appeal must be commenced within 28 days of the date on which Commissioner Dixon's decision was made, that is, by **27 May 2014**.

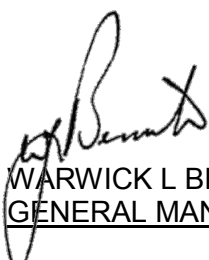
The purpose of this report is to ensure that Councillors are aware that this matter needs to be discussed and determined at this meeting.

### Financial and Operational Plan implications

Not applicable at this time.

### Community Plan implications

Not applicable at this time.



WARWICK L BENNETT  
GENERAL MANAGER

12 May 2014

## 6.2.15 Economic Development and Events Update Q1 2014

REPORT BY THE ECONOMIC DEVELOPMENT OFFICER TO 21 MAY 2014 COUNCIL MEETING  
Economic Development and Events Update Q1 2014  
GOV400038, A0820020

### RECOMMENDATION

**That the report by the Economic Development Officer on the Economic Development and Events Update Q1 2014 be received.**

### Executive summary

The attached document provides a progress update towards key activities that have been undertaken in relation to the implementation of the Economic Development and Events Plan for Quarter 1 2014.

Some of the discussions and meetings in the Economic Development and Events area are commercial in confidence. These matters have been included as an attachment in the confidential section of the business paper, because it names individuals and/or companies that we are having commercial in confidence discussions with. Some events issues are also retained in confidential as we are in delicate discussions with some event organisers and don't want to jeopardise those discussions by making proposals public.

### Financial and Operational Plan implications

The costs of implementing these actions are included in the 2013/14 Management Plan.

### Community Plan implications

These actions are defined in the Economic Development Strategy.

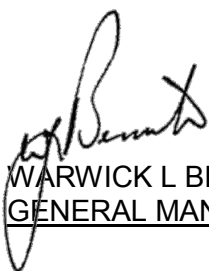
JULIE ROBERTSON  
ECONOMIC DEVELOPMENT OFFICER

8 May 2014

*Attachments:*

1. Economic Development & Events Update Q1 2014.
2. Economic Development & Events Update Q1 2014 (commercial in confidence – included in the Confidential section of the business paper).

APPROVED FOR SUBMISSION:



WARWICK L BENNETT  
GENERAL MANAGER





*Building a strong  
Local Economy*

ECONOMIC  
DEVELOPMENT AND  
EVENTS UPDATE

QUARTER 1 2014

MID-WESTERN REGIONAL COUNCIL  
ECONOMIC DEVELOPMENT

■ ■ ■ ■ ■ TOWARDS 2030



ECONOMIC DEVELOPMENT | ECONOMIC DEVELOPMENT AND EVENTS UPDATE

THIS DOCUMENT HAS BEEN PREPARED BY JULIE ROBERTSON, ECONOMIC DEVELOPMENT OFFICER FOR MID-WESTERN REGIONAL COUNCIL.

ANY QUESTIONS IN RELATION TO THE CONTENT OF THIS DOCUMENT SHOULD BE DIRECTED TO:  
JULIE.ROBERTSON@MIDWESTERN.NSW.GOV.AU OR (02) 6378 2850

DATE OF PUBLICATION: QUARTER 1 2014

## 1. Economic Development Update

Provided below are a summary of key activities undertaken during Quarter 1 (ie. January to March) in relation to the implementation of the Economic Development and Events Plan for 2014.

### Economic and Business Profile

- Update and review new economic and business data available for the Region including:
  - New release of Estimated Resident Population for the period ending 30 June 2013
  - New release of Small Area Labour Markets Australia data for the period ending 31 December 2013
  - New release of Residex State of the Market Property data for the period ending 31 December 2013
- Provide public access to full online economic profile using REMPLAN software to provide increased access to data about the Region for potential investors.

### Economic Think Tank

- An Economic Think Tank forum was held in March 2014 with 20 business leaders from across the Region providing updates and feedback in relation to economic development opportunities.

### Population Projections

- Work with the NSW Department of Planning and Demography unit in relation to the preliminary population projections for the Region to identify areas of concern and differences with the projections provided in the Local Services Assessment.
- Assist Council's management team on population planning and projections for strategic planning and water and sewer management.

### Best Practice Business Reviews

- Completed Best Practice Business Review of the HACC services area with Community Services Manager to assist in identifying opportunities for efficiency/productivity improvements.
- Commenced work on a review and update of Council's Business Continuity Plan.

## Specialised Grant Applications

- Attend briefing sessions and prepare detailed business cases for large grant applications including Resources for Regions Round 2 and Cobbora Transition Fund as follows:
  - Resources for Regions Round 2: submitted full applications for Cope Road (\$6.7 million) and Mudgee Airport (\$2.0 million)
  - Cobbora Transition Fund: submitted full applications for a Regional Arts Centre (\$3.0 million), Fairydale and Saleyards Lane Upgrades (\$2.6 million) and Mudgee Retail Precinct Car Parking (\$1.0 million)
  - Cobbora Transition Fund: submitted full application for the \$1.0 million direct allocation to Council for the development of an Early Childhood Education and Care Services Facility
  - Provide assistance to the Red Hill Committee with their submission to the Cobbora Transition Fund for the Red Hill Project, including project scope of works and project timeline.
- Ongoing correspondence with Infrastructure NSW for prepare formal funding agreements for the delivery of successful projects, including:
  - Ulan Road Project (successful under Resources for Regions Round 1)
  - Cope Road Project (successful under Resources for Regions Round 2)
  - Mudgee Airport (successful under Resources for Regions Round 2)

## Airport Development

- Prepare an expression of interest for design and feasibility to expand business activities at Mudgee Airport.
- An airport master plan has been included within the scope of works for the funding received for Mudgee Airport under the Resources for Regions Round 2 program. Work is expected to commence with successful organisation in May/June 2014.

## Technology/Innovation Centre

- Conduct research on technology/innovation centres already established in other locations including costs of establishment, activities/functions carried out, and investment models. Site inspection to Wollongong University to be arranged at a future date (eg. July 2014) depending upon availability of relevant facility staff.

## Tourism

- Participate in monthly tourism group meeting with key tourism stakeholders including Mudgee Regional Tourism, Mudgee Fine Foods and Mudgee Wine and Grape Growers.

## Planning for Growth

- Continued work with the early childhood sector in relation to the preschool and childcare shortages in the Region.
- Participation in the Dept of Premier & Cabinet Mining and Resource Development Taskforce to assist in managing the issues associated with the growth of mining activities in Western NSW.
- Continued correspondence with NBN Co and local Federal member in relation to the future roll-out of the NBN and expected timing.
- Work with Ministry for Transport NSW and interested aviation businesses on the background of the Mudgee to Sydney air service and expressions of interest to take over the Brindabella licence.
- Preparation of a submission to the Standing Committee on State Development for the inquiry into regional aviation services.

## Early Childhood Hub

- Establish a project team for the development of an Early Childhood Education and Care Services Facility in the Region, including preparation of a business case for Infrastructure NSW and initial site investigations.

## Additional Projects and Activities

- Regional Arts Centre: Assist with background research in relation to the costs and opportunities of establishing a regional arts centre in the Region, including visits to other regional centres.
- Kandos Events & Business Opportunities: Work with representatives of Kandos Rylstone Business & Tourism Group to help identify future event and business opportunities for the area.

## 2. Events Update

Provided below are a summary of key activities undertaken during Quarter 1 (ie. January to March) in relation to the implementation of the Economic Development and Events Plan for 2014.

### Trans Tasman International Touch Series

- Hosting the 2014 Trans Tasman International Touch Series with Australian Touch Football at Glen Willow including event management, venue preparation, marketing assistance, working with visiting teams and local touch football representatives, local business promotion, media opportunities and game week activities.

### NSW Country Rugby Championships

- Hosting the 2014 NSW Country Championships with Mudgee Wombats at Glen Willow including venue preparation and management, marketing and promotional support, media opportunities and game week activities.

### NRL and CRL

- Meetings with representatives of both the National Rugby League and Country Rugby League in relation to attracting future rugby league events to the Region, including Country V City games, junior championships and a premiership game.

### Western NSW Mariners

- Continue relationship with Western Mariners and appointment as successful venue to host the 2014 home games for the Western NSW Mariners at Glen Willow, which includes hosting 8 home games (4 games per weekend) in the Football NSW Premier League Competition.

### Additional Projects and Activities

- Local Film Projects: Providing events advice and support to three film projects visiting the Region to produce movies/feature films including a Ch 7 telemovie in Gulgong, an online series filmed at various winery locations and an independent movie at Burrundulla.

## Event Bids Submitted

- **AAMI Country V City Rugby League:** a bid was submitted to the CRL to host this rugby league representative fixture again in 2016 or 2017, including indicating availability for 2015 game if required as a stand-by for other venues. This event was last hosted in 2012 with 8,600 attendees (approximately 60% visitors to the Region).
- **U14-15 NSW Rugby League Championships:** a bid was submitted to the NRL to host this championship event in May 2015. This event will include 20 teams from across NSW.
- **Melbourne Cup Trophy:** a bid was submitted to host the Melbourne Cup Trophy during its tour of NSW between July and September 2014. This would be a community based event with a range of activities aimed at senior citizens, school children, horse racing enthusiasts and the general public. A fund raising opportunity would also be available.

## 6.2.16 Early Childhood Education and Care Services Facility

REPORT BY THE ECONOMIC DEVELOPMENT OFFICER TO 21 MAY 2014 COUNCIL MEETING  
Early Childhood Education and Care Services Facility  
GOV400038, A0820020, COU500081

### RECOMMENDATION

#### That:

1. **the report by the Economic Development Officer on the Early Childhood Education and Care Services Facility be received;**
2. **Council proceed with the development of an Early Childhood Education and Care Services Facility on the Council owned land in Saleyards Lane Mudgee;**
3. **Council does not operate the early Childhood Education and Care Services Facility but calls for expression of interest to operate the said facility and enters into a long term lease (15 Years) with an operator at market rental;**
4. **the General Manager be delegated authority to immediately proceed with a boundary adjustment to create an allotment of 1456 square metres from the Saleyards Lane property for the purpose of developing an Early Childhood Education and Care Services Facility;**
5. **the General Manager immediately proceed with obtaining all necessary consents to develop an Early Childhood Education and Care Services Facility on the Saleyards Lane site;**
6. **the General Manager immediately proceed with the project development for an Early Childhood Education and Care Services Facility including calling for expressions of interest to operate the facility and tenders for the design and construction of the facility;**
7. **Council authorises the General Manager and the Mayor to affix the Common Seal of the Council to all documentation with the State Government to have the allocation of the Cobbora Monies being transferred to Council; and**
8. **Council write to the State Treasurer, the Hon Andrew Constance, the MPs for Dubbo (Troy Grant) and Orange (Andrew Gee) and thank them sincerely for the financial grant that will allow an Early Childhood Education and Care Services Facility to be developed in this Region.**

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### Executive summary

A report in relation to the development of an Early Childhood Education and Care Services Facility was presented to the 16 April 2014 Council meeting. At this meeting, Council requested a further staff report in regard to infrastructure costs associated with developing the facility in Saleyards Lane.

The purpose of this report is to provide further information to Council in relation to these costs, so that a site can be selected and the development of this facility commenced.



It also provides a summary of the other sites that have been considered during this process and the relative costs for comparative purposes.

Based on the detail below, the Saleyards Lane site represents an affordable outcome for the development of an Early Childhood Education and Care Services Facility. The ability to minimise site/land costs at this stage of the project will ensure that a greater proportion of the \$1 million received from the Restart NSW Cobbora Transition Fund is available to invest in the construction of the facility itself.

## Detailed report

### *FACTORS CONSIDERED IN SITE SELECTION*

In the search and identification of an appropriate site for the development of an Early Childhood Education and Care Services Facility, the following factors were taken into consideration:

- Timing for development – the timing of the development and associated infrastructure is an important factor as the need to establish this facility is “immediate” from a community perspective.
- Availability of appropriate sized blocks – a site of approximately 1,500m<sup>2</sup> – 1,800m<sup>2</sup> is required for the development of this facility. Whilst the minimum requirement for a facility with 2 preschool rooms is 1,500m<sup>2</sup>, a larger site provides scope to expand if and when required in the future.
- Physical features of site – a number of physical aspects are important in determining an appropriate location, including:
  - Location of the site within existing housing areas – preferred sites would be those not located in the middle of or adjoining existing residential housing so that they have minimal impact on existing properties (particularly as this is a Council owned development). New development areas would be more desirable, so that any future adjoining land owners are aware of the facility prior to building.
  - Distance to CBD – close proximity to the central business district would be more attractive for users of the facility.
  - Access for residents living outside the Mudgee CBD – the ability to provide convenient access to residents of Gulgong, Kandos, Rylstone and rural areas is also important.
  - Proximity to new/future development areas – the ability to be located within close proximity of the largest majority of users (ie. families with young children) is desirable. Sites located close to future development would be more favourable.
  - Located on a through road – the ability to provide convenient and practical road access which minimises traffic impacts on neighbours makes location of this facility on a through road desirable.
  - Minimal slope of the site to minimise the requirement for cut and fill to enable effective provision of car parking and on-grade access between the facility and playground areas.

### *SALEYARDS LANE SITE*

Based on the above factors, the Saleyards Lane site is the preferred site for the development of an Early Childhood Education and Care Services Facility.

The advantages of the Saleyards Lane site are:

- It is already owned by Council. It is acknowledged that there is an opportunity cost associated with the site, in that Council could sell these sites in the future. However, there is no cash flow impact, as the opportunity cost will only be incurred against the income realised at the time of the sale of the entire subdivision.
- The Saleyards Lane subdivision was approved by Council at its 7 May 2014 meeting, which means the sites are now available if Council wants to pursue the development of an Early Childhood Education and Care Services Facility in this location.
- There are no existing houses adjoining this site which may be impacted by the development of the facility.
- The site is located on a through road and in an area which provides close proximity to Mudgee CBD, is convenient and accessible to future development and also services residents of the wider region.
- The gentle slope of the site will not impede the development for the purposes of the facility.

The main disadvantage of the Saleyards Lane site is that in terms of timing it will jump ahead of the development of the entire Saleyards Lane subdivision. If there was no urgent community need to develop an Early Childhood Education and Care Services Facility, it would be possible to wait for the physical development works for the entire subdivision to take place before proceeding with development of the facility. This means that all of the costs associated with the development and servicing of the site would be incurred by the “developer” (whether that is Council as the current owner or a future developer if the site were sold).

However, the community need for the facility is immediate and required to satisfy the shortfall in preschool places and lack of early childhood services. This means that interim access to power, water and sewer and road access need to be taken into account in considering the incremental costs associated with the project and selecting the most appropriate site.

The recommendation includes the commencement of a boundary adjustment to create the lot. The boundary adjustment is minor in nature and therefore can be considered under the Exempt development provisions. At this stage the created lot will not include that section of Fairydale Lane fronting the site that is subject to the proposed road closure (approximately 452m<sup>2</sup>). Therefore, the initial lot created is only 1,456 m<sup>2</sup>. Upon the finalisation of the road closure another boundary adjustment will occur to include the additional land resulting in a total site area of 1868m<sup>2</sup>. In the interim, to allow the development application to be lodged on what will be the total site, a lease agreement will be established to lease the road closure area to the child care centre site.

#### *INFRASTRUCTURE REQUIREMENTS FOR SALEYARDS LANE SITE*

The interim infrastructure requirements for the Saleyards Lane site have been considered as follows.

##### **Power**

There is currently no power to the Saleyards Lane site. Power is available to the ex-SES facility which is directly opposite the proposed site. Initial indications are that an additional power pole can be installed on the same side as the proposed site, which will allow connection to the existing power supply. This will provide an interim power arrangement until the entire subdivision is completed.

A detailed network design will be provided with final costings if this site is selected, however, it is expected to cost approximately \$14,000. These costs would need to be included in the overall project cost.

### **Water and Sewer**

The Saleyards Lane site is not connected to water and sewer. The estimated costs to provide these connections are \$11,900. This includes \$5,200 for 60 metres of 100mm pipe work and a hydrant flushing bend at the end of the line for water. It also includes \$6,700 for the installation of a 2.9 metre chamber and the extension of 30 metres of 150mm sewer main. These costs would need to be included in the overall project cost.

### **Road**

Saleyards Lane provides current access to the proposed site for the Early Childhood Education and Care Services Facility. This site also has easy access from areas west of Mudgee such as Gulgong. The road is sealed with gravel shoulders (no kerb or guttering). It is classified as a non-conforming but adequate road.

The development of the entire subdivision will result in a substantial upgrade of Saleyards Lane which will include a drainage culvert, kerb and guttering, pavement overlay and seal from Bell Street to the end of the Council owned site (approx 730 metres). These costs will need to be borne by the developer of the subdivision. Council has also applied for funding through the Restart NSW Cobbora Transition Fund towards the upgrade of this road.

The current road will provide sufficient interim access for the facility, which means no road works will need to be undertaken prior to the development of an Early Childhood Education and Care Facility if this site is selected as the most appropriate site.

There will be a future need to address the absence of kerb and guttering and extension of the shoulder seal along the road frontage of the facility, which is estimated at \$7,000. It is expected that the development application will allow for these road works to be deferred coinciding with the development of the subdivision. An amount of \$7,000 will be included as part of the project costs to make a contribution to these road works in the future.

If funding is provided under the recent application to the NSW Cobbora Transition Fund for the upgrade of Fairydale and Saleyards Lanes, then this amount will be reduced to \$0.

### **DA and Subdivision**

Other costs that will need to be incurred in relation to this facility are the costs of obtaining a development application and a boundary adjustment which will be required to create one lot for the facility (where the current subdivision plan shows three lots). The costs of lodging a DA and obtaining a construction certificate are approximately \$8,500 and will need to be incurred as part of the project regardless of the site selected. Costs associated with the boundary adjustment are minimal (less than \$500) plus the cost of survey.

### **Other Sites Investigated**

Staff considered a range of alternatives for the development of a facility as requested by Council. Provided below is a summary of the information obtained during this process on other vacant lots. It is important to note that this is not an exhaustive list, but rather a snapshot of alternatives available.

| <i>Bellevue Estate</i>                          |  |
|---|--|
| <b>Site</b>                                     | Various Lots - Bellevue Estate   |
| <b>Price</b>                                    | \$142k-\$150k per lot (smaller lots)<br>\$245k (larger lots)   |
| <b>Timing for Development</b>                   | Various lots available now in Stages 15-18   |
| <b>Availability of Appropriate Sized Blocks</b> | There are larger sites available to satisfy 1,500m <sup>2</sup> -1,800m <sup>2</sup> requirements for a preschool. There are also smaller lots available, which would satisfy the requirement if two adjoining lots were purchased.<br>Examples of sites available:<br>Lot 311 is 6,113m <sup>2</sup> Estimated cost of purchase \$245 k<br>Lots 313 and 314 are 770m <sup>2</sup> and 950m <sup>2</sup> (combined 1,720m <sup>2</sup> )   |
| <b>Physical Features of Site</b>                | <p>Lot 311 is a large sloping site at the end of a cul-de-sac. It does not adjoin existing houses and provides good access to Mudgee CBD and future development areas. Access to a new facility via a cul-de-sac would likely raise concerns for traffic and pedestrian safety.</p> <p>Lots 313 and 314 are on the corner of Fairydale Lane and Banjo Paterson Ave. A drainage reserve separates these sites from existing houses. Existing houses are opposite the corner site. Sites are located along a main road and provide good access to Mudgee CBD and future development areas.</p> |
| <b>Infrastructure Requirements</b>              | Access to power, water and sewer is available now. No further road works are required.   |
| <i>Valley Grove Estate</i>                      |  |
| <b>Site</b>                                     | Lots 4-7 Valley Grove Estate (Bellevue Road)   |
| <b>Price</b>                                    | \$145k-\$149k per lot  |
| <b>Timing for Development</b>                   | A new development with blocks expected to be available from December 2014 (Stage 1 includes 14 lots released, total 32 lots)   |
| <b>Availability of Appropriate Sized Blocks</b> | There are no single sites available to satisfy 1,500m <sup>2</sup> -1,800m <sup>2</sup> requirement for a preschool. 2 blocks (approx 800m <sup>2</sup> each) would be required.   |
| <b>Physical Features of Site</b>                | There are 4 suitable lots available (Lots 4-7). None of the lots adjoin existing houses and the lots are on a main road (Bellevue Road). This development provides good access to Mudgee CBD and future development areas.   |
| <b>Infrastructure Requirements</b>              | Expected timeframe for power, water and sewer is December 2014. Lots front existing road (Bellevue Road).  |
| <i>Ridge Estate</i>                             |  |
| <b>Site</b>                                     | Various Lots - Ridge Estate (Melton Road)  |
| <b>Price</b>                                    | \$165k-\$180k per lot  |
| <b>Timing for Development</b>                   | A new development with blocks expected to be available from December 2014 (Stage 1 includes 15 lots)   |
| <b>Availability of Appropriate Sized Blocks</b> | There are no single sites available to satisfy 1,500m <sup>2</sup> -1,800m <sup>2</sup> requirement for a preschool.<br>2 blocks (approx 800m <sup>2</sup> each) would be required.  |

|                                    |  |
|------------------------------------|--|
| <b>Physical Features of Site</b>   | There are a range of suitable lots available ranging in size from 920m <sup>2</sup> - 1,127m <sup>2</sup> . None of the lots adjoin existing houses and the lots are on a main road (Melton Road). This development provides reasonable access to Mudgee CBD but less so to future development areas as it is on the boundary of existing development. |
| <b>Infrastructure Requirements</b> | Expected timeframe for power, water and sewer is December 2014. Lots front existing road (Melton Road).  |

Other sites also considered are the Careleon and Murkins (45 lots at 17-29 Fairydale Lane, Lot 2 DP 538790) subdivisions. However, sites in either of these subdivisions are unlikely to be available until mid-2015, which would delay the delivery of the project.

### Cost Comparison

Based on the information above, the land and infrastructure costs associated with the Saleyards Lane Site include:

| <b>Item</b>             | <b>Amount</b>    |
|-------------------------|------------------|
| Power                   | \$14,000         |
| Road                    | \$7,000          |
| Water                   | \$5,200          |
| Sewer                   | \$6,700          |
| DA costs                | \$9,000          |
| <i>Sub-total</i>        | <i>\$41,900</i>  |
| Land (opportunity cost) | \$90,000         |
| <b>Total</b>            | <b>\$131,900</b> |

An opportunity cost of \$90,000 has been included as the cost of land for the Saleyards Lane site. As the land is undeveloped this is considered a reasonable amount for the site.

The following table summarises the cost comparisons for the other sites investigated. The costs are significantly higher as they include the cost of infrastructure development and a profit margin for the developer.

| <b>Location</b>     | <b>Lot No.</b> | <b>Amount</b> |
|---------------------|----------------|---------------|
| Bellevue Estate     | Lot 311        | \$245,000     |
| Bellevue Estate     | Lots 313&314   | \$292,000     |
| Valley Grove Estate | Lots 6&7       | \$294,000     |
| Ridge Estate        | 2 Lots         | \$330,000     |

Based on the information provided above, the Saleyards Lane site represents a more affordable outcome for the Early Childhood Education and Care Services Facility including the additional costs that are required to provide the relevant interim infrastructure.

The ability to minimise site/land costs at this stage of the project will ensure that a greater proportion of the \$1 million received from the Restart NSW Cobbora Transition Fund are available to invest in the construction of the facility itself.

### Financial and Operational Plan implications

Council has been granted \$1 million from the Restart NSW Cobbora Transition Fund for the development of an Early Childhood Hub. It's important that a good location is determined and Council maximises the grant to provide the best facility.

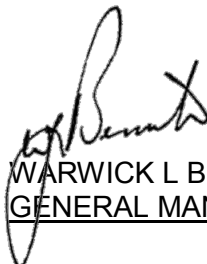
## Community Plan implications

Council has resolved to develop this facility.

JULIE ROBERTSON  
ECONOMIC DEVELOPMENT OFFICER

9 May 2014

APPROVED FOR SUBMISSION:



WARWICK L BENNETT  
GENERAL MANAGER

## 6.2.17 Seal Extension Nullo Mountain Road and Lochiel Lane

REPORT BY THE BUSINESS MANAGER WORKS TO 21 MAY 2014 COUNCIL MEETING

Nullo Mountain road and Lochiel Lane seal extension

GOV400038, R9012001

### RECOMMENDATION

#### That:

1. **the report by the Business Manager Works on the Seal Extension Nullo Mountain Road and Lochiel Lane be received;**
2. **Council consider as part of the 2014/15 budget that 2.0km length of steep hill section Nullo Mountain Road to be sealed at a cost of \$120,000 and 20m section at the Lochiel Lane, Mudgee be sealed at a cost of \$4,000.**

### Executive summary

The seal extension program on local roads is currently suspended. However it is recognised that the following sections of road would benefit in being sealed:

2.0km length of Nullo Mountain Road comprising of 160m of Segment 100, Segment 110 in full and 1300m of Segment 120. At this location Nullo Mountain Road rises up a steep hill that is narrow and winding with steep drop offs and blind corners. Despite previous resheeting this section continues to cause maintenance issues, particularly in wet weather, and results in a hazardous environment for both road users and Council grading crews. The cost of the seal extension is estimated at \$120,000 and should be considered as a high priority in the 2014/15 budget. This will reduce unproductive maintenance costs.

The 20m section of Lochiel Lane also needs to be sealed. There are currently two developments on Lochiel Lane which will be sealing a 140m length from Denison Street as part of their development consent conditions. There is a 70m length of existing seal from Horatio Street and therefore a 20m length of road will be left unsealed between the two sealed sections. It is difficult and not economical to grade such a short section of road. The cost of the seal extension is estimated at \$4,000 and it is recommended that this project be considered as a high priority in the 2014/15 budget

### Detailed report

#### *NULLO MOUNTAIN ROAD*

Nullo Mountain Road is a local minor unsealed road, 30.6km long and runs from Corigudgy Road, past Cox's Creek Road and terminates in a no through road. Council maintains all the full length of the road with the first 23.6 km which are categorised as bus route on a 12 monthly grade and the remainder on a 24 monthly grading program.

There are very few issues with the majority of the road, however there is a 2.0km section of road which winds up a narrow and particularly steep hill with steep drop offs and tight blind corners. Previously, particularly after rain there have been occasions where the school bus cannot drive up the steep section of the hill and the bus driver has raised concerns about sliding off the road and the safety of the passengers.

Council workers have also raised safety concerns about grading this section of road due to the narrow winding and steep nature.

It is recommended that this section be sealed. It is common and good practice to manage these types of risks by sealing which has been successful in various locations through Mid Western LGA. It is not proposed to widen the road or change the alignment, only to resheet with a good quality road base and seal.

#### *LOCHIEL LANE*

Lochiel lane is partially sealed maintained local urban road in Mudgee, between Horatio Street and Denison Street and is 230m long. Currently 70m is sealed from the intersection with Horatio Street. There are two subdivision development which as part of their consent conditions are required to seal Lochiel Lane from Denison Street to the end of their development, a total of 140m. This leaves a 20m section between the two sections of seal that will remain unsealed.

It is recommended that this small section be sealed, not only from a common sense viewpoint but from that of maintenance and grading. It is uneconomical, and will be difficult to provide a quality grade over such a short distance.

#### Financial and Operational Plan implications

Both seal extensions be considered for funding in the 2014/15 budget.

#### Community Plan implications

Local seal extensions are currently suspended. It is recommended that this still be the case but that the Nullo Mountain and Lochiel Lane seal extensions be an exception because of maintenance reasons.

SALLY MULLINGER  
BUSINESS MANAGER WORKS

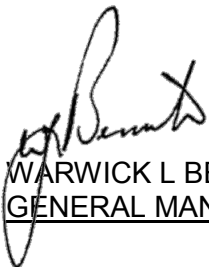


BRAD CAM  
DIRECTOR, MID-WESTERN OPERATIONS

9 May 2014

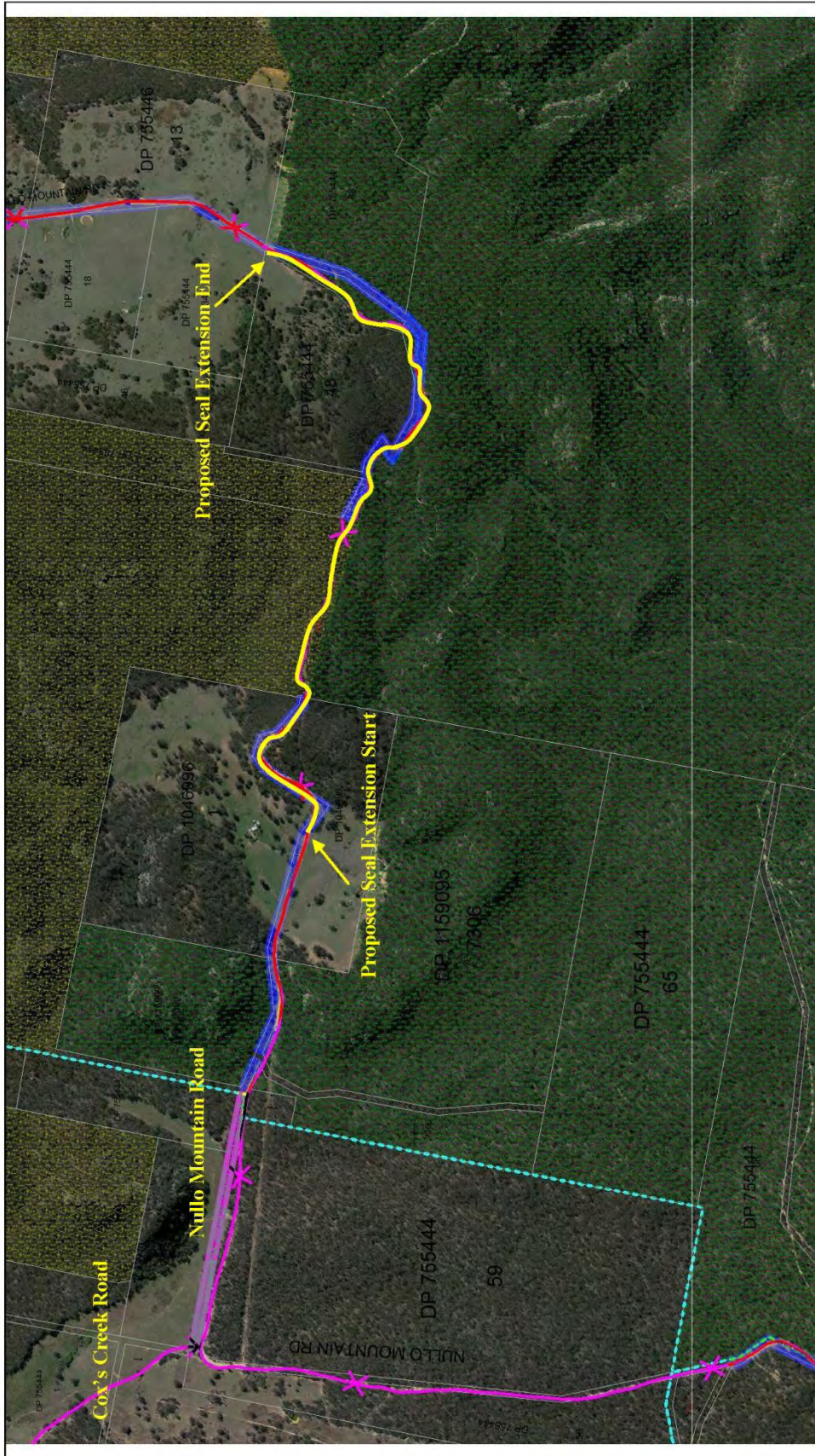
*Attachments:* 1. Location map of proposed Nullo Mountain Road seal extension  
2. Location map of proposed Lochiel Lane seal extension

APPROVED FOR SUBMISSION:



WARWICK L BENNETT  
GENERAL MANAGER





Map Scale: 1:17,830



**Legend**

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

**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.



Map Scale: 1:1,103

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

**Legend**

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

NORTH

Printed on Friday, 9 May 2014

## 6.2.18 Australian Disability Enterprise Accreditation

REPORT BY THE BUSINESS MANAGER RESOURCES & RECREATION TO 21 MAY 2014 COUNCIL MEETING  
GOV400038, A0160007

### RECOMMENDATION

**That the report by the Business Manager Resources & Recreation on the Australian Disability Enterprise Accreditation be received.**

### Executive summary

Mid-Western Regional Council runs an Australian Disability Enterprise being the recycling centre located at the Mudgee Waste Facility and Ironed Out located in Church St Mudgee. These facilities employ a combined supported workforce of 36 staff.

The ADE goes through an audit every year and accreditation process every three years. During April 2014 the three yearly accreditation process was undertaken by independent auditors.

### Detailed report

During April 2014 the Council run ADE had its accreditation reviewed by independent auditors BSI Group. The objective of the assessment is to conduct a recertification assessment to determine the on-going maintenance, effectiveness and continual compliance of the disability services management systems pertaining to the Disability Service Standards 1 through to 12.

The recertification processes takes two days and thoroughly assesses the systems in place to ensure the employees are being adequately supported by those systems.

The audit found no notifiable issues and no non conformances.

Commendable and good practice observations by the auditors include:

- High satisfaction received from the employees satisfaction surveys,
- High satisfaction received to auditors through employee interviews,
- No loss time / issues or significant incidents in last 12 months,
- Nil formal complaints received from supported employees or their support persons since 2011,
- Detailed weekly support notes,
- Councils management systems (governance, risk, safety systems, human resource systems),
- Excellent amenities and facilities provided,
- High wages paid to supported employees (compared to national average),
- Employee entitlements received as per Local Government State Award 2010.

Council was assessed across 12 KPI's in relation to the disability service standards and received conformity in every standard. The recommendation for recertification has been made by the auditors.

Financial and Operational Plan implications

Not applicable.

Community Plan implications

Not applicable.

JULIAN GEDDES  
BUSINESS MANAGER RESOURCES AND  
RECREATIONAL

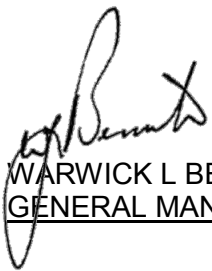


BRAD CAM  
DIRECTOR, MID-WESTERN OPERATIONS

8 May 2014

*Attachments:* Nil

APPROVED FOR SUBMISSION:



WARWICK L BENNETT  
GENERAL MANAGER

## 6.2.19 Mudgee Showground Management Committee

REPORT BY THE GENERAL MANAGER TO 21 MAY 2014 COUNCIL MEETING  
Mudgee Showgrounds - Minutes February 2014 - see attachment Business Plan  
GOV400038, F0650007

### RECOMMENDATION

#### That:

1. **the report by the General Manager on the Mudgee Showground Management Committee be received;**
2. **that the Mudgee Showground Four Year Business Plan be received for information but not adopted as a council document**
3. **Council advises the Mudgee Showground's Management Committee that it cannot adopt the four year business plan for the following reasons**
  - **a number of issues in the plan are contrary to Council policy**
  - **the additional operating costs stated in the business plan have not been accounted for in the four year forward delivery plan and budget**
  - **the capital works programme is beyond Councils financial means even if grants were successful and not included in the Councils Long Term Financial Strategy**
  - **operational costs such as and marketing need to be realistically addressed as part of the ongoing operations budget**
4. **the business plan be referred back to the Mudgee Showground's Management Committee for review and amendment to ensure the plan aligns with Council policy and financial plans.**
5. **Council receive the minutes of the Mudgee Showground Management Committee from their bi-annual meeting held on the 4<sup>th</sup> February 2014**

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### Detailed Report

The Mudgee Showgrounds Management Committee are seeking the Council adopt their four year business plan. The recommendation in this report is for Council not to adopt but rather send it back to the Committee and ensure it aligns with Council policy and budgets.

It is advised to Council that it would be totally inappropriate to adopt this business plan unless Council endorses the policy changes and includes all the increase costs into the budgets and long term financial plans. Council will recall some five years ago after the Showgrounds Master Plan was adopted there was considerable political pressure at budget meetings for Council to adopt the capital works programme because they had adopted the Master Plan. Council now needs to exercise caution and not adopt or endorse a plan that could cause embarrassment itself at future budget or community meetings.

Some of the concerns that Management have include but not limited too.

Para 5.5.1 Marketing Action Plan

Radio advertising has a cost unless it's a community event. However promotional advertising will be a cost. The document indicates the cost of radio advertising is nil

There is a cost of preparing brochures in house with photocopying and paper costs. These costs are not fixed as we pay per copy. Staff time is a fixed cost that is already budgeted

Committee's response via staff

The Committee acknowledges that there is not a budget item for marketing but have suggested with their connections with their various clubs that they could undertake that at nil cost to Council.

Para 7 Financial Analysis

One of the key financial objectives states

*"Aim to develop a facility that can provide further opportunities for employment and growth in the region"*

Management questions whether or not this facility over the next four years is going to provide any further employment opportunities for the region

Committee's response via staff

If you look at our strategy and marketing action plan the committee feel that these actions will achieve some of our key financial objectives.

Para 7.1 Income Projections

The Business Plan states that

*"A modest increase in most of the fees and charges have been used in the development of this business plan, however it is recommended that a reduction in fess for camping and caravans be implemented to attract more visitors and also recognising the reduced facilities the Showground offers compared to established caravan parks."*

The Council policy in regard to camping at the showgrounds has been discussed on at least three occasions. The policy is clear that this Council facility should not charge less than commercial operations which are in competition to the showgrounds – especially while this facility is receiving funding from the general fund which is partly funded by that competition. Business experience indicates that reducing prices will not necessarily increase your overall sales income.

Further it has been Councils practice over the past few years that fees and charges are increased by CPI. The business plan should reflect this.

Committee's response via staff

In the Committee's terms of reference it is stated that they make recommendations to Council about fees and charges. In their view the income projections need

camping and caravan fees need to be reduced. Again we all acknowledge that Council this year has rejected that and again when we review the Business Plan next financial year we will be making the same recommendations again and Council have the option to reject that as they did with capital works.

Para 7.2 Capital Work Requirements

The capital works programme in the business plan totals \$1,895,000. None of these projects are included in the Council four year delivery Plan or budget or the Councils long term financial strategy. If the committee is of the opinion that all these projects will be funded by external grants then the document should reflect this. The reality in grant applications are that large grant funding would be subject to \$ for \$ input by the local committee of Council. Otherwise the grants are of such a small amount used only to be a top up of the project cost. The document should make the following comment under this heading:-

*The Mudgee Showgrounds Management Committee acknowledge that no Council funding is available in any forward budget for these project and thus the delivery of these projects is totally reliant on grants or community donations.*

Committee's response via staff

We have currently applied for 2 grants that are fully funded and are not dollar for dollar. The committee acknowledges that there is no money in the delivery plan for the next 4 years for any works to be undertaken at the Showground.

Operational Costs

The Business Plan indicates that the operational cost of this facility will increase by nearly 30% over the next 4 years. This Council has made solid submissions to the Local Government reform process that Councils should always adhere to a rate cap. Thus the Showgrounds management Committee should be told to comply with that policy. The community feedback as part of the Community Plan rated roads and health as the major expenditure items that Council should focus on, not these types of community facilities. The feedback to the Showgrounds Committee should be to retain their cost increase within the rate cap – expected to be no more than 2.5% pa over the next four years. It is unreasonable for all activities of Council to remain within CPI but the showgrounds continue to increase operational costs. The Council should state that the operating cost that the showgrounds has been expending over the past three years should be maintain not an increased 3 times that of inflation.

Committee's response via staff

The committee is just trying to reflect the actual costs of running the Showground.

Also attached to this report to Council for considerations is the Mudgee Showground Management Committee ordinary bi-monthly meeting held on 4 February 2014. The Showground Management Committee receives an updated Works Request and Matters in Progress report together with updated financial details bi-monthly. A copy of the Matters in Progress are attached for Council's information.

## Financial implications

Nil at this stage unless Council does not accept the staff recommendation. If Council does adopt the business plan without amendment then this report will have wide ranging financial implications requiring Council to review the forward budget

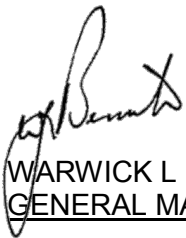
## Strategic or policy implications

The business plan does not line up with Council policy and needs review.

30 April 2014

*Attachments:*

1. Minutes of the Mudgee Showground Management Committee Meeting 4 February 2014
2. Business Plan 2014/15 – 2018 (included at the end of the business paper)



WARWICK L BENNETT  
GENERAL MANAGER



## MUDGEES SHOWGROUND MANAGEMENT COMMITTEE MEETING — 4 FEBRUARY 2014

### Meeting Opened: 6.00 pm

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

**Observer:** Lesley Burgess (minute secretary)

**Apologies:** Malcolm Swords

Moved: Dean Rheinberger, Seconded: Russell Holden that the apology be accepted.

### Minutes of November's Meeting – Accepted

Moved: Bill Robinson  
2<sup>nd</sup> Kim Wilson

**Motion Carried**

### Matters in Progress

- As per attached list.
- No further correspondence has been received from Lieutenant Alen Lucic of the Australian Army Cadets with regard to the Cadets utilising the Showground.
- The recommendation for reduction in camping fees will be submitted in a report to Council.

### Correspondence

- Cr John Webb went through the correspondence.
- The correspondence as tabled in the Agenda was accepted –  
Moved Russell Holden  
2<sup>nd</sup> Bill Robinson

**Motion Carried**

### Financial Report

- Brad Cam is concerned with the income received to date in an amount of \$24,000.00. The current best case forecast indicates we will achieve \$44,000.00 this financial year. GM has advised that the Showground will not receive any additional funds from Council.
- At Council's Meeting to be held on the 19th February, Brad Cam is required to provide feedback as to where savings / additional income is to be generated and why income to date is less than budgeted.
- Down turn in income is attributed to economical times and lack of camping.
- It was suggested a recommendation be submitted to Council to have fees increased by around 20% and to reduce or cut services. After further discussions, the Committee felt that it would not be appropriate to reduce/cut services or to increase fees.
- The increase of camping fees and bad publicity has negatively impacted the showground's income.
- Over the past 8 years Council's general fund contribution has been \$13,000.00; it is felt that this amount should have incurred an annual CPI increase.
- The outstanding works requests are directly related to the lack of funds required for maintenance.

- Brad Cam advised that of the 7 stable hirers, 5 were sent letters advising them of outstanding stable fees. They have been given 14 days notice to pay off the outstanding debt. One hirer has been expelled after defaulting on their agreement with the debt collector.

### **General Business**

- Brad Cam advised that he intends to stop the stable users from hiring a day yard as a cheaper alternative to stable hire.
- Customer Service has implemented a new procedure with regard to the payment of fees for regular users utilising the arenas. The horse groups will now be expected to give 48 hours written notice in order to cancel their booking for use of the arena. If no written notice is received within 48 hours, finance will then invoice them as per their annual tentative bookings submitted.
- A stable user has reported that Ken Jeffrey is using his ride on mower around the horses. Brad Cam said that this activity needs to be reported to him immediately when it occurs.
- The piles of topsoil which has been spread around the areas utilised by the horses contains small rocks, this is not suitable for the horses to walk on. Brad Cam to investigate.

### **Business Plan**

- The following is to be revised in the business plan -
  - Page 15 - Increase the income by 20% above CPI will be amended to read, increase the income by 5%
  - Page 18 - Delete this paragraph as this has already occurred.
    - "As it is doubtful the showground will ever be self funding it is also recommended that the showground be incorporated into the General Fund rather than having its own"
  - Page 18 - Financial Analysis. The \$13,000.00 contribution made from the general fund to the showground fund each year. It was felt by the committee that this amount should incur an annual CPI increase.
  - Page 23 - Cr Webb would like the requirement for a disabled toilet access upgrade added to this section. Russell Holden would like to see everything on our wish list, tabled in this section; this includes items which were omitted from Ross Consultants Planning Report.

**Meeting closed at: 7:25 pm**

**Next meeting to be held 1 April 2014**

### 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  | Animal Nursery  |  |
| 2. | A fence to be erected to enclose the camping area, mainly for safety reasons.  | 3/9/13       |   | Brad Cam        | Needs further discussion and consideration<br>5/11/13 Brad Cam to do costings. |
| 3. | Business Plan to be revised  | 3/9/13       |   | All             |  |
| 4. | Ken to be advised of the bin enclosure that the Horse Groups are erecting.   | 3/9/13       | Ken to be given a key to lock the bins away | Andrew Drummond | 5/11/13 in progress  |
| 5. | Equestrian Arena is becoming very thin in places needs sand to be levelled as the sand tends to accumulate around the edges. | 5/11/13      |   | Andrew Drummond |  |

## 6.2.20 Fixing of Annual Fees for Councillors and the Mayor

REPORT BY THE MANAGER GOVERNANCE TO 21 MAY 2014 COUNCIL MEETING

Fees

GOV400038, A0110001

### RECOMMENDATION

**That:**

1. **the report by the Manager Governance on the Fixing of Annual Fees for Councillors and the Mayor be received;**
2. **Council fix the fees for Councillors and the Mayor for the period July 2014 to June 2015 at \$10,740 for Councillors and \$23,440 for the Mayor;**
  - (a) **Council pay the Deputy Mayor a fee, to be deducted from the fee payable to the Mayor, for periods of 7 days or more, where the Mayor is unable to carry out the duties of Mayor, such fee to be for the period that the Deputy Mayor acts in the role of the Mayor;**
  - (b) **the calculation of this fee to be determined at a pro rata rate of the Mayor's annual fee.**

### Executive summary

This report addresses the need for Council to fix the annual fees for Councillors and the Mayor for the period July 2014 to June 2015.

### Detailed report

The Local Government Act 1993 provides that Council must pay an annual fee to each Councillor and to the Mayor. The Mayoral fee must be paid in addition to the fee paid to the Mayor as a Councillor.

The Council may fix these fees and, if it decides to do so, the fees must be fixed in accordance with the determination of the Local Government Remuneration Tribunal. If Council does not fix a fee, it is required to pay the minimum fee determined by the Remuneration Tribunal.

The Act also provides that Council may pay the Deputy Mayor as fee determined by the Council for such time as the Deputy Mayor acts as in the office of the Mayor; such amount to be deducted from the Mayor's annual fee.

The Act provides that the Remuneration Tribunal must make a determination in relation to fees, not later than 1 May each year. The 2014 determination of the Remuneration Tribunal is attached.

As a consequence of that determination, this Council has been categorised as rural; the fees applicable for the period July 2014 to June 2015 being

|            | <b>Minimum</b> | <b>Maximum</b> |
|------------|----------------|----------------|
| Councillor | \$8,130        | \$10,740       |
| Mayor      | \$8,640        | \$23,440       |

It is not mandatory for Council to fix the fees for Councillors and the Mayor. However, if Council does not fix these fees, the Act provides that the minimum fees will apply.

Council has generally resolved that the maximum fees shall apply.

In addition, given that the Council has previously determined to pay a fee to the Deputy Mayor, Council might also consider continuing this practice, bearing in mind the relevant provisions of the Act (Section 249(5)) which states:

*“(5) A council may pay the deputy mayor (if there is one) a fee determined by the council for such time as the deputy mayor acts in the office of the mayor. The amount of the fee so paid must be deducted from the mayor’s annual fee.”*

The recommendation above has been framed in such a way as to continue the process of paying a fees for the Deputy Mayor.

### Financial and Operational Plan implications

The Remuneration Tribunal decision represents about a 2.5% increase in fees payable to Councillors and the Mayor. Assuming the Council agrees to pay the maximum fee, there is sufficient funds in the 2014/15 Members Expenses budget to cover this increase.

### Community Plan implications

Not applicable.

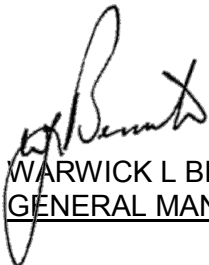


IAN ROBERTS  
MANAGER GOVERNANCE

9 May 2014

*Attachments:* 1. 2014 Report of the Remuneration Tribunal

APPROVED FOR SUBMISSION:



WARWICK L BENNETT  
GENERAL MANAGER

**REPORT**

and

**DETERMINATION**

of

**THE LOCAL GOVERNMENT REMUNERATION TRIBUNAL**

under

**SECTIONS 239 AND 241**

of the

**LOCAL GOVERNMENT ACT 1993**

24 April 2014

Local Government Remuneration Tribunal  
2014 Report

**Introduction**

The role of Assessor to the Tribunal (pursuant to section 236(1)(b) of the *Local Government Act 1993*) was undertaken by Ms Helen L'Orange from 1 March 2004 until the expiration of her appointment on 11 December 2013. The Tribunal wishes to express its appreciation of Ms L'Orange's contributions over the last several years. This position is currently vacant.

**Section 1            Background**

1. Pursuant to Section 241 of the *Local Government Act 1993* (the LG Act) the Local Government Remuneration Tribunal hereby determines in each category of council, the maximum and minimum amount of fees to be paid to mayors and councillors of councils, as well as chairpersons and members of county councils.
2. The Tribunal is also required, pursuant to section 239 of the LG Act, to determine the categories of councils and mayoral offices at least once every 3 years. The Tribunal last undertook a fundamental review of the categories of councils in 2012 and will next consider this matter in 2015.
3. In determining the minimum and maximum fees payable to each of the categories, the Tribunal is required, pursuant to section 242A of the LG Act, to give effect to the same policies on increases in remuneration as those that the Industrial Relations Commission is required to give effect to under section 146C of the *Industrial Relations Act 1996*, when making or varying awards or orders relating to the conditions of employment of public sector employees.
4. The current policy on wages pursuant to section 146(1)(a) of the *Industrial Relations Act 1996* is articulated in the Industrial Relations (Public Sector Conditions of Employment) Regulation 2011. The effect of the Regulation is that public sector wages cannot increase by more than 2.5 per cent, and this includes the minimum and maximum fees payable to councillors and mayors.

Local Government Remuneration Tribunal  
2014 Report

**Section 2            2013 Review**

5. In undertaking the 2013 review the Tribunal noted that a number of initiatives were under way to improve the strength and effectiveness of local government in NSW.

These included:

- the work of the Independent Local Government Review Panel to drive key strategic directions identified in the Destination 2036 initiative
- the work of the Local Government Acts Taskforce to review the *Local Government Act 1993* and the *City of Sydney Act 1988*
- the engagement of the NSW Treasury Corporation (TCorp) to report on the financial sustainability of Local Government in NSW.

6. Given the significant work being undertaken by both the NSW Government and local councils to drive and deliver local government reform, the Tribunal did not call for general submissions from individual councils as part of the 2013 Annual Review.

7. The Tribunal's Report and Determination of 2013 provided a general increase of 2.5 per cent which was consistent with the NSW Wages Policy. The Tribunal advised that it would monitor the progress of these initiatives over the coming year.

**Section 3            2014 Annual Review**

8. On 20 January 2014, the Tribunal wrote to all mayors advising of the commencement of the 2014 Annual Review.

9. In writing to mayors the Tribunal noted that the final reports of the Independent Local Government Review Panel and the Local Government Acts Taskforce were released on 8 January 2014. These reports make a series of recommendations for reform, some of which address remuneration for councillors and mayors.



Local Government Remuneration Tribunal  
2014 Report

10. At the time of commencing the annual review it was not expected that a decision on, or implementation of, any proposed reforms would be finalised prior to the Tribunal making its determination on or before 30 April 2014. For that reason the Tribunal, as it did in 2013, did not call for general submissions from individual councils for the 2014 review.
11. While general submissions were not requested, councils were welcome to raise with the Tribunal any issues of concern. The Tribunal received two submissions from individual Councils. The submissions sought consideration of the following matters:
  - the Tribunal to determine the maximum statutory increase of 2.5 percent as permitted by the legislation
  - the Tribunal to benchmark mayoral and councillor fees with that of a State Member of Parliament
  - the Tribunal to introduce a professional remuneration structure for councillors to improve accountability and performance.
12. The Tribunal also received a submission and met with representatives of Local Government NSW (LGNSW). Given the statutory limitations in place LGNSW has requested that councillor and mayoral remuneration should be increased by the full 2.5 per cent for 2013-14.
13. In addition to requesting the maximum increase of 2.5 percent, LGNSW has sought a professional remuneration structure to ensure that local government attracts appropriately qualified people. LGNSW continues to advocate that elected representatives face increasing challenges, associated with managing council workload, family responsibilities and paid work, and that the significant time involvement is not appropriately recompensed through the current remuneration levels.
14. LGNSW also provided the Tribunal with an overview of the current reform initiatives and their expected impact on the role and responsibilities of councillors and mayors. The anticipated changes will, in the opinion of LGNSW, warrant a review of the remuneration structure, and a subsequent increase in fees.

Local Government Remuneration Tribunal  
2014 Report

15. The Tribunal wishes to place on record its appreciation to LGNSW for its participation and assistance during the 2014 Annual Review process.

**Section 4 Comments**

16. The Independent Local Government Review Panel and the Local Government Acts Taskforce make a broad range of recommendations which, if adopted in full or in part, could deliver significant reforms across local government in NSW.
17. The Government has called for public submissions and Councils have been encouraged to provide comment on the final reports of the Panel and the Taskforce by 4 April 2014. The Government has indicated that it will consider the final reports, including submissions received, and prepare its response. That response has not been available to the Tribunal at the date by which it must make its determination for 2014.
18. The Tribunal notes that the Panel has made a number of comments in relation to the adequacy of the existing remuneration arrangements and has proposed structural changes which may have an impact on the roles and responsibilities of councillors and mayors. Suggested changes include amendments to the LG Act to provide greater clarity in relation to the role of councillors and mayors. It has been proposed that in larger councils and in major regional councils, the role of mayor, and in some instances that of the deputy mayor, should be expanded to a full time office and remunerated accordingly. The Panel has also suggested that professional development programs be made available to councillors and that remuneration should be increased in recognition of enhanced skills.
19. In making its determinations the Tribunal is required to have regard to the provisions of the existing LG Act. The LG Act prevents the Tribunal from determining any fees for Deputy Mayors and also requires that the Tribunal apply the Government's wages policy, which currently provides for a cap on increases of 2.5 per cent.

Local Government Remuneration Tribunal  
2014 Report

20. The Tribunal currently has regard to the role of councillors and mayors in determining the fees that apply to each of the categories of councils. The existing remuneration model is based on that first determined by the Tribunal in 1995. While there have been adjustments in both the categories of councils and the level of fees, these have not been significant. This in part recognises that the roles and responsibilities of councillors and mayors, as outlined in the legislation, have also not changed significantly since the commencement of the LG Act in 1993, notwithstanding any increases in workload.
21. The Panel has proposed that the roles and responsibilities of councillors and mayors be broadened. These additional functions, if introduced, are likely to have an impact upon the workload, and the skills and capabilities required of elected representatives.
22. The Tribunal continues to support initiatives which will bring about improvements in the local government sector. Further reforms such as council amalgamations and steps to increase resource sharing and joint planning, have previously received and will continue to receive the support of the Tribunal, in that those reforms should result in greater structural efficiencies and should contribute to the long term viability of local government in NSW.
23. The Tribunal will continue to monitor the progress of reform.

**Fees**

24. The Tribunal is required to have regard to the Government's wages policy when determining the increase to apply to the minimum and maximum fees that apply to councillors and mayors. The public sector wages policy currently provides for a cap on increases of 2.5 per cent.
25. The Tribunal has reviewed the key economic indicators, including the Consumer Price Index and Wage Price Index, and finds that the full increase of 2.5 per cent available to it is warranted. On that basis, having regard to the above, and after taking the views of the Assessor into account, the Tribunal considers that an increase

Local Government Remuneration Tribunal  
2014 Report

of 2.5 per cent in the fees for councillors and mayors is appropriate and so determines.

**Local Government Remuneration Tribunal**

(signed)

**Helen Wright**

Dated: 24 April 2014

Determinations of the Local Government Remuneration Tribunal effective on and  
 from 1 July 2014

**Determination No 1- Pursuant to Section 239 of Categories of Councils and  
 County Councils Effective From 1 July 2014**

**Category - Principal City (1)**

|        |
|--------|
| Sydney |
|--------|

**Category - Major City (3)**

|           |
|-----------|
| Newcastle |
|-----------|

Parramatta

|            |
|------------|
| Wollongong |
|------------|

**Category - Metropolitan Major (2)**

|           |
|-----------|
| Blacktown |
|-----------|

Penrith

**Category - Metropolitan Centre (16)**

|              |                |            |
|--------------|----------------|------------|
| Bankstown    | Hurstville     | Sutherland |
| Campbelltown | Lake Macquarie | Warringah  |
| Fairfield    | Liverpool      | Willoughby |
| Gosford      | North Sydney   | Wyong      |
| The Hills    | Randwick       |            |
| Hornsby      | Ryde           |            |

**Category – Metropolitan (21)**

|            |              |              |
|------------|--------------|--------------|
| Ashfield   | Holroyd      | Marrickville |
| Auburn     | Hunters Hill | Mosman       |
| Botany     | Kogarah      | Pittwater    |
| Burwood    | Ku-ring-gai  | Rockdale     |
| Camden     | Lane Cove    | Strathfield  |
| Canada Bay | Leichhardt   | Waverley     |

Determinations of the Local Government Remuneration Tribunal effective on and  
from 1 July 2014

|                                       |                   |                         |
|---------------------------------------|-------------------|-------------------------|
| Canterbury                            | Manly             | Woollahra               |
| <b>Category - Regional Rural (32)</b> |                   |                         |
| Albury                                | Dubbo             | Orange                  |
| Armidale Dumaresq                     | Eurobodalla       | Port Macquarie-Hastings |
| Ballina                               | Great Lakes       | Port Stephens           |
| Bathurst                              | Goulburn Mulwaree | Shellharbour            |
| Bega Valley                           | Queanbeyan        | Shoalhaven              |
| Blue Mountains                        | Greater Taree     | Tamworth                |
| Broken Hill                           | Griffith          | Tweed                   |
| Byron                                 | Hawkesbury        | Wagga Wagga             |
| Cessnock                              | Kempsey           | Wingecarribee           |
| Clarence Valley                       | Lismore           | Wollondilly             |
| Coffs Harbour                         | Maitland          |                         |

**Category - Rural (77)**

|                 |              |                 |
|-----------------|--------------|-----------------|
| Balranald       | Gloucester   | Narromine       |
| Bellingen       | Greater Hume | Palerang        |
| Berrigan        | Gundagai     | Parkes          |
| Bland           | Gunnedah     | Oberon          |
| Blayney         | Guyra        | Richmond Valley |
| Bogan           | Gwydir       | Singleton       |
| Bombala         | Harden       | Snowy River     |
| Boorowa         | Hay          | Temora          |
| Bourke          | Inverell     | Tenterfield     |
| Brewarrina      | Jerilderie   | Tumbarumba      |
| Cabonne         | Junee        | Tumut           |
| Carrathool      | Kiama        | Upper Hunter    |
| Central Darling | Kyogle       | Upper Lachlan   |
| Cobar           | Lachlan      | Uralla          |
| Conargo         | Leeton       | Urana           |

Determinations of the Local Government Remuneration Tribunal effective on and  
from 1 July 2014

|                   |                  |              |
|-------------------|------------------|--------------|
| Coolamon          | Lithgow          | Wakool       |
| Cooma-Monaro      | Liverpool Plains | Walcha       |
| Coonamble         | Lockhart         | Walgett      |
| Cootamundra       | Mid-Western      | Warren       |
| Corowa            | Moree Plains     | Warrumbungle |
| Cowra             | Murray           | Weddin       |
| Deniliquin        | Murrumbidgee     | Wellington   |
| Dungog            | Muswellbrook     | Wentworth    |
| Forbes            | Nambucca         | Yass Valley  |
| Gilgandra         | Narrabri         | Young        |
| Glen Innes Severn | Narrandera       |              |

**TOTAL GENERAL PURPOSE COUNCILS 152**

**Category - County Councils Water (5)**

|                    |                |
|--------------------|----------------|
| Central Tablelands | Riverina Water |
| Goldenfields Water | Rous           |
| MidCoast           |                |

**Category - County Councils Other (9)**

|                         |                 |
|-------------------------|-----------------|
| Castlereagh – Macquarie | Richmond River  |
| Central Murray          | Southern Slopes |
| Far North Coast         | Upper Hunter    |
| Hawkesbury River        | Upper Macquarie |
| New England Tablelands  |                 |

**TOTAL COUNTY COUNCILS 14**

Determinations of the Local Government Remuneration Tribunal effective on and from 1 July 2014

**Determination 2 - Pursuant to Section 241 of Fees for Councillors and Mayors**

Pursuant to s.241 of the *Local Government Act 1993*, the annual fees to be paid in each of the categories to councillors, mayors, members and chairpersons of county councils effective on and from 1 July 2014 are determined as follows:

| Category               | Councillor/Member |          | Mayor/Chairperson |           |
|------------------------|-------------------|----------|-------------------|-----------|
|                        | Annual Fee        |          | Additional Fee*   |           |
|                        | Minimum           | Maximum  | Minimum           | Maximum   |
| Principal City         | \$24,430          | \$35,820 | \$149,460         | \$196,660 |
| Major City             | \$16,280          | \$26,880 | \$34,600          | \$78,300  |
| Metropolitan Major     | \$16,280          | \$26,880 | \$34,600          | \$78,300  |
| Metropolitan Centre    | \$12,210          | \$22,800 | \$25,950          | \$60,580  |
| Metropolitan           | \$8,130           | \$17,930 | \$17,310          | \$39,110  |
| Regional Rural         | \$8,130           | \$17,930 | \$17,310          | \$39,110  |
| Rural                  | \$8,130           | \$10,740 | \$8,640           | \$23,440  |
| County Council – Water | \$1,620           | \$8,960  | \$3,460           | \$14,710  |
| County Council - Other | \$1,620           | \$5,360  | \$3,460           | \$9,780   |

\*This fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member (s.249(2)).

**Local Government Remuneration Tribunal**

(signed)

Helen Wright

Dated: 24 April 2014



## 6.2.21 July Council meeting

REPORT BY THE GENERAL MANAGER TO 21 MAY 2014 COUNCIL MEETING

July Council meeting

GOV400038

### RECOMMENDATION

#### That:

1. the report by the General Manager on the July Council Meeting be received;
2. the Council meeting in July be held on Wednesday 23<sup>rd</sup> July 2014.

### Detailed report

Council has previously resolved that only one meeting be held in July – being on the 3<sup>rd</sup> Wednesday of the month being the 16<sup>th</sup> July. July is traditionally a quiet month of Council business as the Operation and Delivery Plans have been adopted and the rates set. By only having one meeting in the month of July it allows Councillors the opportunity to have a break from Council and allows staff the opportunity to complete the years planning for the works programme.

This year July has five Wednesdays so I have been requested to present this report and recommendation that the July Council meeting be held on the 4<sup>th</sup> Wednesday being the 23<sup>rd</sup>, instead of the 16<sup>th</sup> July. This will still allow two weeks before the first meeting in August.

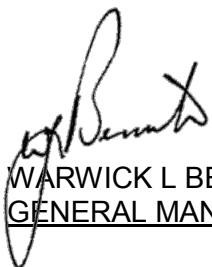
### Financial and Operational Plan implications

There are no financial implications to this recommendation

### Community Plan implications

Not applicable

12 May 2014



WARWICK L BENNETT  
GENERAL MANAGER

## 6.2.22 MRTI Quarterly Report March 2014

REPORT BY THE GENERAL MANAGER TO 21 MAY 2014 COUNCIL MEETING

MRTI Quarterly Report March 2014

GOV400038, F0770077

### RECOMMENDATION

#### That:

1. **the report by the General Manager on the MRTI Quarterly Report March 2014 be received;**
2. **Council renegotiate with Mudgee Regional Tourism Inc the Key Performance Indicators for the 2014/15 financial year.**

### Detailed report

As per the funding and performance agreement entered into in March 2014 between Mudgee Regional Tourism Inc (MRTI) and Council, MRTI is required to report quarterly to Council on their performance.

The March 2014 quarterly report has been delivered to Council in accordance with this requirement and is attached for Council's consideration.

It is important to note that this is the third quarterly report received for the first year of the new MRTI contract, and again a number of KPIs are not adequately addressed or fully satisfied in the report to Council. For example:

- One of the KPIs is to ensure that at least 15% of MRTI produced press releases cover attractions in Kandos, Rylstone and Gulgong so as to attract tourists to all of the towns in the Region. No press releases were issued during this quarter.
- Another KPI is to distribute a monthly newsletter to the subscriber database (approximately 7,200 people have subscribed to this newsletter). Based on the information received, it appears that this activity has not been occurring regularly on a monthly basis in the last 6 months.

It is acknowledged that the absence of a Tourism Manager for 4 months has contributed to this situation however it would be considered inappropriate to ignore this fact on an ongoing basis in terms of MRTI's overall contract obligations. It would also be appropriate at this time to enter into discussions with MRTI to determine whether or not the key performance indicators are still relevant and at a relevant strategic level that will ensure the Council is getting value for money from the funds that are allocated. It is certainly management's opinion that the delivery of the KPI's have not been adequate for this current year and would not have been acceptable if this was another contract that Council entered into such as a roads construction for example.

Now that an Interim Tourism Manager has been appointed, the fourth quarter report should demonstrate that all of the KPIs have been adequately addressed and fully satisfied by MRTI both for the quarter and for the entire first year of the contract. If this cannot be demonstrated, then MRTI should clearly identify how it will establish a procedure to ensure that these KPIs will be satisfied in the future in order to meet its contractual obligations.

Management also notes with interest that the visitors to Mudgee are asked how they heard about the Region (page 4 of the report). Only 5% of the respondents have heard about Mudgee from the MRTI website and only 1% from media coverage. Does this indicate that a review of the Region's marketing strategy needs to be considered?

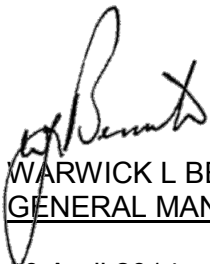
We also note a significant decrease in the number of visitors to the Gulgong Visitor information Centre. MRTI are investigating these figures, but we again raise the concern that the current provider may not be appropriate for the supply of visitor information centre.

### Financial and Operational Plan implications

Not applicable.

### Community Plan implications

Not applicable.



WARWICK L BENNETT  
GENERAL MANAGER

30 April 2014

*Attachments:* 1. MRTI Quarterly Report – March 2014



**March 2014  
Quarterly Report**

**for**

**Mid-Western Regional  
Council**

### **Introduction**

Mudgee Region Tourism Inc (MRTI) tables this report to the Mid Western Regional Council (MWRC) as a requirement of the contract between MWRC and MRTI, an agreement subject to the following key performance indicators –

- i) Monitor key indicators that measure tourist numbers to the LGA including the number of visitors attending each visitor centre, where they are from and how they have heard about the LGA and conduct an annual targeted campaign for participation in surveys about visitor experience in the Region
- ii) Provide all tourism related businesses in the Region, whether a member of MRTI or not, with the opportunity to have a free website listing
- iii) Attend and promote the Region at a minimum of 4 events per year held outside the Region to increase the number of domestic tourists to the Region (at least 2 events to be held in new target markets)
- iv) Ensure monthly marketing communication with subscriber database
- v) Promote tourism-related Council events in MRTI marketing material without normal membership limitations, where the event benefits the Region. The events promoted will be decided by the CEO of MRTI and the Council Events Coordinator or Economic Development Officer
- vi) Ensure at least 15% of MRTI produced press releases for the Region's media coverage (achieved through PR activity) represents tourism businesses and attractions in Kandos, Rylstone and Gulgong
- vii) Ensure at least 2-3 different or new tourism businesses or attractions are pitched to media outside the Region each quarter
- viii) Ensure all major events in the Region presented to MRTI are featured in What's On and Events Calendar
- ix) Develop an annual marketing plan which provides the specific details of all marketing and promotional activities that will be undertaken on a monthly basis to actively promote the Region as a tourism destination and provide opportunity for Council's input

## **Executive Summary**

### **Executive Officer/Manager**

During this quarter MRTI did not have a manager in place so the staff continued operations under the guidance of the Board.

### **Financial Summary**

The Treasurers report demonstrates the trading result for the financial quarter ended 31 March 2014. The overall result of actual to budget is a loss of \$11,131.65. See the Treasurers report for details.

### **Marketing & Promotions Summary**

During the January to March quarter 2014 the main PR focus was the Make Your Next Trip Mudgee Region campaign. Activity included an online and social media competition and attendance at the Canberra Food & Wine Festival and Sydney Cellar Door both held in February.

### **Social Media**

Facebook and Instagram continue to increase and build interaction with our customers. Klick Communications managed social media for part of January and the remainder of the quarter MRTI managed the channels using communication style established by Klick.

### **Mobile Phone App – analytics January to March 2014**

With the introduction of packaged membership, the members listed on the App have increased from 181 in January to 182 in March 2014.

### **Statistics Summary**

Visitation to the region's visitor centers shows an increase of 4% on the same quarter in 2013 for Mudgee and decrease of 32% for Gulgong. We are investigating the reporting methods from Gulgong to ascertain if this is correct.

### Key Performance Indicators met March 2014 Quarter:

During this quarter MRTI met the following obligations to Mid-Western Regional Council to provide Visitor Information Services as detailed in **Section 5** of the agreement dated 25 July 2013 between Mid-Western Regional Council and Mudgee Region Tourism Inc. These are outlined below:

- i) *Monitor key indicators that measure tourist numbers to the LGA including the number of visitors attending each visitor centre, where they are from and how they have heard about the LGA and conduct an annual targeted campaign for participation in surveys about visitor experience in the Region.*

MRTI currently collects postcode data and survey information from visitors to the region through the Mudgee Visitor Information Centre. A small sample of where they heard about the LGA is attached however with Interim Manager now in place a targeted campaign including survey of visitor experience will commence next quarter with the aid of "Survey Monkey".

| Date           | Size | Location                   |
|----------------|------|----------------------------|
| Jan – Mar 2014 | 5320 | AVIC stats – postcode only |

### Visitation

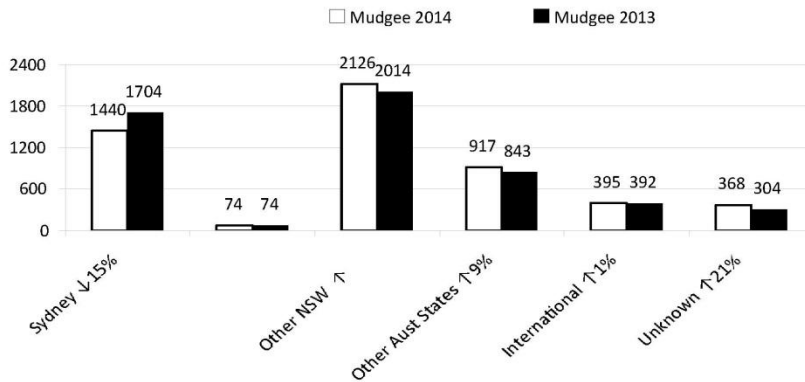
| MRTI Statistics Summary    | Jan – Mar 2014 | Jan – Mar 2013 | Difference                   |
|----------------------------|----------------|----------------|------------------------------|
| <b>Visitation</b>          |                |                |                              |
| Mudgee                     | 5320           | 5331           |                              |
| Gulgong                    | 882            | 1292           |                              |
| Rylstone                   | 1135           | N/A            | Insufficient data to compare |
| Total Visitation           | 6623           | 7337           |                              |
| <b>Telephone Enquiries</b> |                |                |                              |
| Mudgee                     | 3482           | 2298           |                              |
| <b>Website</b>             |                |                |                              |
| Unique Visitors            | 53,439         | 13,787*        | No January data available    |
| Page Views                 | 143,614        | 17,546*        | No January data available    |
| Member Web Pages           | 229            | 186            |                              |

\*Due to implementation of new website platform no January 2013 data is available

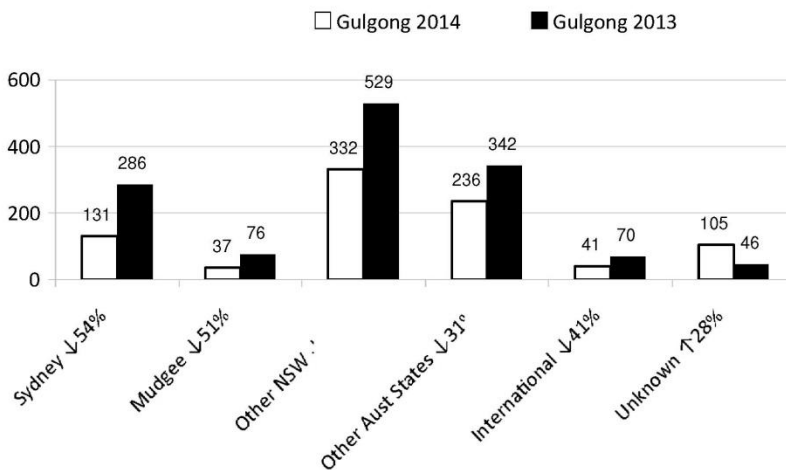
#### How visitors heard about Mudgee:

|                           |     |
|---------------------------|-----|
| Word of Mouth             | 11% |
| Visiting Family & Friends | 11% |
| Event                     | 11% |
| Website                   | 5%  |
| Family History            | 7%  |
| Passing through           | 17% |
| Wineries                  | 12% |
| Local                     | 12% |
| Media                     | 1%  |

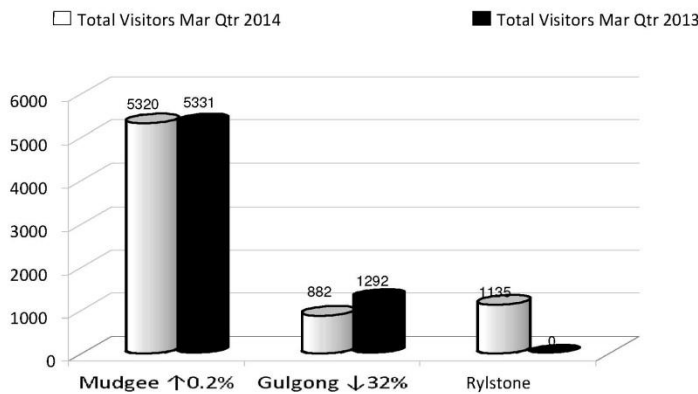
Mudgee Visitor Information Centre



Gulgong Visitor Information Centre



Total Visitation for Mudgee Region Visitor Centres has increased 4% on the same quarter in 2013 and the Mudgee visitation increased 0.2% and Gulgong visitation decreased 32%. Insufficient 2013 data for Rylstone to compare quarters.





- ii) *Provide all tourism related businesses in the Region, whether a member of MRTI or not, with the opportunity to have a free website listing.*

A directory listing form is available at the Mudgee Visitor Information Centre or via email. No businesses have requested a listing in this quarter.

- iii) *Attend and promote the Region at a minimum of 4 events per year held outside the Region to increase the number of domestic tourists to the Region (at least 2 events to be held in new target markets).*

MRTI attended the Canberra Food & Wine Festival and Sydney Cellar Door this quarter.

| Date          | Event                         | Description of Activities | Existing Target Market | New Target Market | How this will lead to increase in tourism to LGA?                 |
|---------------|-------------------------------|---------------------------|------------------------|-------------------|---|
| February 2014 | Canberra Wine & Food Festival | Expo stand                |                        | Yes               | Visitor Guides were distributed and subscriber database increased |
| February 2014 | Sydney Cellar Door            | Expo stand                | Yes                    |                   | Visitor Guides were distributed                                   |

- iv) *Ensure monthly marketing communication with subscriber database.*

Subscriber emails this quarter targeted specific interest groups from the entire database with upcoming event information and new subscribers. With the Interim Manger now in place a monthly email series to all subscribers will be implemented using an image rich template with sender email to be changed to "Mudgee Region Tourism Inc". Open and unsubscribe rates will be used to evaluate the monthly email series with statistics reported in next quarter and copy attached. See Attachment A for email copy and open rates.

- v) *Promote tourism-related Council events in MRTI marketing material without normal membership limitations, where the event benefits the Region. The events promoted will be decided by the CEO of MRTI and the Council Events Coordinator or Economic Development Officer.*

The Mudgee Region Visitor Task Force Meeting is held monthly to ensure MRTI is aware of tourism-related Council events which will then be added to our marketing material (which includes our online event calendar; What's On flyer for visitors and Social Media. This quarter included the Australia Day Awards and The 2014 NRMA NSW Country Rugby Championships

- vi) *Ensure at least 15% of MRTI produced press releases for the Region's media coverage (achieved through PR activity) represents tourism businesses and attractions in Kandos, Rylstone and Gulgong.*

No media releases were distributed this quarter due to the lack of a Tourism Manager however they will be implemented again in the next quarter with this KPI in mind.

- vii) *Ensure at least 2-3 different or new tourism businesses or attractions are pitched to media outside the Region each quarter.*

| Date       | New Tourism Business/Attraction             | Type of Media Outreach | Distributed To   | Evidence Attached                |
|------------|---|------------------------|--|----------------------------------|
| March 2014 | Baker Williams Distillery                   | Journalist visit       | John Rozentals<br>Newcastle Herald & Illawarra Mercury | Awaiting coverage                |
| Feb 2014   | Bunnamagoo Estate Wines Polo in the Paddock | Journalist visit       | Australian Women's Weekly - Bryce Corbett              | PDF file attached to this report |

- viii) *Ensure all major events in the Region presented to MRTI are featured in What's On and Events Calendar.*

Events included but were not limited to the following:

**JANUARY 2014:**

**Mudgee Swap Meet** Saturday 18 & Sunday 19

Mudgee Showground Nicholson Street Mudgee. Call 0438 229 774

**Kandos Street Machine and Hot Rod Show** Saturday 25 & Sunday 26

Simpkins Park Sports Complex Kandos. Call 02 6379 4066.

**Australia Day Celebrations** – Sunday 26 - Rylstone.

Australia Day Public Holiday - Monday 27. Call 02 6378 2850

**Conventional & Organic Farming & Gardening exp** - January 31 -

February 2. Call 0423 685 979

**FEBRUARY 2014:**

**Mudgee Races** Sunday 2

Mudgee Racecourse Ulan Road T: 02 6372 3490.

**Cobbora Coal Celebrity Classic** Friday 7

Mudgee Golf Club T: Mudgee Pro Shop 02 6372 2686.

**Red Hot Summer Tour** Saturday 8

Parklands Resort Ulan Road T: 02 6372 1020

**Flix in the Stix** Saturday 15

Gooree Park Wines Castlereigh Highway T: 02 6372 1020

**Mudgee Show** Friday 28 - Saturday 1 March

Mudgee Showground Douro Street T: 02 6372 4099

**MARCH 2014:**

**Town Hall Cinema Screenings** Friday 7, Saturday 8 & Sunday 9

Market Street Mudgee T: 02 6378 2850

**Mudfest Short Film Festival** Saturday 15

Bunnamagoo, 603 Henry Lawson Drive Mudgee T: 02 6372 1020

**Footcrush Feast** Saturday 22

Robert Stein Winery Pipeclay Lane Mudgee T: 02 6373 3991

**Annual Bob Marley Festival** Saturday 22

Downtown Kandos Near Railway T: 02 6379 4337

**Cork Fork & Opera** Saturday 22 & Sunday 23

AREC, Mudgee & Opera House Gulgong T: 02 6372 1405

- ix) *Develop an annual marketing plan which provides the specific details of all marketing and promotional activities that will be undertaken on a monthly basis to actively promote the Region as a tourism destination and provide opportunity for Council's input.*

This will be included as part of the Strategic plan due 16<sup>th</sup> May.

## Finance

### Mudgee Regional Tourism Inc - Treasurer's Report

#### Treasurer's Report - Q3/ March 2014

1. **Nature of Report**

- a. This is the financial report for the third quarter of the MRTI 2014 financial year, given to Mid-Western Region Council (MWRC) under the reporting format as agreed under the contract executed between MWRC and MRTI.
- b. The report demonstrates the trading result for the financial quarter ended 31 March 2014.

2. **Accounting Conventions**

- a. The attached P&L and Balance Sheet have been prepared directly from the MYOB General Ledger with no external intervention other than formatting.
- b. Accrual accounting is used under GAAP.
- c. The Budget for the year has been included for comparative purposes.

3. **Overall Result**

- a. The overall result of actual to budget is a loss of \$11,131.65

4. **Trading Income**

- a. Retail trading income indicates a \$5,437.22 deficit to budget (-8.7%), cost of goods sold is \$888.64 more than budget (+2.3%). The slightly higher COGS is because this figure now includes the cost of ticket postage which was previously listed as an expense under General Postage.

5. **Total Income**

Overall income indicates an excess to budget of \$29,791.39 being +5.1% above the budget forecast for the period under review. This is predominantly attributed to the increase in membership income. Our gross profit is +5.3% above budget which is similar to last quarter's figures.

6. **Overhead Expenses**

- a. Overhead expenses are \$45,016.97 over budget due to increased marketing spend (\$70k of which is allocated to the Destinations NSW Unearth campaign).
- b. The organisation continues to be under financial control.

7. **Cash Funds**

At the end of the third quarter the majority of the current assets is cash \$163,561.14.

8. **Balance Sheet**

- a. A balance sheet is included as part of this report.
- b. Total assets are very strong. The major component in liabilities is the accrual of prepaid income.

**Mudgee Region Tourism**84 Market Street  
MUDGEE NSW 2850**Profit & Loss [Budget Analysis]****July 2013 through March 2014**28/04/20  
2:52:42 PM

|                              | Selected Period     | Budgeted            | \$ Difference       | % Difference    |
|------------------------------|---------------------|---------------------|---------------------|-----------------|
| <b>Income</b>                |                     |                     |                     |                 |
| Retail Sales                 | \$57,145.45         | \$62,582.67         | -\$5,437.22         | (8.7%)          |
| Ticket Sales Commission      | \$13,721.13         | \$9,000.00          | \$4,721.13          | 52.5%           |
| Membership Income            | \$234,356.84        | \$207,495.76        | \$26,861.08         | 12.9%           |
| Grants                       | \$31,983.05         | \$27,369.70         | \$4,613.35          | 16.9%           |
| Booking Agency Fees          | \$419.22            | \$374.99            | \$44.23             | 11.8%           |
| MWRC Contract                | \$270,000.00        | \$270,000.00        | \$0.00              | 0.0%            |
| Interest Received            | \$3,863.86          | \$4,874.99          | -\$1,011.13         | (20.7%)         |
| <b>Total Income</b>          | <b>\$611,489.55</b> | <b>\$581,698.11</b> | <b>\$29,791.44</b>  | <b>5.1%</b>     |
| <b>Cost Of Sales</b>         |                     |                     |                     |                 |
| COGS Retail                  | \$39,943.19         | \$39,054.55         | \$888.64            | 2.3%            |
| <b>Total Cost Of Sales</b>   | <b>\$39,943.19</b>  | <b>\$39,054.55</b>  | <b>\$888.64</b>     | <b>2.3%</b>     |
| <b>Gross Profit</b>          | <b>\$571,546.36</b> | <b>\$542,643.56</b> | <b>\$28,902.80</b>  | <b>5.3%</b>     |
| <b>Expenses</b>              |                     |                     |                     |                 |
| Advertising                  | \$6,583.04          | \$3,375.00          | \$3,208.04          | 95.1%           |
| Audit Fees                   | \$5,999.94          | \$5,999.99          | -\$0.05             | 0.0%            |
| Bank Charges                 | \$195.63            | \$374.99            | -\$179.36           | (47.8%)         |
| Bank Charges - Merchant      | \$1,919.82          | \$2,624.99          | -\$705.17           | (26.9%)         |
| Cleaning                     | \$2,607.52          | \$3,749.99          | -\$1,142.47         | (30.5%)         |
| Computer Expenses            | \$4,272.65          | \$1,875.01          | \$2,397.64          | 127.9%          |
| Depreciation                 | \$8,800.23          | \$7,500.01          | \$1,300.22          | 17.3%           |
| Electricity                  | \$1,521.10          | \$1,875.00          | -\$353.90           | (18.9%)         |
| Freight & Cartage            | \$390.33            | \$225.00            | \$165.33            | 73.5%           |
| Visitors Centre Costs        | \$1,070.42          | \$0.00              | \$1,070.42          | NA              |
| Insurance                    | \$2,395.09          | \$2,624.99          | -\$229.90           | (8.8%)          |
| Insurance - Workers Comp     | \$1,149.01          | \$900.00            | \$249.01            | 27.7%           |
| Motor Vehicle Expenses       | \$5,988.46          | \$5,250.01          | \$738.45            | 14.1%           |
| Office Supplies              | \$1,147.05          | \$2,250.00          | -\$1,102.95         | (49.0%)         |
| General Postage              | \$314.52            | \$599.99            | -\$285.47           | (47.6%)         |
| Member Expenses              | \$1,540.91          | \$1,704.98          | -\$164.07           | (9.6%)          |
| Printing & Stationery        | \$982.82            | \$2,250.00          | -\$1,267.18         | (56.3%)         |
| Professional Fees            | \$15,814.46         | \$17,374.98         | -\$1,560.52         | (9.0%)          |
| Rent Mudgee Visitors Centre  | \$444.00            | \$444.00            | \$0.00              | 0.0%            |
| Gulgong Visitors Centre      | \$11,250.00         | \$7,500.01          | \$3,749.99          | 50.0%           |
| Rylstone running costs       | \$9,811.08          | \$10,792.17         | -\$981.09           | (9.1%)          |
| Repairs & Maintenance        | \$664.28            | \$750.01            | -\$85.73            | (11.4%)         |
| Staff Amenities & Ent        | \$1,221.77          | \$1,499.99          | -\$278.22           | (18.5%)         |
| Seminars & Training          | \$260.00            | \$1,499.99          | -\$1,239.99         | (82.7%)         |
| Subscriptions & Memberships  | \$14,928.61         | \$12,678.75         | \$2,249.86          | 17.7%           |
| Sundry Expenses              | \$1,383.32          | \$2,324.98          | -\$941.66           | (40.5%)         |
| Telephone, Fax & Internet    | \$11,319.50         | \$7,500.01          | \$3,819.49          | 50.9%           |
| Travel Expenses              | \$323.86            | \$750.01            | -\$426.15           | (56.8%)         |
| Website Expenses             | \$827.88            | \$750.01            | \$77.87             | 10.4%           |
| Visitor Guide Exp            | \$78,159.91         | \$79,678.29         | -\$1,518.38         | (1.9%)          |
| Wages and Salaries           | \$201,442.54        | \$203,464.62        | -\$2,022.08         | (1.0%)          |
| Regional Marketing           | \$55,185.54         | \$97,500.01         | -\$42,314.47        | (43.4%)         |
| Regional Market - Dest NSW   | \$62,623.46         | \$50,000.00         | \$12,623.46         | 25.2%           |
| Unearth Central NSW Campaign | \$70,166.00         | \$0.00              | \$70,166.00         | NA              |
| <b>Total Expenses</b>        | <b>\$582,704.75</b> | <b>\$537,687.78</b> | <b>\$45,016.97</b>  | <b>8.4%</b>     |
| <b>Operating Profit</b>      | <b>-\$11,158.39</b> | <b>\$4,955.78</b>   | <b>-\$16,114.17</b> | <b>(325.2%)</b> |

**Mudgee Region Tourism**

84 Market Street  
 MUDGEE NSW 2850

**Balance Sheet**

**As of March 2014**

14/04/20  
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|                            |                     |
|----------------------------|---------------------|
| <b>Assets</b>              |                     |
| Current Assets             |                     |
| Cash on Hand               | \$163,561.14        |
| Debtors                    | \$10,976.58         |
| Stock on Hand              | \$12,252.87         |
| Prepayments                | \$38,494.30         |
| Total Current Assets       | <u>\$225,284.89</u> |
| Non-Current Assets         |                     |
| Motor Vehicle (Nett)       | \$16,218.00         |
| Office Furn & Equip (Nett) | \$7,546.08          |
| Intangible Assets          | \$5,433.00          |
| Total Non-Current Assets   | <u>\$29,197.08</u>  |
| Total Assets               | <u>\$254,481.97</u> |
| <b>Liabilities</b>         |                     |
| Current Liabilities        |                     |
| Trade Creditors            | \$14,208.35         |
| Accruals                   | \$23,390.19         |
| GST Liabilities            | -\$6,422.89         |
| Payroll Liabilities        | \$14,912.90         |
| Prepaid Income             | \$78,092.36         |
| Ticket Sales               | \$17,418.71         |
| Total Current Liabilities  | <u>\$141,599.62</u> |
| Old Accounts               |                     |
| Total Liabilities          | <u>\$141,599.62</u> |
| Net Assets                 | <u>\$112,882.35</u> |
| <b>Equity</b>              |                     |
| Retained Earnings          | \$124,040.74        |
| Current Earnings           | -\$11,158.39        |
| Total Equity               | <u>\$112,882.35</u> |

**ATTACHMENT A****Jan/Feb subscriber email**

*Target audience: New subscribers who signed up in Dec/Jan either at events or online.*

*Objective: To test response rates of new subscribers to a general Mudgee email*

Total Recipients: 165

Customer Opens: 72

Unsubscribes: 6

Subject Line: Mudgee .... a little something for everyone

Make your next trip Mudgee region.

Mudgee Region is blessed with many wonderful experiences, natural beauty and oodles of history.

When you arrive why not just slip on your walking shoes and go bushwalking or birdwatching, kayaking or gold panning. Take some time out to visit our natural wonderland in our [National Parks](#).

Experience something difference and visit a working farm, go for a farm or winery walk, pat an [alpaca](#) or star gaze at the [observatory](#). Explore our local [markets](#), [boutique shops](#) and [galleries](#). [Tour](#) the region or take a day drive to our historic villages and towns. Or simply step back in time wandering through our [museums](#).

And there is always plenty of time to indulge at our local cafes, restaurants and wineries. With an event on almost every week locals often say "if you can't find anything to do in Mudgee your just not looking hard enough".

For a holiday or weekend away, Mudgee region has something for everyone but whatever you choose, it is 'in every sense perfection'. [Visit](#) our website to plan your trip.

**Mar/Apr subscriber email**

*Target audience: Existing subscribers list.*

*Objective: To test subject line response and different copy format.*

Total Recipients: 6943

Customer Opens: 2594

Unsubscribes: 129

Subject Line: April Newsletter

Come visit us this Autumn! It is a spectacular time of year in Mudgee, Gulgong, Rylstone and the surrounding region. The leaves are turning golden, the days are warm, the nights are cool and our local event calendar is full of a diverse range of events for everyone.

If you are coming for Easter and need help finding accommodation, visit our website [here](#) and click the BOOK NOW Button and insert dates and number of guests required or call us on 1800 816 304

Below are some of the great events happening in the Mudgee Region for April.

Please note that details are correct at time of publication of this newsletter but should be reconfirmed with the organisers.

The Bushwackers Concert @ Prince Of Wales Opera House, Gulgong – Friday 04 April - tickets [here](#)  
Town Hall Cinema Screenings Mudgee, Friday 04 - Sunday 06 April - [view](#)  
Southern Cross Kayaking Tours & Hire, Dunns Swamp – School Holidays - Saturday 05 – Sunday 27 April – [view](#)  
Vintage Launch @ Rosby Wines, Mudgee – Saturday 05 April – [view](#)  
Vintage Antics @ SHORT SHEEP Micro Winery - Saturday 05 April - [view](#)

Autumn Dreaming Concert Twilight @ Mudgee Town Hall - Friday 11 April - [view](#)  
Vintage Birthday Lunch @ Lowe Wines, Mudgee - Saturday 12 April - [view](#)  
Spencer Cocoa Chocolate @ High Valley Wine & Cheese Co, Mudgee - Saturday 12 & Sunday 13 April - [view](#)  
Water Colour Painting Techniques @ Rosby Wines - Tuesday 15 - Wednesday 16 April [view](#)  
Art Exhibition @ Wollar General Store - Friday 18 April [view](#)  
Orienteering NSW Easter Weekend - Rylstone/Clandulla - Friday 18 - 21 April [view](#)  
Easter Egg Hunt @ Lawson Park - Sunday 19 April - Ph: 0427 998 639  
Cinema di Lusso @ di Lusso Estate, Mudgee - Saturday 19 April - [view](#)  
Home Cheese Making @ High Valley Wine & Cheese Co, Mudgee - Saturday 19 April - [view](#)  
Wine & Wagyu BBQ @ Gooree Park Wines, Mudgee - Sunday 20 April - [view](#)  
Gulgong Bunny Races - Gulgong Bowling & Sporting Club - Sunday 20 April - Ph: 02 6374 1054  
Mudgee Races @ Mudgee Racecourse - Sunday 20 April - Ph: 02 6372 6035  
Collaborative Large-scale Sculpture Workshop @ Rosby Wines Mudgee - Tuesday 22- Thursday 24 April - [view](#)  
Chocolate Morning Tea @ High Valley Wine and Cheese - Saturday 26 April - [view](#)  
Wings, Wheels & Wine @ Mudgee Airport - Sunday 27 April - [view](#)

**For the sporty or outdoor types:** Mudgee will host the annual Easter Mudgee Bike Muster [view](#)

NSW Orienteering [here](#)

Tran Tasman Touch Football [view](#) and much more. If you prefer to take things at your own pace why not visit a farm this school holidays or grab a bike and ride around the Mudgee Region, wineries and townships.

**For the culture buffs:** A number Australian and International artists will be performing in Mudgee during Autumn. Buy tickets [here](#)

- The Bushwackers Concert at Prince Of Wales Opera House 4 April
- John Williamson at Parklands Resort - 30 April
- The Glen Miller Orchestra - at Parklands Resort 18 May
- Lee Kernaghan - at Parklands Resort 22 August



#### **Mudgee at Pymont**

**If you can't come to us this month come and see us at Pymont instead**

10 great days celebrating the best food, wine and art from Pymont and Mudgee Region in Sydney's premier dining precinct. See us at Pirrama on Saturday 17 and Sunday 18 May from 11am - 5pm.

Try over 120 wines from Mudgee's top winemakers. Tickle your taste buds with unique gourmet cuisine and local produce direct from Mudgee while enjoying live acts and music from the best local musicians [view](#)

We look forward to seeing you soon.

If you would prefer not to receive these emails any longer please email us back with "unsubscribe" in the subject.

|              |   |
|--------------|---|
| Partner      | MRTI  |
| Media Outlet | The Australian Women's Weekly - Online                  |
| Circulation  | 600,000 Unique Monthly Visitors                         |
| Link         | <a href="http://bit.ly/P1FYTY">http://bit.ly/P1FYTY</a> |
| Date         | 15 <sup>th</sup> April 2014                             |



## Putting the mud into Mudgee



**Bring your hats and sunnies, they had said. Prepare for the ground underneath to be brittle and dry.**

"We haven't had rain here for months," came the voice down the phone. "The whole mid-west of NSW is in drought."

Clearly they hadn't figured on the drought-busting capabilities of the travelling Corbett Clan.

Ever since my parents used to bundle up my brother and sister and I in the mint Commodore station wagon and set off on school holiday camping adventures, there was always one constant: it would rain.

No matter if we were traversing North Queensland in winter or making the Great Aussie Pilgrimage to Uluru in the dry season, our arrival was always heralded by an opening of the heavens.

So it was with a perverse rush of nostalgia that I drove the Mazda into Mudgee late one recent Friday evening, barely able to make out the road for the sheets of rain strafing the windscreen.

Mudgee lies an easy three hours' drive north-west of Sydney. Across the Blue Mountains, via Lithgow, and through some of the most stunning scenery New South Wales has to offer.

We had come to attend the township's inaugural **Polo in the Paddock** - an event, locals had excitedly informed us, that had everyone within a 200 kilometre radius of the bustling regional centre dusting off their glad rags.

The good people of Mudgee were so excited that The Weekly was coming to town they had put out the call to local businesses, asking if any cared to offer up their goods and services to scrutiny. There was a rain-whispering family of four coming to town. A magazine writer, his showgirl wife and their two mischievous children. Miraculously, they still lined up.

**The Mudgee Brewing Company** was the first to welcome us across its threshold. The micro-brewery and restaurant occupies an old tin wool shed at the very end of Mudgee's main street. Perched opposite one of the most beautiful art-deco cinemas I have seen in rural Australia (now empty and screaming out for an injection of life), the Mudgee Brewing Company - home of the local brew, Mudgee Mud - does a fine line in hearty country food and excellent local wines.



Don't you love it when things just klick.



A steak (of brontosaurus proportions) with a fine mushroom sauce and sweet potato chips followed by a delicious dessert of a sablé biscuit and lemon curd ice-cream stack - all washed down by a superb chardonnay from the nearby **Petersons Winery**, made the three-hour drive through rain melt away.

We were equally transported by the live music – a male-female duo expertly performing a raft of easy-listening hits. You could tell how well they were performing by the fact our three-year-old daughter set aside her fish and chips to take to the dance floor for an impromptu ballet performance.

Our accommodation for the weekend was at **Ilkley Cottages**, which we found in the dark some five kilometres out of town. The soft glow of yellow light among a grove of gum trees in the middle of a paddock beckoned as we made our approach.



*Maggies is one of three cabins at Ilkley Cottages.*

In the morning we woke to a break in the weather – and a view so sublime it looked like a painting. Ghost gums in the foreground, rolling fields in the mid-ground and a low-set line of green, moody mountains in the background – with the accompanying soundtrack of a flock of magpies calling.

Ilkley is a quaint collection of three finely-appointed cottages, all lovingly hand-built by the owner, Chris, a former mining engineer. He and his wife Jorie, herself a retired Anglican minister, go out of their way to make guests feel welcome. The loaf of freshly-baked bread and the half dozen eggs from the hen-house that greeted us upon arrival indicative of the extra mile to which they go.

Coffee that morning was taken, as coffee must daily be taken, at **Alby & Esther's** downtown cafe. In a courtyard, under a canopy of verdant grape vines, we partook of a fine brew, as the little people sucked on milkshakes with syrup made from real strawberries.

The first thing that strikes you after spending more than a couple of hours in Mudgee is how living in the city means you can easily fall into the trap of believing all creativity and culture is restricted to the boundaries of the metropolis.



Don't you love it when things just klick.

To say that Mudgee has undergone something of a gastronomic and cultural transformation these past ten years would be an understatement. As the Range Rovers of weekend Eastern-Suburbs types from Sydney appeared over the mountains, drawn by the emergence of local vineyards, the once sleepy rural hamlet became fashionable. The result now is a buzzing regional centre: three parts country town, two parts Gourmet Traveller-heaven.

After a brief visit to the local CRT (or Combined Rural Traders as it's known to city slickers) for four pairs of industrial-strength gumboots, it was time to hit the polo paddock.

**Bunnamagoo Estate vineyard** is the new home of polo in Mudgee. Or to be more precise, a paddock at Bunnamagoo Estate, beyond the vines and lined by marquees on one side and portaloos on the other, is the new home of polo in Mudgee.

Rain may have hampered play on this, Polo in the Paddock's first iteration, but it did little to dampen the spirits of the four hundred enthusiasts who had travelled from as far away as Orange and Armidale to watch the ponies.

As it turned out, the ponies had an unscheduled day of rest, the muddy terrain apparently too slippery for play. But the assembled masses partied on regardless – ably assisted by the free-flowing rosé and sparkling wine – and the dulcet tones of Lee Kerneghan.

You can picnic with a gourmet hamper at the polo or take a place at linen-covered tables and sip from delicate goblets under a marquee roof if it's more your style. As the wine flowed and spirits heightened, I got the distinct impression the end result, no matter where you sat, was pretty much the same.

With no horses to speak of, it was back through the mud we trudged, beating a hasty retreat up the slippery road out of polo paddock before the luxury four-wheel drives of a four-hundred cookies rendered it impassable for our little Mazda.

We headed, in all our glorious dampness, to the one place we knew would provide succour: **Lowe Winery**.

The cellar door at David Lowe's eponymous vineyard is a place that radiates warmth and bonhomie. Or perhaps that was just the three glasses of truly excellent Mudgee Blue Shiraz.



Don't you love it when things just klick.



*Lowe's Winery, set at on the historic Tinja homestead, is home to one of the region's best vineyards.*

Lowe spent his formative years as a young winemaker in Bordeaux, showing the French how real wine is made. He has parlayed that experience into one of the Mudgee region's finest boutique wineries. His passion for all things viticulture is infectious. Did I mention how good the wines are?

Breakfast the following morning was taken at the popular **Outside the Square café**, where local produce is daily thrown into a hand-baked selection of delectables.

Impressive as Mudgee's selection of gastronomic options is, the town doesn't have a complete stranglehold on the region's top nosheries. Thanks to the highly-incongruous presence of a dumpling house on its otherwise sleepy main street, Rylstone – some 50 kilometres east of Mudgee – makes certain of that.

Called **29 Nine 99** and run by what I am willing to wager is Rylstone's only Chinese resident, La Nan, the yum cha house has foodies beating a path to the historic town, just for a taste of her dumplings.

Inside the Bridge View Inn – a stout, sandstone building that was once a coach stop for the horses and carriages making the cross-mountain trek – sits a little piece of China's Shaanxi province.

La Nan moved to Australia back in 1999, following her Aussie paramour – never imagining she would find herself in Rylstone. The mini-emporium of Chinese clothes, homewares and objets d'art she has brought with her add a dramatic splash of colour to this small country town.

Delicious dumplings and an impressive selection of Chinese teas made for a perfect postscript to a weekend of indulging.



Don't you love it when things just klick.



*The hand-made dumplings at Rylstone's 29 Nine 99 bring new meaning to country town Chinese.*

And so, mud flecked and bulging of belly, we set course again for the big smoke, content in the knowledge that while we had put the mud back into Mudgee, she had put a few extra kilos onto our collective waistlines. A fair trade, all in all.

**Ilkley Cottages - [www.ilkleycottages.com.au](http://www.ilkleycottages.com.au)**

**Mudgee Brewing Company - [www.mudgeebrewing.com.au](http://www.mudgeebrewing.com.au)**

**Bunamagoo Estate - [www.bunnamagoowines.com.au](http://www.bunnamagoowines.com.au)**

**Lowe Wines - [www.lowewine.com.au](http://www.lowewine.com.au)**

**29 Nine 99 Yum Cha – 28-30 Louee Street, Rylstone**



Don't you love it when things just klick.

## 6.2.23 Local Traffic Committee Minutes of Meeting held 8 April 2014

REPORT BY THE MANAGER, DEVELOPMENT ENGINEERING TO 21 MAY 2014 COUNCIL MEETING  
LTC Minutes of 8 April 2014  
GOV400038, A0100009

### RECOMMENDATION

**That the report by the Manager, Development Engineering on the Local Traffic Committee Minutes of Meeting held 8 April 2014 be received.**

### 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 8 April 2014.

### Detailed report

The minutes and discussion notes are attached.

The following actions will be taken as a result of the Committee's deliberation.

- Undertake a traffic count at the intersection of Medley and Queen Street Gulgong.
- Staff writes to the writer of the McDonalds Church Street access letter to advice of the Committee's resolution.
- Repaint the associated Give Way line-marking at the intersection of Mackay and Main Street, Ulan Road.

### Financial and Operational Plan implications

Minimal within maintenance budgets.

### Community Plan implications

- RMS delineation manual section 4: Longitudinal Markings
- AUSTROADS *Guide to Road Design Part 4A: Unsignalised and Signalised Intersection-2009*
- AS1742.2 Manual of uniform traffic control devices Part 2: Traffic control devices for general use-2009
- Road Transport (Safety and Traffic Management) Act 1999 NSW
- Road Rules 2008 NSW
- RMS Australian Standard Supplement: AS1742

DARYL COLWELL  
MANAGER, DEVELOPMENT ENGINEERING

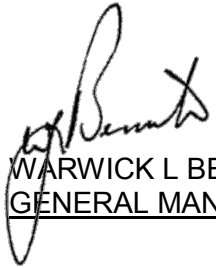


CATHERINE VAN LAEREN  
DIRECTOR, DEVELOPMENT & COMMUNITY  
SERVICES

30 April 2014

*Attachments:* 1. Minutes and discussion notes of meeting held 8 April 2014  
(reports available upon request)

APPROVED FOR SUBMISSION:



WARWICK L BENNETT  
GENERAL MANAGER

**MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING  
HELD ON TUESDAY, 8 APRIL 2014**

**Present:** Daryl Colwell (Chairperson MWRC), Prue Britt (RMS), Inspector Julie Boon (NSW Police), Adrian Moore (MWRC – Development Engineer) and Mette Sutton (MWRC – Minute Secretary).

**Apologies:** Mal Petrie (Members Representative) and Cr John Weatherley.

The LTC meeting commenced at 9.40am.

**14/11 MATTERS IN PROGRESS**

| <b>ITEM</b>   | <b>ACTION</b>   |
|---|---|
| Small Farm Field Days July 2014 – Inadequacies of Traffic Control Plan identified: <ul style="list-style-type: none"><li>• No distances supplied</li><li>• No event name or event date</li><li>• Missing speed zone release signage</li><li>• Detour signage missing at intersection of Putta Bucca Road and Tinja Lane</li><li>• Parking areas not shown on TCP</li><li>• Clarification needed of traffic control at Ulan Rd/Lue Rd/Pitts Lane roundabout</li><li>• Need to clarify the word 'monitor' traffic</li></ul> | Further comments on TCP to be provided by Prue and discussed with Daryl |

**14/12 SPECIAL EVENT DEBRIEF - nil**

**14/13 INTERSECTION TREATMENT QUEEN/MEDLEY STREET, GULGONG**

The following recommendation was moved by Prue Britt, seconded by Inspector Julie Boon and carried as a recommendation to Council.

**That Council take a traffic count at the intersection of Medley and Queen Street Gulgong and if the warrants are satisfied proceed with the installation of longitudinal line marking on Medley Street.**

**14/14 MCDONALDS ACCESS CHURCH STREET, MUDGEE**

The following recommendation was moved by Inspector Julie Boon, seconded by Prue Britt and carried as a recommendation to Council.

**That:**

- 1 Council take no action regarding McDonalds Church Street access;**
- 2 the writer of the letter be advised of the Local Traffic Committee's recommendation.**

**14/15 INTERSECTION TREATMENT MAIN/MACKAY STREET, ULAN**

The following recommendation was moved by Prue Britt, seconded by Inspector Julie Boon and carried as a recommendation to Council.

**That Council repaint the associated 'Give-Way' line marking at the intersection of Mackay and Main Street, Ulan.**

MINUTES & DISCUSSION NOTES OF THE LTC MEETING 8 APRIL 2014

**DISCUSSION NOTES FROM THE 8 APRIL 2014  
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.

**MATTERS IN PROGRESS**

Small Farm Field Days 2014 - Inadequacies of Traffic Control Plan discussed. Prue to further assess TCP and discuss with Daryl.

**14/13 INTERSECTION TREATMENT QUEEN/MEDLEY STREET, GULGONG**

RMS representative confirmed that the RMS do not support the installation of 'silent cops' due to the hazard they cause for motor cycle riders and that undertaking a traffic count is the appropriate action to take as it will provide facts on which to base an outcome.

Daryl Colwell advised that Medley Street is the priority road at this location therefore double-line marking could not be implemented on Queen Street.

**14/14 MCDONALDS ACCESS CHURCH STREET, MUDGEE**

Daryl confirmed that the request received was the only request that he was aware of in regard to this issue and that when investigating a request from a community member the number of concerns received by Council are considered when determining what action if any should be recommended.

**GENERAL BUSINESS**

**MUDGEE ANZAC DAY MARCHES**

Inspector Julie Boon advised that the NSW Police had received a letter from the Mudgee Sub-branch of the RSL advising of the Anzac Day marches to take place in Mudgee at 6.20am and 10.30am on Friday, 25 April. Local Police will be involved with traffic management for this event.

**CL WEATHERLEY**

Councillor Weatherley had advised prior to the meeting of his inability to attend the meeting however he did express his support for the recommendations as listed in the agenda.

The meeting closed at 10.15am  
Next meeting to be held on Tuesday, 13 May 2014



## 6.2.24 Cultural Development Committee Minutes

REPORT BY THE MANAGER, COMMUNITY SERVICES TO 21 MAY 2014 COUNCIL MEETING  
Cultural Development Committee Minutes 280414  
GOV400038, A0420172

### RECOMMENDATION

**That:**

1. **the report by the Manager, Community Services on the Cultural Development Committee Minutes be received;**
2. **Council note the minutes of the Cultural Development Committee meetings held on 28 April 2014;**
3. **Council appoint Scott Etherington to the Cultural Development Committee.**

### Executive summary

The Cultural Development Committee meets to highlight and promote cultural issues in the region. The next meeting is due to be held on Monday 19<sup>th</sup> May 2014 at 5.00pm.

### Detailed report

As noted in the minutes of the 28<sup>th</sup> April meeting, the Cultural Development Committee are pleased to nominate Scott Etherington for appointment to the committee, who will provide excellent input and support.

KATE POWER  
MANAGER, COMMUNITY SERVICES

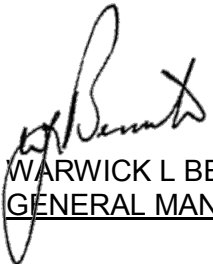


CATHERINE VAN LAEREN  
DIRECTOR, DEVELOPMENT & COMMUNITY SERVICES

9 May 2014

*Attachments:* 1. CDC Minutes - 28042014

APPROVED FOR SUBMISSION:



WARWICK L BENNETT  
GENERAL MANAGER

**MINUTES OF MEETING OF THE  
MID-WESTERN REGIONAL COUNCIL CULTURAL DEVELOPMENT COMMITTEE  
HELD ON MONDAY 28th APRIL 2014  
MEETING AT THE COUNCIL COMMITTEE ROOM, MUDGEES AT 5.00pm.**

**PRESENT:** Judith James, Helen Harwood, Gai Rayner, Councillor Lucy White, Christopher Wright, Sam Paine (Council staff Kate Power, Catherine Van Laeren)  
Susan Bridgford from Gulgong Arts Council observed the meeting

1. **WELCOME:** – Judith opened the meeting and thanked all for attendance
2. **APOLOGIES:** Virginia Handmer
3. **PREVIOUS MINUTES:** 31 March 2014 moved with the amendment of including
  - at Point 5 'The CDC endorse recommendations 1 (Regional Art Gallery) and 4 (Art Programs Using Existing Facilities) of the report to Council, recognising the importance of workshops and programming, and *reinforcing the importance of annual funding*'
  - at Point 9 'Kate advised the Committee that the 'Seed Memory' piece has been installed in Lawson Park, and weather has delayed the installation of 'Shooting Stars' but that it should be installed very shortly. *Gai advised the large Guide Dog will be in Mudgee on May 7<sup>th</sup>, and if both Council sculptures were installed, there may be an opportunity*'

*Moved – L White      Seconded – H Harwood      Motion carried*

4. **Waste to Art**

Gai advised that the Waste to Art exhibition will proceed in Mudgee this year, and she will meet with Sue Clarke, Regional Coordinator on Wednesday 30 April. Key dates are

Artwork to be delivered to the Stables on Sunday 25<sup>th</sup> May  
Judging will take place on the afternoon of 26<sup>th</sup> May  
Opening of exhibition to be at 5.00pm on 26<sup>th</sup> May

**Action Item** – Helen Harwood will provide Gai with names of volunteers to man exhibition (Judith James advised that she is willing to be placed on roster)

**Action Item** – Gai, Catherine Van Laeren and Sue Clarke to meet at Council on Wednesday 30<sup>th</sup> April to finalise details of exhibition

5. **pARTicipate**

Catherine provided a further update on the pARTicipate workshop held with Councillors. The outcome of the workshop is that Councillors have requested further investigation into the former Cudgegong Gallery site in Gulgong, and a new build to the rear of the Stables. Catherine advised that she is meeting with architect Cameron Anderson later this week to explore both options.

6. **Public Art Advisory Panel (PAAP)**

The first meeting of the PAAP was held on Thursday 3<sup>rd</sup> April. The panel have invited the Cultural Development Committee to a workshop to be held on 28<sup>th</sup> May at 5pm at Fairview Artspace. The purpose of the workshop will be to identify funding and grant opportunities, establish their priority, and be grant ready when opportunities arise

**Action Item** – Helen to provide a list of grant opportunities for the next 18 months to be considered at the workshop

**Action Item** – Judith to speak to Chester Nealie to discuss the facilitation arrangements for the workshop

**7. Mid-Western Art Prize**

The Committee discussed the Mid-Western Art Prize, which is \$10,000 allocated in the current budget on exhibition. The Committee agreed that when budget allocation is confirmed, that the award should have local distinctiveness.

**8. Microfunding**

Judith circulated to the Committee a document explaining microfunding. It was agreed that it be placed on the agenda for the next CDC meeting.

**Action Item** – Judith to attend the next Mudgee Arts Council meeting on 2<sup>nd</sup> May to further discuss microfunding.

**9. Membership of the CDC**

Susan Bridgford thanked the Committee for the opportunity to observe the meeting, and advised that she will consider nominating herself as a member of the CDC and will advise of her decision in due course. At this point, Susan left the meeting

Judith advised the Committee that she had met with Scott Etherington, who has expressed an interest in becoming a member. The Committee agreed that Scott should be appointed as a member.

**Motion** – that the CDC recommend to Council the appointment of Scott Etherington to the Cultural Development Committee

Moved – JJ    Seconded – LW    Motion carried

**10. Protocol of Minutes**

It was agreed by the Committee that the minutes of meetings will be circulated by email, with members being given 24 hours to make any corrections necessary. The minutes will then be reported to Council. Any member wishing to add an item to the agenda should provide it to the Chairperson 2 weeks prior to the meeting.

**There being no further business the meeting closed at 6.20 pm.  
Next proposed meeting date: 19th May, 2014 @ 5.00pm**

## 6.2.25 Mudgee Sports Council

REPORT BY THE DIRECTOR, MID-WESTERN OPERATIONS TO 21 MAY 2014 COUNCIL MEETING  
140521 Council  
GOV400038, A0100013

### RECOMMENDATION

**That:**

1. **the report by the Director, Mid-Western Operations on the Mudgee Sports Council be received;**
2. **the minutes for the Mudgee Sports Council ordinary monthly meeting held on 28 April and 31 March 2014 be noted.**

### Executive summary

The purpose of this report is to advise Council of the considerations and recommendations of the Mudgee Sports Council Meetings held on 28 April and 31 March 2014. The Sports Council receives an updated Works Request and Matters in Progress report together with updated financial details each month prior to their meeting.

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

### Detailed report

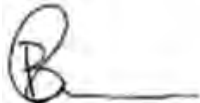
Not applicable.

### Financial and Operational Plan implications

Not applicable.

### Community Plan implications

Not applicable.



BRAD CAM  
DIRECTOR, MID-WESTERN OPERATIONS

30 April 2014

*Attachments:* 1. Minutes of Mudgee Sports Council Ordinary Meeting 28 April and 31 March 2014

APPROVED FOR SUBMISSION:



WARWICK L BENNETT  
GENERAL MANAGER

**Mudgee Sports Council Meeting - Glen Willow Netball Meeting Room  
31-03-2014 - 18:11pm**

**Present:** P. Mitchell, G. Robinson, G. Bartrim, M. O'Keefe, C. Turner, G. Parker, K. Lang, R. Golden, J. Carmody & J. Johnson.

**Apologies:** J. Weatherley (MWRC Representative), S. Adlington, R. Sharp, C. Kurtz, T. Headley, B. Harris, D. Synder Moved G.Bartrim seconded R.Golden that apologies be accepted.

Minutes read as true and correct: Moved G. Parker seconded R. Golden.

**Business arising from previous minutes:**

- Rugby still awaiting grant from Council via Sports council.
- The Health and Fitness festival was deemed very successful.
- Sports awards set to be held the 7<sup>th</sup> April at the Town hall all welcome to join. The GM will be in attendance as council is receiving an award.

**Treasurer's Report:**

- \$64586.38 Softball, Junior Cricket, Ultimate Frisbee, have paid fee's as well as affiliation fees. Mudgee Senior Cricket and Mudgee Little Athletics have not at this time paid their fees and are requested to do so promptly.
- **Motion: That cheques be drawn for Mr Dykes Trophies \$825, and Secretarial serves \$80, these services were provided for trophies and booklets for the sports awards.** Moved G. Robinson seconded M. O'Keefe

**Secretary report:**

- D.Synder doing a report on the Sports awards to be in Wednesday's Mudgee Guardian.
- Relay for Life is being held at Victoria Park 3/4<sup>th</sup> May.

**Work's Requests Updates:**

- Lights have been repaired but not turned on at Jubilee, field has been sprayed so wondering when we can get on.
- Door needs repairing at west end complex after attempted break in to Hockey storeroom; also cover for cistern room lock, which the cover has been jimmed off.
- Light box at Victoria Park repaired.
- Lock ordered for Cistern room West End.
- Lock being replaced at Netball clubhouse not council issued lock.

**Works Requests:**

- Field 5 and 6 Glen Willow lights need checking.
- Panel broken on fence near amenities block Victoria Park
- Lights out on bike track Victoria Park.
- Light out on tower at Victoria Park.
- Extra signage about dogs needed for Victoria Park.
- Glen Willow, wet patch on field 6 and field 4.
- Vandalism at the Dressing sheds Jubilee, request urgent removal, very offensive in detail.
- Water leaking Men's Toilets West End, no cold water Canteen and very little water in Ladies Toilets West End.

**General Business:**

- **Motion: That Council revise its policy of dogs on Sporting fields, Sports Council request that Council have a policy of no dogs on Sporting grounds.** Moved R. Golden seconded G. Parker, carried.
- Black swans need a ground to train on, suggest AFL could train at Cahill Park, Geoff to seek clarification.
- **Motion: Mudgee Sports Council request representation from MWRC Council staff to attend Sports council meetings to be able to be more aware of works requests and general business concerning sports grounds in Mudgee.** Moved J. Johnson, seconded R.Golden carried.
- When moving large pieces of equipment e.g. goal posts please contact Julian Geddes for permission.

- Could all clubs email their contact details through to Peter Mitchell at [admin@mcdonaldlawson.com.au](mailto:admin@mcdonaldlawson.com.au).
- Sports awards: is it time we held a Mid Western sports awards instead of town based as athletes from Kandos and Rylstone miss out on any recognition as there is no Sports Council there, should we in cooperate something with the Australia Day awards or have the awards as a separate ceremony altogether, we could have 3 town awards and then an overall MWRC award for sports person of the year.
- The Rugby championships were a great success not only for the Mudgee Wombats but all the town of Mudgee and surrounding area with businesses well patronised, Greg Bartrim and Greg Cooper should be congratulated for their efforts.

**Meeting closed 19:05**

**Next meeting 28<sup>th</sup> April - Mudgee Netball Club House**

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## **MUDGEE SPORTS COUNCIL MEETING - GLEN WILLOW NETBALL MEETING ROOM 28-04-2014 - 18:10PM**

**Present:** P. Mitchell, G. Robinson, G. Bartrim, M. O'Keefe, C. Kurtz, K. Stubbs, D. Sprigg, J.Baskerville, B. Harris & J. Johnson.

**Apologies:** J.Weatherley (MWRC Representative), K. Lang, R. Golden, T. Headley, D. Synder, C. Turner  
Moved C. Kurtz seconded D. Sprigg that apologies be accepted.

Minutes from previous meeting requiring an amendment \$855 to be paid to Mr Dykes Trophies instead of \$824: Moved G. Robinson seconded G. Bartrim.

### **Business arising from previous minutes:**

- Rugby has received grant from Council via Sports council.
- AFL training Monday/Wednesday evening at Cahill Park.
- Sports awards was held on the 7<sup>th</sup> April at the Town hall the venue was well received. The GM made announcement re funding for Victoria Park.

### **Treasurer's Report:**

- \$64586.38 with \$3000 to be paid to Rugby.  
Moved G. Robinson seconded C. Kurtz

### **Secretary report:**

- Letter out to council for funding for Rugby.

### **Work's Requests Updates:**

- Sprinkler covers repaired Jubilee, painting also completed at Jubilee?
- Door needs repairing at west end complex after attempted break in to Hockey storeroom; also cover for cistern room lock, which the cover has been jimmed off.
- Lights repaired Victoria Park.
- Lock ordered for Cistern room West end.
- Lock being replaced at Netball clubhouse not council issued lock.

### **Works Requests:**

- Field 5 and 6 Glen Willow lights need checking, lights blew on tower Friday night.
- Panel missing on fence near amenities block Victoria Park
- Weather strip needs extending on doors at Netball clubhouse.
- Seating still to be installed on perimeter of Netball courts, compo starts the 3rd May.
- Screen door requested to be installed where freezer and shelving is in Netball clubhouse so goods can be locked up.
- Extra signage about dogs needed for Victoria Park.
- Trees need trimming on perimeter of lower rugby field West end.
- Trees need checking car park west end dead ones near nursing home.

- Water leaking Men's Toilets West End.
- Where are the security light switches for the Glen willow Netball clubhouse.

**General Business:**

- Rural fire service using walker's oval for training purposes on 3rd May.
- Geoff will be away next couple of months due to Basketball commitments.
- Gates are locked at 9pm at Glen willow.
- All clubs are reminded if you are a shared facility to ensure you leave the canteen and other shared areas in a clean and tidy state at the end of your season.
- All summer sports are reminded fee's are now overdue.

**Meeting closed 18:40 - Next meeting 26<sup>th</sup> May at 6pm - Mudgee Netball Club House.**

## 6.2.26 Work Health and Safety Policy

REPORT BY THE MANAGER, PEOPLE AND CULTURE TO 21 MAY 2014 COUNCIL MEETING

Work Health and Safety Policy

GOV400038, A0100021

### RECOMMENDATION

#### That:

1. **the report by the Manager, People and Culture on the Work Health and Safety Policy be received;**
2. **Council adopt the Work Health and Safety Policy.**

### Executive summary

The Work Health and Safety Policy was adopted by Council on 4 April 2012, following the introduction of the Work Health and Safety Act in New South Wales in 2011. In accordance with the policy it is now due for review and renewal (two years after its commencement).

### Detailed report

The Policy reaffirms Council's commitment to providing a safe and healthy working environment for all workers, and other persons, so far as is reasonably practicable. The policy refers to all aspects of Council's Health and Safety System, sets out Council's safety objectives and outlines the work health and safety responsibilities of Councillors, management, employees, volunteers and contractors.

### Financial and Operational Plan implications

Not applicable.

### Community Plan implications

Not applicable.

MICHELE GEORGE  
MANAGER, PEOPLE AND CULTURE


7 May 2014

*Attachments:* 1. Work Health and Safety Policy

APPROVED FOR SUBMISSION:

  
WARWICK L BENNETT  
GENERAL MANAGER



|   |                               |   |
|---|-------------------------------|---|
|  | <b>POLICY</b>                 | <b>ADOPTED</b><br>CM <del>1 April 2012</del><br>May 2014          |
|   | <b>Work Health and Safety</b> | REF: HS-1-P1<br>REV: <del>1.1</del> Revision<br>FILE No. A0100021 |

Mid-Western Regional Council is committed to providing a safe and healthy working environment for all workers, and other persons, so far as reasonably practicable. This will be achieved by management and employees working together, following a program of health and safety activities and procedures which are monitored, reviewed and audited to achieve best practice.

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Mid-Western Regional Council undertakes to regularly review this policy to take account of changes in legislation, activities, services and products. As a result of this review, changes may be made to this policy from time to time and all employees, volunteers and contractors are required to comply with those changes.

**Scope**

This policy applies to:

1. all Councillors and employees of Mid-Western Regional Council (whether full-time, part-time or casual) and all persons performing work at the direction of, or on behalf of Mid-Western Regional Council (for example volunteers, contractors, subcontractors, agents, consultants, and temporary staff) (collectively referred to as "workers"); and
2. all of Mid-Western Regional Council's workplaces and to other places where workers may be working or representing Mid-Western Regional Council for example, when visiting a customer, client or supplier (collectively referred to as "workplace").

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**Mid-Western Regional Council's Health and Safety System**

The Work Health and Safety system relates to all aspects of health and safety including (without limitation):

- WHS Plan;
- Defined WHS Responsibilities;
- Exercising due diligence;
- Health and safety training and education;
- Adopting a risk management approach to manage health and safety risks;
- Consultation with Persons Carrying on a Business or Undertaking ("PCBU") and employees on matters related to health and safety;
- Emergency procedures and drills;
- Workplace inspections;
- Incident/accident reporting;
- Management of injured employees.

**Mid-Western Regional Council's Health and Safety Objectives**

- To provide a safe and healthy work environment for all our employees, volunteers, contractors and other persons;
- To provide safe and healthy methods of work;
- To provide programs of health and safety activities and procedures which are continually updated and effectively carried out;
- To identify and eliminate or reduce hazards and risks to health and safety;
- To continually monitor and improve work health and safety;
- To provide education and training resources;
- To comply with all relevant laws, rules, standards and codes of practice.

~~RESPONSIBILITIES UNDER THE WHS ACT~~

**WORK HEALTH AND SAFETY POLICY**

**Management Responsibilities**

All Councillors, Officers, Managers and Team Leaders/Supervisors are responsible and accountable for the safety of workers and Council property under their control so far as reasonably practicable. Managers and Team Leaders/Supervisors are responsible for ensuring all policies, procedures, safe work practices and safe work procedures are followed at all times. Breaches of responsibility under the Act or failure to lead or observe the requirements of Council policies and procedures may result in disciplinary action, including termination of employment, and/or prosecution by the relevant authorities.

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**Councillors and Employees Responsibilities**

All Councillors and employees are required to comply with health and safety legislation and Mid-Western Regional Council's policies and procedures by taking reasonable care that their acts or omissions do not adversely affect their health or safety and that of other persons. Employees must report all hazards and incidents to their supervisors as soon as practically possible to ensure their own health and safety and the health and safety of others in our workplace, including contractors and third parties. Breaches of responsibility under the Act or failure to comply with Council policies and procedures may result in disciplinary action, including termination of employment, and/or prosecution by the relevant authorities.

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**Volunteer Workers Responsibilities**

All volunteer workers who provide unpaid services to Mid-Western Regional Council have the same responsibilities as an employee under the work health and safety legislation and must comply with the health and safety legislation as amended from time to time and with Mid-Western Regional Council's policies and procedures.

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Compliance for volunteer workers includes but is not limited to:

- observing all directions on health and safety given by management;
- taking reasonable care for their own health and safety and not creating risks to others;
- providing and wearing appropriate Personal Protective Equipment (PPE);
- being appropriately licenced, ticketed, trained and qualified to undertake the work;
- complying with the requirements of other relevant authorities, for example Roads and Maritime Services when working on roadsides or providing Community Transport services.

Failure to comply with or observe the requirements of the legislation or Council policies and procedures will be considered a breach and sufficient grounds for the working arrangement to be terminated. Breaches of the legislation may result in prosecution of the volunteer worker by the relevant authorities.

**Contractors Responsibilities**

All contractors engaged to perform work for Mid-Western Regional Council are required to comply with the health and safety legislation as amended from time to time, the policy, programs and procedures of Mid-Western Regional Council as they relate to work health and safety and to observe all directions on health and safety given by management. Failure to comply or observe a direction will be considered a breach of the contract and sufficient grounds for termination of the contract. Furthermore, breaches of the legislation may result in prosecution by the relevant authorities.

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**DEFINITIONS**

In this policy:

'Person Carrying on a Business or Undertaking' (PCBU) means an individual or organisation that arranges, directs or influences work to be done or contributes something towards the work being done. It can include partners in partnerships, sole traders, trustees of trusts or committee members of unincorporated associations, public or private companies and incorporated associations.

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Warwick Bennett  
General Manager

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Date:

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**WORK HEALTH AND SAFETY POLICY**

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## 6.2.27 March Quarterly Budget Review

REPORT BY THE MANAGER, FINANCIAL PLANNING TO 21 MAY 2014 COUNCIL MEETING

March Quarterly Review

GOV400038, FIN300061

### RECOMMENDATION

#### That:

1. **the report by the Manager, Financial Planning on the March Quarterly Budget Review be received;**
2. **the 2013/14 Operational Plan be amended in accordance with the variations listed in the March 2014 Quarterly Budget Review;**
3. **Council approves the creation of an externally restricted financial reserve in order to allow for the provision of vehicle replacements in Community Transport as required by the funding body, Transport NSW;**
4. **all works deferred to 2014/15 in the March Quarterly Business Review be included as a submission to amend the 2014/15 Operational Plan to incorporate these works and their corresponding funding;**
5. **the surplus (being \$321,000) in the March quarterly budget review be referred to the deliberations of the 2014/15 Operational Plan and Budget submission process.**

### Executive summary

Council is required by the provisions of the Local Government (General) Regulations 2005 to present revised estimates of expenditure and revenue quarterly. These variations to the Operational Plan are presented as a Quarterly Budget Review (QBR). It should be noted that a full listing of general fund budget variations can be found on page 7 to 13 of the QBR. The variations to the separate accounts follow on from that.

### Detailed report

#### GENERAL FUND

This report is recommending a revised budget with a positive variation to unrestricted cash for the quarter of \$408k which reduces the existing deficit result for the year to \$642k. Of the \$408k, \$87k is a result of deferring works to 2014/15, which includes Church St Reseal \$105k (F), Richard St road closure \$6k (F) less sale of 45 Dunn St, Kandos \$24k (U)). These works will still be cash funded in 2014/15 and simply reflect a change in timing of the works.

Council may wish to use the remaining \$321k surplus to complete additional works within the 2014/15 Operational Plan.

A full financial commentary has been included in the March QBR which incorporates the impact of recommended variations to the Operational Plan. The following is a summation of the more material changes within the March QBR.

*Works deferred to 2014/15 Operational Plan*

Within the listed variations are major capital works that have been recommended for deferral to the 2014/15 Operational Plan. Where these works are funded by revenue or a financial reserve the funding has been deferred with the works. Reasons for deferral of these works vary, and a list of these capital works follows:

1. *Richards St crown road closure* – The Crown is taking up to 2 years to process road closure applications. Council is currently awaiting notification.
2. *Church St reseal (Railway to Meares)* – Due to wet weather and competing projects. Will complete with next year's Church St works for setup cost benefits.
3. Property sale 45 Dunn St, Kandos - Defer settlement to 2014/15, awaiting an amended certificate of title from LPI before sale can proceed.
4. Glen Willow amenities – large, insurance funded construction job, work is progressing as per construction schedule with completion date for mid August.
5. Kandos Museum – a new Development Application is in the process of being lodged with Council for changes to the original consent.
6. Charbon roads maintenance (condition of consent Charbon Mine) - Aim to pool funds over a few years to do more substantial road repairs at one time.
7. Ulan Wollar Rd, use of plant on competing projects and better scale of works if this budget is added to the contribution for 2014/15.
8. Kandos to Clandulla Pedestrian path – still awaiting ARTC approval.
9. Charbon pedestrian bridge - still awaiting ARTC approval.
10. Community transport vehicles – this is a continuing allocation from grant funding, no replacement vehicles required this year.
11. Home modification & maintenance vehicle purchase - this is a continuing allocation from grant funding, no replacement vehicles required this year.
12. Rylstone/Kandos flood study – the flood study is complete, and is due to go on exhibition after Council approval. The flood study makes up the first part of the grant funded works with deferral of the remaining budget to complete the second part of the grant funded works, the Flood Risk Management Plan.
13. Percy Nott rest area - contractor quotes were above allocated budget for this project, so Council will manage this work in-house. Competing projects before the end of the financial year necessitates deferral of this budget, it is now listed at the start of the works program for 2014/15.
14. Fairydale Lane railway buffer zone – currently negotiating approval from all stakeholders.
15. Avisford reserve bike track – this is a community run program, Council are assisting where required to complete this project.
16. Rylstone showground upgrade - heavy consultation with the community has meant that physical works were started late in the year. This work was planned to occur over 2 financial years. Canteen, fencing and parade rings are underway now.
17. Rural Fire Service Cudgegong heritage building - construction of this building will be over two years. The RFS have approved works to commence in 2013/14 with the bulk of construction planned to occur in 2014/15.
18. Plant purchases and sales – this is an ongoing program of replacement. A variation to allow for a small adjustment timing of plant changeovers is recommended.

*Connecting our Region*

Recommended variations to the road network are listed below. The net effect of positive and negative variations is \$294k (F), of which \$111k has been rolled to 2014/15.

Variations include deferred works (Church St Reseal, Charbon road maintenance and Ulan Wollar Rd - VPA funded) in order to achieve better value for money in increased scale of works and due to competing priorities (grading & re-sheeting); savings on reseals and rehabs, as well as an

increase in scope of works on large rehabs like Church St (drainage works) and an increase to the grading program.

| COMMUNITY PLAN THEME  | VARIATION   | AMOUNT    |
|-----------------------|---|-----------|
| Connecting our Region | Richards St crown road closure - Defer to 2015 as crown is taking up to 2 years to process applications   | 6,000     |
| Connecting our Region | Savings on Regional road reseals - Cox St \$21k and Bylong Valley Way \$34k   | 55,000    |
| Connecting our Region | Church St reseal (Railway to Meares) - Defer to 2015, due to wet weather and competing projects. Will complete with next years Church St works for setup cost benefits  | 105,000   |
| Connecting our Region | Urban sealed roads - savings in urban reseals - Henbury \$7k (reduced scope of works), Burrundulla \$14k, Madeira \$21k, Mayne \$10k, Robertson \$9k  | 61,000    |
| Connecting our Region | Rural sealed roads - reduce line marking  | 80,000    |
| Connecting our Region | Rural unsealed roads - reduce reactive grading (allocate to grading program)  | 44,000    |
| Connecting our Region | Rural unsealed roads - reduce minor road maintenance  | 30,000    |
| Connecting our Region | Sealed rural roads - reseal savings - Henbury (budget allocated in Urban) \$14.9k, Henry Lawson Drv \$23k, Crudine Rd \$11k, Glen Alice Rd \$6k, Windeyer Rd \$8k, Queens Pinch Rd \$14k, Bocoble Rd \$17k (partially reserve funded \$69.8k) | 24,100    |
| Connecting our Region | Unsealed rural roads - savings in REF and aboriginal consultation   | 20,000    |
| Connecting our Region | Transfer from unspent grants - Ulan WTS widening of Cope Rd. Works completed.   | 25,589    |
| Connecting our Region | Increase RMS funded state road works - revenue (including risk allowance) \$1,986k less increased works expenditure \$1,928   | 58,425    |
| Connecting our Region | Urban sealed roads - increases in urban maintenance   | (20,000)  |
| Connecting our Region | Urban sealed roads - increases in urban reseals - Denison \$12k (additional shoulder works required), Putta Bucca \$5k  | (17,000)  |
| Connecting our Region | Urban sealed roads - increases in urban rehabs - Church St for additional drainage works  | (52,000)  |
| Connecting our Region | Rural unsealed roads - increase grading program   | (124,000) |
| Connecting our Region | Rural unsealed roads - increase extension of Beragoo Rd   | (2,000)   |
| Connecting our Region | Reallocate Roads to Recovery funding - reduce Turon Causeway  | 3,800     |
| Connecting our Region | Reallocate Roads to Recovery funding - reduce Perry St rehab  | 14,000    |
| Connecting our Region | Reallocate Roads to Recovery funding - Increase Church St rehab   | (17,800)  |
| Connecting our Region | Urban sealed roads - savings in rehabs - Mortimer St \$50k, Dengar rehab savings \$10k - reserve funded   | 60,000    |
| Connecting our Region | Urban sealed roads - transfer to reserves - Asset Replacement   | (60,000)  |

| COMMUNITY PLAN THEME  | VARIATION   | AMOUNT         |
|-----------------------|---|----------------|
| Connecting our Region | Sealed rural roads - Defer to 2015 Charbon roads maintenance - Aim to pool funds over a few years to do more substantial road repairs at one time.                          | 49,000         |
| Connecting our Region | Sealed rural roads - Defer to 2015 Charbon roads maintenance - transfer to unspent contributions  | (49,000)       |
| Connecting our Region | Sealed regional roads - Reduce transfer from VPA, defer to 2015   | 72,100         |
| Connecting our Region | Sealed regional roads - Defer to 2015 Ulan Wollar Rd, use of plant on competing projects and better scale of works if this budget is added to the contribution for 2014/15. | (72,100)       |
| Connecting our Region | Sealed rural regional roads - Defer Rouse St Gulgong rehab - works to be undertaken as part of Cope Road upgrade future years   | 118,000        |
| Connecting our Region | Sealed rural regional roads - Increase roads repairs and maintenance  | (68,000)       |
| Connecting our Region | Sealed rural regional roads - Increase regional roads line marking  | (50,000)       |
| Connecting our Region | Ulan Road Strategy - Reduce operational budget, consultants   | 55,500         |
| Connecting our Region | Ulan Road Strategy - allocate to capital budgets - Lagoons to Toole \$12k, Mt Pleasant to Buckaroo \$13,500, Wollar Rd intersection \$5k, Midblock \$25k                    | (55,500)       |
| Connecting our Region | Pitts Lane cycleway - RMS funding 50/50   | 57,500         |
| Connecting our Region | Pitts Lane cycleway - Reduce footways capital programme to cover council contribution 50/50   | 57,500         |
| Connecting our Region | Pitts Lane cycleway - cycleway to connect to existing pathway at Glen Willow and Ulan Rd  | (115,000)      |
| Connecting our Region | Kandos to Clandulla Pedestrian - Defer to 2015, awaiting ARTC approval  | 80,000         |
| Connecting our Region | Kandos to Clandulla Pedestrian - Defer to 2015, reduce transfer from reserves - Capital   | (80,000)       |
| Connecting our Region | Charbon pedestrian bridge - Defer to 2015, awaiting ARTC approval   | 99,000         |
| Connecting our Region | Charbon pedestrian bridge - Defer to 2015, reduce transfer from reserves - Capital  | (99,000)       |
|                       |   | <b>294,114</b> |

#### OTHER ISSUES

The following is a brief summary of the other major changes being recommended in the 2013/14 budget through this March Quarterly Budget Review.

##### *Insurance reimbursement*

An insurance reimbursement for legal costs on the rating recategorisation case for \$197k (F) has been included.

##### *Financial Services*

Due to the length of time the Director of Finance position was vacant, there are savings within employee costs in Financial Services of \$126k (F). This was because the General Manager with the strong support and commitment from the senior Finance staff were able to undertake all the extra duties without compensation.

A negative variation has also been recommended within Financial Services in order to purchase a Long Term Financial Plan software package (this plan is required as part of the new IP&R framework) and for some consultancy work on the Asset Management System - \$50k (U).

#### *Staff Recruitment*

An increase to staff recruitment costs has been recommended to cover recruitment of the General Manager and the Director of Finance and Administration \$50k (U).

#### *Webcasting equipment*

Capital costs for installation and setup of webcasting the Council Meetings of \$35k (U). This will ensure that quality of the recording (sound and image) is satisfactory for webcasting.

#### *Healthy Communities Alliance*

It is recommended that \$50k (U) be contributed to the Healthy Communities Alliance in order to ensure this community health initiative can continue to be available for residents.

#### *Depreciation (non-cash)*

This is a non-cash book entry that reflects the decline in value of Councils assets over time. A variation of \$1,052k (U) has been recommended in order to accurately reflect the rate of depreciation being recorded for asset types and changes are mostly due to revaluation of assets and purchase/sale of assets.

#### *WATER FUND*

Water fund has an expected cash variation of \$1,005k (F). The large variation to our expected cash levels is due to a very dry, hot summer which has increased water usage through Summer with the flow on effects of increased water usage charges. If the water usage meets anticipated levels for the year, an increased cash balance will mean that future borrowing can be re-evaluated.

#### *Revenue*

Water usage income is expected to increase by the end of the year, with a positive variation for \$1,089k recommended. Increased interest income due to these higher levels of cash is expected with a recommended variation of \$65k.

#### *Water production*

Increased water usage has meant that production costs have also increased, with the following negative variations recommended:

#### **Negative Variations**

|                                    |  |                  |
|------------------------------------|--|------------------|
| Protecting our Natural Environment | Increase water usage fees within water fund operating  | (38,000)         |
| Protecting our Natural Environment | Increase water purchases - increased bore license fees and usage due to dry year   | (40,000)         |
| Protecting our Natural Environment | Increase repair costs on river intake operations due to multiple pump breakdowns   | (11,000)         |
| Protecting our Natural Environment | Water treatment plant production cost increases due to dry year, usage increases   | (55,000)         |
| Protecting our Natural Environment | Fringe benefit tax - changes in legislation around fringe benefits on vehicles has increased fringe benefit tax paid for the year ended March 2014 | (4,900)          |
| <b>Total Negative Variations</b>   |  | <b>(148,900)</b> |



### *Mudgee Water Augmentation*

Design works are to be completed before 30 June 2014; all other associated costs have been deferred to 2014/15 in line with development of the west side of Mudgee. \$1,120k (F) of costs have been deferred.

|                                    |   |             |
|------------------------------------|---|-------------|
| Protecting our Natural Environment | Mudgee water augmentation - majority of costs to be rolled to 2014/15. Design works only to be completed before 30 June 2014. | 1,120,000   |
| Protecting our Natural Environment | Reduce transfer from water reserves - Mudgee water augmentation works   | (120,000)   |
| Protecting our Natural Environment | Reduce transfer from S64 developer contributions - Mudgee water augmentation works  | (1,000,000) |

### *SEWER FUND*

The Sewer fund has a total negative variation to unrestricted cash of \$104k (U). This has increased the cash deficit for the year to \$286k. The major variations include:

#### *Electricity*

There is a higher level of electricity consumption at the new Sewer Treatment Plant \$120k (U).

#### *Rylstone Kandos Sewer Augmentation*

Deferral of \$530k related to this project has been recommended as the design and the scope of works for this treatment plant is still being reviewed.

#### *Sewer Mains Re-lining*

An amount of \$85k has been recommended to transfer from sewer main replacement to sewer main re-lining. Mains re-lining will extend the life of existing sewer mains without the need for replacement.

#### *Developer contributions*

An increase to sewer Section 64 developer contributions received to 30 June 2014 is anticipated and as such a variation to increase revenue by \$150k has been recommended. This amount has been transferred to the S64 fund.

### *WASTE FUND*

Variations to the Waste fund unrestricted cash total a decrease of \$243k (U). This is mostly due to reduced interest income \$78k (U), Street park bin operations \$40k (U) and a reduction in Mudgee Recycling revenue \$130k (U).

## Financial and Operational Plan implications

Financial and operational plan implications are included in the Quarterly Business Review.

## Community Plan implications

Not applicable at this time.

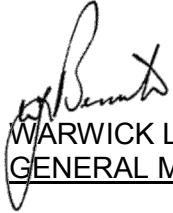


LEONIE JOHNSON  
MANAGER FINANCIAL PLANNING

BRETT EXELBY  
DIRECTOR, FINANCE & AMINISTRATION

- Attachments:*
1. March Quarterly Business Review – Proposed Variations
  2. March Quarterly Business Review (included at the end of the business paper)

APPROVED FOR SUBMISSION:



WARWICK L BENNETT  
GENERAL MANAGER

ATTACHMENT 1: PROPOSED VARIATIONS

| COMMUNITY PLAN THEME  | VARIATION   | AMOUNT    |
|-----------------------|---|-----------|
| <b>GENERAL FUND</b>   |   |           |
| Positive Variations   |   |           |
| Good Government       | Insurance reimbursement received - rating re-categorisation legal costs   | 197,600 F |
| Good Government       | Reduction in grant officer operating costs - savings  | 4,000 F   |
| Good Government       | Financial Services - savings in employee costs due to vacant positions \$126k   | 126,000 F |
| Connecting our Region | Richards St crown road closure - Defer to 2015 as crown is taking up to 2 years to process applications   | 6,000 F   |
| Connecting our Region | Savings on Regional road reseals - Cox St \$21k and Bylong Valley Way \$34k   | 55,000 F  |
| Connecting our Region | Church St reseal (Railway to Meares) - Defer to 2015, due to wet weather and competing projects. Will complete with next years Church St works for setup cost benefits  | 105,000 F |
| Connecting our Region | Urban sealed roads - savings in urban reseals - Henbury \$7k (reduced scope of works), Burrundulla \$14k, Madeira \$21k, Mayne \$10k, Robertson \$9k  | 61,000 F  |
| Connecting our Region | Rural sealed roads - reduce line marking  | 80,000 F  |
| Connecting our Region | Rural unsealed roads - reduce reactive grading (allocate to grading program)  | 44,000 F  |
| Connecting our Region | Rural unsealed roads - reduce minor road maintenance  | 30,000 F  |
| Connecting our Region | Sealed rural roads - reseal savings - Henbury (budget allocated in Urban) \$14.9k, Henry Lawson Drive \$23k, Crudine Rd \$11k, Glen Alice Rd \$6k, Windeyer Rd \$8k, Queens Pinch Rd \$14k, Bocoble Rd \$17k (partially reserve funded \$69.8k) | 24,100 F  |
| Connecting our Region | Unsealed rural roads - savings in REF and aboriginal consultation   | 20,000 F  |
| Good Government       | Kandos Museum - corporate buildings maintenance budget - not required as all Kandos Museum works have been rolled to the capital budget for handover  | 5,000 F   |
| Good Government       | Parking control - Increase parking fine revenue   | 10,000 F  |
| Connecting our Region | Transfer from unspent grants - Ulan WTS widening of Cope Rd. Works completed.   | 25,589 F  |
| Good Government       | Increase to commercial property income - (new rental site Flirtation Hill)  | 20,000 F  |
| Good Government       | Revenue Collection - savings in employee costs (vacant position) \$52k, contributions from other government bodies to legal costs \$7k, reduced by increased legal costs \$31k, and stores overheads \$6k                                       | 22,000 F  |

| COMMUNITY PLAN THEME             | VARIATION   | AMOUNT         |
|----------------------------------|---|----------------|
| Connecting our Region            | Increase RMS funded state road works - revenue (including risk allowance) \$1,986k less increased works expenditure \$1,928   | 58,425 F       |
| <b>Total Positive Variations</b> |   | <b>893,714</b> |
| <b>Negative Variations</b>       |   |                |
| Good Government                  | Increase in stores operating costs - empty out emulsion tank for repairs \$4k, stock write-off of emulsion \$24k (non-cash) reduced by savings in freight charges \$18k   | (10,000) U     |
| Good Government                  | Increase grants and donations - ADA cottage DA fees per Min 96/14   | (2,636) U      |
| Looking after our Community      | Increase Economic Development software licensing costs  | (4,000) U      |
| Looking after our Community      | Increase library salary costs to allow for coordination of event hire at the Town Hall Theatre - library staff to show hirers around, \$5k per annum  | (1,200) U      |
| Good Government                  | Increase staff recruitment costs for recruitment of General Manager - \$40k consultant/advertising, \$10k possible relocation expense   | (50,000) U     |
| Good Government                  | Property sale 45 Dunn St, Kandos - Defer settlement to 2014/15, awaiting an amended certificate of title from LPI before sale can proceed - Sale of land \$27,200, profit on sale \$17,200 (non-cash) reduced by deferred costs \$3,000 | (41,400) U     |
| Connecting our Region            | Urban sealed roads - increases in urban maintenance   | (20,000) U     |
| Connecting our Region            | Urban sealed roads - increases in urban reseals - Denison \$12k (additional shoulder works required), Putta Bucca \$5k  | (17,000) U     |
| Connecting our Region            | Urban sealed roads - increases in urban rehabs - Church St for additional drainage works  | (52,000) U     |
| Connecting our Region            | Rural unsealed roads - increase grading program   | (124,000) U    |
| Connecting our Region            | Rural unsealed roads - increase extension of Beragoo Rd   | (2,000) U      |
| Looking after our Community      | Kandos Museum operating costs - increase other grant income \$6k, reduced by increased operating costs and reduced entry fees \$4k, return grant funding Wiradjuri exhibition \$13k   | (9,000) U      |
| Good Government                  | Webcasting equipment for the Council chambers   | (35,000) U     |
| Good Government                  | Animal pest control - increase stock impounding fees \$3k, increase fines \$3k, increase employee costs \$16k   | (10,000) U     |
| Good Government                  | Rysltone administration office - increase contractors expense, repair of air conditioner  | (5,000) U      |
| Looking after our Community      | Active parks building maintenance - increase contractors for unplanned urgent repair works, high level of reactive maintenance work.  | (15,000) U     |

| COMMUNITY PLAN THEME               | VARIATION   | AMOUNT             |
|------------------------------------|---|--------------------|
| Good Government                    | Financial services - increase in consultation & software costs: Long Term Financial Plan software \$40k, Asset Management System consultation \$10k   | (50,000) U         |
| Good Government                    | Fringe benefit tax - changes in legislation around fringe benefits on vehicles has increased tax paid for the year ended March 2014   | (28,500) U         |
| Looking after our Community        | Healthy Communities Initiative - increase contribution to Healthy Alliance to continue the Healthy Communities programme  | (50,000) U         |
| Good Government                    | Depreciation - increase depreciation on buildings \$926k, plant \$144k, office & furniture \$30k, library books \$27k reduce depreciation on other structures \$43k, intangibles \$31k. This is a <b>non-cash</b> entry. Depreciation varies across asset types depending on purchases and sales throughout the year. The building revaluation process last year accounts for the majority of the above movement. | (1,052,080) U      |
| <b>Total Negative Variations</b>   |   | <b>(1,578,816)</b> |
| <b>Contra Variations</b>           |   |                    |
| Looking after our Community        | Contribution towards grant funded works from Bylong Hall Committee towards hall improvements  | 4,300 C            |
| Looking after our Community        | Construction of decking on Bylong Hall  | (4,300) C          |
| Looking after our Community        | Glen Willow amenities - reduce construction costs, defer to 2014/15   | 235,000 C          |
| Looking after our Community        | Glen Willow amenities - reduce insurance reimbursement, defer to 2014/15  | (235,000) C        |
| Looking after our Community        | Kandos Museum capital - defer part of modification works to 2014/15, to be completed after June 2014  | 50,000 C           |
| Looking after our Community        | Kandos Museum capital - reduce transfer from asset replacement reserve, defer to 2015   | (50,000) C         |
| Looking after our Community        | Contribution to NSW Library Conference received   | 20,000 C           |
| Looking after our Community        | NSW Library Conference - transfer to unspent contributions  | (20,000) C         |
| Looking after our Community        | Denison St & Cooyal St Units - Local Government Energy Efficiency Program (LGEEP) grant funding received  | 17,630 C           |
| Looking after our Community        | Denison St & Cooyal St Units - transfer from community tenancy scheme reserve   | 5,270 C            |
| Looking after our Community        | Denison St & Cooyal St Units - installation of 5 hot water systems (1 at Cooyal St & 4 at Denison St)   | (22,900) C         |
| Protecting our Natural Environment | Roadside vegetation assessment project - grant funding received from Salinity and Water Quality Alliance  | 15,000 C           |
| Protecting our Natural Environment | Roadside vegetation assessment project - contractors and project costs  | (15,000) C         |
| Connecting our Region              | Reallocate Roads to Recovery funding - reduce Turon Causeway  | 3,800 C            |

| COMMUNITY PLAN THEME  | VARIATION   | AMOUNT      |
|-----------------------|---|-------------|
| Connecting our Region | Reallocate Roads to Recovery funding - reduce Perry St rehab  | 14,000 C    |
| Connecting our Region | Reallocate Roads to Recovery funding - Increase Church St rehab   | (17,800) C  |
| Connecting our Region | Urban sealed roads - savings in rehabs - Mortimer St \$50k, Dengar rehab savings \$10k - reserve funded   | 60,000 C    |
| Connecting our Region | Urban sealed roads - transfer to reserves - Asset Replacement   | (60,000) C  |
| Connecting our Region | Sealed rural roads - Defer to 2015 Charbon roads maintenance - Aim to pool funds over a few years to do more substantial road repairs at one time.                          | 49,000 C    |
| Connecting our Region | Sealed rural roads - Defer to 2015 Charbon roads maintenance - transfer to unspent contributions  | (49,000) C  |
| Connecting our Region | Sealed regional roads - Reduce transfer from VPA, defer to 2015   | 72,100 C    |
| Connecting our Region | Sealed regional roads - Defer to 2015 Ulan Wollar Rd, use of plant on competing projects and better scale of works if this budget is added to the contribution for 2014/15. | (72,100) C  |
| Connecting our Region | Sealed rural regional roads - Defer Rouse St Gulgong rehab - works to be undertaken as part of Cope Road upgrade future years   | 118,000 C   |
| Connecting our Region | Sealed rural regional roads - Increase roads repairs and maintenance  | (68,000) C  |
| Connecting our Region | Sealed rural regional roads - Increase regional roads linemarking   | (50,000) C  |
| Connecting our Region | Ulan Road Strategy - Reduce operational budget, consultants   | 55,500 C    |
| Connecting our Region | Ulan Road Strategy - allocate to capital budgets - Lagoons to Toole \$12k, Mt Pleasant to Buckaroo \$13,500, Wollar Rd intersection \$5k, Midblock \$25k                    | (55,500) C  |
| Connecting our Region | Pitts Lane cycleway - RMS funding 50/50   | 57,500 C    |
| Connecting our Region | Pitts Lane cycleway - Reduce footways capital programme to cover council contribution 50/50   | 57,500 C    |
| Connecting our Region | Pitts Lane cycleway - cycleway to connect to existing pathway at Glen Willow and Ulan Rd  | (115,000) C |
| Connecting our Region | Kandos to Clandulla Pedestrian - Defer to 2015, awaiting ARTC approval  | 80,000 C    |
| Connecting our Region | Kandos to Clandulla Pedestrian - Defer to 2015, reduce transfer from reserves - Capital   | (80,000) C  |
| Connecting our Region | Charbon pedestrian bridge - Defer to 2015, awaiting ARTC approval   | 99,000 C    |
| Connecting our Region | Charbon pedestrian bridge - Defer to 2015, reduce transfer from reserves - Capital  | (99,000) C  |
| Good Government       | Mudgee Airport subdivision - increase transfer from land development reserve  | 8,000 C     |

| COMMUNITY PLAN THEME               | VARIATION  | AMOUNT      |
|------------------------------------|--|-------------|
| Good Government                    | Increase Mudgee Airport subdivision costs to cover final costs - materials \$4k, legal costs \$2k, stores on-costs \$2k  | (8,000) C   |
| Looking after our Community        | Community transport vehicles - transfer from unspent grants - Community Services grant funding, defer to 2015  | 26,294 C    |
| Looking after our Community        | Community transport vehicles - reduce vehicle purchase budget, defer to 2015   | 48,000 C    |
| Looking after our Community        | Community transport vehicles - transfer to reserves - Community Transport Vehicle Replacement (new) reserve. The grant funding body has requested that we set up a vehicle replacement reserve to meet the requirements of receiving funding. Defer funding to 2015. | (74,294) C  |
| Looking after our Community        | Home modification & maintenance - defer vehicle purchase to 2015   | 20,500 C    |
| Looking after our Community        | Home modification & maintenance - transfer to unspent grants - defer vehicle purchase  | (20,500) C  |
| Looking after our Community        | Host family respite - reduce employee costs due to reduction in coordinator hours  | 3,600 C     |
| Looking after our Community        | Host family respite - increases to volunteer expenses  | (3,600) C   |
| Looking after our Community        | Social & cultural plan - increase donations & grant funding  | 6,700 C     |
| Looking after our Community        | Social & cultural plan - increase scope of works, linked to donations received Wollemi Creative Arts and Seniors Week  | (6,700) C   |
| Looking after our Community        | Town Hall cinema operations - increase ticket sales to reflect 12 months of operation (originally trialled for 6)  | 37,000 C    |
| Looking after our Community        | Town Hall cinema operations - increase running costs (movie distributor fees)  | (37,000) C  |
| Looking after our Community        | Strategic planning - savings drainage concept plans  | 10,000 C    |
| Looking after our Community        | Strategic planning - reduce transfer from reserves S94 administration plan   | (10,000) C  |
| Protecting our Natural Environment | Rylstone/Kandos flood study - defer to 2015 - consultant costs   | 68,000 C    |
| Protecting our Natural Environment | Rylstone/Kandos flood study - defer to 2015, reduce transfer from reserves and unspent grants  | (34,306) C  |
| Protecting our Natural Environment | Rylstone/Kandos flood study - defer to 2015 - grant funding  | (33,694) C  |
| Good Government                    | Reduce S94 heavy haulage routes extraction - reduce transfer to S94 developer contributions  | 180,000 C   |
| Good Government                    | Reduce S94 heavy haulage routes extraction - estimate based on Ulan Stone who have been unable to get a license to commence  | (180,000) C |
| Good Government                    | Corporate governance savings - increase contractors \$21k, printing & stationery \$22k. Reduce materials & contractors \$35k, corporate legal costs by \$9.5k and memberships by \$3.5k  | 5,000 C     |
| Good Government                    | Increase code of conduct committee consultants   | (5,000) C   |
| Looking after our Community        | Cudgegong waters park - grant funding from Public Reserves Management Fund   | 157,000 C   |

| COMMUNITY PLAN THEME        | VARIATION   | AMOUNT      |
|-----------------------------|---|-------------|
| Looking after our Community | Cudgegong waters park - construction of amenities block planned for 2015, transfer to unspent grants  | (157,000) C |
| Looking after our Community | Percy Nott rest area - defer to 2015, contractor quotes were above allocated budget so we are now managing this work in-house but competing projects before the end of the financial year mean this work needs to be rolled to the start of the 2014/15 financial year. | 110,000 C   |
| Looking after our Community | Percy Nott rest area - defer to 2015, reduce transfer from reserves   | (110,000) C |
| Good Government             | Developer contributions - increase VPA \$260k Wilpinjong community payment, \$192k Seal extension payments Ulan Wollar Rd plus \$50k additional catchment A drainage contributions  | 502,000 C   |
| Good Government             | Developer contributions - reduce interest income on developer contributions balance (due to lower than expected fund balances - deferral of Moolarben stage 2)  | (21,000) C  |
| Good Government             | Developer contributions - increase in S94 contributions received  | 61,000 C    |
| Good Government             | Developer contributions - increase transfer to VPA \$481k, increase transfer to S94 \$61k   | (542,000) C |
| Looking after our Community | Fairydale Ln railway buffer zone - defer purchase to 2015, negotiating approval from all stakeholders   | 180,000 C   |
| Looking after our Community | Fairydale Ln railway buffer zone - decrease transfer from land Development reserve, defer to 2015.  | (180,000) C |
| Looking after our Community | Avisford reserve bike track - defer to 2015, community run programme  | 35,000 C    |
| Looking after our Community | Avisford reserve bike track - defer to 2015, reduce reserve funding, grant funding  | (35,000) C  |
| Looking after our Community | Rylstone showground upgrade - defer to 2015, heavy consultation with the community has meant that physical works were started late in the year. This work was planned to occur over 2 financial years. Canteen, fencing and parade rings underway now.                  | 200,000 C   |
| Looking after our Community | Rylstone showground upgrade - defer to 2015, transfer to unspent grants, reduce transfer from reserves Capital Program  | (200,000) C |
| Looking after our Community | Gulgong Memorial Hall - savings on upgrade  | 17,000 C    |
| Looking after our Community | Gulgong Memorial Hall - reduce transfer from reserve  | (17,000) C  |
| Looking after our Community | Kandos Waratah Park - savings on upgrade  | 10,000 C    |
| Looking after our Community | Kandos Waratah Park - reduce transfer from reserve  | (10,000) C  |
| Good Government             | MWRC Depot buildings upgrade - transfer from reserves Asset Replacement   | 20,000 C    |
| Good Government             | MWRC Depot buildings upgrade - increase to complete operations building and stores office upgrade   | (20,000) C  |



| COMMUNITY PLAN THEME           | VARIATION   | AMOUNT           |
|--------------------------------|---|------------------|
| Good Government                | Plant purchases and sales, adjust timing of plant changeovers<br>- decrease plant sales (major plant \$232k, passenger vehicles \$25k, commercial vehicles \$23k)                     | 280,000 C        |
| Good Government                | Plant purchases and sales, adjust timing of plant changeovers<br>- increase major plant sales   | 52,000 C         |
| Good Government                | Plant purchases and sales, adjust timing of plant changeovers<br>- reduce transfer from Plant Reserve   | (322,000) C      |
| Good Government                | Plant purchases and sales, adjust timing of plant changeovers<br>- reduce passenger vehicle sales   | (10,000) C       |
| Looking after our Community    | Mudgee Library building improvements - increase transfer from reserves Asset Replacement  | 16,000 C         |
| Looking after our Community    | Mudgee Library building improvements - increase to contractors, electrical work on the switchboard and cabling for the air conditioner was not included in the initial scope of works | (16,000) C       |
| Looking after our Community    | Rural Fire Service Cudgegong heritage building - construction of this building will be over two years. Defer construction costs to 2015   | 135,000 C        |
| Looking after our Community    | Rural Fire Service Cudgegong heritage building - construction of this building will be over two years. Defer matching grant funding to 2015   | (135,000) C      |
| <b>Total Contra Variations</b> |   | <b>0</b>         |
| <b>TOTAL GENERAL FUND</b>      |   | <b>(685,102)</b> |

| COMMUNITY PLAN THEME               | VARIATION   | AMOUNT           |
|------------------------------------|---|------------------|
| <b>WATER FUND</b>                  |   |                  |
| <b>Positive Variations</b>         |   |                  |
| Protecting our Natural Environment | Increases water usage income - residential \$707k, business \$276k, raw water \$33k, other \$31k, water connections \$42k. A very dry year during the summer season has meant much higher than anticipated water usage this financial year. | 1,089,000 F      |
| Protecting our Natural Environment | Increase water fund interest income due to higher than anticipated cash balances - increased water usage and deferral of augmentation works   | 65,000 F         |
| Protecting our Natural Environment | Depreciation - decrease depreciation on buildings \$8k <b>non-cash</b> book entry.  | 8,000 F          |
| <b>Total Positive Variations</b>   |   | <b>1,154,000</b> |
| <b>Negative Variations</b>         |   |                  |
| Protecting our Natural Environment | Increase water usage fees within water fund operating   | (38,000) U       |
| Protecting our Natural Environment | Increase water purchases - increased bore license fees and usage due to dry year  | (40,000) U       |
| Protecting our Natural Environment | Increase repair costs on river intake operations due to multiple pump breakdowns  | (11,000) U       |
| Protecting our Natural Environment | Water treatment plant production cost increases due to dry year, usage increases  | (55,000) U       |
| Protecting our Natural Environment | Fringe benefit tax - changes in legislation around fringe benefits on vehicles has increased fringe benefit tax paid for the year ended March 2014  | (4,900) U        |
| <b>Total Negative Variations</b>   |   | <b>(148,900)</b> |
| <b>Contra Variations</b>           |   |                  |
| Protecting our Natural Environment | Reduce Lawson Road water main works due to completion of project under budget - water reserve funded  | 40,000 C         |
| Protecting our Natural Environment | Increase Bawden Road water main works due to engagement of a hygienist which was not in the original scope of works - water reserve funded  | (7,000) C        |
| Protecting our Natural Environment | Increase mains decommission - due to the recent main breaks, Council has identified a need for more mains around town that require decommissioning  | (33,000) C       |
| Protecting our Natural Environment | Decrease water new connections construction costs - although new connections are up, associated costs are down due to improper cost coding which is an area of focus at present.  | 41,200 C         |

| COMMUNITY PLAN THEME               | VARIATION   | AMOUNT           |
|------------------------------------|---|------------------|
| Protecting our Natural Environment | Increase to water meter maintenance - additional maintenance to damaged meters  | (41,200) C       |
| Protecting our Natural Environment | Mudgee water augmentation - majority of costs to be rolled to 2014/15. Design works only to be completed before 30 June 2014. | 1,120,000 C      |
| Protecting our Natural Environment | Reduce transfer from water reserves - Mudgee water augmentation works   | (120,000) C      |
| Protecting our Natural Environment | Reduce transfer from S64 developer contributions - Mudgee water augmentation works  | (1,000,000) C    |
| Protecting our Natural Environment | Transfer budget from Rylstone Augmentation - security of supply works   | 5,000 C          |
| Protecting our Natural Environment | Increase security of Rylstone supply works - original budget partially grant funded   | (5,000) C        |
| Protecting our Natural Environment | Savings in Church St water main replacement works   | 17,000 C         |
| Protecting our Natural Environment | Reduce transfer from water reserves - Church St water mains   | (17,000) C       |
| Protecting our Natural Environment | Reduce water pump stations budget only  | 9,000 C          |
| Protecting our Natural Environment | Major pump repairs for Gulgong water treatment plant - pump filter valve  | (9,000) C        |
| <b>Total Contra Variations</b>     |   | <b>0</b>         |
| <b>TOTAL WATER FUND</b>            |   | <b>1,005,100</b> |

| COMMUNITY PLAN THEME               | VARIATION   | AMOUNT           |
|------------------------------------|---|------------------|
| <b>SEWER FUND</b>                  |   |                  |
| <b>Positive Variations</b>         |   |                  |
| Protecting our Natural Environment | Decrease sewer new connections construction costs - associated costs are down due to improper cost coding which is an area of focus at present.                     | 16,000 F         |
| <b>Total Positive Variations</b>   |   | <b>16,000</b>    |
| <b>Negative Variations</b>         |   |                  |
| Protecting our Natural Environment | Increase electricity - due to higher operating costs at the new Mudgee sewer treatment plant  | (120,000) U      |
| Protecting our Natural Environment | Depreciation - increase depreciation on buildings \$6k <b>non-cash</b> book entry.  | (6,000) U        |
| <b>Total Negative Variations</b>   |   | <b>(126,000)</b> |
| <b>Contra Variations</b>           |   |                  |
| Protecting our Natural Environment | Trial alum & chlorine dosing units for Kandos & Rylstone Sewer Treatment Plant - transfer from Mudgee capital sewer treatment plant savings (Sewer reserve funded)  | 13,100 C         |
| Protecting our Natural Environment | Trial alum & chlorine dosing units for Kandos Sewer Treatment Plant - purchase & fit out (Sewer reserve funded)   | (10,200) C       |
| Protecting our Natural Environment | Trial alum & chlorine dosing units for Rylstone Sewer Treatment Plant - chemical pallet bunding (Sewer reserve funded)  | (2,900) C        |
| Protecting our Natural Environment | Reduce sewer mains budget only - sewer reserve funded   | 85,000 C         |
| Protecting our Natural Environment | Increase sewer main relining program for 2013/14 - sewer reserve funded   | (85,000) C       |
| Protecting our Natural Environment | Rylstone Kandos sewer augmentation - majority of costs to be rolled to 2014/15. \$30k to remain for a study into alternate sewerage treatment solutions for Charbon | 530,000 C        |
| Protecting our Natural Environment | Rylstone Kandos sewer augmentation - reduce transfer from sewer reserves  | (530,000) C      |
| Protecting our Natural Environment | Savings Burrundulla pump station capital works  | 10,000 C         |
| Protecting our Natural Environment | Reduce transfer from sewer reserves - Burrundulla Pump Station capital works  | (10,000) C       |
| Protecting our Natural Environment | Airport sewer pump station access - reduce sewer easement costs, to be rolled to 2014/15. Requires additional budget to complete scope of works                     | 5,000 C          |
| Protecting our Natural Environment | Reduce transfer from sewer reserves - airport sewer pump station  | (5,000) C        |
| Protecting our Natural Environment | Mellon St sewer pump station - reduce sewer pump stations budget only - sewer reserve funded  | 2,000 C          |

| COMMUNITY PLAN THEME               | VARIATION   | AMOUNT           |
|------------------------------------|---|------------------|
| Protecting our Natural Environment | Mellon St sewer pump station - transfer from Mudgee sewer treatment plant, savings - reserve funded | 8,000 C          |
| Protecting our Natural Environment | Mellon St sewer pump station - pump rebuild, reserve funded   | (10,000) C       |
| Protecting our Natural Environment | Developer contributions - increase S64 contributions  | 150,000 C        |
| Protecting our Natural Environment | Developer contributions - increase transfer to S64  | (150,000) C      |
| <b>Total Contra Variations</b>     |   | <b>0</b>         |
| <b>TOTAL SEWER FUND</b>            |   | <b>(110,000)</b> |

| COMMUNITY PLAN THEME               | VARIATION   | AMOUNT           |
|------------------------------------|---|------------------|
| <b>WASTE FUND</b>                  |   |                  |
| <b>Positive Variations</b>         |   |                  |
| Protecting our Natural Environment | Waste land matters savings - Queens Pinch waste transfer station land matter complete, no further land matters required this financial year | 4,900 F          |
| Protecting our Natural Environment | Depreciation - decrease depreciation on buildings \$8k <b>non-cash</b> book entry.  | 50,000 F         |
| <b>Total Positive Variations</b>   |   | <b>54,900</b>    |
| <b>Negative Variations</b>         |   |                  |
| Protecting our Natural Environment | Reduce interest income - General Waste. Cash levels lower than expected and reduced interest rates.   | (78,000) U       |
| Protecting our Natural Environment | Street park bins - increase employee costs, street cleaner required 52 weeks (holidays originally not covered)                              | (40,000) U       |
| Protecting our Natural Environment | Mudgee recycling operations - reduce recycling income for 2014. Recycling \$70k and community services grant \$60k                          | (130,000) U      |
| <b>Total Negative Variations</b>   |   | <b>(248,000)</b> |
| <b>Contra Variations</b>           |   |                  |
| Protecting our Natural Environment | Domestic Waste - Increase general sales   | 3,500 C          |
| Protecting our Natural Environment | Domestic Waste - increase software licensing for new weighbridge software   | (3,500) C        |
| Protecting our Natural Environment | Rural waste depot upgrades - WTS Goolma, increase scope of works to include fencing construction  | 7,000 C          |
| Protecting our Natural Environment | Rural waste depot upgrades - Rural waste cages, add winch points  | 1,500 C          |
| Protecting our Natural Environment | Rural waste depot upgrades - reallocate budget only item  | (8,500) C        |
| <b>Total Contra Variations</b>     |   | <b>0</b>         |
| <b>TOTAL WASTE FUND</b>            |   | <b>(193,100)</b> |

| COMMUNITY PLAN THEME             | VARIATION   | AMOUNT          |
|----------------------------------|---|-----------------|
| <b>SALEYARDS FUND</b>            |   |                 |
| <b>Negative Variations</b>       |   |                 |
| Building a Strong Local Economy  | Depreciation - increase depreciation on buildings \$86k <b>non-cash</b> book entry. | (85,900) U      |
| <b>Total Negative Variations</b> |   | <b>(85,900)</b> |
| <b>TOTAL SALEYARDS FUND</b>      |   | <b>(85,900)</b> |

| COMMUNITY PLAN THEME             | VARIATION | AMOUNT   |
|----------------------------------|-----------|----------|
| <b>PRIVATE WORKS FUND</b>        |           |          |
| <i>Positive Variations</i>       |           |          |
| Nil                              |           |          |
| <b>Total Positive Variations</b> |           | <b>0</b> |
| <i>Negative Variations</i>       |           |          |
| Nil                              |           |          |
| <b>Total Negative Variations</b> |           | <b>0</b> |
| <i>Contra Variations</i>         |           |          |
| Nil                              |           |          |
| <b>Total Contra Variations</b>   |           | <b>0</b> |
| <b>TOTAL PRIVATE WORKS FUND</b>  |           | <b>0</b> |

**Legend**

U - Unfavourable

F - Favourable

C - Contra

*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