



# 2016

COUNCIL BUSINESS PAPERS

Ordinary Meeting WEDNESDAY 20 JULY 2016





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77 Louee Street RYLSTONE

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13 July 2016

Dear Councillor

MEETING NOTICE  
**Ordinary Meeting**  
20 JULY 2016  
Open Day at 5.30pm

*Council Meeting commencing at conclusion of Open day*

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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 five 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 General Manager prior to the commencement of the meeting.

Yours faithfully

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

BRAD CAM  
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 15 June 2016**

Council Decision:

That the Minutes of the Ordinary Meeting held on 15 June 2016 be taken as read and confirmed.

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The Minutes of the Ordinary Meeting are separately attached.

## Item 4: Matters in Progress

SUBJECT	RESOLUTION NO. & DATE	RESOLUTION	ACTION
Quarry Road – Kandos	Res. 64/12 Ordinary Mtg 15/2/2012	That consideration of this matter be deferred until discussions with Cement Australia have been completed.	<b>No determination as yet.</b>
Saleyards Subdivision	Res 228/14 Ordinary Mtg 4/6/14	That Council: <ol style="list-style-type: none"> <li>2. Council advertise state-wide a tender to sell the former Saleyards site, known as Lot 2 DP534336, Lot 399 DP132580, and Lot 532 DP1132581 which has recently been approved for a 48 lot residential subdivision;</li> <li>3. all tenders be forwarded to Council for determination as to whether or not Council will sell the site;</li> <li>4. the tender process to last 60 days, and the tender notice clearly indicate that Council may not necessarily accept all or any tenders;</li> <li>5. Council demolish the old SES building prior to the public tender of this subdivision and remove all demolished waste from site.</li> </ol>	<p><b>Council has completed the demolition of the old SES building, and the survey of the subdivision is also complete.</b></p> <p><b>Further discussion with Council to decide the best timing to call for a tender of this subdivision.</b></p>
Rural Fire Service Precinct Development	565/14 Ordinary Mtg 17/12/14	3. That the General Manager be authorised to continue negotiations with the Rural Fire Service in order to subdivide the necessary 7100sm of land and negotiate an agreement for the timing, design and funding of the Rural Fire Service headquarters and museum at Mudgee.	<b>The General Manager has had a preliminary meeting with the RFS. They have confirmed they are happy with the 7,100 sm of land, and the timing of construction is 2 years away.</b>
	25/16 Ordinary Mtg 17/2/16	That Council: <ol style="list-style-type: none"> <li>2. reject the proposed NSW Rural Fire Service Precinct Development proposal due to the high financial burden placed on Council;</li> </ol>	



SUBJECT	RESOLUTION NO. & DATE	RESOLUTION	ACTION
		3. support the development of the NSW Rural Fire Service Heritage Museum;  4. authorise the General Manager to enter into negotiations with NSW Rural Fire Service to develop a proposal for a NSW Rural Fire Service solution that substantially reduces the financial burden on Council.  5. receive any new proposals for a NSW Rural Fire precinct, or Fire Control Centre, for in-principle support.	
Tender for cleaning services for Council buildings in the Mudgee/ Gulgong region	572/14 Ordinary Mtg 17/12/14	2. That Council not accept any tenders and delegate authority to the General Manager to negotiate with the tenderers as necessary.	<b>Council staff are undertaking a comparison of in-house versus external service provision.</b>  <b>Re-advertised in June with report to Council in August.</b>
Negotiation with Mudgee Golf Club regarding road realignment and Fairways Estate acoustic barrier/buggy corridor maintenance	447/15 Ordinary Mtg 16/12/15	That:  1. The General Manager be authorised to be negotiate with the Mudgee Golf Club regarding land acquisition for a road realignment and footpath construction; and  2. The General Manager be authorised to negotiate the agreement for the ongoing maintenance of the buggy corridors within the Fairways Estate.	<b>Continued discussions with the General Manager of Mudgee Golf Club.</b>
Cudgegong River – Lawson Park	70/16 Ordinary Mtg 20/4/16	That Council dredge Cudgegong River at Lawson Park from the weir back.	<b>That Council apply for a Part 7 Fisheries Management Act permit with supporting documentation for the application, for the purpose of clearing the Cudgegong River at</b>

SUBJECT	RESOLUTION NO. & DATE	RESOLUTION	ACTION
			<b>Lawson Park from the weir back.</b>
Establishment of a Lawn Cemetery at Rylstone Cemetery	110/16 Ordinary Mtg 18/5/16	That Council staff prepare a cost estimate to establish a lawn cemetery at Rylstone Cemetery.	<b>Staff will prepare a report to Council in August.</b>
Rylstone Kandos Preschool	138/16 Ordinary Mtg 1/6/16	That Council commence immediate discussions with the Rylstone Kandos Preschool with the view to increase child placements for the greater Rylstone/Kandos area.	<b>Staff will prepare a report to Council.</b>

Item 5: Mayoral Minute

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Nil

## Item 6: Notices of Motion or Rescission

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### 6.1 Cudgegong Shire Building

NOTICE OF MOTION LISTED BY CR JOHN WEATHERLEY  
TO 20 JULY 2016 ORDINARY MEETING  
GOV400054, GOV400022

#### **MOTION**

That Council seek to reclaim the ownership/control of the old Cudgegong Shire Building (cnr Duoro and Markets Streets Mudgee) in order to make it the priority location for the establishment of a public Art Gallery for our region.

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#### Background

Council made a commitment to our local Arts community 4 years ago, that it would work towards the establishment of an Art Gallery.

Very little has happened since other than to determine that it is nigh on impossible to find a suitable and affordable site to build a new structure on. Staff also commissioned a report to look at possible building sites within the Administration Centre precinct, all of which appear to be very tight and expensive to build on.

I was recently informed that the use of the old Cudgegong Shire Building by the State Government as offices has been abandoned and is now vacant.

This is a beautiful building in very good condition. It sits on an attractive site which includes a carpark. Apart from the installation of a lift I believe that the cost of the modifications and fit-out would be reasonable.

#### Officer's comments

The Cudgegong Shire Building offers an option for a future art gallery and this idea would be worth exploring further. The building appears to be in good condition.

There could be opportunities to extend the building and consider additions such as a lift, amenities, meeting rooms and art workspaces, as well as some onsite storage.

## Item 7: Office of the General Manager

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### 7.1 Employee Opinion Survey Results 2016

REPORT BY THE EXECUTIVE MANAGER, HUMAN RESOURCES  
TO 20 JULY 2016 ORDINARY MEETING  
GOV400054, GOV400043, PER400044

#### **RECOMMENDATION**

**That Council receive the report by the Executive Manager, Human Resources on the Employee Opinion Survey Results 2016.**

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#### Executive summary

The Operational Plan 2015 – 2016 requires that Council undertakes an annual Employee Opinion Survey. In March this year the survey was undertaken on behalf of Council by Insync Surveys, a specialist survey provider. Council received 200 completed responses (78% response rate) and a detailed report is attached.

#### Disclosure of Interest

Nil.

#### Detailed report

Insync Surveys was engaged by Council to conduct the survey of employees in March 2016 and it is the second survey of this type conducted by Insync.

The survey addresses issues considered important in driving continuous improvement and organisational success. The survey is designed to provide Council with a means to identify key employee concerns that may presently exist within the organisation with the following objectives in mind:

- To measure employee attitudes across a range of key cultural and performance dimensions
- To align management and employee expectations in order to facilitate greater productivity within the workplace environment
- To allow workplace satisfaction variables to be measured (or benchmarked) over time
- To ultimately enhance workplace satisfaction through a commitment to research and reflection

## Community Plan implications

<b>Theme</b>	<b>Good Governance</b>
Goal	An effective and efficient organisation
Strategy	Promote Council as a great place to work for talented people

## Financial implications

Not applicable.

MICHELE GEORGE  
EXECUTIVE MANAGER, HUMAN RESOURCES

7 June 2016

*Attachments:* 1. Employee Opinion Survey 2016 - Employee Summary. (separately attached)  
2. Employee Opinion Survey Results Report 2016. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER

## 7.2 2016 Christmas Close Down

REPORT BY THE GENERAL MANAGER  
TO 20 JULY 2016 ORDINARY MEETING  
GOV400054, A0100056, A0260003

### RECOMMENDATION

#### That Council:

1. **receive the report by the General Manager on the 2016 Christmas Close Down; and**
2. **notes that administrative centres, works depots and libraries will close for the Christmas holidays from 12 noon on Thursday 22 December 2016, returning on Tuesday 3 January 2017.**

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### Executive summary

Council traditionally closes its administrative centres, works depots and libraries for the Christmas Holidays. This report recommends the closure for the 2016 Christmas/New Year period.

### Disclosure of Interest

Nil.

### Detailed report

Past practice has been for Council's workforce to take leave over the Christmas/New Year period. This is traditionally a very quiet period for Council services and thus provides a good opportunity for staff to take annual leave. Christmas Day and Boxing Day fall on a Sunday and Monday with Tuesday 27 December gazetted as a public holiday as per the Public Holidays Act. New Year's day falls on a Sunday, with Monday 2 January 2017 gazetted as a public holiday, as per the Public Holidays Act. All other work days off will be treated as annual leave. The first day of the summer school holiday season 2016/17 will be Wednesday 21 December 2016.

### Community Plan implications

<b>Theme</b>	<b>Good Governance</b>
Goal	An effective and efficient organisation
Strategy	Pursue excellence in service delivery

## Financial implications

Not applicable.

BRAD CAM  
GENERAL MANAGER

30 June 2016

*Attachments:* Nil

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER



## 7.3 Extraordinary Meeting

REPORT BY THE DIRECTOR, COMMUNITY  
TO 20 JULY 2016 ORDINARY MEETING  
GOV400054, A0170031

### RECOMMENDATION

#### That Council:

1. **receive the report by the Director, Community on the Extraordinary Meeting 10 August 2016; and**
2. **determine to hold an Extraordinary Meeting on Wednesday 10 August, 2016 commencing at 5.30pm in order to deal with any operational reports such as tenders that require determination prior to the caretaker period before the election commencing.**

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### Executive summary

A circular has been provided by the Office of Local Government regarding provisions under the Local Government Act for caretaker periods prior to local government elections. The timing of our regular meeting creates some problems as the August meeting falls within the caretaker period.

### Disclosure of Interest

Nil.

### Detailed report

Clause 393B of the Local Government (General) Regulation 2005 limits councils' ability to exercise some of their functions in the four weeks preceding the date of an ordinary local government election (the caretaker period).

Councils are expected to assume a "caretaker" role during election periods to ensure that major decisions are not made which would limit the actions of an incoming council.

Councils, the general manager or any other delegate of the council must not exercise the following functions during the caretaker period:

- Entering into any contract or undertaking involving an expenditure or receipt by the council of an amount equal to or greater than \$150,000 or 1% of the council's revenue from rates in the preceding financial year (whichever is the larger);
- Determining a "controversial development application", except where a failure to make such a determination would give rise to a deemed refusal, or such a deemed refusal arose before the commencement of the caretaker period;
- Appointing or reappointing the council's general manager (except for temporary appointments).

In certain circumstances, these functions may be exercised with the approval of the Minister.

For Mid-Western Regional Council, the biggest operational impact is with the determination of a number of tenders. With the next regular meeting of Council not intended until 19 October 2016, there may be impact on some of Council's programs. There may also be development applications that could be impacted by the caretaker period and the break in the Council meeting schedule.

It is recommended that an extraordinary meeting be held on Wednesday 10 August in order to deal with any matters that require decisions that cannot be determined during the caretaker period.

## Community Plan implications

<b>Theme</b>	<b>Good Governance</b>
Goal	Strong civic leadership
Strategy	Provide accountable and transparent decision making for the community

## Financial implications

Not applicable.

SIMON JONES  
DIRECTOR, COMMUNITY

4 July 2016

*Attachments:* 1. Council Circular 16-18.

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER



<b>Circular Details</b>	Circular No 16-18/ 27 June 2016 / A489192
<b>Previous Circular</b>	12-19
<b>Who should read this</b>	Councillors / General Managers / All council staff
<b>Contact</b>	Council Governance Team / 4428 4100
<b>Action required</b>	Information/ Council to Implement

## Council decision-making prior to the September 2016 local government elections

### What's new or changing

- Clause 393B of the *Local Government (General) Regulation 2005* limits councils' ability to exercise some of their functions in the four weeks preceding the date of an ordinary local government election (the caretaker period).

### What this will mean for your council

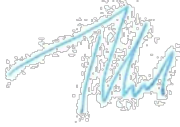
- Councils are expected to assume a "caretaker" role during election periods to ensure that major decisions are not made which would limit the actions of an incoming council.
- Councils, the general manager or any other delegate of the council (other than a Joint Regional Planning Panel or the Central Sydney Planning Committee) must not exercise the following functions during the caretaker period:
  - Entering into any contract or undertaking involving an expenditure or receipt by the council of an amount equal to or greater than \$150,000 or 1% of the council's revenue from rates in the preceding financial year (whichever is the larger);
  - Determining a "controversial development application", except where a failure to make such a determination would give rise to a deemed refusal, or such a deemed refusal arose before the commencement of the caretaker period;
  - Appointing or reappointing the council's general manager (except for temporary appointments).
- In certain circumstances, these functions may be exercised with the approval of the Minister.

### Key points

- "Controversial development application" means a development application under the *Environmental Planning and Assessment Act 1979* for which at least 25 persons have made submissions under section 79(5) of that Act by way of objection.
- The caretaker period for the September 2016 ordinary local government elections commences on Friday 12 August 2016 and ends on Saturday 10 September 2016.

**Where to go for further information**

- For further information, contact the Office's Council Governance Team on 4428 4100.



**Tim Hurst**  
**Acting Chief Executive**

## 7.4 Setting of Fees for Councillors and the Mayor

REPORT BY THE DIRECTOR, COMMUNITY  
TO 20 JULY 2016 ORDINARY MEETING  
GOV400054, GOV400043, GOV400010

### RECOMMENDATION

#### That Council:

1. **receive the report by the Director, Community on the Setting of Fees for Councillors and the Mayor; and**
2. **fix the fees for Councillors and the Mayor for the period July 2015 to June 2016 at \$11,290 for Councillors and an additional \$24,630 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.**

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### Executive summary

This report addresses the need for Council to fix the annual fees for Councillors and the Mayor for the period July 2016 to June 2017.

### Disclosure of Interest

Nil.

### 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 2016 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 2016 to June 2017 being:

	<b>Minimum</b>	<b>Maximum</b>
Councillor	\$8,330	\$11,010
Mayor	\$8,860	\$24,030

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. The fees that were resolved to be payable for the 2015/16 year were \$11,010 for Councillors and an additional \$24,030 for the Mayor.

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 fee for the Deputy Mayor.

## Community Plan implications

<b>Theme</b>	<b>Good Governance</b>
Goal	Strong civic leadership
Strategy	Provide strong representation for the community at Regional, State and Federal levels

## Financial implications

The Remuneration Tribunal decision represents a 2.5% increase in the maximum and minimum fees payable to Councillors and the Mayor. Assuming the Council agrees to pay the maximum fee, there is sufficient funds in the 2016/17 Members Expenses budget to cover this increase.

SIMON JONES  
DIRECTOR, COMMUNITY

6 July 2016

*Attachments:* 1. 2016 Annual Determination - Local Government Remuneration Tribunal.

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER

**Local  
Government  
Remuneration  
Tribunal**

**Annual Report  
and  
Determination**

*Annual report and determination under sections 239  
and 241 of the Local Government Act 1993*

**29 March  
2016**

## Local Government Remuneration Tribunal

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## Local Government Remuneration Tribunal

# Section 1 Background

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1. Pursuant to section 239 of the *Local Government Act 1993* (the LG Act) the Tribunal determines the categories of councils and mayoral offices and the allocation of each council and mayoral office into one of those categories.
2. Pursuant to section 241 of the LG Act the Tribunal 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.
3. In determining the maximum and minimum fees payable to office holders in 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* (IR Act), 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 IR Act is articulated in the *Industrial Relations (Public Sector Conditions of Employment) Regulation 2014* (the Regulation). The effect of the Regulation is that public sector wages cannot increase by more than 2.5 per cent, and this includes the maximum and minimum fees payable to councillors and mayors and chairpersons and members of county councils.
5. The Tribunal's Report and Determination of 2015 (the 2015 Determination) provided a general increase of 2.5 per cent which was consistent with the Government's policy on wages.

# Section 2 Local Government Reform

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## Background

6. The NSW Government has been working with councils since 2011 to help strengthen local communities. The Tribunal's 2015 Determination outlined the Government's significant reforms, beginning with the *Destination 2036* summit in 2011 up to the

### **Local Government Remuneration Tribunal**

release of the Fit for the Future initiative in 2014. At the date of the making of the 2015 Determination the status of the reforms was noted by the Tribunal as follows:

*“Councils have been asked to assess their current position and submit a Fit for the Future proposal by 30 June 2015. The proposals will be assessed by an independent expert panel which will make recommendations to the Minister for Local Government. It is expected that from October 2015 Fit for the Future councils will commence the implementation of their proposals.*

*The Tribunal also notes that a new local government act is expected to be introduced following the local government elections in September 2016.”*

### **Progress since the last determination**

7. On 28 April 2015 the Minister for Local Government (the Minister) announced that the Independent Pricing and Regulatory Tribunal (IPART) would undertake the role of the Expert Panel in assessing councils’ Fit for the Future proposals. The Minister noted that the Terms of Reference for the Expert Panel were developed in consultation with Local Government NSW, Local Government Professionals Australia and the United Services Union.
8. The NSW Government released IPART’s *Assessment of Council Fit for the Future Proposals* report on 16 October 2015. The IPART report found that nearly two-thirds of NSW councils are not fit for the future and found that savings of up to \$2 billion could be achieved through council mergers. Funding will be available for council mergers that are supported by merging partners and supported by the Government through a Stronger Communities Fund.
9. On 6 January 2016, the Minister for Local Government announced 35 proposals for council mergers. If approved, those proposals would reduce the number of councils in Greater Sydney from 43 to 25 and the number of regional councils from 109 to 87. The Minister referred those proposals to the Chief Executive of the Office of Local Government for examination and report under the LG Act. The Chief Executive delegated this function to a number of people (Delegates). The Delegates are required to report on the proposals against the factors in section 263(3) of the LG Act, having

### **Local Government Remuneration Tribunal**

regard to written submissions and comments raised in public meetings. The Minister will consider the Delegates' reports and the comments of the Local Government Boundaries Commission on the Delegates' reports before determining the outcome of merger proposals. It is expected that the outcomes of the proposal examination and reporting processes will be known by around mid-2016.

10. In respect to the amendments to the LG Act, on 8 January 2016 the NSW Government announced the commencement of the first phase :

*"...Consultation on phase 1 amendments to the Local Government Act 1993 has commenced. The proposed amendments will:*

- *clarify roles and responsibilities of councillors, mayors, administrators and general managers;*
- *introduce new guiding principles for local government;*
- *improve governance of councils and professional development for councillors;*
- *expand on the framework for strategic business planning and reporting;*
- *prioritise community engagement and financial accountability; and streamline council administrative processes, including in relation to delegations and community grants.*

*While the fundamentals of the Local Government Act 1993 remain sound, both the Independent Local Government Review Panel and Local Government Acts Taskforce recommended changes to modernise the legislation and to ensure it meets the future needs of councils and communities.*

*Phase 1 of the reform program focuses mainly on changes to the governance and strategic business planning processes of councils. Phase 2 will focus on the way in which councils raise revenue and exercise their regulatory functions." (Source: Circular to Councils - No 16-01)*

## Local Government Remuneration Tribunal

### Section 3 2016 Review

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11. It is not expected that a decision on, or implementation of structural or legislative reforms to local government will be finalised prior to the Tribunal making its determination on or before 30 April 2016.
12. On that basis, and given the limitations placed on the Tribunal in respect of determining increases in fees, mayors were advised on 20 January 2016 that general submissions from individual councils were not required for the 2016 review.
13. The Tribunal did however seek a submission from Local Government NSW (LGNSW) and subsequently met with the President and Chief Executive of LGNSW. The Tribunal wishes to place on record its appreciation to the President and Chief Executive for meeting with the Tribunal.

#### LGNSW Submission

14. The association's submission highlighted the areas of reform in local government in NSW and is of the view that the anticipated changes flowing from the reforms warrant, and provide the opportunity to introduce, a new remuneration structure that properly reflects the diverse and evolving roles of mayors and councillors. The association would like to commence a review of the remuneration structure as soon as possible.
15. Given the statutory limitations in place LGNSW has also requested that councillor and mayoral fees be increased by the full 2.5 percent for 2016/17. LGNSW continues to assert that councillor and mayoral fees should increase on the basis of a number of factors, including cost of living pressures, ongoing increase in workload and responsibilities and additional tasks relating to implementing the Government's reform process.

#### Tribunal's Findings

16. The Tribunal notes that the Government's significant program of local government reform, including proposed changes to the LG Act, is aimed at creating stronger councils and improving performance and governance of local councils. The Tribunal continues to

### **Local Government Remuneration Tribunal**

support initiatives which will bring about improvements in the local government sector, in that those reforms should result in greater structural efficiencies and should contribute to the long term viability of local government in NSW.

#### **Categorisation**

17. The Tribunal notes that the process for determining merger proposals and creation of new councils, if any, is expected to be finalised in mid-2016, with consequent implications for categorisation of councils for the purposes of determining fees. If required the Minister may direct the Tribunal to make special determination(s) in accordance with s. 242 of the LG Act.
18. The Tribunal is still of the view that significant changes to the structure of councils should prompt a revision of the criteria for determining categories and fees as noted in the 2015 Determination:

*“Any new categorisation model may need to have regard to a broader or different set of criteria than those currently provided for in section 240 of the LG Act.*

*In reviewing the LG Act the Government may wish to consider the range of factors any future Tribunal should have regard to in determining categories. As one example, the Government has released “A Plan for Growing Sydney” that will guide land use planning decisions in Metropolitan Sydney for the next 20 years. The Greater Sydney Commission will work with local councils to implement growth and infrastructure plans. The expertise and work load expected of councillors and mayors with responsibilities associated with “A Plan for Growing Sydney” may be factors which the Tribunal should have regard to in determining categorisation and remuneration. The Tribunal expects that similar pressures will be placed on rural and regional councils to drive economic and social growth throughout NSW.*

*The Tribunal also notes that any revision to the fees as a result of any new categorisation model would need to balance the need to attract and retain experienced and capable elected representatives with the ability of councils to afford any potential increases. While money is not the primary motivator for*

### **Local Government Remuneration Tribunal**

*undertaking public office, fees should adequately recognise the roles and responsibilities of councillors and mayors and assist in attracting suitably qualified and experienced candidates.”*

#### **2016 Increase**

19. The Tribunal is required to have regard to the Government’s wages policy when determining the increase to apply to the maximum and minimum fees that apply to the councillors and mayors. The public sector wages policy currently provides for a cap on increases of 2.5 per cent.
20. 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, and after taking the views of the Assessors into account, the Tribunal considers that an increase of 2.5 per cent in the maximum and minimum fee for each category of councillor and mayoral office, including county councils, is appropriate and so determines.
21. The Tribunal notes that in the Fit for the Future *Progress Report – Stronger Councils, Stronger Communities* the Government has identified a number of strategies to strengthen local leadership. These include a review of councillor remuneration during 2016. In undertaking this review the Government may wish to consider the impact of the Government’s wages policy on increases in mayoral and councillor fees and the limitations this may impose on any future remuneration model.

#### **The Local Government Remuneration Tribunal**

*Signed*

**Dr Robert Lang**

**Dated:** 29 March 2016

**Local Government Remuneration Tribunal**

## Section 4 Determinations

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**Determination No. 1- Determination Pursuant to Section 239 of Categories of Councils and County Councils Effective From 1 July 2016**

**Table 1: General Purpose Councils**

<b>Table 1: General Purpose Councils (152)</b>		
<b>Category</b>	<b>Council</b>	
<b>Principal City (1)</b>	Sydney	
<b>Major City (3)</b>	Newcastle Parramatta Wollongong	
<b>Metropolitan Major (2)</b>	Blacktown Penrith	
<b>Metropolitan Centre (16)</b>	Bankstown Campbelltown Fairfield Gosford The Hills Hornsby Hurstville Lake Macquarie	Liverpool North Sydney Randwick Ryde Sutherland Warringah Willoughby Wyong
<b>Metropolitan (21)</b>	Ashfield Auburn Botany Burwood Camden Canada Bay Canterbury Holroyd Hunters Hill Kogarah Ku-ring-gai	Lane Cove Leichhardt Manly Marrickville Mosman Pittwater Rockdale Strathfield Waverley Woollahra

**Local Government Remuneration Tribunal**

<b>Table 1: General Purpose Councils (152)</b>			
<b>Category</b>	<b>Council</b>		
<b>Regional Rural (32)</b>	Albury Armidale Dumaresq Ballina Bathurst Bega Valley Blue Mountains Broken Hill Byron Cessnock Clarence Valley Coffs Harbour Dubbo Eurobodalla Great Lakes Goulburn Mulwaree Queanbeyan	Greater Taree Griffith Hawkesbury Kempsey Lismore Maitland Orange Port Macquarie-Hastings Port Stephens Shellharbour Shoalhaven Tamworth Tweed Wagga Wagga Wingecarribee Wollondilly	
<b>Rural (77)</b>	Balranald Bellingen Berrigan Bland Blayney Bogan Bombala Boorowa Bourke Brewarrina Cabonne Carrathool Central Darling Cobar Conargo Coolamon Cooma-Monaro Coonamble Cootamundra Corowa Cowra Deniliquin Dungog Forbes Gilgandra Glen Innes Severn	Gloucester Greater Hume Gundagai Gunnedah Guyra Gwydir Harden Hay Inverell Jerilderie Junee Kiama Kyogle Lachlan Leeton Lithgow Liverpool Plains Lockhart Mid-Western Moree Plains Murray Murrumbidgee Muswellbrook Nambucca Narrabri Narrandera	Narromine Palerang Parkes Oberon Richmond Valley Singleton Snowy River Temora Tenterfield Tumbarumba Tumut Upper Hunter Upper Lachlan Uralla Urana Wakool Walcha Walgett Warren Warrumbungle Weddin Wellington Wentworth Yass Valley Young



**Local Government Remuneration Tribunal**

**Table 2: County Councils**

<b>Table 2: County Councils (14)</b>	
<b>Category</b>	<b>Council</b>
<b>Water (5)</b>	Central Tablelands Goldenfields Water MidCoast Riverina Water Rous
<b>Other (9)</b>	Castlereagh – Macquarie Central Murray Far North Coast Hawkesbury River New England Tablelands Richmond River Southern Slopes Upper Hunter Upper Macquarie

### Local Government Remuneration Tribunal

#### Determination No. 2- Determination 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 2016 are determined as follows:

**Table 3: Fees for General Purpose and County Councils**

Table 3: Fees for General Purpose and County Councils				
Category	Councillor/Member Annual Fee		Mayor/Chairperson Additional Fee	
	Minimum	Maximum	Minimum	Maximum
<b>General Purpose Councils</b>				
Principal City	25,670	37,640	157,030	206,620
Major City	17,110	28,240	36,360	82,270
Metropolitan Major	17,110	28,240	36,360	82,270
Metropolitan Centre	12,830	23,950	27,260	63,640
Metropolitan	8,540	18,840	18,180	41,090
Regional Rural	8,540	18,840	18,180	41,090
Rural	8,540	11,290	9,080	24,630
<b>County Councils</b>				
Water	1,700	9,410	3,640	15,460
Other	1,700	5,630	3,640	10,270

\*This fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member (s.249(2)).

**The Local Government Remuneration Tribunal**

*Signed*

**Dr Robert Lang**

**Dated:** 29 March 2016

## Item 8: Development

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### 8.1 Monthly Development Applications Processing & Determined

#### REPORT BY THE DIRECTOR DEVELOPMENT

TO 20 JULY 2016 ORDINARY MEETING

GOV400054, GOV400043, A100055, A100056

#### RECOMMENDATION

**That Council receive the report by the Director Development on the Monthly Development Applications Processing & Determined.**

---

#### Executive summary

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

#### Disclosure of Interest

Nil.

#### Detailed report

Included in this report is an update for month ending 30 June 2016 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

#### Community Plan implications

<b>Theme</b>	<b>Looking After Our Community</b>
Goal	Vibrant towns and villages
Strategy	Maintain and promote the aesthetic appeal of the towns and villages within the Region

---

## Financial implications

Not applicable.

JULIE ROBERTSON  
DIRECTOR DEVELOPMENT

6 July 2016

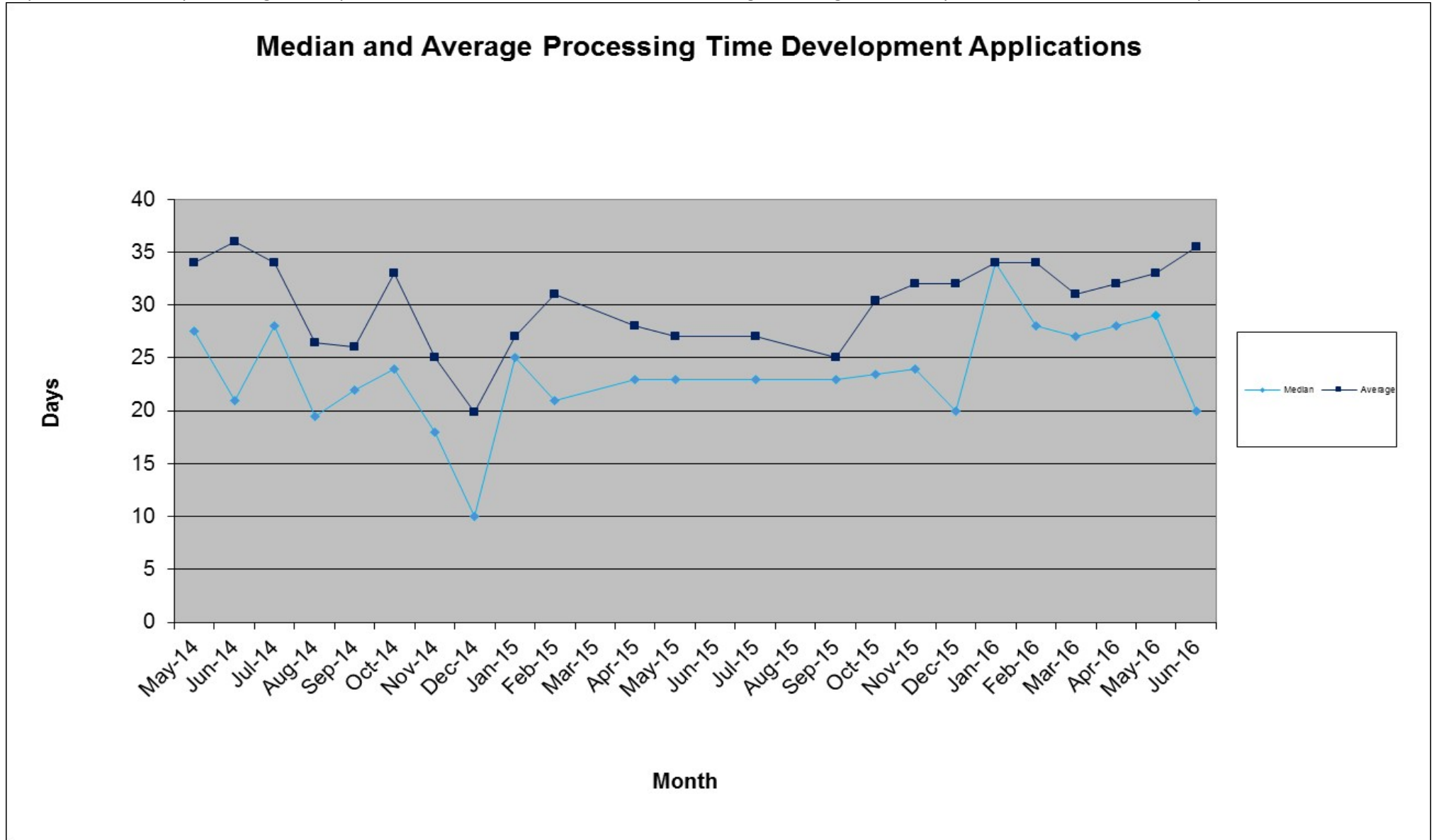
*Attachments:* 1. Monthly Development Applications Processing & Determined .

APPROVED FOR SUBMISSION:

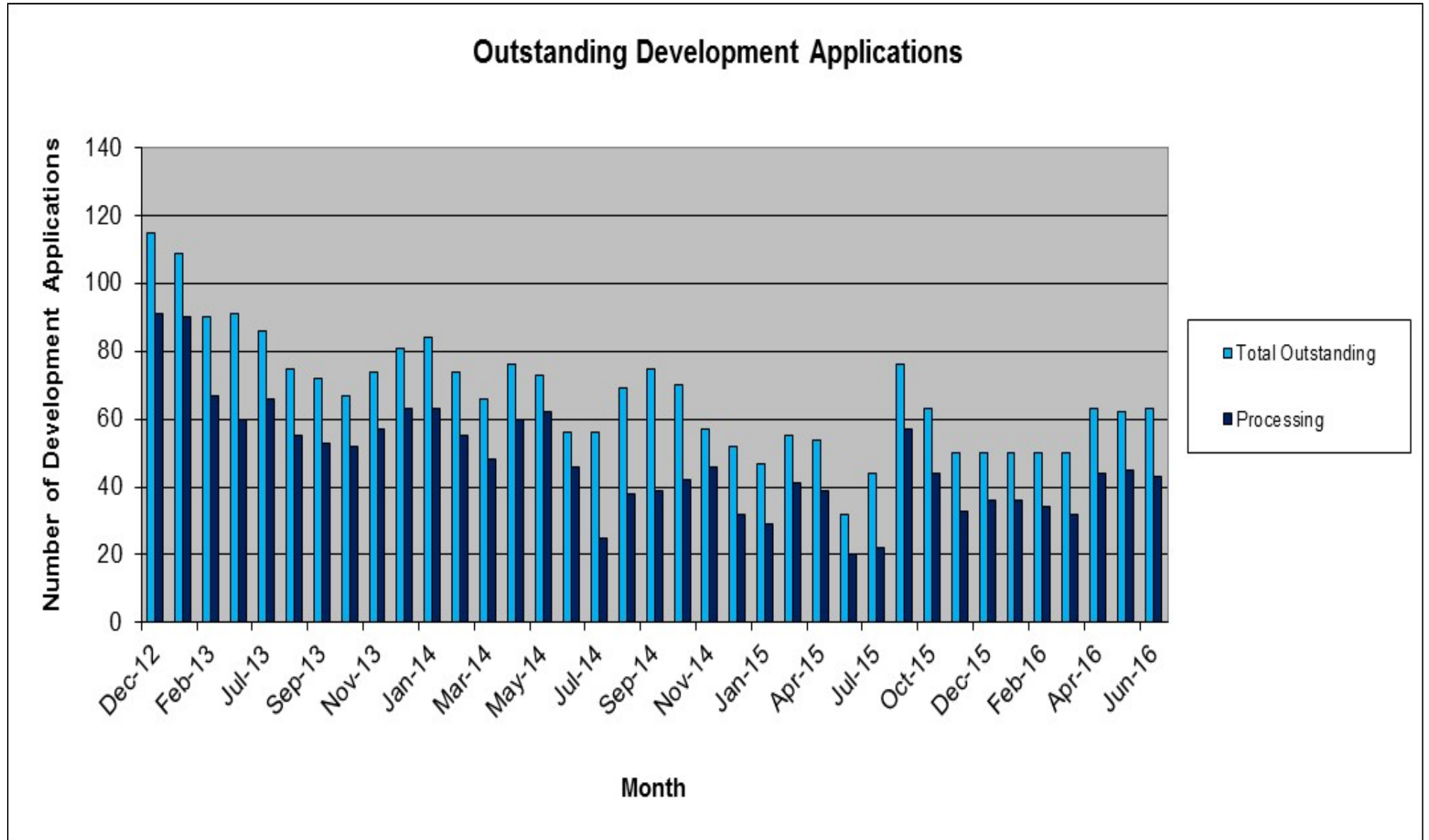
BRAD CAM  
GENERAL MANAGER

This report covers the period for the month of June, 2016

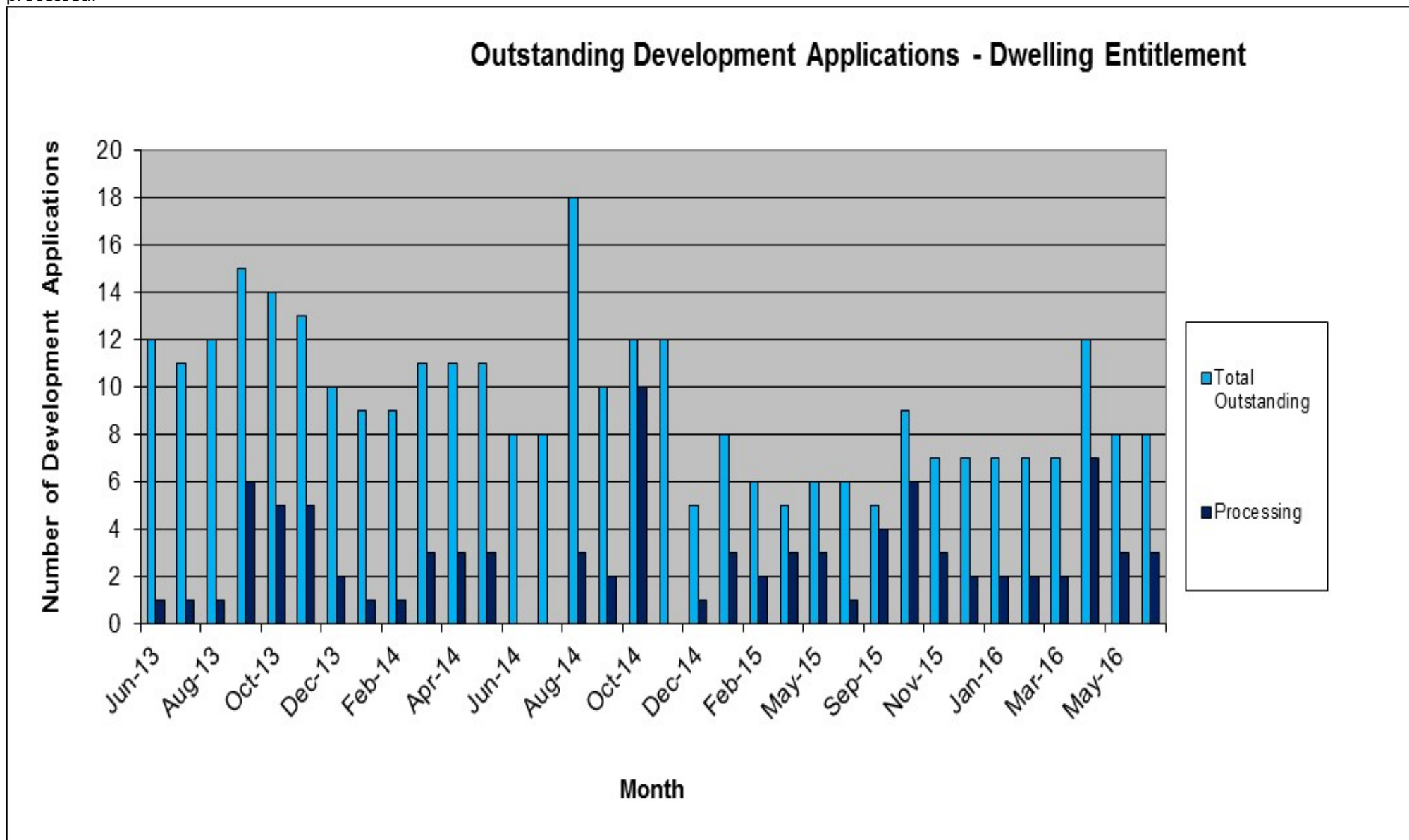
Graph 1 indicates the processing times up to 30 June, 2016 with the month of June having an average of 35.5 days and a median time of 20 days.



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



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.



The Planning and Development Department determined 24 Development Applications either by Council or under delegation during June, 2016.

**Development Applications Determined – June, 2016.**

Appl/Proc ID	Description	House No	Street Name	Locality
DA0098/2016	Alterations & Additions	49	Church Street	MUDGEES
DA0251/2016	Residential Shed	295	Putta Bucca Road	BOMBIRA
DA0272/2016	Residential Shed	313	Putta Bucca Road	BOMBIRA
DA0273/2016	Alterations & Additions	123	Mayne Street	GULGONG
DA0276/2016	Caravan Park	1858	Cudgegong Road	CUDGEGONG
DA0279/2016	Residential Shed	7	Lovejoy Street	MUDGEES
DA0296/2016	Change of use – shed to dwelling	1117	Botobolar Road	BOTOBOLAR
DA0300/2016	Subdivision - Torrens Title	20	Lewis Street	MUDGEES
DA0302/2016	Dwelling House	51	Robert Hoddle Grove	BOMBIRA
DA0305/2016	Dwelling House	14	Bateman Avenue	MUDGEES
DA0306/2016	Carport	12	Moggs Lane	BOMBIRA
DA0311/2016	Dwelling House	178	Robertson Street	MUDGEES
DA0312/2016	Subdivision - Strata Title	5	Barigan Street	MUDGEES
DA0316/2016	Dwelling House	280	Mt Vincent Road	RUNNING STREAM
DA0321/2016	Dwelling House	276	Green Gully Road	GREEN GULLY
DA0324/2016	Pergola	20	Homer Street	GULGONG
DA0326/2016	Farm Building	109	Tinja Lane	EURUNDEREE
DA0329/2016	Dwelling House	6	Wells Court	MUDGEES
DA0330/2016	Alterations & Additions	61	Inglis Street	MUDGEES
DA0331/2016	Residential Shed	62	Dangar Street	KANDOS
DA0332/2016	Moveable dwelling	1343	Lower Piambong Road	PIAMBONG
DA0333/2016	Subdivision - Torrens Title	1	Nandoura Street	GULGONG
DA0338/2016	Dwelling House	24	Baskerville Drive	MUDGEES
DA0339/2016	Alterations & Additions	4	Rouse Street	GULGONG



**Development Applications currently being processed – June, 2016**

1. Appl/Proc ID	2. Description	3. House No	4. Street Name	5. Locality
DA0351/2016	Dwelling House	1557	Bocoble Road	CARCALGONG
DA0288/2016	Alterations & Additions	99	Market Street	MUDGEE
DA0138/2016	Alterations & Additions	1541	Henry Lawson Drive	ST FILLANS
DA0073/2016	Alterations & Additions	71	Lions Drive	MUDGEE
DA0046/2016	Alterations & Additions	1581	Yarrabin Road	YARRABIN
DA0346/2016	Animal Boarding or Training Establishment	25	Robert Hoddle Grove	BOMBIRA
DA0341/2016	Awning	111	Mount Pleasant Lane	BUCKAROO
DA0355/2016	Cellar Door Premises	778	Castlereagh Highway	MENAH
DA0325/2016	Change of use – Garage to bedroom	179	Denison Street	MUDGEE
DA0145/2016	Change of use – Occupation	8	Wilkins Crescent	MUDGEE
DA0278/2014	Change of use – Shed to dwelling	2012	Aarons Pass	AARONS PASS
DA0002/2017	Change of use - Farm shed to industrial (grape production and storage)	129	Sills Lane	EURUNDEREE
DA0055/2016	Change of use - Agricultural to industry	1199	Ulan Road	BUDGEE BUDGE
DA0347/2016	Change of use – Garage to cellar door	196	Black Springs Road	BUDGEE BUDGE
DA0293/2016	Change of use - Group home	1719	Hill End Road	GRATTAI
DA0289/2016	Change of use – B&B	288	Riverlea Road	RIVERLEA
DA0297/2016	Change of use – B&B	48	Spring Road	MUDGEE
DA0027/2016	Commercial Alterations/Additions	8	Bell Street	MUDGEE
DA0102/2016	Dwelling House	705	Windeyer Road	GRATTAI
DA0354/2016	Shed >150m <sup>2</sup>	179	Tinja Lane	EURUNDEREE
DA0327/2016	Dwelling House	37	Snlesons Lane	GULGONG
DA0318/2016	Dwelling House	6	Avisford Court	MUDGEE
DA0334/2016	Dwelling House	149	Tinja Lane	EURUNDEREE
DA0214/2011	Dwelling House	663	Castlereagh Highway	BURRUNDULLA
DA0238/2016	Dwelling House	14	Dunphy Crescent	MUDGEE
DA0335/2016	Dwelling House	346	Powells Road	PYANGLE
DA0328/2016	Dwelling House	23	Xavier Court	MUDGEE

DA0357/2016	Dwelling House	324	Gundowda Road	HARGRAVES
DA0358/2016	Eco-Tourist Facility – (glamping 5 x non permanent tents)	1565	Lower Piambong Road	PIAMBONG
DA0326/2016	Farm Building	109	Tinja Lane	EURUNDEREE
DA0345/2016	Alterations & Additions	68	Lower Piambong Road	MENAH
DA0310/2016	Industrial Building	80	Depot Road	MUDGEE
DA0314/2016	Industrial Activity	12	Industrial Avenue	MUDGEE
DA0352/2016	Multi Dwelling Housing	57	Cox Street	MUDGEE
DA0257/2016	Alterations & Additions	22	Cainbil Street	GULGONG
DA0267/2014	Signage	33	Sydney Road	MUDGEE
DA0342/2016	Alterations & Additions	46	Tierney Lane	EURUNDEREE
DA0349/2016	Residential Shed	143	Robertson Street	MUDGEE
DA0344/2016	Residential Shed	23	Ferris Street	CLANDULLA
DA0356/2016	Residential Shed	6	Barigan Street	WOLLAR
DA0268/2016	Residential Shed	217	Robertson Road	SPRING FLAT
DA0264/2016	Residential Shed	53	Henry Lawson Drive	BOMBIRA
DA0299/2016	Residential Flat Building	2	Smith Street	MUDGEE
DA0301/2016	Subdivision - Torrens Title	371	Buckaroo Road	BUCKAROO
DA0284/2016	Serviced Apartment	125	Frog Rock Road	FROG ROCK
DA0317/2016	Residential Shed	82	Bunbury Road	BOCOBLE
DA0327/2011	Shed >150m2	23	Horatio Street	MUDGEE
DA0287/2016	Shed >150m2	218	Wollar Road	BUDGEE BUDGEE
DA0269/2016	Residential Shed	47	Henry Lawson Drive	BOMBIRA
DA0191/2015	Subdivision - Torrens Title	196	Robertson Road	MUDGEE
DA0340/2016	Subdivision - Torrens Title	28	Melton Road	MUDGEE
DA0261/2016	Subdivision - Torrens Title	986	Crudine Road	CRUDINE
DA0178/2014	Subdivision - Torrens Title	7291	Castlereagh Highway	ILFORD
DA0275/2016	Subdivision - Torrens Title	37	Hill End Road	CAERLEON
DA0343/2016	Commercial Alterations/Additions	137	Ulan Road	PUTTA BUCCA
DA0315/2016	Tourist and Visitor Accommodation	345	Bylong Valley Way	ILFORD
DA0351/2016	Dwelling House	25	McMurrays Lane	WINDEYER
DA0007/2016	Dwelling House	119	Mudgee Street	RYLSTONE

DA0244/2016	Dwelling House	7	Bylong Valley Way	RYLSTONE
DA0050/2015	Dwelling House	59	Nugget Lane	GULGONG
DA0267/2016	Dwelling House	12	Merinda Street	HARGRAVES
DA0184/2016	Dwelling House	24	Lue Road	CAMBOON
DA0134/2015	Dwelling House	24	Lue Road	CAMBOON
DA0135/2015	Dwelling House	17	Strikes Lane	EURUNDEREE

**Heritage Development Applications currently being processed – June, 2016.**

6.	Appl/Proc ID	7.	Description	8.	House No	9.	Street Name	10.	Locality
	DA0001/2017		Change of use – Tourist accommodation		79		Market Street		MUDGEES
	DA0350/2016		Residential Shed		90		Medley Street		GULGONG
	DA0337/2016		Change of use		34		Perry Street		MUDGEES
	DA0323/2016		Moveable Dwelling		133		Mortimer Street		MUDGEES
	DA0308/2016		Change of Use – Coffee and cake		62		Chruch Street		MUDGEES
	DA0271/2011		Alterations & Additions		87		Short Street		MUDGEES
	DA0114/2016		Commercial Alterations/Additions		49		Church Street		MUDGEES

## 8.2 Local Heritage Grants Policy

REPORT BY THE SENIOR TOWN PLANNER  
TO 20 JULY 2016 ORDINARY MEETING  
GOV400054, GRA600012

### RECOMMENDATION

#### That Council:

1. **receive the report by the Senior Town Planner on the Local Heritage Grants Policy;**
  2. **place the draft Local Heritage Grants Policy on public exhibition for 28 days to receive any community feedback; and**
  3. **adopt the draft Local Heritage Grants Policy if no submissions are received.**
- 

### Executive summary

At the 18 May 2016 Council meeting, Council received a report relating to a review of Council's Financial Assistance Policy which resulted in a newly formed Community Grants Program Policy. The proposed changes to Council's Financial Assistance Policy requires a separate policy to be introduced for the Local Heritage Grants.

A draft policy has been developed with reference to the NSW Government's Office of Environment & Heritage Local Heritage Fund Guidelines. The Local Heritage Grants are designed to financially assist landowners with conservation and maintenance works which enhances the historic character and value of the Mid-Western region.

### Disclosure of Interest

Nil.

### Detailed report

The policy applies to financial assistance applications for Local Heritage Grants for conservation or maintenance works for heritage items, items in conservation areas and significant buildings.

The purpose of the Local Heritage Grants Policy is to enable Council to support Local Heritage Grants that meet the eligibility criteria.

The objectives of the policy, include to:

- establish clear and transparent criteria by which Local Heritage Grants requests for conservation and maintenance will be assessed and allocations determined;
- provide a process which allows Council to conduct a meaningful and equitable comparison of requests received;
- provide guidelines for the submission of applications and assessment process;
- inform applicants of requirements to apply for funding; and
- set a timeline for the lodgement and processing of applications.

## Community Plan implications

<b>Theme</b>	<b>Looking After Our Community</b>
Goal	Vibrant towns and villages
Strategy	Respect and enhance the historic character of our Region and heritage value of our towns

## Financial implications

Nil.

SARAH ARMSTRONG  
SENIOR TOWN PLANNER

JULIE ROBERTSON  
DIRECTOR DEVELOPMENT

5 July 2016

*Attachments:* 1. Draft Local Heritage Grants Policy.

### APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER



## Local Heritage Grants

*to prosper  
and progress  
commun*

ADOPTED	REFERENCE	DRAFT
COUNCIL MEETING MIN NO	REVIEW DATE	
DATE: 8 JULY, 2016	FILE NUMBER	GRA600012

### Objective

The objective of this policy is to support heritage conservation and maintenance projects that respect and enhance the historic character of our region and heritage value of our towns.

### Policy

The Local Heritage Grants program provides funding to landowners for maintenance and conservation works to heritage items, items in conservation areas as identified within Schedule 5 of the Mid-Western Regional Local Environmental Plan 2012 and significant buildings.

The Local Heritage Grants program supports projects which relate specifically to conservation and maintenance works and/or upgrades (fire, services and access) which satisfy the Building Code of Australia requirements for ongoing and new uses.

### Eligibility Criteria

- Only owners and managers of heritage items, items in a heritage conservation area, or significant buildings can apply for Local Heritage Grants funding.
- Applicants can apply for grant funding for amounts between \$500 and \$5,000 on a matched dollar for dollar basis.
- There will be one application period per financial year.
- Applications should be received and successful projects completed according to the timeline below.

### Funding Priorities

Priority will be given to projects which have been considered by Council's Heritage Committee and involve:

- Heritage item(s) in a well maintained heritage streetscape or landscape setting.
- Heritage item(s) with public access and visibility.
- Urgent maintenance works to avert management risks eg. severe deterioration, demolition or demolition by neglect.
- Item(s) that are part of a heritage group or precinct.
- Upgrades to fire, service and access to achieve compliance with the Building Code of Australia.
- Ongoing or adaptive reuse of heritage item(s).
- Items that have not received Council funding support in the last five years.

## Application Guidelines

### APPLICANTS MUST:

- Read the application form to understand the information to be submitted and determine whether the project satisfies the funding requirements.
- Conduct background research on the relevant heritage item/building which can be used to support the project proposal.
- Prepare a project plan which lists the individual project activities to be completed as part of the project.
- Obtain and attach two quotes for each of the individual project activities.
- Ensure that plans and sketches relevant to the size of the project are prepared and submitted in support of the application.
- Discuss the project with Council to determine whether development consent is required prior to any works commencing.
- Take "before the project" photographs which are submitted with the application.
- Complete the application form and keep a copy for record keeping purposes.
- Address the following selection criteria:
  1. Demonstrate that the project will deliver sustainable long-term heritage benefits.
  2. Demonstrate that the project will deliver a public benefit and enjoyment.
  3. Demonstrate innovation and leadership in heritage conservation.
  4. Demonstrate that project partners have the capacity and commitment to undertake the project.

### INELIGIBLE APPLICATIONS/ACTIVITIES (BY DISCRETION OF COUNCIL):

- Projects not located within the Mid-Western LGA.
- State government agencies unless they are involved as a project partner.
- Funding cannot be for new buildings, routine maintenance (eg. lawn mowing, gutter or carpet cleaning), new commemorative monuments, purchase of heritage buildings or equipment, relocation of buildings or works to relocate buildings, private headstones (unless there is no possibility of descendent support), flood lighting of buildings, moveable railway heritage items.

### Timeline

	Timing
Applications open	Jul
Applications close	Aug
Report to Council Meeting (depending on meeting timing)	Sept/Oct
Funding released (on receipt of invoice/s)	Sept/Oct
Date for completion of funded projects	April

## 8.3 Bowdens Silver Mine Community Consultative Committee

REPORT BY THE DIRECTOR DEVELOPMENT  
TO 20 JULY 2016 ORDINARY MEETING  
GOV400054, A0420245

### RECOMMENDATION

#### That Council:

1. **receive the report by the Director Development on the Bowdens Silver Mine Community Consultative Committee; and**
2. **nominate the Director Development as Council's temporary representative on the Community Consultative Committee until a permanent delegate is appointed following the September 2016 elections.**

---

### Executive summary

The purpose of this report is to nominate a Council representative to the Community Consultative Committee (CCC) for the Bowdens Silver Project.

### Disclosure of Interest

Nil.

### Detailed report

Silvers Mines Limited and Bowdens Silver Pty Limited are the new owners of the proposed Bowdens Silver Project located in the Mid-Western Region. They are currently seeking nominations for representatives to be part of the Community Consultative Committee (CCC) for the Bowdens Silver Project.

The Bowdens Silver Project CCC will comprise representatives of the community, stakeholders, NSW Department of Industry, Division of Resources and Energy, Mid-Western Regional Council, the owners and an Independent Chair. The owners of the project have written to Council seeking nomination of a Council representative to be part of the CCC.

Given that there is only a short timeframe remaining for the term of the current elected Council, it is recommended that Council nominate the Director Development as a temporary representative on the CCC. A permanent Councillor delegate can then be appointed following the September 2016 elections and considered at the same time as other Council delegates are appointed to external committees and organisations.



## Community Plan implications

<b>Theme</b>	<b>Looking After Our Community</b>
Goal	Vibrant towns and villages
Strategy	Manage growth pressure driven by the increase in mining operations in the Region

## Financial implications

Not applicable.

JULIE ROBERTSON  
DIRECTOR DEVELOPMENT

7 July 2016

*Attachments:* Nil

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER

## 8.4 Bylong Coal Project Workers Accommodation Facility

### REPORT BY THE DIRECTOR DEVELOPMENT

TO 20 JULY 2016 ORDINARY MEETING

GOV400054, A0420219

### RECOMMENDATION

#### That Council:

1. **receive the report by the Director Development on the Bylong Coal Project Workers Accommodation Facility;**
2. **continues to provide in principle support for the Bylong Coal Project, but excluding the Workers Accommodation Facility.**

---

### Executive summary

Council made a submission to the Bylong Coal Project Environmental Impact Statement (EIS) in November 2015. Whilst Council provided in principle support for the Bylong Coal Project, it did not support the proposal by KEPCO (the proponent) to provide a temporary workers accommodation facility in association with the project.

As part of the state significant development assessment process, KEPCO is responding to submissions received during the exhibition of the EIS. In this regard, KEPCO has provided Council with a draft condition of consent which is requesting that Council reconsider its original position and support a temporary workers accommodation facility on a reduced scale as part of the Bylong Coal Project.

### Disclosure of Interest

Nil.

### Detailed report

The Environmental Impact Statement (EIS) for the Bylong Coal Project was open for public submissions from 23 September 2015 to 6 November 2015. A copy of the submission made by Council during this process is attached.

One of the concerns raised in the submission by Council was the proposed inclusion of an onsite workers accommodation facility (ie. temporary workers accommodation). As detailed in the submission, Council did not support the inclusion of the workers accommodation facility, but did provide in principle support for the project overall. The main areas of contention were that:

- there is sufficient short term accommodation available across the region to cater for the construction workforce; and
- Council has committed funding to a significant upgrade of the Wollar Road to support both the construction and operational workforce travelling between the mine site and the major towns in the region.

The submission also noted that the potential economic benefits of the project will be significantly diminished based on the proposal to establish a workers accommodation facility as part of the Bylong Coal Project.

KEPCO has undertaken further work in relation to the availability of accommodation across the region and remains of the view that there will be a shortfall in housing supply and short term accommodation for the construction phase of the project. On this basis, KEPCO proposes to develop a worker accommodation facility but at a smaller scale relative to what was originally proposed during the EIS exhibition period.

At the time of preparing the EIS, KEPCO indicated a workers accommodation facility would cater for up to 800 employees during the first 6 years of the project. KEPCO has since revised its construction requirements and is proposing to limit the workers accommodation facility to a maximum of 350 beds and for an initial 2 year period only and for a further 2 years should an accommodation study demonstrate the need.

The draft consent condition for the workers accommodation facility is attached to this report for Council's consideration.

Council staff are of the opinion that there is sufficient availability of rental housing and short term accommodation to cater for the construction phase of the Bylong Coal Project. The region has managed to accommodate a mining construction workforce for projects of a similar scale in the past and with multiple projects occurring at the same time. The region has evolved significantly since this time and continues to demonstrate flexibility in being able to respond to the needs of the mining industry and other tourist related activities.

On this basis, it is the recommendation of staff that Council maintains its position which is to continue to provide in principle support for the Bylong Coal Project, excluding the Workers Accommodation Facility.

## Community Plan implications

<b>Theme</b>	<b>Looking After Our Community</b>
Goal	Vibrant towns and villages
Strategy	Manage growth pressure driven by the increase in mining operations in the Region

## Financial implications

Not applicable.

**JULIE ROBERTSON**  
**DIRECTOR DEVELOPMENT**

7 July 2016

*Attachments:* 1. Bylong Coal Project Draft Consent Condition.  
2. Bylong Coal Project EIS Submission.

**APPROVED FOR SUBMISSION:**

**BRAD CAM**  
**GENERAL MANAGER**

**Draft Consent Condition for the Workforce Accommodation Facility**

KEPCO has prepared the following draft condition for MWRC and DP&E's consideration which outlines the conditional approval of a WAF of approximately 350 beds for the Project:

- a. *"Prior to the commencement of construction, KEPCO will provide a justification report for the WAF to the satisfaction of the Secretary. The Report will:*
  - i. *Incorporate the findings of an Accommodation Availability Survey to confirm both dwelling and individual room availability within the Local Area (i.e. a one hours drive of the Project);*
  - ii. *Confirm the construction workforce profile by month supported by a report from a suitably qualified person. This construction workforce profile will identify the anticipated local versus non-local hiring. The profile will also identify the short term (< 3 months) and long term (>3 months) non-local workers;*
  - iii. *Confirm the number of accommodation units required within the WAF based on the comparison of the findings from the Accommodation Availability Survey and the construction workforce profile; and*
  - iv. *Provide evidence that the Proponent has informed the MWRC of the number of accommodation units required within the Local Area and the WAF based on the above investigation.*
- b. *Construct a sufficient number of modular accommodation units within the WAF to satisfy the shortfall in accommodation available within the Local Area (i.e. a one hours commute of the Project) for the construction phase of the Project as determined within the WAF Justification Report;*
- c. *All accommodation units within the WAF will be decommissioned at the end of the construction Phase 1 (i.e. after 2 years of the commencement of the use of the WAF), or as otherwise agreed by the Secretary;*
- d. *Update the Accommodation Availability Survey at the end of construction Phase 1 (i.e. no later than 2 years following commencement of WAF operation) to the satisfaction of the Secretary to confirm the continuing use of the WAF for PY 3 and PY 4. Otherwise, the WAF will be demobilised (excluding services) at the cessation of Construction Phase 1 (at 2 years following commencement of WAF operation);*
- e. *Retain all servicing (including, but not limited to water, power, sewage facilities, first aid room, parking etc.) to the site of the WAF until around PY 4, with an option to re-instate the WAF for Construction Phase 2 in the event that cumulative mining and tourism demands result in a constrained accommodation market in the Local Area. A revised Accommodation Availability Survey is to be undertaken to inform the need or otherwise for a WAF for Construction Phase 2. This revised Accommodation Availability Survey is to be completed prior to the commencement of Construction Phase 2 (i.e. approx. or after end PY 4)*
- f. *Construct as required the first aid facility, bus drop off and pick up, car parking facilities, administration, fixed infrastructure and associated communication and utilities at the WAF site, to be utilised throughout the "Life of the Project."*

**(Note: the Local Area includes the township of Mudgee on the basis that Wollar Road Upgrade is completed prior to the commencement of construction. If the Wollar Road Upgrade is not completed in a timely manner (i.e. commencement of Construction Phase 1) then the WAF may be required to accommodate the full construction workforce).**



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20 November 2015

Department of Planning and Environment  
c/o [www.planning.nsw.gov.au](http://www.planning.nsw.gov.au)  
Att; Stephen O'Donoghue

Dear Sir

#### **Submission - SSD 14\_6367 Bylong Coal Project EIS**

Reference is made to the exhibition of the above proposal. Council submitted a draft submission to the project on Friday 6 November 2015. A report on the proposal was considered by Council in the Ordinary Meeting on 18 November 2015 and now provide a final submission. Council supports, in principle the project without the temporary workers accommodation facility. The issues of concern to Council regarding the project include; questioning the need for the workers accommodation facility; social and economic benefit of the project to the community if the TWA proceeds; traffic and transport; subsidence impacts of Bylong Valley Way; the impact on agricultural land; surface and groundwater impacts; biodiversity and impacts on European Heritage.

#### **Temporary Workers Accommodation**

During the course of the past 12 months Council have met with the proponent on a number of occasions to receive an update in terms of the Bylong Coal Project (BCP) to the extent that the Council had a reasonable understanding of the scope, scale and scheduling of the proposed project. This, coupled with Council's initial response to the SEARs dated 20 February 2014 and the SEARs themselves, have served as a useful background in approaching the review of the final EIS documents. Through these sessions there has been one consistent message from Council to the proponent and that is there is no support for a Temporary Workers Accommodation facility (TWA) (it is noted that the EIS refers to a Workers Accommodation Facility, however, to maintain consistency with Council's planning instruments this use will be herein referred to as a TWA) and the basis that the commute to Mudgee and Rylstone from the project site is less than an hour. Further, the proponent has been aware of Council's intention to complete a full seal upgrade of Wollar – Bylong Road even prior to the announcement of the successful grant funding received under the royalties for regional program and yet the EIS document still makes reference to the road being unsealed and the commute to Mudgee being an hour and 25 minutes. It is disappointing that despite the numerous meetings the EIS does not, in either the traffic impact assessment, economic or social impact assessment provide an option or scenario where there is no TWA.

The project is not remote as stated on p 70 of the Main Report. Rylstone is only 52km and Mudgee is 72km via road from Bylong. Council has commenced work on the \$14M upgrade of the Wollar – Bylong Road. The EIS contends that a TWA is required for the following reasons:

- The size of the short term construction workforce has the potential to impact on the housing market
- As a risk management strategy to ensure accommodation is available for the project; and
- Manage the risk of the Wollar Road upgrade not being completed.

Council refutes these contentions outright.

#### **Size of the Construction Workforce**

Council questions size of the construction workforce and how these numbers have been determined. The region has managed to accommodate a mining construction workforce for a proposal larger than the BCP coupled with concurrent expansion at two other mines. The estimated construction workforce for Moorlarben was 220 and while this may have

fluctuated, the construction phase was similar to that proposed in the BCP. The claim that there will be a peak of 800 employees is inflated and unsubstantiated in the EIS. Further, it is this inflated figure on which the justification for the TWA hinges. Council questions the need for a TWA for a brief period to accommodate a peak workforce that will exist for less than six months when 18.6% or 1,911 dwellings across the LGA are unoccupied (SIA p 117). In addition the region has evolved in recent years to accommodate fluctuations in the mining workforce and tourism. The *Social Impact Assessment* (SIA) makes reference to 274 hotel/motel accommodation beds in Mudgee (p 129), however, the available short term accommodation across all accommodation types (excluding residential dwellings) is closer to 1,855.

In the assessment of the impact of the project on housing, the SIA fails to consider a no TWA option and the analysis that has been undertaken does not quantify the “significant increase in demand” but does acknowledge that it would be only short term (p 136). The *Mudgee and Gulgong Urban Release Strategy (URS)*, adopted by Council and endorsed by DP&E in 2014 clearly articulates the ability of the housing market to accommodate the growth anticipated by mining in the LGA and included in its assessment estimated population generated by the BCP. There is no risk that the workforce anticipated in the first 6 years of the project cannot be accommodated in the community.

There is no evidence to suggest that the TWA is required in terms of housing availability in the short or longer term. Further, the social costs of TWA accommodation on those residing in them are now well documented to the extent that this should be a last resort option. The EIS does not address the social and psychological impacts on residents and families in a TWA environment and this needs to be addressed before any decision can be made as to the suitability of and need for this form of accommodation at this location.

#### **Commitment to Wollar Road**

In relation to Wollar Road and as stated below, Council has received \$14M funding from the State Government for the upgrade of this road. The funding was granted on the back of a business case that included the need for the work as a direct result of the BCP should it go ahead. It is also a strategic alternative route between Mudgee and the Hunter Valley. Work has already commenced on the project under the terms of the funding agreement and is due for completion in 2017. The upgrade will put the BCP which is already only 40 minutes from Rylstone, within a one hour commute of Mudgee. Therefore any reference to the road being unsealed should be removed as it is misleading.

The costs that the company have committed to the construction of the TWA should be diverted into investment in the local housing industry and on-going maintenance of the local road network between the BCP and Rylstone and the BCP and Mudgee.

Finally, consideration of the TWA as part of the BCP approval is of a concern in terms of the ease in which the life of a TWA should it be approved can be modified by the state government once the initial approval is in place. Council is concerned that should the TWA aspect of the proposal be approved in any form it will remain in place for the duration of the project and any economic benefit that the region would otherwise experience will be lost.

#### **Economic Impacts**

To a large extent the economic benefit for the region as a result of this project proceeding is around the employment and business opportunities generated. The potential direct and indirect impacts of the project (ie. the multiplier effect) are significant and would contribute to the overall strength of the local economy and neighbouring regions. Local businesses have adapted to the growth of major mining projects in the region in the last 5 years and are well positioned to continue to grow and prosper as new projects such as BCP commence. New businesses have also established themselves in the region over a similar timeframe to cater for mining activities and maximise the potential economic benefits available.

However, the potential economic benefits of the project will be significantly diminished in the first 6 years of the project based on the proposal to establish a TWA as part of the BCP. Whilst it is recognised that it is difficult to capture the direct workforce benefits during the construction phase of a major project because of the transient nature of the workforce (ie. the income benefits largely accrue outside the region), there are still potential benefits from construction whereby the workforce

utilises local accommodation and services. As discussed above, local businesses have already planned for continued mining expansion in the Region and there is sufficient accommodation capacity to cater for both the construction needs of the mining industry and traditional forms of tourism activity. The proposed TWA not only takes away the income effect, but also eliminates the opportunity for local businesses to provide accommodation and hospitality services to the construction workforce. Combined with the negative impact on local agricultural production (ie. loss of \$3Mpa), the TWA does not deliver any economic benefit to the region at all.

It is important to note that the 800 construction workers associated with the BCP are considered as visitors to the region. According to Destination NSW, each visitor to the region contributes an average \$145 per day in additional expenditure. This represents potential income for the region of up to \$42.3 million per annum, depending on the length of stay and number of construction workers. This income generating opportunity for the region will not occur with a TWA.

#### **Cumulative Impacts**

The project has failed to adequately address the "*likely interactions between the development and other existing, approved or proposed mining development in the vicinity of the site*" as required by the SEAR's. In particular the activities at Wilpinjong and Moorlarban have been overlooked. For example, there has been no investigation as to the cumulative impact of education and a statement in the documentation that the government considers that it can manage this impact as part of the natural growth is insufficient. The SIA also fails to identify the cumulative social impact on the communities of Wollar, Ulan and now Bylong in terms, for example of the loss of identity through the closure of schools and loss of volunteers as properties have been acquired and communities shrunk. Similarly the traffic and transport impacts having regard to the existing mine traffic have not been considered, in particular from the intersection of Wollar Road with Ulan Road and into Mudgee. All of these issues should be examined in the SIA.

The community infrastructure fund set up under various planning agreements and via conditions of consent (in the case of Moorlarben) will support the roll out of priorities in the Community Plan. Those areas of greater concern are around health and education where local government is not primarily responsible for the delivery. It has been our experience that the service providers are reactive to pressure in these areas and council will need financial assistance from time to time to address this. It should also be noted that Council has made an allowance for a new primary school site should the thresholds require it in the longer term. The SIA proposes an increase in school aged children of around 250 in Mudgee alone in project year 9 and this highlights the importance of having strategies in terms of monitoring the actual impacts of all mining activities on social infrastructure on an ongoing basis and to remain ahead of change in demographic trends, particularly in health and education.

#### **VPA**

The council has been in negotiation with the company in regard to the VPA for community infrastructure contributions. There has been in principle agreement as follows;

- (a) Subject to this Agreement, the Developer is to make the following Development Contributions in respect of the Development:
  - (i) payment of \$1.5 million to the Council on the granting of the Development Consent by the Consent Authority and KEPCOs approval for the Development on the Land and the Other Land;
  - (ii) payment of \$1.25 million to the Council on the Mine Commencement Date; and
  - (iii) payment of \$0.05 per tonne of product coal transported by rail in connection with the Development to the Council towards the Community Investment Fund, which is payable within three months of the end of each Financial Year for the Term.

The EIS makes reference to a Community Needs Assessment (CNA). The role of the CNA is not clear in the EIS and there were initial concerns as to the CNA particularly given the reference to commitments throughout the SIA. It has been confirmed by Worley Parsons that the CNA will

outline the company's investment strategy to 2017. Council has a Community Plan (CP) developed out of the IP&R process and endorsed by the council and the community for implementation through the operational and delivery programs. As has been the case with previous VPA agreements, council intends to use the additional contribution to deliver community infrastructure in accordance with the commitments of the CP. There are concerns then that reference in the SIA to the CNA and numerous opportunities citing VPA is inconsistent with negotiations to date.

#### **Traffic and Transport**

Council has some concerns regarding the *Bylong Coal Project Traffic and Transport Impact Assessment* (TIA) prepare by Parsons Brinckerhoff (Appendix Z), the most obvious being that a scenario without a TWA was not considered. This is despite the indication given by Council on numerous occasions that such a facility is unlikely to be favoured by Council or considered necessary with the upgrade of Wollar Road. The report does however acknowledge in Section 5.2 that the uncertainty surrounding the life of the facility will generate quite different outcomes in terms of traffic volumes. The TIA is therefore significantly flawed and should be reviewed to include a scenario in which the TWA is not built as an option.

The Wollar road upgrade presently being undertaken by Council is a project funded on the premise that the road would be heavily utilised by the mine, including commuter traffic. Indeed Section 3.5.4 of the report states that once the upgrade is complete the traffic will be in the vicinity of 500-1000 vehicles per day. This was an estimate provided to the proponent by Council on the basis of a commuting workforce. If the TWA is not built, and it is the position of Council that it cannot be justified and should not proceed, the traffic impact forecasts provided in the EIS will be substantially lower than in reality.

Not considering a scenario that excludes the TWA also has implications for the level of service of intersections. In all the scenarios posed in Section 5 of the report, all intersections operate at the 'A' level of service indicating a free flow condition. Section 5.2.1 recommends basic intersection treatments on the basis of warrants that assumes an accommodation facility is in service.

However, the assessment has not considered how these intersections will perform at change of shift with all the workforce attempting to enter/leave the site within a short space of time. It is likely that motorists would experience queues and delays in this circumstance and the assessment will have failed to identify a much lesser level of service. Council concurs with the consultant's recommendation to conduct a formal safety audit to identify and prioritise road safety treatments. This should form the basis of any negotiation relating to contributions towards capital upgrades particularly for the section of road between Wollar Village and the Ulan Road intersection with Wollar Road.

Table 5.11 provides daily traffic projections for mid-block road sections. Baseline figures appear to be based on Section 1.6 of the report which outlines traffic surveys and 'referenced' previous traffic counts from 2011. The counts from 2011 indicate a higher level of traffic movement than from the survey, which was not conducted over a 24 hour 7 day period as was the case for the 2011 counts. It is Council's view that using the higher counts would have been a more conservative approach to forecasting AADTs once the mine commences production.

Accurate predicted traffic volumes in any event provides Council the opportunity to adequately assess the increased maintenance needs of public roads. It is suggested that once the mine commences construction and progresses to operation that the Bylong Valley Way and the Wollar Road, between Wollar and the intersection of the Ulan Road, will require a higher levels of maintenance. Negotiations with the proponent to date have not included a contribution to Council for the ongoing maintenance of these sections of road due to mine related traffic. This maintenance cost will be strongly linked to traffic volumes, which in turn are affected by reliable baseline estimates and the implementation of accommodation facility.

The report identifies two alternative routes for landholders located to the south of the project area to utilise when the Upper Bylong Road is re-aligned resulting in the isolation of private holding to the south of the lease area. These are the Budden Gap and Lee Creek Roads. Whilst neither route is ideal for the affected parties, the latter is Council's preferred option as the road is already formed and traverses comparatively moderate terrain and this was articulated in Council's initial submission to the SEAR's in February 2014. The Lee Creek Road alternative is a considerably simpler road to upgrade from a constructability point of view and is less problematic in terms of



flooding. The access for the affected landholders should be negotiated prior to any approval being issued for the project.

It is further noted that there is a real potential for subsidence in parts up to 3m over more than 3km of Bylong Valley Way affecting 12 culverts. The EIS makes reference to remediation by re-levelling culverts where cracking and titles sufficient to cause a grade reverse and progressive road maintenance and repair work as mining progresses. Erosion protection may also be required to stabilise slopes. This would necessitate the implementation of speed restriction along the road and directly impacting the level of service of the infrastructure over a significant time period. Council is very concerned about the risk to public safety that this poses as well as an ongoing maintenance burden for Council. Any approval should ensure that the proponent is responsible for the ongoing cost associated with the maintenance and repair of this part of Bylong Valley Way. A full condition report of this road should be undertaken to determine the current condition of the asset as part of the approval process.

#### **Road maintenance contributions**

As discussed in the traffic section above, the lack of data around a development option that excluded the TWA is a serious concern not least because it then fails to then provide accurate traffic data against which to determine the initial adequacy of the transport route and maintenance contribution for the Wollar Road over the life of the project. Council anticipates that any approval would include provision for such a contribution as a direct impact of the development on the local road network. Further in the response to the SEARs Council articulated that the EIS should include a Road Dilapidation Report and complete audit of local road infrastructure including the Bylong Valley Way, Wollar and Lue Roads. Again the TIA fails to address the full impact of the proposal on the local road network, in particular Wollar Road from Wollar to Mudgee which will likely be the transport route.

#### **Noise and Vibration**

Any approval needs to be responsive to noise impacts beyond those anticipated in the EIS. As has been the experience in Wollar with the Winpinjong project, the modelling in some instance does not adequately account for the actual local conditions particularly where topographic features are variables to the way noise travels.

Vibration will have a significant impact of the remaining buildings and those identified as significant (see heritage impacts below).

#### **Heritage Impact**

Council supports the Bylong community in concerns raised as to the impacts on environmental heritage and the nomination of Tarwyn Park for an Interim Heritage Order.

Further community consultation should be undertaken with the key stakeholders (including Council) again exploring the option of relocating –

- Bylong Upper Public School
- Our Lady of the Sacred Heart Catholic Church
- Upper Bylong Post Office and Store
- Bylong Upper Hall

If the community does not respond to the invitation for the relocation of these items, it is they should be relocated and moth balled on the mine site until such a time an opportunity arises for relocation as opposed to demolition, particularly given the relatively short term open cut operation.

The curtilage of those items identified as partially impacted (table 10 – Impact Assessment Summary) items should be further clarified in more detail.

Council concurs with the proposals for the management of historic burial sites, however, suggests that should they be relocated out of the locality a memorial site should be dedicated including all the information on the headstones and the new burial site. The location of such a memorial should be identified in consultation with the Bylong community and Council.

#### **Extent of Mining Beyond the Approval**

There are real concerns about the "concessions" made by KEPCO since the purchase of the authorisations in 2010 (*Mine Justification Report* p 37). This only highlights that there remains a significant coal resource well beyond the horizon in the present application with the combined

measured, indicated and inferred resource being 391.6Mt for the open cut (this approval is seeking to recover 33Mt) and 482.7Mt for the underground (91Mt under this approval). It is not only the experience of the MWRC community but other communities around the state that the initial approval for a mining project provide a platform for continuous expansion though Modifications invariably extending the life of the project well beyond the 25 year limit under regulation with economic feasibility then becoming the most significant determinant to ongoing production. This is not to discount the rigorous environmental and social impact assessment that is required for a modification to proceed but to simply identify that if this proposal is approved as is over 85% of the resource is still in the ground. Council has concerns that arguments as to efficient resource recovery verses the social and environmental impacts and loss of additional agricultural land are unable to be adequately addressed under the current statutory approval process.

#### **Agricultural Land**

In the first instance, Council questions the figures used throughout the EIS in relation to the value of Agricultural land and would like to see these clarified in terms of both the source and accuracy of the data and that data then validated.

The objective of the Strategic Regional Land Use Plans is to protect the states \$12 billion agricultural industry from mining and coal seam gas industries. The issues raised by the Gateway Panel in terms of the potential for direct and significant impacts on verified BSAL by the BCP are still not adequately addressed. Agricultural land, like coal is a finite resource, however, unlike coal if managed will continue to deliver net production indefinitely so while economically in the short term the net value of coal eclipses that of agriculture it is just that; short term.

The BCP has an impact on valuable and productive land beyond that which has been experienced in association with mining in the MWRC LGA in the past. There is 440.8ha of verified BASL within the project disturbance area alone. The agricultural land lost to mining as a result of this project equates to \$2.66M annually which is significant representing over 4% of the total production of the LGA. Council has noted the examples in the Hunter Valley cited in the *Rehabilitation Strategy* (Appendix W) where land has been restored, however, despite the best undertakings Council remains sceptical about the future reinstatement of land to production. The success of the rehabilitation will hinge on the soils stripping, handling and stockpiling all of which would be rigorously scrutinised and conditioned in any approval. In addition, Council questions the assumption that the impacts on land within the subsidence area will be indirect and temporary particularly in areas that are subject to subsidence which impacts the surface hydrology.

#### **Groundwater**

The BCP relies on security of water from the Bylong River alluvial aquifer accessed by a number of groundwater bores. There is concern that the BCP in this assessment fails to adequately account for contingencies around water supply and fully address the Office of Water requirements for the EIS. In the submission to the SEARs, Council raised concerns about the allocation and security of water resources within the project area and beyond and the need to identify actual availability rather than assumptions as to the existing water licences.

In addition the EIS in relation to groundwater, like subsidence, proposes measures to manage impacts only if they occur, for example in relation to water security above and aquifer interference, rather than taking a precautionary approach.

Council would like to see an independent hydrologist engaged to assess both the ground and surface water assessments with particular attention to their adequacy around water security, the importance of ascertaining accurate data from ALL the existing groundwater bores and including any perceived anomalies identified in the EIS.

#### **Biodiversity**

The *Ecological Impact Assessment* (EIA) will need to be amended to include the impacts on any changes that may have been made and come into force under the EPBC Act since March 2014. The BCP will have significant direct and indirect ecological impacts with the removal of up to 753ha of native vegetation, however, it is noted that the offset areas proposed are populated with similar habitat. There is some concern that the Biodiversity Offset Sites are simply properties the ecological value of which are already protected through a combination of legislative controls at Commonwealth and State level together with land use zoning and associated provisions under the MWRC LEP 2012 all of which provide a reasonable level of protection from destruction and the offset areas should include identifying areas that are under threat. Further, Offset Areas 4 and half

of Yarran View result in the loss of an additional productive agricultural land as a direct result of the project. In addition there is a failure to identify the mechanism proposed to conserve the offset sites and Council is concerned about the impact on rate income if land is taken out of production and sterilised in perpetuity.

**Representations from the Community**

In its Open Day immediately prior to the commencement of the Ordinary Meeting of Council on 21 October 2015, Council heard submissions from the community which Council would like to reinforce. The issues raised included;

- impacts on environmental heritage and the call for Council to support an Interim Heritage Order on Tarwan Park as well as concerns about loss of local heritage generally;
- Surface and Groundwater impacts and the inadequacy of the impact reports and mitigation measures;
- Loss of agricultural land to mining and questioning the feasibility of returning the land to its current state post mining;
- Loss of agricultural land through biodiversity offset areas;
- The long term value of agriculture in the region against the short term destruction as a result of open cut operations that will only recover a fraction of the coal resource;
- Noise and dust; and
- Access for land holders who will be isolated by the closure of Upper Bylong Road without any firm option for an alternative.
- Loss of community and social impacts associated with land acquisition including volunteer services such as RFS
- Cumulative social impacts as a result of closure of schools leading to a loss of focal point for small rural communities.

As stated above, please consider this to be the submission from MWRC superseding the draft submission posted 6 November 2015. Should you have any queries in relation to this matter please contact Liz Densley Acting Director Development on 63782850.

Yours faithfully



Brad Cam  
GENERAL MANAGER

## Item 9: Finance

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### 9.1 Classification of Land - Allotment 122 DP 1074283 10-12 Burrundulla Avenue Mudgee

REPORT BY THE REVENUE AND PROPERTY MANAGER  
TO 20 JULY 2016 ORDINARY MEETING  
GOV400054, P1369111

#### RECOMMENDATION

##### That Council:

1. **receive the report by the Revenue and Property Manager on the Classification of Land - Allotment 122 DP 1074283 10-12 Burrundulla Avenue Mudgee; and**
  2. **classify Allotment 122 DP 1074283 10-12 Burrundulla Avenue Mudgee, as Operational land.**
- 

#### Executive summary

This report seeks to formalise the classification of Allotment 122 DP 1074283, 10-12 Burrundulla Avenue Mudgee, being land purchased by Mid-Western Regional Council for the purposes of future land development, as Operational.

#### Disclosure of Interest

Nil.

#### Detailed report

In accordance with Chapter 6, Part 2, Division 1 of the Local Government Act 1993 (the Act), 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). Land which is classified *Operational* would include land which facilitates a council carrying out its functions or such as in this case, where the land is to be held as an asset for future land development purposes.

As part of the process of classification of the land, Council resolved on 15 June 2016 to advertise its intent to classify the land as *Operational* in accordance with Section 31 of the Act.

The Certificate of Title to Allotment 122 DP 1074283 was issued on 10 June 2016 and Council's intention to classify the land as *Operational* was subsequently advertised in the local newspaper on 17 June 2016. Written submissions were called for with the closing date for submissions being 14 July 2016. At the time of compiling this Report no submissions were received.

This report now seeks to complete the process of classification of the land as *Operational*.

Any submissions received after preparation of this report and before 14 July 2016 will be provided to Council at the Ordinary Council Meeting on the 20<sup>th</sup> July 2016.

## Community Plan implications

<b>Theme</b>	<b>Good Governance</b>
Goal	An effective and efficient organisation
Strategy	Prudently manage risks association with all Council activities

## Financial implications

Not Applicable.

DIANE SAWYERS  
REVENUE AND PROPERTY MANAGER

LEONIE JOHNSON  
CHIEF FINANCIAL OFFICER

5 July 2016

*Attachments:* Nil

### APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER

## 9.2 Summary of Outcome - Sale Of Land To Recover Overdue Rates And Charges – Chapter 17, Part 2, Division 5, Section 713 Of The Local Government Act 1993 conducted on 16 April 2016

REPORT BY THE REVENUE AND PROPERTY MANAGER  
TO 20 JULY 2016 ORDINARY MEETING  
GOV400054, RAT700041

### RECOMMENDATION

#### That Council:

1. **receive the report by the Revenue and Property Manager on the Summary of Outcome - Sale Of Land To Recover Overdue Rates And Charges – Chapter 17, Part 2, Division 5, Section 713 Of The Local Government Act 1993 conducted on 16 April 2016; and**
2. **note the outcomes of the process, for each property:**
  - 2.1 **Property 1343 – Sale incomplete**
  - 2.2 **Property 5002 – Payment in full, property withdrawn**
  - 2.3 **Property 5285 – Sold at auction, outstanding balance written off**
  - 2.4 **Property 5293 – Sold at auction, outstanding balance written off**
  - 2.5 **Property 13253 – Sale incomplete**
  - 2.6 **Property 13811 & 18474 – Payment before auction, property withdrawn**

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### Executive summary

This report has been prepared to inform Council of the outcomes in relation to the sale of land to recover unpaid rates and charges which was conducted under Chapter 17, Part 2, Division 5, Section 713 of the Local Government Act 1993 (the Act) on 16 April 2016.

### Disclosure of Interest

Nil.

### Detailed report

Section 713(1) of the Act, states that Council may sell land where a rate or charge is overdue if it has remained unpaid for more than 1 year from the date on which it became payable in the case of vacant land, and in the case of any other land, it has remained unpaid for more than 5 years.

Council resolved on 16 December 2015, to sell 7 properties at auction with outstanding rates and charges totalling \$70,171.81.

Prior to the public auction on 16 April 2016, 3 properties were withdrawn from the sale following full payment of the outstanding rates and charges (in total \$34,458.76). 1 of these properties is located in Gulgong and the other 2 are located at Turill. Expenses incurred by Council up to the date of payment of these overdue amounts were recovered in full from the owners of the Gulgong property and a suitable arrangement for the payment of expenses has been entered into with the owner of the Turill properties.

The remaining 4 properties were auctioned on 16 April 2016 and all were sold at the fall of the hammer.

2 of these properties are located in Hargraves and were sold for \$6,600 and \$7,000. The prices realised at the auction for these properties were less than the expenses incurred in connection with the Sale and the amount of the overdue rates and charges. In accordance with Section 719 of the Act, where proceeds from the sale are insufficient to satisfy these debts, the shortfall following the sale is to be written off. The amount of the respective write-offs is \$3,270.37 and \$2,333.10.

The 2 properties located in Mudgee and being Right of Ways, realised \$500 and \$800. However, the purchaser subsequently refused to pay the deposit and to complete the sales. Given the low prices realised, it was considered that it would be uneconomical for Council to enforce its rights under the Contract to press the purchaser to complete the sale.

Section 716(2) of the Act does provide for land which fails to sell at an auction to be sold by private treaty but as the properties were technically "sold" at the auction, there was no opportunity for these properties to be subsequently considered for private sale.

These 2 properties will be presented to Council for further consideration to be included in the next listing of properties eligible for Sale of Land to recover overdue rates and charges in December 2016.

The attached table summarises the results.

## Community Plan implications

<b>Theme</b>	<b>Good Governance</b>
Goal	An effective and efficient organisation
Strategy	Prudently manage risks association with all Council activities

## Financial implications

Sections 718, 719 & 720 of the Act provide for the application of purchase money as follows:-

**718 Application of purchase money -**

*The council must apply any purchase money received by it on the sale of land for unpaid rates and charges in or towards payment of the following purposes and in the following order:*

- (a) firstly, the expenses of the council incurred in connection with the sale,*
- (b) secondly, any rate or charge in respect of the land due to the council, or any other rating authority, and any debt in respect of the land (being a debt of which the council has notice) due to the Crown as a consequence of the sale on an equal footing.*

719 What if the purchase money is less than the amounts owing?

*If the purchase money is insufficient to satisfy all rates, charges and debts referred to in section 718 (b):*

- (a) the amount available is to be divided between the rates, charges and debts in proportion to the amounts owing on each, and*  
*(b) the rates, charges and debts are taken to have been fully satisfied.*

**720 What if the purchase money is more than the amounts owing?**

*(1) Any balance of the purchase money must be paid into the council's trust fund and held by the council in trust for the persons having estates or interests in the land immediately before the sale according to their respective estates and interests.*

*(2) The council may pay the balance of the purchase money or any part of the balance to or among the persons who are, in its opinion, clearly entitled to it, and the receipt of the person to whom any payment is so made is an effectual discharge to the council for it.*

The payment of rates and charges by the owners of 3 properties before the auction date and the successful auction of the remaining 2 properties listed, means that \$42,226.14, to 2 December 2015, in outstanding rates and charges will be removed, either by way of write-off or full monetary payment, from Council's outstanding debtors listing.

The sale of land process will favourably influence Council's Outstanding Rates and Charges key performance indicator, for 2015/2016.

This indicator assesses the impact of uncollected rates and annual charges on liquidity and the effectiveness of Council's debt recovery. The percentage of rates and annual charges that are unpaid at the end of a financial year is a measure of how well a council is managing debt recovery.

DIANE SAWYERS  
REVENUE AND PROPERTY MANAGER

LEONIE JOHNSON  
CHIEF FINANCIAL OFFICER

5 July 2016

*Attachments:* 1. Summary of Outcomes - Sale of Land for Unpaid Rates - 16 April 2016.

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER



**Summary of Outcomes - Sale of Land for Unpaid Rates - 16 April 2016**

Property No	Property Address	Rates Total Amount Due (to 2/12/2015)	Costs	Properties Withdrawn from Auction & Amount Paid	Properties sold at Auction & Amount	Amount of Write-Off	
1343	Right of Way 47A Lawson Street MUDGEES NSW 2850	\$ 12,037.68	\$ 1,093.44				Sale not completed - will be referred back to Council in December 2016
5002	4 Yaraandoo Street GULGONG NSW 2852	\$ 19,222.99	\$ 1,755.43	\$ 20,978.42			Payment in full before Auction - Property withdrawn
5285	14 Edwin Street HARGRAVES NSW 2850	\$ 6,079.72	\$ 3,659.64		\$ 6,600.00	\$ 3,139.36	Property sold at Auction
5293	65 Lindsay Street HARGRAVES NSW 2850	\$ 5,557.97	\$ 3,658.64		\$ 7,000.00	\$ 2,216.61	Property sold at Auction
13253	Right Of Way 2A Lewis Street MUDGEES NSW 2850	\$ 12,037.68	\$ 1,093.42				Sale not completed - will be referred back to Council in December 2016
13811	270 Cliffdale Road TURILL NSW 2850	\$ 7,246.89	\$ 1,747.22	\$ 7,062.10			Payment before Auction & agreed arrangement for payment of balance - Property withdrawn
18474	268 Cliffdale Road TURILL NSW 2850	\$ 7,988.88	\$ 1,747.21	\$ 7,797.80			Payment before Auction & agreed arrangement for payment of balance - Property withdrawn
		\$ 70,171.81	\$ 14,755.00	\$ 35,838.32	\$ 13,600.00	\$ 5,355.97	

**Total**

Rates Total Amount Due (to 2/12/2015)	\$	70,171.81	
Add - Costs	\$	14,755.00	
	\$	84,926.81	
Less - Properties Withdrawn from Auction & Amount Paid	\$	35,838.32	
Less - Properties sold at Auction & Amount Paid	\$	13,600.00	
Less - Amount of Write-Off	\$	5,355.97	
<b>Balance</b>	\$	30,132.52	Being:
			Prop 1343 \$ 13,131.12
			Prop 13253 \$ 13,131.10
			Prop 13811 (balance) \$ 1,932.01
			Prop 18474 (balance) \$ 1,938.29
			\$ 30,132.52

## 9.3 Application for Proposed Road Closures of Part Upper Bylong Road and Part Woolleys Road

REPORT BY THE REVENUE AND PROPERTY MANAGER  
TO 20 JULY 2016 ORDINARY MEETING  
GOV400054, ROA100007

### RECOMMENDATION

#### That Council:

1. **receive the report by the Revenue and Property Manager on the Application for Proposed Road Closures of Part Upper Bylong Road and Part Woolleys Road;**
2. **considers KEPCO Bylong Australia's Application for proposed closure and proposed purchase of those road segments of Upper Bylong Road and Woolleys Road, as identified in Attachment 1 to this Report, has merit;**
3. **commence initial community consultation in accordance with Council's *Land Acquisition and Disposal Policy* and Department of Primary Industries - Lands, *Road Closing Process – September 2015* in relation to the Application for proposed closure and proposed purchase of those road segments of Upper Bylong Road and Woolleys Road, as identified in Attachment 1 to this Report; and**
4. **receive a further report on the proposed closure and proposed purchase of those road segments of Upper Bylong Road and Woolleys Road, as identified in Attachment 1 to this Report, at the end of the initial community consultation period.**

---

### Executive summary

This report seeks to secure a resolution to the proposal by Kepco Bylong Australia (KEPCO) for Council to close and subsequently sell to KEPCO, those segments of Upper Bylong Road and Woolleys Road, identified in Attachment 1 appended to this Report.

### Disclosure of Interest

Nil.

### Detailed report

Council has received an application (the Application) from KEPCO for consideration to be given to the closure and subsequent sale to KEPCO, of a segment of Upper Bylong Road and a segment of Woolleys Road which fall within the mine footprint of the Bylong Coal Project (the Project). The Project is in Assessment stage, with final Determination from the NSW Government expected to be released in the first half of 2017.

The segments of road reserve proposed to be closed and subsequently purchased by KEPCO are Council formed and maintained road reserves. As such, the land, upon proposed closure of the

segments, will vest in Council (Section 38(2)(b) & (c) Roads Act 1993) and Council will be entitled to receive the proceeds of the proposed sale.

The area of the Upper Bylong Road segment is 11.73 Ha and area of the Woolleys Road segment is 4.27 Ha.

The Application submitted by KEPCO provides details in relation to both proposed road closures, including KEPCO's proposal to purchase the land vested in Council upon the closure of each of the segments. Refer to Attachment 1 appended to this Report.

KEPCO acknowledges in the Application, that 4 property owners have been identified as being impacted by the closure of that segment of the Upper Bylong Road. These property owners would be able to continue to access their properties directly from Lee Creek Road from the south via Bylong Valley Way, but would not be able to utilise the Upper Bylong Road to access the village of Bylong and the Bylong Valley Way to the north if the proposed closure is granted. KEPCO is currently negotiating property acquisition or compensation with these landowners and has stated that if suitable arrangements for all four properties cannot be achieved, KEPCO will consider establishing a private road, known as *North Link Road*, to facilitate landowners' access to the north.

A further three property owners will also be impacted by the closure of that segment of Woolleys Road. Again, KEPCO has been negotiating property acquisition or compensation with these landowners and if satisfactory arrangements cannot be achieved, KEPCO will consider providing an alternative new public road which would link from the junction of the Upper Bylong Road and mine access road to the eastern remaining part of Woolleys Road on an alignment adjacent to and parallel with the Sandy Hollow-Gulgong Rail Line. This road is referred to as the *East Link Road*.

KEPCO has confirmed that a contract has been entered into for the purchase of the Bylong Upper Primary School and has also made application to Endeavour Energy to have power lines relocated away from the mine disturbance footprint that are accessed from the proposed road segment closures.

The Application made to Council for the proposed road segment closures and proposal to purchase the land, must be considered in accordance with Council's *Land Acquisition and Disposal Policy* (the Policy), Department of Primary Industries - Lands, *Road Closing Process – September 2015* (the Process) and the Roads Act 1993.

The Policy stipulates, in part, that Council must take into account the individual circumstances of the road before proceeding through the Process. Individual circumstances of a road include:

- *The likelihood of a Reserve being required as a through road; and*
- *Legal requirements of a Reserve to provide access to properties; and*
- *Access to public infrastructure or public waterway;*

The Process includes carrying out public consultation, negotiation and resolution of any objections or comments received from impacted landowners or community members/general public. The ultimate decision however, to close the road segments will be made by Department of Primary Industries - Lands, after considering Council's documented application (which will include any submissions received and Council's response to the submissions).

As KEPCO is still discussing the property purchase or provision of alternative access options with the owners of the 7 properties which will be impacted by the proposed road closures, and Council has an obligation to assess the Application in accordance with the Policy and the Process. It is recommended that Council resolve, at this stage, to acknowledge merit of the proposal, pending the outcome of initial community consultation.

Public consultation will involve Council directly contacting the 7 impacted land owners and other stakeholders and informing the general public by way of a newspaper advertisement of the proposed closures in principle. A period of 28 days will be given to receive any objections and comments, after which, a further report will be presented to Council to consider and deal with any submissions received and formally resolve the details and conditions of KEPCO's Application for road closure and subsequent proposed purchase of the land.

## Community Plan implications

<b>Theme</b>	<b>Connecting Our Region</b>
Goal	Efficient connection of the region to major towns and cities
Strategy	Create a communication network that services the needs of our residents and businesses

## Financial implications

Financial implications will be detailed in the further report to Council at the end of the community consultation period.

In accordance with the Policy, all costs associated with the proposed closure and subsequent proposed sale of the segments will be borne by KEPCO.

DIANE SAWYERS  
REVENUE AND PROPERTY MANAGER

LEONIE JOHNSON  
CHIEF FINANCIAL OFFICER

5 July 2016

*Attachments:*

1. Application for proposed road closure and purchase by KEPCO. (separately attached)
2. Land Acquisition & Disposal Policy. (separately attached)
3. DPI - Lands Road Closing Process. (separately attached)

### APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER

## 9.4 Murray Darling Association Membership Renewal 2016/17

REPORT BY THE CHIEF FINANCIAL OFFICER  
TO 20 JULY 2016 ORDINARY MEETING  
GOV400054, F0710037

### RECOMMENDATION

#### That Council:

1. **receive the report by the Chief Financial Officer on the Murray Darling Association Membership Renewal 2016/17; and**
2. **renew its membership with the Murray Darling Association for 2016/17.**

### Executive summary

Murray Darling Association Inc (MDA) has forwarded their invoice for renewal of membership for the 2016/17 financial year. This report provides information about the current goals of the MDA, ensures a close alignment to Councils Community Plan and confirms Council and the community benefit from continued membership.

### Disclosure of Interest

Nil.

### Detailed report

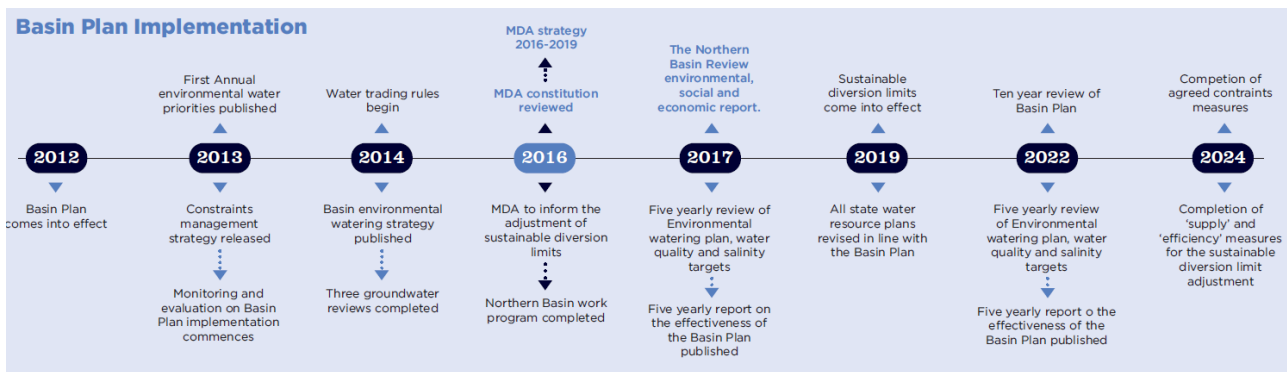
Before recommending a renewal of MDA membership, Council staff have undertaken a review of the goals and achievements of MDA to ensure that there is a close alignment to Councils Community Plan outcomes, goals and strategies, and that the membership is value for money.

#### MDA STRATEGIC PLAN 2016-2019

Attached to this report is the new MDA Strategic Plan for 2016-19. Please note that Council is in Region 10, and that the MDA states in their report: "As an Association we share the vision of a healthy Murray Darling Basin that supports thriving communities, economic development and sustainable productivity, and work together in our common purpose to provide effective representation of local government and communities at state and federal level in the management of Basin resources by providing information, facilitating debate, and seeking to influence government policy common. The regional issues highlighted for Region 10 are:

- No targeted structural adjustment packages for directly affected economically impacted communities
- Absence of feedback from relevant authorities regarding outcomes of social, economic and environments benefits, or other impacts
- Resolution of competing priorities between floodplain graziers and irrigated agriculture and mining.

It should be noted that the Murray Darling Basin Plan (implemented in 2012 by the Murray Darling Basin Authority, timeline included below) will continue to impact the region including water trading rules, sustainable diversion limits and review of constraints and measures.



The MDA vision and goals do align with the Mid-Western Region Community Plan – Towards 2030 Water Cycle Management goal, and security of water supply is still an important issue for residents, graziers, mining and other business.

Included below is a snapshot of the Macquarie-Castlereagh catchment, which includes Windamere Dam, to clarify catchment contribution:

## Macquarie-Castlereagh

### Snapshot

Catchment area	7% of the Murray-Darling Basin
Contribution to Basin water	8.4%
Annual stream flow	1,175 GL (Macquarie at Dubbo)
River length	Castlereagh River: 549 km Macquarie River: 960 km Bogan River: 590 km
Major tributaries	Fish, Campbell, Cudgegong, Turon, Bell, Little and Talbragar rivers; Mulla Mulla Cowal; Ewenmar and Marthaguy creeks
Major towns/cities	Coonabarabran, Coonamble, Bathurst, Orange, Dubbo, Narromine, Warren, Nyngan
Major water storages	Burrendong (1,190 GL), Windamere (353 GL), Oberon (45 GL), Ben Chifley (31 GL), Suma Park (18 GL)
Key water users	Irrigated agriculture, urban water supply, industrial water supply

### DELEGATES

At Councils meeting in September 2015, Cllr White and Mr Russell Holden were nominated as delegates. New delegates will be nominated after the election in September 2016, with the CEO of the MDA, Ms Emma Bradbury, provided feedback that the MDA is actively seeking representation from Council that is a balance between officers and elected representatives, with the aim to engage people with expertise and on behalf of their communities.

### **MDA CONSTITUTION REVIEW**

The MDA Constitution has recently been reviewed to allow the MDA to better carry out its main goals of being a water based advocacy group. The draft Constitution is attached, and submissions are being sought now, with a closing date of 1 August 2016. No submission is recommended at this time.

### **BASIN PLAN IMPACT EVALUATION FRAMEWORK**

It should also be noted that the MDA is currently looking to develop and implement a Basin Plan Impact Evaluation Framework. The MDA notes that it hears from its members, individuals, local government and business communities who are experiencing significant impacts to their towns, their lives and their livelihoods. These impacts are largely attributed to the Basin Plan, with acknowledgment that some other factors may be contributory. Members are frustrated with the lack of consistent, rigorous and repeatable monitoring and evaluation of the social and economic impacts of the Plan, and consequent gaps in any efforts to mitigate and address these impacts. Community members that are impacted by the Basin Plan can contribute to this process, or contact the MDA.

## Community Plan implications

<b>Theme</b>	<b>Protecting Our Natural Environment</b>
Goal	Provide total water cycle management
Strategy	Maintain and manage water quantity and quality

## Financial implications

The membership renewal fee is \$6,000, representing a 9.4% increase on 2015/16 fees. The fee is calculated at \$0.275 per capita of the LGA. The rate per capita has increased by 4.17%, with the balance of the fee increase driven by population increases. Council is now at the maximum capped rate.

The membership fee has been budgeted for in the 2016/17 Operational Plan, under Governance.

LEONIE JOHNSON  
CHIEF FINANCIAL OFFICER

5 July 2016

*Attachments:*

1. Murray Darling Basin - Local Government Areas map. (separately attached)
2. MDA Strategic Plan 2016-2019. (separately attached)
3. MDA Constitution (draft for comment). (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER

## 9.5 Monthly Statement of Investment and Bank Balances as at 30 June 2016

REPORT BY THE MANAGER, FINANCIAL PLANNING  
TO 20 JULY 2016 ORDINARY MEETING  
GOV400054, FIN300053

### RECOMMENDATION

**That:**

1. **receive the report by the Manager, Financial Planning on the Monthly Statement of Investment and Bank Balances as at 30 June 2016; and**
2. **note the certification of the Responsible Accounting Officer.**

### 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.

### Disclosure of Interest

Nil.

### 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.

### Community Plan implications

<b>Theme</b>	<b>Good Governance</b>
Goal	An effective and efficient organisation
Strategy	Prudently manage risks association with all Council activities



## Financial implications

Not applicable.

NEIL BUNGATE  
MANAGER, FINANCIAL PLANNING

LEONIE JOHNSON  
CHIEF FINANCIAL OFFICER

6 July 2016

*Attachments:*

1. Monthly Statement of Bank Balances and Investments.
2. Schedule of MWRC Investment Policy Requirements.
3. Monthly Investment Portfolio Activity.

### APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER

**Attachment 1**

For the month ended:

30-Jun-16

<b>Bank Account</b>	<b>Opening Balance</b>	<b>Receipts</b>	<b>Payments</b>	<b>Closing Balance</b>	<b>Overdraft Limit</b>
National Australia Bank (Corporate Cheque Account) \$	194,197	\$17,099,764	\$ 17,253,620	\$ 40,341	\$ 700,000

The bank balances have been reconciled to the General Ledger as at 30/06/2016

<b>Investments</b>	<b>Type</b>	<b>Amount \$'000</b>	<b>Yield %</b>	<b>Maturity Date</b>	<b>Term</b>
National Australia Bank	At Call	1,498	2.05%	NA	At Call
National Australia Bank	Term Deposit	1,600	3.02%	6/07/2016	364
National Australia Bank	Term Deposit	1,000	3.05%	20/07/2016	196
National Australia Bank	Term Deposit	1,000	3.00%	15/02/2017	364
National Australia Bank	Term Deposit	2,000	3.00%	5/10/2016	217
National Australia Bank	Term Deposit	1,000	3.15%	26/10/2016	210
National Australia Bank	Term Deposit	1,000	3.15%	16/11/2016	210
National Australia Bank	Term Deposit	2,000	3.00%	23/11/2016	203
National Australia Bank	Term Deposit	1,500	3.03%	21/12/2016	217
St George Bank	Term Deposit	1,000	3.02%	13/07/2016	189
St George Bank	Term Deposit	1,000	2.90%	31/08/2016	196
St George Bank	Term Deposit	2,000	2.90%	7/09/2016	203
St George Bank	Term Deposit	2,500	2.83%	28/09/2016	212
St George Bank	Term Deposit	1,000	2.95%	12/10/2016	217
St George Bank	Term Deposit	500	2.90%	19/10/2016	217
St George Bank	Term Deposit	1,000	3.05%	26/10/2016	210
St George Bank	Term Deposit	1,300	3.12%	9/11/2016	217
St George Bank	Term Deposit	2,000	3.00%	30/11/2016	210
St George Bank	Term Deposit	1,500	2.85%	25/01/2017	231
Bankwest	Term Deposit	700	3.00%	13/07/2016	210
Bankwest	Term Deposit	1,000	2.93%	17/08/2016	203
Bankwest	Term Deposit	1,500	2.90%	24/08/2016	196
Bankwest	Term Deposit	1,500	2.90%	21/09/2016	210
Bankwest	Term Deposit	2,000	2.70%	14/12/2016	210
ANZ	Term Deposit	1,000	2.86%	14/09/2016	203
AMP	Term Deposit	1,500	3.00%	3/08/2016	182
AMP	Term Deposit	1,000	3.00%	17/08/2016	189
AMP	Term Deposit	1,000	2.90%	4/01/2017	189
Bank of Queensland	Term Deposit	800	3.10%	3/08/2016	203
Bank of Queensland	Term Deposit	1,300	3.10%	19/10/2016	224
Bank of Queensland	Term Deposit	800	3.00%	4/01/2017	224
Bank of Queensland	Term Deposit	2,000	3.00%	1/02/2017	224
Bendigo & Adelaide Bank	Term Deposit	1,500	2.85%	2/11/2016	364
ING Bank	Term Deposit	1,500	3.10%	1/03/2017	364
Beyond Bank	Term Deposit	1,500	3.00%	11/01/2017	224
Beyond Bank	Term Deposit	1,500	3.00%	18/01/2017	231
Members Equity Bank	Term Deposit	1,800	3.05%	27/07/2016	231
Members Equity Bank	Term Deposit	1,500	3.09%	10/08/2016	196
Peoples Choice C/Union	Term Deposit	1,500	2.91%	7/12/2016	203
MyState Bank	Term Deposit	1,000	3.08%	24/08/2016	203
Family First Credit Union	Term Deposit	500	3.00%	25/01/2017	224
<b>Total Investments</b>		<b>54,798</b>			

**Attachment 2**

**MWRC Policy Requirements:**

Investments by Institution	Long/Short Term Ratings	Amount \$'000	% of Portfolio	
			Actual	Policy Limit
National Australia Bank	AA-/A-1+	12,598	23%	25%
Bankwest	AA-/A-1+	6,700	12%	25%
St George Bank	AA-/A-1+	13,800	25%	25%
ANZ	AA-/A-1+	1,000	2%	25%
AMP	A+/A-1	3,500	6%	15%
Bank of Queensland	A-/A-2	4,900	9%	10%
Bendigo & Adelaide Bank	A-/A-2	1,500	3%	10%
ING Bank	A-/A-2	1,500	3%	10%
Beyond Bank	BBB+/A-2	3,000	5%	10%
Members Equity Bank	BBB+/A-2	3,300	6%	10%
Peoples Choice C/Union	BBB+/A-2	1,500	3%	10%
Family First Credit Union	Unrated	500	1%	10%
MyState Bank	BBB/A-2	1,000	2%	10%
		<b>54,798</b>	<b>100%</b>	

Investments by S&P Rating	Short Term Rating	Amount \$'000	% of Portfolio	
			Actual	Limit
Direct Securities	A-1+	34,098	62%	100%
	A-1	3,500	6%	60%
	A-2	16,700	30%	30%
	A-3	-	0%	20%
	Unrated	500	1%	10%
		<b>\$ 54,798</b>	<b>100%</b>	

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

Term to Maturity	Amount		% of Portfolio	
	\$'000	Actual	Minimum	Maximum
Less than 1 year	54,798	100%	40%	100%
Between 1 and 3 years	-	0%	0%	60%
Between 3 and 5 years	-	0%	0%	50%
More than 5 years	-	0%	0%	25%
	<b>54,798</b>	<b>100%</b>		

**Attachment 3****Monthly Investment Portfolio Activity:**

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

<b>Bank Accounts</b>	<b>Opening Balance \$'000</b>	<b>Redeemed Balance \$'000</b>	<b>Re-invested Balance \$'000</b>	<b>Change in interest rate</b>	<b>Change in Term (days)</b>	<b>New Term Rate</b>
National Australia Bank	5,285		1,498	-0.25%	0	2.05%
Bankwest	1,500	1,500		Redeemed		
Beyond Bank			1,500	New Deposit		3.00%
Beyond Bank			1,500	New Deposit		3.00%
Bankwest	1,000	1,000		Redeemed		
St George Bank			1,500	New Deposit		2.85%
Bankwest	2,000	2,000		Redeemed		
Family First Credit Union			500	New Deposit		3.00%
Bank of Queensland	2,000		2,000	0.00%	21	3.00%
ANZ	1,000	1,000		Redeemed		
AMP			1,000	New Deposit		2.90%
	<b>12,785</b>		<b>9,498</b>			
<b>Investment Portfolio Movement</b>		<b>(3,287)</b>		<b>Reduction</b>		

## 9.6 Fit for the Future Reassessment

REPORT BY THE CHIEF FINANCIAL OFFICER  
 TO 20 JULY 2016 ORDINARY MEETING  
 GOV400054, F000000

### RECOMMENDATION

**That Council:**

1. **receive the report by the Chief Financial Officer on the Fit for the Future Reassessment;**
2. **endorse the Fit for the Future Revised Improvement Program and Council Reassessment Proposal**

### Executive summary

Non-merging councils that were assessed as not being ‘Fit For the Future’ (FFTF) in 2015, on the basis of not meeting financial, asset management or efficiency benchmarks in the IPART assessment have a second opportunity to become FFTF. As a part of reassessment, Council is required to endorse the Revised Improvement Program.

### Disclosure of Interest

Nil.

### Detailed report

Mid-Western Regional Council is one of a small number of councils that qualify for FFTF reassessment. The reassessment process requires Councils to meet the same criteria as set out in the initial FFTF assessment process, however Councils will only need to resubmit those criteria that did not meet the required targets in the initial assessment. Council did not meet the following 3 financial indicators in the initial FFTF Improvement Plan:

1. Operating Performance Result

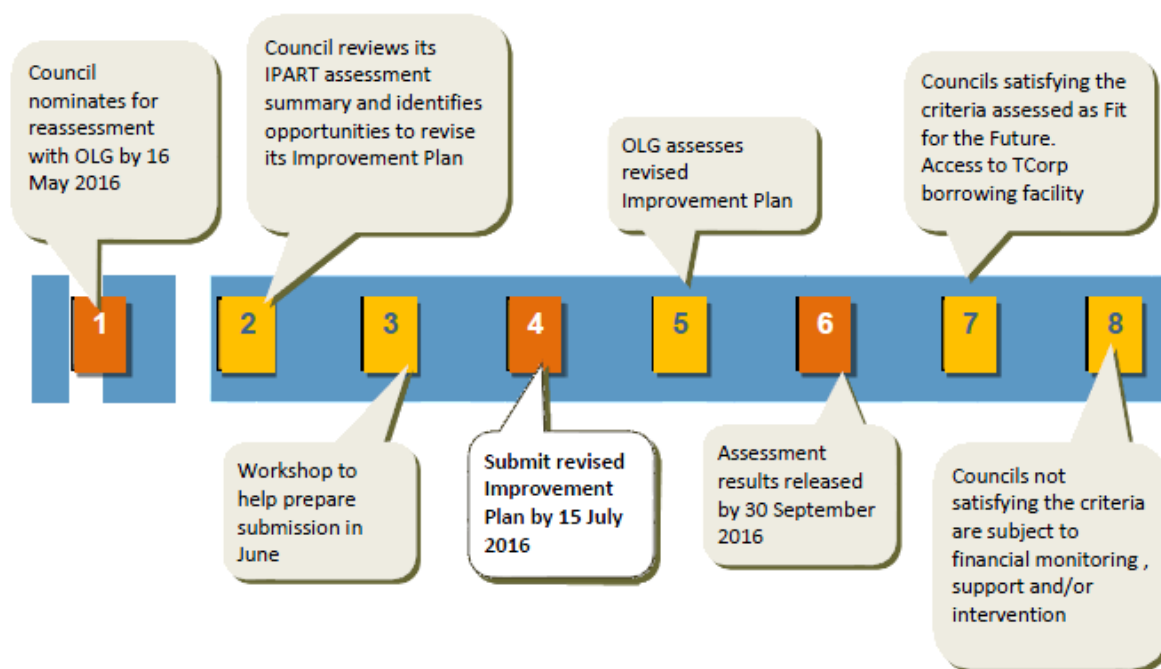
Sustainability		
Operating Performance Ratio	$\frac{\text{Total continuing operating revenue}^1 \text{ (exc. capital grants and contributions)} - \text{less operating expenses}}{\text{Total continuing operating revenue}^1 \text{ (exc. capital grants and contributions)}}$	Greater than or equal to break-even -average over 3 years

## 2. Infrastructure Backlog Result and 3. Asset Maintenance Ratio

Infrastructure and Service Management		
Infrastructure Backlog Ratio	$\frac{\text{Estimated cost to bring assets to a satisfactory condition}}{\text{Total (WDV) of infrastructure, buildings, other structures and depreciable land improvement assets}}$	Less than 2%
Asset Maintenance Ratio	$\frac{\text{Actual asset maintenance}}{\text{Required asset maintenance}}$	Greater than 100% -average over 3 years

The Office of Local Government (OLG) have currently advised the following timeline for reassessment:

## Timeframes and milestones



**\*\*** *The Improvement Plan submission date has since been extended to 29 July 2016 to allow Councils to obtain endorsement of the plan before submission.*

Council nominated for reassessment on 11 May 2016. Council officers are working on revising the Improvement Plan and completing the Reassessment Proposal using the following:

- revised asset data, including updated condition assessment and effective lives;
- revised methodology for calculation of Special Schedule 7 data; and
- revised revenue and operating expenditure assumptions over the short term (5 years).

## Community Plan implications

<b>Theme</b>	<b>Good Governance</b>
Goal	Strong civic leadership
Strategy	Provide accountable and transparent decision making for the community

## Financial implications

The financial implications of revising the Improvement Plan will affect the future Integrated Planning & Reporting documents, but is not anticipated to impact the 2016/17 Operational Plan, at this stage. The Long Term Financial Plan has allowed for the changes that the revised Improvement Plan recommend, as a part of its sensitivity analysis.

LEONIE JOHNSON  
CHIEF FINANCIAL OFFICER

6 July 2016

*Attachments:* 1. FFTF Reassessment Guidelines.  
2. FFTF Reassessment Proposal. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER



May 2016

*Fit for the Future*  
Financial criteria reassessment



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## Becoming Fit for the Future

Last year, councils participated in one of the most comprehensive reviews of local government performance ever undertaken in NSW. The Fit for the Future process was designed to transform the system of local government to ensure councils are ready to deliver better services and infrastructure to their communities. Many councils reported that the Fit for the Future process helped them to better understand their operations and informed improvement of their operational outlook.

Councils that did not meet the sustainability, service and infrastructure and efficiency benchmarks can now revise their improvement plans and resubmit them for assessment.

Those that are assessed as being Fit for the Future will be eligible to access the TCorp borrowing facility.

Your council is encouraged to take advantage of this important opportunity, if it is eligible for reassessment.

## Introduction

The NSW Government has been working with the local government sector for four years to ensure that councils are Fit for the Future and ready to deliver the services and infrastructure that communities need.

Under the Fit for the Future process, all NSW councils (except the eight councils in the Far West) were asked to put forward proposals that:

- assessed their scale and capacity against the recommendations of the Independent Local Government Review Panel and put forward options to address this, where necessary; and
- assessed performance against the Fit for the Future benchmarks, and put forward strategies and actions to improve against the Sustainability, Infrastructure and Services, and Efficiency criteria.

The Government appointed IPART to undertake an independent assessment of council proposals. IPART found that 27 councils were 'Not Fit' due to not meeting one or more of the financial criteria (nine of these also did not meet the scale and capacity criteria).

These guidelines outline the opportunity for councils that did not meet the financial criteria, and that are not subject to a merger proposal, to be reassessed.

Councils that did not meet the financial criteria and are subject to a merger proposal will be given an opportunity to be reassessed later this year if the merger does not go ahead.

The Government will reassess councils that are 'Not Fit' due to not meeting scale and capacity, and where no merger proposal has been put forward, once Joint Organisations are operating effectively.

Councils in the Far West will have the opportunity to participate in a financial sustainability review, and successful councils will have access to the TCorp borrowing facility.

Councils able to meet the financial benchmarks following reassessment will have access to the TCorp borrowing facility, providing access to cheaper loans to fund important local projects.

The Office of Local Government will also be calling on councils assessed as Fit to support their peers during the reassessment process, as well as in future sector development programs. Fit councils should begin implementing their Fit for the Future Improvement Plans and can now access the TCorp borrowing facility.

All councils will report annually against the Fit for the Future measures to ensure councils deliver the improvements they committed to in their Fit for the Future proposals.

## Is my council eligible for this reassessment?

The following councils are eligible for the current reassessment:

### Sydney metropolitan

Blacktown City Council

Campbelltown City Council

### Regional NSW

Bellingen Shire Council

Clarence Valley Council

Gwydir Shire Council

Hay Shire Council\*

Kempsey Shire Council

The City of Lithgow Council

Mid-Western Regional Council

Tenterfield Shire Council

Tweed Shire Council

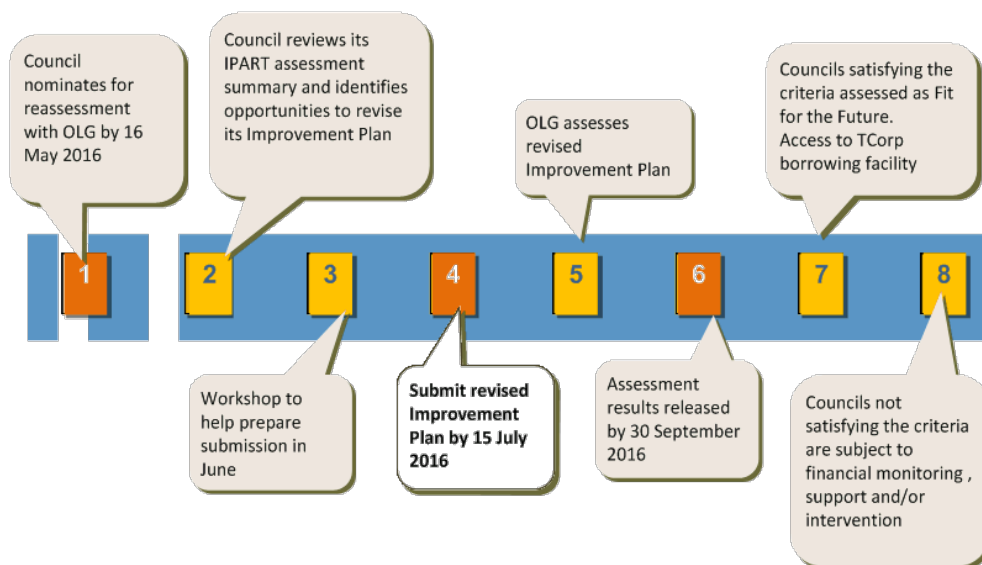
Warrumbungle Shire Council

Weddin Shire Council\*

Yass Valley Council

\*Submitted a Rural Council proposal but were assessed by IPART as 'Not Fit' in relation to key financial criteria.

## Timeframes and milestones



## What will be reassessed?

The reassessment process will use the same criteria and benchmarks as IPART's Fit for the Future assessment.

Councils can draw upon 2014-15 financial and asset management information for the reassessment and extend Improvement Action Plans to 2020-21.

The reassessment will focus on benchmarks not previously met, but councils need to show that changes do not adversely affect performance against other criteria and benchmarks.

The reassessment will focus on existing Improvement Action Plans, prepared using Template 2 (Council Improvement) or Template 3 (Rural Council) in the Fit for the Future assessment.

Councils that made a submission using Template 2 (Council Improvement) are not eligible for reassessment under Template 3.

The reassessment will consider specific issues raised by IPART in the summary assessment for each council but not issues of general dispute with the original assessment findings.

There is no requirement to prepare a new Template 2 submission. Provide only the materials listed on Page 7 of these guidelines.

To be successful, a council's revised Improvement Action Plan must satisfy the requirements outlined in the tables in the Appendix, as per the original IPART assessment.

## STEP 1: Nominating for reassessment

Councils seeking reassessment of their Improvement Proposal should complete the Request for Reassessment form, available on the Fit for the Future website (council log-in section) or from their OLG Relationship Manager.

Completed forms must be received no later than **Monday 16 May 2016**.

The form includes a section asking councils to summarise progress made so far on revising the Improvement Proposal. This will help to ensure councils receive the level of support needed at reassessment workshops in June 2016.

## STEP 2: Preparing your submission

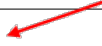
### Deciding where to start

The Assessment Summary provided by IPART identifies where councils did not achieve the benchmarks and provides comment to which councils should respond.

The following examples show how a council may approach the reassessment, based on Assessment Summary outcomes.

#### Example 1

##### IPART assessment summary - Council x



Scale and capacity	<b>Satisfies</b>
Financial criteria	<b>Does not satisfy overall</b>
<ul style="list-style-type: none"> <li>Sustainability</li> </ul>	Does not satisfy 
<ul style="list-style-type: none"> <li>Infrastructure and service management</li> </ul>	Satisfies
<ul style="list-style-type: none"> <li>Efficiency</li> </ul>	Satisfies

1. Explain how your council will address the issues raised by IPART for each of the Sustainability benchmarks not achieved.

2. Provide a new Improvement Action Plan to show your council can now satisfy the three Financial criteria as per the requirements in the Appendix

#### Example 2

##### IPART assessment summary - Council y

Scale and capacity	<b>Satisfies</b>
Financial criteria	<b>Does not satisfy overall</b>
<ul style="list-style-type: none"> <li>Sustainability</li> </ul>	Does not satisfy 
<ul style="list-style-type: none"> <li>Infrastructure and service management</li> </ul>	Does not satisfy 
<ul style="list-style-type: none"> <li>Efficiency</li> </ul>	Satisfies

1. Explain how your council will address the issues raised by IPART for the Sustainability and Infrastructure benchmarks not achieved.

2. Provide a new Improvement Plan to show your council can now satisfy the three Financial criteria, as per the requirements in the Appendix

## Participating in the workshops

To help councils prepare their submissions for reassessment, the OLG will provide optional peer review, information and support at workshops in June 2016. After OLG has received each council's reassessment request, OLG will contact General Managers to discuss needs and match each council to the most appropriate workshop.

Workshops will include general information on completing submissions, as well as the opportunity for peer review of revisions. Councils that performed well in the Fit for Future assessment will be asked to provide review support for their colleagues.

## STEP 3: Submitting your revised proposal

### What do you need to provide for reassessment?

Each reassessment submission should include:

- ✓ A copy of the Council Resolution endorsing the revised proposal.
- ✓ A copy of (or hyperlink to) council's original Fit for the Future submission to IPART.
- ✓ A statement (two pages maximum) for each criterion not achieved, explaining what actions council will take to address the issues raised by IPART.
- ✓ A revised Improvement Action Plan, demonstrating how council can now satisfy the three financial criteria.

To prepare the amended Improvement Action Plan, councils will need to review Sections 2.3 and 3 of Template 2 and rework Section 4 to show revised outcomes. Councils will also need to resubmit the Key Assumptions section in 3.1 of the template. If your council has revised any of these assumptions, you must explain the reasons for the changes. OLG will provide councils with a new version of the template for the reassessment.

Revised proposals and supporting documentation may be submitted to OLG via email at: [onestopshop@olg.nsw.gov.au](mailto:onestopshop@olg.nsw.gov.au) or via hard copy to:

FFTF Reassessment Submission

Locked Bag 3015,

NOWRA NSW 2541

Submissions will not be accepted after **15 July 2016**.

## **STEP 4: The reassessment process**

### **Who will carry out the reassessment?**

OLG will oversee the reassessment process in consultation with IPART and TCorp. OLG will provide a panel of suitably qualified finance and asset management professionals to undertake the review.

Councils can make a presentation to the reassessment panel, upon request. The panel may request additional information or clarification if required.

### **Assessment outcomes**

Where a council's revised proposal meets the requirements outlined in the Appendix, the council will be assessed as Fit for the Future and can access the TCorp borrowing facility, following notification of the results.

Councils unsuccessful in the reassessment process may be referred to OLG's Financial Sustainability Program for support and capacity building, or be placed on a performance monitoring program. Where the reassessment process identifies serious or systemic sustainability issues, financial intervention will be considered.

There will be no review of the reassessment results.

Eligible councils opting not to participate in the reassessment process will be automatically referred to OLG's performance monitoring program. Where there is consistent poor financial management, a Performance Improvement Order may be issued.

## More information

Information on the reassessment process is available on the Fit for the Future website:

<http://www.fitforthefuture.nsw.gov.au/content/fit-future-reassessment>

OLG will be opening an on-line forum in the council log-in section of the site for councils participating in the reassessment to share ideas and information. Updates regarding the reassessment process will be posted on the forum.

For enquiries about the process, please contact your council's OLG Relationship Manager.



## Appendix Criteria and benchmarks

As per the original Fit for the Future assessment, the following benchmarks will apply:

Measure	Definition	Benchmark
<b>Sustainability</b>		
Operating Performance Ratio	$\frac{\text{Total continuing operating revenue}^1 \text{ (exc. capital grants and contributions)} \text{ less operating expenses}}{\text{Total continuing operating revenue}^1 \text{ (exc. capital grants and contributions)}}$	Greater than or equal to break-even -average over 3 years
Own Source Revenue Ratio	$\frac{\text{Total continuing operating revenue}^1 \text{ less all grants and contributions}}{\text{Total continuing operating revenue}^1 \text{ inclusive of capital grants and contributions}}$	Greater than 60% - average over 3 years
Building and Asset Renewal Ratio	$\frac{\text{Asset renewals (building and infrastructure)}}{\text{Depreciation, amortisation and impairment (building and infrastructure)}}$	Greater than 100% - average over 3 years
<b>Infrastructure and Service Management</b>		
Infrastructure Backlog Ratio	$\frac{\text{Estimated cost to bring assets to a satisfactory condition}}{\text{Total (WDV) of infrastructure, buildings, other structures and depreciable land improvement assets}}$	Less than 2%
Asset Maintenance Ratio	$\frac{\text{Actual asset maintenance}}{\text{Required asset maintenance}}$	Greater than 100% -average over 3 years
Debt Service Ratio	$\frac{\text{Cost of debt service (interest expense \& principal repayments)}}{\text{Total continuing operating revenue}^1 \text{ (exc. capital grants and contributions)}}$	Greater than 0% and less than or equal to 20% - average over 3 years
<b>Efficiency</b>		
Real operating expenditure	$\frac{\text{Operating expenditure}^1}{\text{Population}}$	A decrease in Real Operating Expenditure per capita over time

**Measures are based on General Fund data and do not include Water and Sewer funds**

<sup>1</sup> Exclude: fair value adjustments, reversal of revaluation decrements, net gain/loss on sale of assets and net share/loss of interests in joint ventures.

## Addressing the criteria

Sustainability		
Performance measure	Benchmark	Requirements
Operating Performance Ratio	Greater than or equal to break-even average over 3 years	Councils in OLG Groups 1-7 must meet the benchmark within 5 years  Councils in Groups 8-11 must plan to meet the benchmark within 10 years
Own Source Revenue Ratio	Greater than 60% average over 3 years	Councils in Groups 1-7 must meet the benchmark within 5 years.  Councils in Groups 8-11 may include current FAGs contributions in their calculations. These councils must demonstrate improvement towards the benchmark within 5 years.
Building and Asset Renewal Ratio	Greater than 100% average over 3 years.	All councils must meet the benchmark, or show improvement towards achieving it within 5 years

### Smaller councils

As per the IPART assessment, councils in OLG Groups 8-11 (councils with an agricultural base and smaller populations) will be subject to a broader assessment methodology that reflects their particular circumstances. Councils in these groups must achieve the Operating Performance Ratio requirements within the timeframes specified and should aim to show improvement against the other benchmarks, as directed.

### Financial Assistance Grants

When including FAGs contributions in calculations for Own Source Revenue, smaller councils should base their estimates on current funding levels only. Although the NSW Government is currently considering other distribution models for FAGs, speculation on possible outcomes should not be included in your modelling.

Infrastructure and Service Management		
Performance measure	Benchmark	Requirements
Infrastructure backlog	Less than 2%	All councils should meet, or show improvement towards achieving the benchmark within 5 years.
Asset Maintenance	Greater than 100% average over 3 years	All councils must achieve, or show progress towards achieving the benchmark within 5 years.
Debt Service Ratio	Greater than 0% and less than or equal to 20% average over 3 years.	All councils must meet the benchmark within 5 years.

### Infrastructure issues

Councils facing particular infrastructure challenges, due to historic issues, growth and settlement patterns, or other issues, may provide additional explanatory material regarding their circumstances when addressing these benchmarks and responding to IPART’s assessment comments.

### Assessment methodology

As with the IPART assessment, the performance measures for infrastructure and debt will be assessed in a holistic manner, having regard to the council’s overall capital sustainability, as reflected in its Asset Management Plans, and considering each council’s particular circumstances.

### Data consistency

The reassessment process will also acknowledge and consider potential data inconsistency issues when interpreting a council’s reported asset renewal, backlog and maintenance performance. Councils may wish to provide details of how they are working to improve the quality and consistency of their asset data as part of their submission.

Efficiency		
Performance measure	Benchmark	Requirements
Real operating expenditure per capita	A decrease in Real Operating Expenditure per capita over time	Councils in Groups 1-7 should demonstrate savings over 5 years  For councils in Groups 8-11, savings over a longer timeframe may be considered with adequate explanation.

### Achieving efficiencies

OLG notes that the majority of councils in the reassessment group successfully achieved this benchmark in the IPART assessment. These councils should ensure that actions undertaken in response to improving performance against the other benchmarks do not adversely affect their efficiency outcomes.

Generally councils should aim to demonstrate that, within their particular circumstances, they are utilising economies of scale and managing services levels to achieve efficiencies.

## 9.7 Long Term Financial Plan 2017-2026

REPORT BY THE  
TO 20 JULY 2016 ORDINARY MEETING  
GOV400054, F000000

### RECOMMENDATION

#### That Council:

1. **receive the report by the Chief Financial Officer on the Long Term Financial Plan 2017-2026; and**
  2. **adopt the Long Term Financial Plan 2017-2026**
- 

### Executive summary

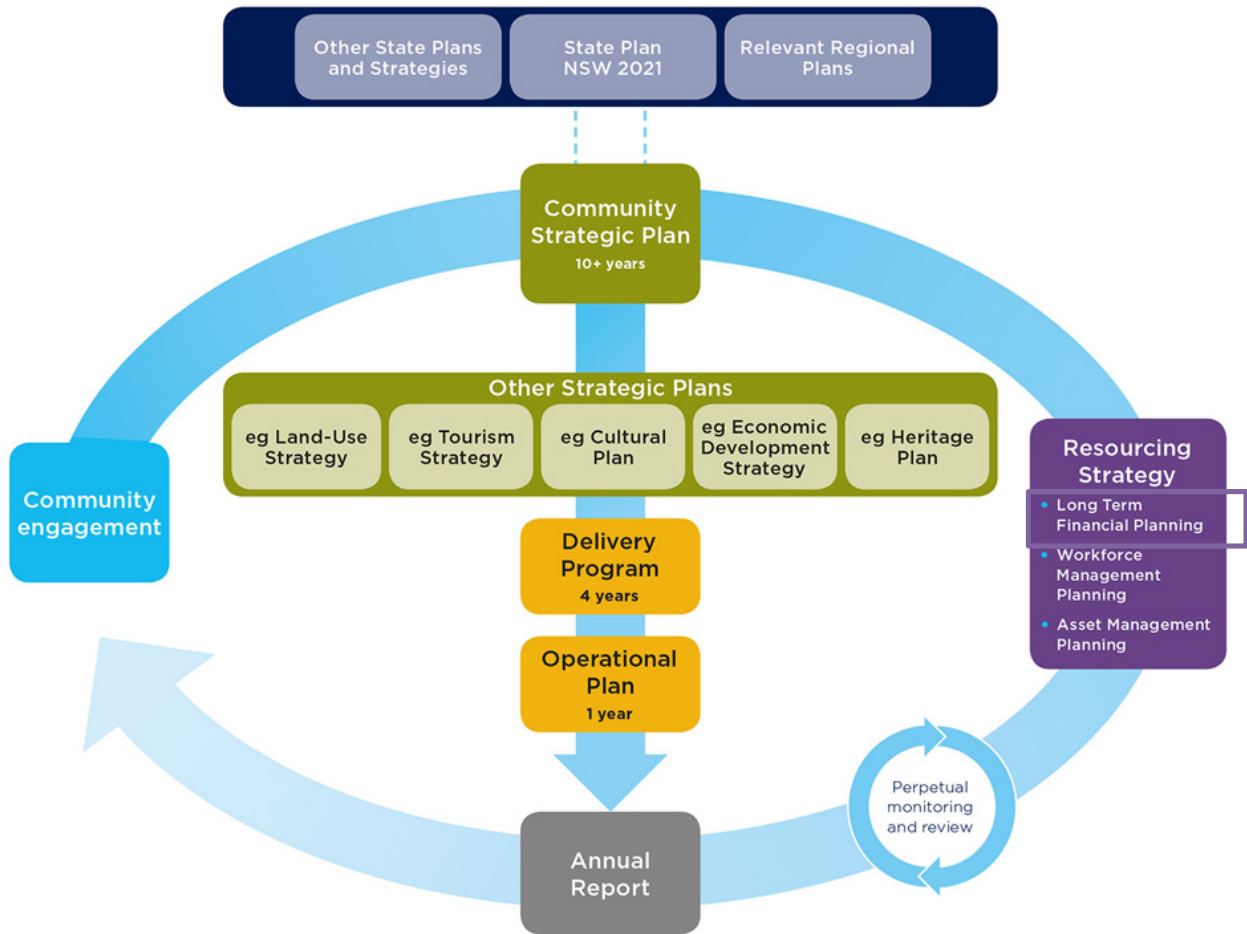
Following completion of the Operational Plan 2016/2017 and Amended Delivery Program 2013/14-2016/17, the Long Term Financial Plan has been updated and is presented to Council for adoption

### Disclosure of Interest

Nil.

### Detailed report

The Long Term Financial Plan is a requirement of the Integrated Planning and Reporting process, as a component of the Resourcing Strategy.



The Long-Term Financial Plan must project financial forecasts for the council for at least ten years, and be updated annually as part of the development of the Operational Plan. The Long-Term Financial Plan must be used by the council to inform its decision-making during the finalisation of the Community Strategic Plan and the development of the Delivery Program.

The Long-Term Financial Plan must be structured to include:

- projected income and expenditure, a balance sheet and cash flow statement
- planning assumptions that were used in the Plan’s development
- a sensitivity analysis which highlights the factors and assumptions most likely to impact on the Plan
- financial modelling for at least three different scenarios, for example the planned scenario, an optimistic scenario and a conservative scenario
- methods of monitoring financial performance.

### Community Plan implications

Theme	Good Governance
Goal	Strong civic leadership
Strategy	Provide clear strategic direction through the Community Plan, Delivery Program and Operational Plans

## Financial implications

The Operational Plan 2016/17 sets out Council's planned activities, major projects and strategic direction for 2016/17. The Long Term Financial Plan 2017-2026 identifies Council's planned financial path for the next ten years.

LEONIE JOHNSON  
CHIEF FINANCIAL OFFICER

6 July 2016

*Attachments:* 1. Long Term Financial Plan 2017-2026. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER

## 9.8 Community Grants Program Applications - Quarter 1

REPORT BY THE MANAGER, FINANCIAL PLANNING  
TO 20 JULY 2016 ORDINARY MEETING  
GOV400054, FIN300052

### RECOMMENDATION

#### That Council:

1. receive the report by the Manager, Financial Planning on the Community Grants Program Applications - Quarter 1 ;
2. Council provide financial assistance to the following applicants in accordance with the criteria and guidelines of the Community Grants Program Policy, subject to those requirements being met;
 

Mudgee High School	\$1,000
Ilford Public School	\$1,000
Mudgee Chamber of Commerce – Pink up Mudgee	\$5,000
Bungaba Progress Association	\$2,000
Mudgee Lions Club	\$2,500
Red Hill Environmental Education Centre	\$2,000
Rotary Clubs Mudgee	\$7,000
Rotary Club Mudgee Sunrise	\$2,000
3. Council not collect a facility hire bond from the following applicant for the event details in this report;
 

Rotary Clubs Mudgee – Mudgee Showground
4. Council not support the following requests for financial assistance, for the reasons provided in the report;
 

Concierge Enterprises

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### Executive summary

This report considers requests for financial assistance under Council's Community Grants Program Policy.

### Disclosure of Interest

Nil.



## Detailed report

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

### *Mudgee High School*



*Benefits and link to the community plan*



*Amount of resident participation*



*Consultation and collaboration with other local groups*



*Capacity to deliver the program or project*

Mudgee High School was opened in August 1916 and are celebrating their centenary with a range of activities on Friday 14th - Saturday 15th October this year.

This is a significant milestone, especially when it is realised that Mudgee High was one of the first 20 dedicated government secondary schools built in the state. The school has requested a contribution of \$2,000 towards planned activities which include open day at the school hosted by Troy Grant through to a Celebration Cocktail Dinner at Robert Oatley Vineyard.

**RECOMMENDATION \$1,000**

*Link to Community Plan: Strategy 1.4.1 Support programs which strengthen the relationships between the range of community groups.*

### *Iford Public School*



*Benefits and link to the community plan*



*Amount of resident participation*



*Consultation and collaboration with other local groups*



*Capacity to deliver the program or project*

In late 2013, the existing demountable building which housed the music program had to be removed from site – with the music program now being housed in a much smaller room which is not adequate to serve the program's needs.

It is the schools desire to line and refurbish the current sports store room and convert it into a much needed music facility. The Iford School have requested a donation towards the construction of the new music facility to the value of \$9,300.

**RECOMMENDATION \$1,000**

*Link to Community Plan: Strategy 1.4.2. Provide equitable access to a range of places and spaces for all in the Community*

**"Pink Up Mudgee" – Auspiced by Mudgee Chamber of Commerce**

*Benefits and link to the community plan*



*Amount of resident participation*



*Consultation and collaboration with other local groups*



*Capacity to deliver the program or project*

The Pink up Mudgee project intended benefits are National recognition of the town's sense of community through supporting Breast care awareness month. "Pink Up Mudgee" have requested a donation towards this event to the value of \$5,000 which will assist with costs associated with the intended "Pink Ball" to be held on 15 October 2016.

**RECOMMENDATION \$5,000**

*Link to Community Plan: Strategy 1.1.3. Support networks, program and facilities which promote health and wellbeing and encourage healthy lifestyles.*

*Strategy 3.1.1. Support the attraction and retention of a diverse range of businesses and industries*

**Bungaba Progress Association Incorporated**

*Benefits and link to the community plan*



*Amount of resident participation*



*Consultation and collaboration with other local groups*



*Capacity to deliver the program or project*

It is Bungaba Progress Association Inc.'s intention to be able to provide Neville Williams Hall for community hire, and to provide an adequate meeting place, not only for community events, but also for emergency services if/when the need arises.

Bungaba has requested a donation of \$8,000 towards the installation of electrical wiring to the hall and the purchase of a generator, inverter and six deep cycle batteries.

**RECOMMENDATION \$2,000**

*Link to Community Plan: Strategy 1.4.3. Provide equitable access to a range of places and spaces for all in the community*

### Concierge Enterprises



*Benefits and link to the community plan*



*Amount of resident participation*



*Consultation and collaboration with other local groups*



*Capacity to deliver the program or project*

Concierge Enterprises provide a program “Survivor Life Skills” to High Schools and Primary Schools in our local region. This program aims to educate students finance literacy skills, interview employment, career skills and life skills not covered in the school curriculum.

The requested amount of \$2,500 will be utilised to assist with printing and other administrative expenses incurred.

Concierge Enterprises is a for-profit Private Company and therefore does not meet the eligibility criteria included in the Community Grants Program Policy.

**NOT RECOMMENDED**

*Link to Community Plan: Strategy 3.3.2. Build strong linkages with institutions providing education, training and employment pathways in the region.*

### Mudgee Lions Club – Lions Twilight Market/Festival



*Benefits and link to the community plan*



*Amount of resident participation*



*Consultation and collaboration with other local groups*



*Capacity to deliver the program or project*

The Twilight Market/Festival was introduced by the Lions Club in 2014 to provide a fun event for the whole family, at very little cost.

Apart from the Lions Club, other not-for-profit organisations including (but not limited to) Mudgee 1<sup>st</sup> Scouts, Relay for Life, the Hospital Auxiliary and Riding for the disabled who also benefit from this event. The requested donation amount of \$2,500, will assist with hiring of equipment and other administrative expenses.

**RECOMMENDATION \$2,500**

*Link to Community Plan: Strategy 1.4.1 Support programs which strengthen the relationships between the range of community groups.*

**Red Hill Environmental Education Centre**

*Benefits and link to the community plan*



*Amount of resident participation*



*Consultation and collaboration with other local groups*



*Capacity to deliver the program or project*

In an effort to reduce the ever increasing water expenses incurred by the education centre – Red Hill have requested funding of \$5,000 towards the connection of a Raw Water service to the property in Gulgong. This will enable the centre to provide an educational resource at a far more accessible cost.

**RECOMMENDATION \$2,000**

*Link to Community Plan: Strategy 1.4.1 Support programs which strengthen the relationships between the range of community groups.*

**Rotary Club of Mudgee Inc. together with Rotary Club of Mudgee Sunrise Inc.**

*Benefits and link to the community plan*



*Amount of resident participation*



*Consultation and collaboration with other local groups*



*Capacity to deliver the program or project*

Mudgee Showground Christmas Carols is a joint project between both Rotary clubs of Mudgee. The event gives Mudgee families and others the opportunity to come together and celebrate Christmas carols in an alcohol-free family environment. The request for a donation of \$7,000 will help the Rotary groups fund hire of equipment including stage, sound and screen equipment.

**RECOMMENDATION \$7,000**

*Link to Community Plan: Strategy 1.4.1 Support programs which strengthen the relationships between the range of community groups.*

*Rotary Club of Mudgee Sunrise Inc.*



*Benefits and link to the community plan*



*Amount of resident participation*



*Consultation and collaboration with other local groups*



*Capacity to deliver the program or project*

Rotary Club will be hosting the annual Mudgee Clock Awards on the 19 August 2016, the object of this event is to provide Mudgee businesses recognition for their contributions to the wider Mid-Western Region. The sponsorship request of \$3,000 will help Rotary with the continued support of this event each year.

**RECOMMENDATION \$2,000**

*Link to Community Plan: Strategy 3.1.1 Support the attraction and retention of a diverse range of businesses and industries*

### Community Plan implications

<b>Theme</b>	<b>Good Governance</b>
Goal	An effective and efficient organisation
Strategy	Prudently manage risks association with all Council activities

## Financial implications

Funding of \$148,525 is provided in the Operational Plan for Financial Assistance. \$18,160 has already been allocated for ongoing commitments, leaving a balance of \$130,365.

Should Council approve the recommendations in this report, a balance of \$107,865 will remain.

Funding of \$36,639.80 was set aside in the 2015/16 Financial Assistance budget towards the reduction of Developer Contributions for Child Care Specialists Australia. As contributions have not yet been paid, a recommendation to revote the \$36,640 unspent from 2015/16 will be presented in the June Quarterly Budget Review. Should this revote not be successful this donation would need to be provided from the 2016/17 Community Grants Program budget.

NEIL BUNGATE  
MANAGER, FINANCIAL PLANNING

LEONIE JOHNSON  
CHIEF FINANCIAL OFFICER

7 July 2016

- Attachments:*
1. Bungaba Progress Association. (separately attached)
  2. Concierge Enterprises. (separately attached)
  3. Ilford Public School. (separately attached)
  4. Mudgee High School. (separately attached)
  5. Mudgee Lions Club. (separately attached)
  6. Red Hill Environmental Education Centre. (separately attached)
  7. Rotary Club of Mudgee Sunrise. (separately attached)
  8. Rotary Club of Mudgee Sunrise & Rotary Club of Mudgee. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER

## Item 10: Operations

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### 10.1 Used Motor Oil Collection Tender

REPORT BY THE DIRECTOR, OPERATIONS  
TO 20 JULY 2016 ORDINARY MEETING  
GOV400054, F0570008

#### RECOMMENDATION

##### That Council:

1. **receive the report by the Director, Operations on the Used Motor Oil Collection Tender;**
  2. **accept the tender submitted by Cleanaway dated 13 May 2016 for the initial two (2) year term; and**
  3. **authorise the General Manager to finalise and execute the contract with Cleanaway for the collection of used motor oil.**
- 

#### Executive summary

A regional tender was coordinated by NetWaste in May 2016, with Orange City Council administering the tender process for the collection and disposal of used motor oil on behalf of twenty four (24) NetWaste Councils. Full details regarding the evaluation scoring are included in the confidential attachment to this report.

This report recommends Council enter into a contract with Cleanaway for the provision of the tendered services. Council will not have to pay for the service. While the procurement for these services was undertaken regionally each Council will enter into an individual but identical contract to the other participating Councils.

#### Disclosure of Interest

There are no disclosures of interest associated with this report.

#### Detailed report

A regional tender was coordinated by NetWaste in May 2016, with Orange City Council administering the tender process for the collection and disposal of used motor oil on behalf of twenty four (24) NetWaste Councils.

The services required from the successful tenderer on behalf of the participating Councils included:

- The collection, transportation and appropriate reuse/disposal of used motor oil from collection facilities within the NetWaste region, and;

- Providing reports to NetWaste and the respective Councils as required outlining the volume of used oil collected from each Participating Council.
- Responding to and actioning Service Requests from the participating Councils for collection of used motor oil within the required timeframes

The term of the Contract is two (2) years, with the option of 12 months extension under the existing terms upon agreement by the Contractor and the Councils, which can happen on two (2) successive occasions.

The open tender process began on the 19 April 2016 and closed at 2pm 17 May 2016. The process was conducted utilising Tenderlink with only electronic submissions received. Two advertisements were run on the 19 April 2016, one in the Central Western Daily and the other in the Sydney Morning Herald.

The tenders were opened on Tuesday 17 May 2016 at Orange City Council with three (3) submissions received.

The three (3) submissions received were:

1. Cleanaway
2. Renewable Oil Services
3. Sam's Liquid Waste and Hire

### **EVALUATION PROCESS**

An Evaluation Panel was established for the purpose of this selective tender consisting of representatives from Councils involved in the tender process; Antony Cullen-Ward (Bathurst Regional Council), Leon Ross (Forbes Shire Council), Wayne Davis (Orange City Council) and Samuel Swain (Netwaste).

The Evaluation Panel discussed the three submissions from Cleanaway, Renewable Oil Services and Sam's Liquid Waste and Hire via teleconference on Tuesday 24 May 2016. The preferred tenderer was Cleanaway. Full details regarding the evaluation scoring are included in the confidential attachment to this report.

Cleanaway currently has the contract with NetWaste for the collection of used motor oil. In their tender submission they were able to present a high level of documentation, demonstrating their capacity as an organisation to deliver the service to all of the NetWaste region, including an independently audited Environmental Management System that meets international standards.

The current contract with Cleanaway will end on the 12 of September 2016. To ensure that there is minimal gap between the two contracts it is suggested that Councils should confirm their acceptance of the preferred tenderer, in writing to NetWaste no later than 31 August 2016. Upon a tender being awarded, each Council shall enter into a separate identical Contract with the Contractor.

This report recommends the acceptance of the tender submitted by Cleanaway for the initial two year term.

### Community Plan implications

<b>Theme</b>	<b>Protecting Our Natural Environment</b>
Goal	Live in a clean and environmentally sustainable way
Strategy	Work regionally and collaboratively to implement strategies that will enhance environmental outcomes in regards to waste management and minimisation



## Financial implications

Council will not incur any financial implications by accepting this tender.

DARYL COLWELL  
DIRECTOR, OPERATIONS

21 June 2016

*Attachments:* 1. Netwaste Report on the Used Motor Oil Collection Tender. (Confidential)

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER

## Item 11: Community

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### 11.1 Business Use of the Footpath Policy

REPORT BY THE DIRECTOR, COMMUNITY  
TO 20 JULY 2016 ORDINARY MEETING  
GOV400054, AO100021

#### RECOMMENDATION

**That Council:**

- 1. receive the report by the Director, Community on the Business Use of the Footpath Policy; and**
  - 2. endorse the Business Use of the Footpath Policy as exhibited.**
- 

#### Executive summary

The Business Use of Footpath Policy has been subject to considerable debate and discussion in the community over the past 12 months. At the Council meeting of 18 May 2016, the following resolution (127/16) was supported:

*That Council:*

- 1. receive the report by the Director, Community on the Business Use of the Footpath Policy;*
- 2. place the draft amended policy on public exhibition for 21 days to seek any additional public comment; and*
- 3. endorse the Business Use of the Footpath policy, if no further submissions are received through the public exhibition process.*

Three submissions were received, with no submissions against the Policy. It is recommended that the Policy as exhibited now be endorsed.

#### Disclosure of Interest

Nil.

#### Detailed report

Council received two submissions supporting the Policy, one from Brent Rowlands and one from Mudgee Region Tourism Inc. (both attached).

A submission from the Rylstone Kandos Business & Tourism (also attached) requests Council to

allow a change to the general condition that requires a 1.8 meter pedestrian clear zone from the shop front being changed in some cases in Rylstone and Kandos so that the pedestrian clearway would be on the road side of the footpath allowing for chairs/tables/A frames or goods for sale occupying space at the shop front.

It is believed that consideration for exceptional circumstances has already been covered in the Policy. Under section 5.3 titled "*Footpath area that can and cannot be used*" provides for the consideration of changes to the clear view line of pedestrian, the policy states as follow;

*"To ensure access and equity there will generally be a minimum width retained for pedestrian circulation of at least 1.8 meters immediately adjacent to the property boundaries (generally the building line), for the clear passage of footpath users. Council may, on the merit of a particular situation and application, consider variation to this standard where the applicant can show that the proposal is consistent with the surrounding environment, adequate pedestrian circulation and parking safety is maintained or that agreement has been obtained from the relevant Access Committee."*

The revised policy applies to all footpath areas in the LGA not focusing on CBD areas, Council should consider the policy in this context in relation to the Development Control Plan.

## Community Plan implications

<b>Theme</b>	<b>Looking After Our Community</b>
Goal	Vibrant towns and villages
Strategy	Maintain and promote the aesthetic appeal of the towns and villages within the Region

## Financial implications

Not applicable.

SIMON JONES  
DIRECTOR, COMMUNITY

24 June 2016

*Attachments:*

1. Draft Business use of Footpath Policy.
2. Submission-Business use of Footpath-Eltons.
3. Submission-Business use of Footpath-Rylstone Kandos Business & Tourism.
4. Submission-Business use of Footpath-Brent Rowlands.

### APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER



## Business Use of the Footpath

to prosper  
and progress  
community

### ADOPTED

MEETING MIN NO C?M11.4-18/05/2016

DATE: 18 MAY, 2016

### REFERENCE

REVIEW DATE: MAY 2020

FILE NUMBER: A0100021

## 1. Purpose

The purpose of this policy is to facilitate businesses, community groups and entertainers use of the footpaths for either commercial or community activities.

This policy aims to enhance and promote a vibrant and welcoming atmosphere in the Mid-Western Regional Council local government area (MWRC LGA).

The policy will ensure a pleasant and safe environment for shoppers and patrons, without compromising the safety or amenity of the public domain for pedestrians using the public footpath and adjoining public spaces and for motorists parking or alighting from their vehicles.

The policy will allow the approval of business use of footpath areas within the MWRC LGA adjacent to businesses where there is adequate road reserve/footpath width for safe pedestrian and traffic circulation.

The permits available are:

- Advertising signs
- Display of goods for sale
- Dining
- Dining/Liquor licensed area

TEMPORARY USE PERMITS include,

- Displays and promotions
- Community groups fundraising
- Busking

Business should not utilize a footpath use without a permit from the Council.

Community groups or the general public wanting to utilize a footpath for promotions, fundraising or entertainment activities should speak with the council before undertaking such activities.

## 2. Objective

The objectives of this policy are as follows:

### 2.1 Access and Equity

- To ensure safety and convenient passage of all pedestrians on public footpaths;
- To ensure the maintenance of clear view lines for both pedestrians near pedestrian crossings, street corners and key intersections;
- To ensure adjoining premises are not adversely affected by any business use of footpath areas.

### 2.2 Council and community Protection

- To protect Council, the community and the public interest from potential insurance and liability claims, while permitting effective use of public footpaths for business purposes;
- To effectively address risk management and insurance liability issues for Council;
- To ensure that business use of public footpaths will not cost the public purse; and
- To ensure that the amenity of the general public will not be compromised by the provision of business use to footpath areas.

### 2.3 Economic

- To enhance the economic viability of our local businesses by offering permits to use public footpaths for business purposes;
- To ensure trading and enhance our neighborhood centers by providing a more vibrant and colourful atmosphere for shoppers.
- To provide for an active and integrated street front; and
- To maintain visibility and exposure of shopfronts.

## 3. Legislative requirements

The Roads Act 1993 and the Local Government Act 1993 generally require that a person shall not carry out any activity on a public road or place without approval of Council.

Sections 125, 126 and 127 and in some cases Sections 137A-139F of the roads Act 1993 allow Council to approve the use of a footpath as long as using the footpath for that purpose is not taken to constitute a public nuisance and does not give rise to an offence against the Roads Act or any other relevant legislation.

Section 68 of the Local Government Act 1993 allows Council to approve the planning of articles on or to overhang the footpath.

Sections 137A-139F of the Roads Act 1993, address legislative requirements for Street Vending activities.

NSW Liquor Act 2007 and Liquor Regulation 2008 apply for the purpose of the service of alcohol.

## 4 Areas to which this Policy applies

The policy applies to all footpath areas in the Mid-Western Regional Council areas.

## 5 Applying to use the Footpath

Applications must be made on the Business Use of the Footpath Application form which is available on Council's website or is available at Council's offices. Applications must be accompanied by a diagram showing how the footpath is proposed to be used with particular reference to the area of the proposed use and other supporting documentation as required by the Business Use of Footpaths Policy.

## 6 Footpath area that can and cannot be used

Business, community groups and entertainers use of footpath areas is permitted, with the approval of Council, generally on footpaths immediately adjacent to a shop front and in locations that do not cause an impediment to other footpath users.

The use of footpath areas maybe either prohibited or restricted, in locations where they obstruct the clear view line of pedestrians or motorists. Clear view lines allow pedestrians to view on-coming traffic and motorists to observe pedestrians movements.

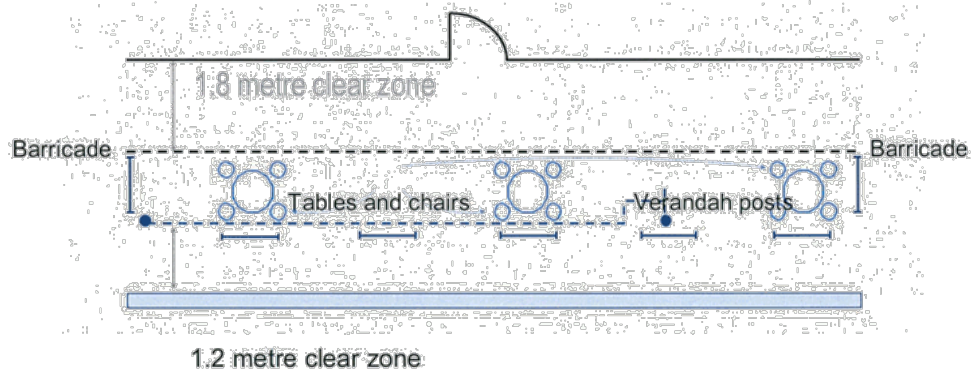
To ensure access and equity there will generally be minimum width retained for pedestrian circulation of at least 1.8 meters immediately adjacent to the property boundaries (generally the building line), for the clear passage of footpath users. Council may, on the merit of a particular situation and application, consider variation to this standard where the applicant can show that the proposal is consistent with the surrounding environment, adequate pedestrian circulation and parking safely is maintained or that agreement has been obtained from the relevant Access Committee.

Any use of footpaths will be conditional upon the safety of potential users. Where deemed necessary, a 1.2 meter setback from the kerb edge may be required to ensure the safety of pedestrians and patrons from contact with moving motor vehicles.

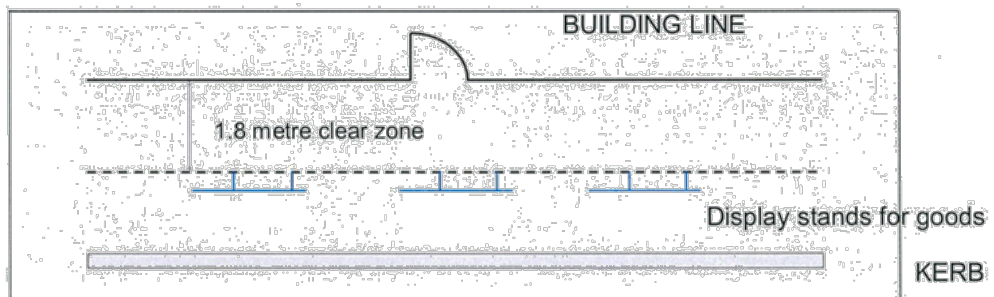
These setback conditions (3 meters) may result in there being only small areas of footpath available for use. Applications should make this assessment before applying and paying any fees and charges.

Some examples of how footpaths may be used by businesses are set out diagrammatically below:

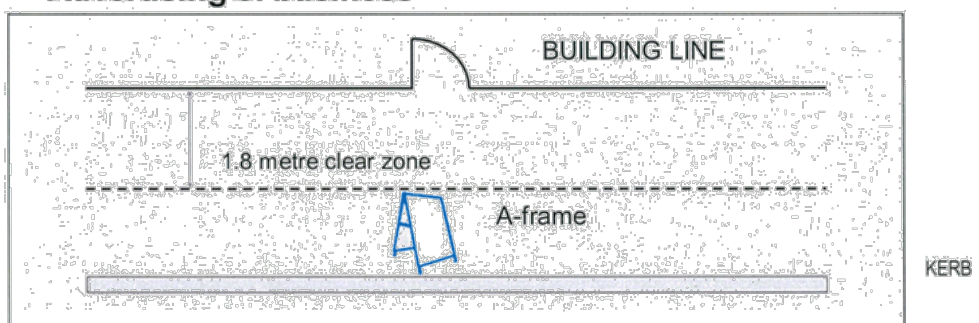
### Footpath Dining



### Display of goods for sale



### Advertising of business



## 7 Public liability Insurance

Permission for the use of the footpath will only be valid where adequate insurance cover is provided by the applicant. To ensure Council and community protection from claims that may arise as a result of use of the footpath area the permit holder must:

- Take out a public liability insurance policy for the sum of not less than \$10,000,000 which is to be in force at all times during the term of the approval. In some cases there is more extensive outdoor dining or use of the footpath, Council may require a public liability insurance policy of not less than \$20,000,000.
- Extend the policy to indemnify Mid-Western Regional Council against any public liability claims arising from trading activities on the footpath.
- Provide proof of this current policy to council with the application for approval or when requested to do so (This can be by way of a Certificate of Currency).
- Maintain this insurance policy during the term of the approval and provide updated Certificates of Currency each time the approval is renewed.

## 8 The Permit

Council will issue a Permit to those who receive approval to use the footpath for business purposes. The issue of permits to use the footpath for business purposes will be at the sole discretion of the General Manager. This Permit must be prominently displayed in the front window of the business of which the Permit refers.

## 9 General Conditions

All business / persons being issued with a permit shall be required to comply with the following general conditions:

### 9.1 Term

- Approvals shall be for a maximum period of 5 years.

### 9.2 Fees

- Council reserves the right to charge a fee for the administration process of determining, approving and issuing permits.

### 9.3 Hours of operation

- The hours of operation for any approved area must be the same as or less than the approved hours of operation of the associated business unless specified in the permit. The hours of operation for the approved area may be limited if it is considered that the amenity of the surrounding area or the safety of pedestrians or footpath diners may be adversely affected. Businesses seeking approval for the service of alcohol with meals will have hours of alcohol service defined, refer section 10.4 below.



#### 9.4 Maintenance of approved area

- The approved area and areas between the shop premises shall be kept clean at all times and any spills or other material likely to cause injury or accident shall be removed immediately by the applicant/operator.

#### 9.5 Smoking

- Smoking is not permitted in any area used for dining or any other area as provided under the Smoke-free environment act 2000.

#### 9.6 Business or financial Transactions

- No business or financial transactions shall be carried out on the approved area. Such activities shall be carried out wholly within the confines of the premises. This does not include the giving and taking of bills, and associated tips and charges.

#### 9.7 Lighting

- Any proposed lighting must be included in the application for approval by Council and be in accordance with the relevant Australian Standards.

#### 9.8 Noise

- Amplified music is not permitted.

#### 9.9 Safety

- The approved area shall not in any form reduce the safe egress of people from the business premises.

#### 9.10 Access

- The applicant should provide access in accordance with AS1428 for people with disabilities.
- No business use of the footpath will be permitted where the use would create access problems for people with disabilities.
- In heritage areas with narrower footpaths, consideration will still be given to applications which take account of the needs of all persons who require clear lines of access past footpath obstacles.

#### 9.11 Public Assets

- The removal/relocation of any Council assets, such as rubbish bins and existing street furniture, shall be subject to Council approval and will be at the applicant's cost.

## POLICY: BUSINESS USE OF THE FOOTPATH | 18 MAY 2016

- The removal/relocation of any public utilities/infrastructure shall not be permitted unless justification on public benefit can be made to Council and approvals have been obtained from the relevant authorities. Works will be carried out at the applicant's cost.

### 9.12 Breaches of Conditions

- If a business permitted to use the footpath in accordance with the Policies conditions breach any of the conditions that apply to their permit will in the first instance be warned. The warning of the breach will be placed in writing.
- Businesses that have been warned of a breach and are found to have again breached will have the permit withdrawn. Notice of withdrawal of the permit will be in writing.
- Businesses who have the service of alcohol condition 10.4 contained in their permit and have been found to have breached condition 10.4 will have the notice of permit being withdrawn notified to the Liquor-Licensing Authority.

### 9.13 Permit transferability

- The Permit cannot be transferred from one user to another. Should a business be sold, the new business operator must make a new application to Council for permission to use the footpath.

### 9.14 Termination of a permit

- A Permit can be terminated at any time by either party with one week's notice.

The Council may enter the approved area and terminate the approval, without notice if:

- The operator breaches the approval and does not remedy the breach within 14 days of receipt of written notice from the Council;
- In the Council's opinion, the road safety or pedestrian circumstances in regard to the approved area substantially change; or
- Council's approval granted pursuant to section 68 of the Local Government Act 1993 and section 125 of the Roads Act 1993 is either revoked by Council, or lapses.

### 9.15 Enforcement and Compliance.

Enforcement can be taken under the Roads (General) Regulation 2000 in relation to the placement of obstructions on the footpath, or Section 125(1) and 121B of the environmental Planning and Assessment Act 1979. Failure to comply with the conduct of business set out herein or with the enforcement order may result in receiving a fine or cancellation of the Permit. These offences incur set penalties set by State legislation.

## 10. Specific Conditions

### 10.1 Advertising Signs

The following controls apply to all signage/advertising to be displayed on the approved area:

- Large portable advertising signs or fixed structures will be referred to Councils Planning department for determination of the need for a Development Application to be lodged with the Council.
- Signage/advertising can be permitted on A-frames, barriers and umbrellas. (Umbrellas must be of non-reflective material, signage on each umbrella must be consistent with all other umbrellas on the approved area).
- No other signage will be permitted on any other structure on the footpath/nature strip.

### 10.2 Display of goods for sale

- Display stands must be stable or firmly secured. Display stands should be a minimum height of 1,000mm and a maximum height of 1,200mm and width of 750mm. All display stands should be of high quality design.
- No part of the footpath is to be used for storage.

### 10.3 Dining

- Barricades are optional. If installed, barricades must not contain parts that are likely to cause damage to the pavement, or sharp edges, hinges and other moving parts that may present a hazard to patrons or pedestrians
- Any proposed transparent solid barrier (such as Perspex) should comply with AS 1428.1 Access and Mobility, and should be clearly marked for the full width with a highly visible contrasting line.
- Outdoor dining areas must be easily accessible from the public footway and should as far as possible present an open and inviting image to entice participation. Planter boxes may be used in appropriate circumstances to physically define the side boundaries or perimeters of an outdoor dining area.
- Planter boxes may be considered in open areas, where there is sufficient room and pedestrian movement is not impeded. The planter boxes must be well-maintained by the applicant. Council reserves the right to order the removal of planter boxes that are not properly maintained including the consistent provision of approved high-quality flowers or vegetation. Permanent planter boxes will only be considered on footpath areas where the footpath has been widened for specific business use.
- Approved planters shall be terra cotta, concrete or reconstituted stone in natural, sandstone or terra cotta colour, or powder coated, brushed stainless steel or timber.
- Outdoor furniture should be strong, durable, waterproof and weather resistant designed for commercial outdoor use. Tables and chairs should fold or stack for storage.
- Outdoor furniture may be powder coated or polished aluminium, brushed or stainless steel, natural or painted timber, or canvass. Under no circumstances shall outdoor furniture consist

## POLICY: BUSINESS USE OF THE FOOTPATH | 18 MAY, 2016

of "cheap" bulk manufactured plastic chairs. Surfaces such as table tops should be non-reflective. All outdoor furniture will be subject to the approval of Council.

- Outdoor furniture is not to be placed outside the approved area under any circumstances.
- Each business should adopt a single colour and style for tables and chairs in its particular area to provide consistency and identity.
- All outdoor furniture must be temporary and must be able to be removed in extreme weather conditions.
- Umbrella's must be securely mounted at all times and in the advent of high winds must be managed so that they do not cause harm to patrons and pedestrians.
- Where the use of a heating device is proposed, details of the type, location and design must be included in the application. Heating devices must be designed in a manner which minimises risk and as such shall turn off automatically if overturned to prevent injury to patrons and property. Heating devices must be removed when not in use and suitably screened from public view. All outdoor heaters must comply with the relevant Australian Standards.
- Food and drink must be served on non-disposable crockery and cutlery. Food and drink must not be prepared in the area approved for outdoor eating.
- Paper, foam or plastic plates, cups and cutlery shall not be used for footpath outdoor dining areas.
- Appropriate footpath service shall be provided which includes as a minimum the removal of any dirty plates, cups, cutlery, footpath staining, and rubbish on a regular basis during each operating day.

#### 10.4 Dining / Liquor Licencing area

- All applications for a dining / liquor licenced area permit will be referred to NSW Police Mudgee Local Area Command. Local Police can make representations to the Office of Liquor Gaming & Racing as part of the consideration of the liquor license boundary extension application and; comment directly to the Council on the proposed local permit being issued.
- Council will issue to applicants a letter outlining the local conditions of the permit, this letter will be used by businesses when applying to the Office of Liquor Gaming & Racing to extend their liquor licence boundary to include the designated area of footpath.
- Barricades 1 metre in height clearly defining the boundaries of the licenced area will be approved in consultation with the council. The barricades must be linked together and constructed so that they cannot be easily moved by patrons and can tolerate wind events.
- The maximum capacity of patrons to be seated at tables in the permitted footpath dining area will be limited by the available square meters of footpath divided by 3 multiplied by 4 which equates to the maximum number of patrons at one time in the designated area.
- Seated table service of alcohol with meals by authorised staff of the licenced premises only will be permitted.
- Service of alcohol with meals is restricted to be undertaken between the hours 12 noon and 10 pm, and;
  - no more than one alcoholic drink may be supplied to any one person at any one time and;
  - the following drinks must not be sold or supplied;
    - any drink (commonly referred to as a 'shot') that contains more than 30 ml of spirits or liqueur and that is designated to be consumed rapidly and;
    - any drink containing more than 50% spirits or liqueur and;
    - any ready to drink (RTD) beverage with an alcohol by volume content more than 5% and;

POLICY: BUSINESS USE OF THE FOOTPATH |

18 MAY, 2016

- any drink prepared on the premises that contains more than one 30ml nil nip of spirits or liqueur

*IN THIS CONDITION, READY TO DRINK (RTD) BEVERAGE MEANS AN ALCOHOLIC MIXED BEVERAGE THAT IS PREPARED BY THE MANUFACTURER.*

- Wine and beer sold by the glass cannot exceed the following individual serve quantities; wine not exceeding 150 ml and beer not exceeding 425mls
  - Liquor must only be sold or supplied in vessels opened by authorised staff of the licenced premises
  - No liquor may be taken out of the footpath defined licenced area
  - In the case of BYO the proprietor shall serve and store the alcohol provided by patrons within the premises (not the footpath area) as single drinks as above.
- Signposting of the licenced area will be displayed on the outside panels of the barricades to inform the public of the licenced area.
  - Signposting of the Alcohol Free Zone will be displayed on the inside of the barricades informing patrons that as they leave the licenced area they are entering an alcohol free zone.
  - Outdoor furniture should be strong, durable, waterproof and weather resistant designed for commercial outdoor use. Tables and chairs should fold or stack for storage.
  - Outdoor furniture may be powder coated or polished aluminum, brushed or stainless steel, natural or painted timber, or canvass. Under no circumstances shall outdoor furniture consist of "cheap" bulk manufactured plastic chairs. Surfaces such as table tops should be non-reflective. All outdoor furniture will be subject to the approval of Council.

### 10.5 Temporary Use Permits

- Temporary use permits are required by businesses, community organisations and individuals wanting to access the footpath/nature strip for once off / occasional activities including advertising, promotions, fundraising, and entertainment and busking. Applications must contain the following:
  - A description of the activity to be conducted e.g. fashion parade, sale of raffle tickets, busking, promotion, advertising, choir etc.
  - The date and times of the activity including setup and takedown e.g. 10.30 am to 12.30 pm.
  - A description of furniture and fittings to be placed on the footpath / nature strip
  - A letter/email of consent from the business that is supporting the activity to be conducted on the footpath in front of their shop
  - A certificate of currency (refer to item 7 above)
- Temporary use permits issued by council will be dated, signed by the authorizing officer and state the permitted activity. Permits must be made available upon request.

Monday 23<sup>rd</sup> May 2016

Mr Brad Cam  
General Manager  
Mid-Western Regional Council  
86 Market Street  
Mudgee NSW 2850



Dear Brad,

**LETTER OF SUPPORT  
DRAFT BUSINESS USE OF THE FOOTPATH POLICY – FILE NUMBER A0100021**

We refer to the above amended policy and, in particular sections 6 and 10.4 which, as we understand, have been modified to allow on street dining with alcohol, with certain restrictions.

Whilst it has taken some time to get to this policy Mudgee Region Tourism Inc. (MRTI) applauds the council, staff and the police for progressing this policy to its current position. MRTI believes this policy will assist in improving our position in the tourism market and will also be of benefit to local industry and businesses.

MRTI is very happy to add its support to the recommendations contained in this policy.

Yours sincerely

Leianne Murphy on behalf of MRTI Board  
Acting CEO  
Mudgee Region Tourism

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RKB&T



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Email:- [rkbsec@gmail.com](mailto:rkbsec@gmail.com)

**Brad Cam**  
**General Manager**  
**Mid-Western Regional Council**  
**PO Box 156**  
**MUDGEES NSW 2850**

10<sup>th</sup> June 2016

**Re: MWRC 'Business Use of Footpath' Policy**

Dear Brad,

Further to my letter to you of 13<sup>th</sup> April 2015 regarding this policy, our group resolved that I should review the current draft policy and write to Council should there be any concerns.

**One issue that I raised last year and again raise** relates to the diagrams showing how footpaths should be used for dining and displaying of goods. Having tables, chairs, barricades, and display stands immediately adjacent to the kerb is not suitable for the town of Rylstone and much of Kandos where vehicular parking is parallel to the kerb. I note that 1200mm clearance is required from the face of the kerb to allow the safe loading and unloading of goods and young children to the passenger side of vehicles.

However given that some footpaths are barely wider than 3 metres in total it is suggested that where this is the case and parallel parking occurs, and all of the footpath verge is sealed, the 1.8 metre pedestrian clear zone should be from the face of the kerb rather than the building line thus allowing tables and chairs and display stands to be located against the building line.

There may need to be further flexibility where not all of the verge is sealed and/or where shrubs are planted.

**Yours in local business & tourism,**

A handwritten signature in black ink that reads "Monaghan".

**Peter Monaghan** – Secretary of RKB&T

*Re: attached Policy  
highlights  
concerns  
TD  
17/6/16*

Begin forwarded message:

**From:** Brent Rowlands <[brent@eltons.com.au](mailto:brent@eltons.com.au)>

**Subject:** Att: Brad Cam

**Date:** 3 June 2016 at 8:59:42 AM AEST

**To:** [council@midwestern.nsw.gov.au](mailto:council@midwestern.nsw.gov.au)

Hi Brad,

Please find attached a letter of support for the changes being proposed to the business use of footpath policy.

I wish to thank you and all the staff/councillors involved in getting this policy to this point. We are very hopeful that it will be accepted within the community.

Kind Regards

Brent Rowlands

P: 0487 314 582

E: [brent@eltons.com.au](mailto:brent@eltons.com.au)

M: 81 Market Street, Mudgee N.S.W. 2850



## 11.2 Insurance Renewal 2016/17

REPORT BY THE GOVERNANCE COORDINATOR  
TO 20 JULY 2016 ORDINARY MEETING  
GOV400054, RIS900242

### RECOMMENDATION

**That Council receive and note the report by the Governance Coordinator on the Insurance Renewal 2016/17.**

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### Executive summary

This report seeks to inform Council of our insurance renewals for the 2016/17 financial year and the extent of cover currently provided to Council.

### Disclosure of Interest

Nil.

### Detailed report

Mid-Western Regional Council continues its long association with insurance broker Jardine Lloyd Thompson Pty Ltd (JLT) as a member of Statewide Mutual bringing together over 140 NSW Councils sharing the risks that challenge our Council in achieving our strategic goals and the actions detailed in our delivery program and operational plan.

This report does not include Council's State law mandatory workers compensation insurance coverage, this report focuses on all other insurance coverage the Council has acquired.

The 2016/17 renewal premiums totals \$1,125,697.45 covering ten classes of insurance;

- Environmental Impairment Liability
- Marine Hull Commercial
- Major Airport Owners & Operators Liability
- Personal Accident
- Property
- Casual Hirers Liability
- Public Liability – Professional Indemnity
- Councillors and Officers Liability
- Motor vehicle
- Crime

The renewal report produced by Jardine Lloyd Thompson Pty Ltd for 2016/17 is attached.

### Community Plan implications

<b>Theme</b>	<b>Good Governance</b>
Goal	An effective and efficient organisation
Strategy	Prudently manage risks association with all Council activities

## Financial implications

Insurance premiums are a part of Council's annual operating planned expenditure incorporated in the 2016/17 budgets.

TIM JOHNSTON  
GOVERNANCE COORDINATOR

SIMON JONES  
DIRECTOR, COMMUNITY

28 June 2016

*Attachments:* 1. JLT - Summary Report.

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER



**Summary of Costs**

Class of Insurance	Total Annual Premium	Suggested Option (i.e. increased limits / additional cover/ excess options)	Recommended Provider
Property	\$395,925.63	As per expiring	Statewide Property Mutual
Public Liability-Professional Indemnity	\$325,238.46	As per expiring	Statewide Liability Scheme
Councillors and Officers Liability	\$60,204.86	As per expiring	Statewide Liability Scheme
Motor Vehicle	\$242,770.17	As per expiring	Statewide Motor Vehicle Scheme
Crime	\$15,412.86	Please refer to the table for Cover options. Fidelity and Cyber combined	Statewide - Fidelity Guarantee Scheme
Casual Hirers Liability	\$4,620.00	As per expiring	Statewide - Casual Hirers Scheme
Personal Accident	\$3,066.29	As per expiring	ACE Insurance Limited
Journey Injury	\$5,349.30	New Cover Option	CGU Insurance Ltd through Accident & Health Intl Underwriting P/L
Marine Hull Commercial	\$1,024.10	As per expiring	QBE Insurance (Australia) Ltd through Thistle Underwriting Services Pty Ltd
Airport Owners Liability	\$8,827.50	New Quotation	QBE Aviation
<b>Total</b>	<b>\$1,062,439.17</b>		

**Declaration**

On behalf of Mid-Western Regional Council, I confirm I have considered the contents of the Renewal Report and request JLT to place the covers as indicated in the table above. After reasonable enquiry of relevant Council staff, officers and elected members, all known circumstances or incidents likely to give rise a claim have been reported.

Name: \_\_\_\_\_

Signed: \_\_\_\_\_

Position: \_\_\_\_\_

Dated the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

**Please complete and return this form to Nicole Griffiths at Nicole.Griffiths@jlt.com.au.**

## 11.3 Donation of Art Collection to Council

REPORT BY THE DIRECTOR, COMMUNITY  
TO 20 JULY 2016 ORDINARY MEETING  
GOV400054, REC800003

### RECOMMENDATION

#### That Council:

1. **receive the report by the Director, Community on the Donation of Art Collection to Council;**
2. **accept the proposed donation of art and agree to the permanent display of part or all of this collection in Council buildings;**
3. **authorise the General Manager to enter into an agreement of understanding regarding the donation of art and its display;**
4. **support in principle the intention of Council to establish a regional gallery; and**
5. **consider a regional gallery as a budget proposal as part of the 2017/18 Operational Plan deliberations.**

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### Executive summary

Council has received an approach from a local resident, Gora Mann, to donate an extensive collection of art works that has come from the estate of a friend, W.S Tatlow. The proposed donation is made with the conditions that Council commit to the establishment of a regional art gallery and, until then, the collection is made available for public appreciation through permanent exhibition within Council buildings.

### Disclosure of Interest

Nil.

### Detailed report

There has been ongoing discussion within the arts and cultural community and with Council over the need for a regional art gallery. It has been recognised through community consultation that this would be an important step for the culture of the region and the local cultural tourism economy.

Over the past few years, Council has had a number of conversations with Gora Mann over the establishment of a gallery. Gora has provided paintings on loan for exhibitions at the Mudgee Library and has donated a number of pieces of art from his own collections as a result of these exhibitions.

The proposed donation of art works is a collection of 22 indigenous paintings. Some examples of the quality of the works are included with this report.

Council's Cultural Development Committee has discussed potential sites for a regional gallery and this project has been included in Council's future budgets in past years. Funding has also be sought for the project, without success at this stage.

At this point in time, no specific site for a gallery has been chosen. Options for sites are still under discussion and review and the intention is to bring other options forward for the consideration of the new Council later in the year. The current community consultation process will also consider public support for the development of a gallery.

Two additional options for a gallery are being explored by Council staff. These are a major renovation and extension of the existing Stables Gallery and the purchase and renovation of the former Cudgegong Shire Council Chambers at 90 Market (currently owned by the State Government). Both of these have considerable potential as sites and are worth exploring further.

If Council is of a mind to accept this donation of art, it is important to recognise the conditions specified. It would be the intention to display part or all of the art collection donated at the Mudgee Library until a regional gallery was established.

## Community Plan implications

<b>Theme</b>	<b>Looking After Our Community</b>
Goal	Meet the diverse needs of the community and create a sense of belonging
Strategy	Support arts and cultural development across the Region

## Financial implications

There would be minor costs in exhibiting the works that can be covered through existing budgets. The development of a regional gallery, either through the construction of a new building or the renovation and extension of an existing building would need to be considered as part of future community consultation and budget discussions. The initial building costs and future operational costs would need to be carefully considered.

SIMON JONES  
DIRECTOR, COMMUNITY

1 July 2016

*Attachments:*

1. Painting 12.
2. Painting 21.
3. Painting 9.
4. W.S Tatlow - Inventory of Aboriginal Paintings.

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER









<b>Painting 1.</b>	Warumpi Arts	Emma “Nungarri”	305x726	EN302709	\$5500.
<b>Painting 2.</b>	Warumpi Arts	Entalura Nungala	16x36cm	EN300873	
<b>Painting 3.</b>	“Baka area”	Eddy Harris Bakindji Tribe	2001		and copy of description.
<b>Painting 4.</b>	“Wild Orange”	Eddy Harris Bakindji Tribe	2001		
	BL 236 (PJUK 006)	“LIDDLE Bessie”		65007/10580	
<b>Painting 6.</b>	Unknown				
<b>Painting 7.</b>	“Pansy”	Pansy Napangardi		PN 01467	
<b>Painting 8.</b>	“Gathering”	Eddy Harris Bakindji Tribe	2002		
<b>Painting 9.</b>	500 00(i) Sydney	Poly Ngal	152x41cm		
<b>Painting 10.</b>	Mike Jakam	Arra Minor fire dreaming	Wati 521		
<b>Painting 11.</b>	“Snake”	Eddy Harris Bakindji Tribe	2003		means river people
<b>Painting 12.</b>	“Leaves”	Gloria Petvarr	150x120cm	ST10602	
		Commissioned by: Simone Turner			International 28/07/02
<b>Painting 13.</b>	TTakamara Gun	Barney Campbell	620 260		
<b>Painting 14.</b>	“Sand Camp”	Eddy Harris Bakindji Tribe		4FT x 3FT	
	along	Acrylic on canvas	“This painting depicts four camps on the Red Hills		
	while	Bakindji country during a rainstorm. The white represents the water,			
	Eddy	the green shows our food such as yams, etc.(signature) Regards,			
		Harris – Bakindji Tribe (River people).			
<b>Painting 15.</b>	“Wattle Spirits”	Eddy Harris Bakindji Tribe		12/12/2000	
<b>Painting 16.</b>	Tjapanangka	Paddy Lewis		fT01540	
<b>Painting 17.</b>	Sydney	Kathleen Ngal	122x51cm	600 00 (i)	
<b>Painting 18.</b>	Walimpiwriwuka	Tjabalitgarra		SYD-4-0626	
<b>Painting 19.</b>	Mountain River devil dreaming	Kathleen Petvarr		120x120cm	
		Sept 2001 painted at Mosquito Bore Utopia –	Commissioned by; Simon Turner September 2001		
<b>Painting 20.</b>	Carytu-canicu	February 2002	Painted in Itatiatia National Park Brasil		
	“Uuru”		4 cobras “Jaracacucu” – Viper “Coral” – Coral snake		
	(signature)		Viper “Caninana” – Caninana. February 2002		
<b>Painting 21.</b>	“Parallel Dimensions”	The JimiHendrix Experience	“Tripped out Acid Painting” “Experiment of colour		
	and	Geometry”	Painted in the Itatiatia National Park		
	August		2001 Brasil (signature) “Life makes patterns out of		
	pattern		Less order.		
<b>Painting 22.</b>	“Bush Plum”	Poly Ngal	120x100cm	STI/450	Acrylic on linen. Painted:Oct

## 11.4 Red Hill Committee June Meeting and Memorandum of Understanding

REPORT BY THE DIRECTOR, COMMUNITY  
TO 20 JULY 2016 ORDINARY MEETING  
GOV400054, P0860011

### RECOMMENDATION

#### That Council:

1. **receive the report by the Director, Community on the Red Hill Committee June Meeting and Memorandum of Understanding;**
2. **note the minutes of the Red Hill Committee meeting of 3 June 2016; and**
3. **endorse the proposed Memorandum of Understanding with Gulgong Holtermann Museum Inc for the operation of the Red Hill facility (Gulgong Gold Experience).**

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### Executive summary

This report seeks to inform Council on further progress on the Red Hill site and seeks Council's endorsement for the proposed Memorandum of Understanding with the Gulgong Holtermann Museum Inc for the operation of the Gulgong Gold Experience.

### Disclosure of Interest

Nil.

### Detailed report

The official opening of the Red Hill facility (now named Gulgong Gold Experience) was held on June 12<sup>th</sup>, 2016 as part of the Henry Lawson Festival long weekend celebrations. The Red Hill Committee met in the week before to determine any final items before the opening.

With the successful opening now completed, attention has turned to the ongoing operation of the Gulgong Gold Experience to ensure that the facility is open to the public. Discussions have taken place between the Red Hill Committee, Council staff and the Gulgong Holtermann Museum Inc regarding this over the past few months.

Included with this report is a proposed Memorandum of Understanding between Council and Gulgong Holtermann Museum Inc that would ensure that the facility could be opened to the public and visitors without additional expense from Council.

It is recommended that Council endorse the proposed MOU to ensure the smooth operation of the facility as a public tourist attraction.

## Community Plan implications

<b>Theme</b>	<b>Looking After Our Community</b>
Goal	Vibrant towns and villages
Strategy	Respect and enhance the historic character of our Region and heritage value of our towns

## Financial implications

Not applicable.

SIMON JONES  
DIRECTOR, COMMUNITY

4 July 2016

*Attachments:* 1. Memorandum of Understanding MWRC and Gulgong Holtermann Museum Inc Red Hill 2016.  
2. Minutes - Red Hill Committee 3 June 2016.

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER



MID-WESTERN REGIONAL COUNCIL

PO Box 156, MUDGEES NSW 2850

86 Market Street, Mudgee | 109 Herbert Street, Gulgong | 77 Louee Street, Rylstone

T 1300 765 002 or 02 6378 2850 | F 02 6378 2815

E council@midwestern.nsw.gov.au

## Memorandum of Understanding Mid-Western Regional Council and Gulgong Holtermann Museum Inc. 2016-17

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### 1. Purpose

The purpose of this MOU is to facilitate the use and operation of the Red Hill Mining Exhibit (Gulgong Gold Experience). Gulgong Holtermann Museum Inc will have permission to use the facility and be responsible for its operation as a tourist facility available and open to the public.

### 2. Terms and Conditions of Use

- 2.1 The Red Hill Mining Exhibit (Gulgong Gold Experience) is a Mid-Western Regional Council (MWRC) facility on land managed by Council.
- 2.2 MWRC agrees to the use and operation of the Red Hill Mining Exhibit by Gulgong Holtermann Museum Inc. (GHM Inc.).
- 2.3 Two sets of keys will be provided to GHM Inc. on permanent loan.
- 2.4 There will be no charge to GHM Inc. for the use and operation of the Red Hill Mining Exhibit.
- 2.5 GHM Inc. agree to ensure that the Red Hill Mining Exhibit is open to the public on Saturdays, Sundays and Public Holidays (except Christmas Day, Boxing Day, Good Friday and ANZAC Day) as a minimum.
- 2.6 GHM Inc. is able to charge entry to the Red Hill Mining Exhibit. Any funds collected are to be re-invested into the maintenance, operation and promotion of the facility and its exhibits.
- 2.7 GHM Inc. is to provide MWRC with a report each six months on the operation of the Red Hill Mining Exhibit. This should include information related to visitation numbers and any financials related to the operation of the facility.
- 2.8 Minor maintenance issues are to be the responsibility of GHM Inc. (in consultation with Council as required). Major maintenance issues should be referred to Council's Building Service Department.
- 2.9 The Red Hill site and the Gulgong Gold Experience will be covered by Council's building and public liability insurances.

- 2.10 Any volunteers used for the operation of the Red Hill Mining Exhibit will be the responsibility of the GHM Inc. and be covered under its insurance.
- 2.11 GHM Inc. is to provide MWRC with a copy of its current public liability insurances with Council listed as an interested party.
- 2.12 GHM Inc. is to provide MWRC with a copy of its Operations Plan for the Gulgong Gold Experience. This is to include reference to volunteer management, training and induction, risk assessments and information on contacts and responsibilities for the operation of the Gulgong Gold Experience.
- 2.13 Consideration will be given to a licence agreement in relation to the property. If a licence agreement was to eventuate then this would take precedence over this Memorandum of Understanding.
- 2.14 This MOU extends until 31 December 2017 but can continue beyond that time until either party requests a further MOU to be negotiated. Alternatively, either party can terminate this MOU with a month's notice at any time after 31 December 2017.

Signed:

**BRAD CAM**  
**GENERAL MANAGER**  
**MID-WESTERN REGIONAL COUNCIL**

**CHRIS PEARSON**  
**CHAIR**  
**GULGONG HOLTERMANN MUSEUM INC .**

Date:

Date:



PO BOX 156  
MUDGEE NSW 2850

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

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

email: [council@midwestern.nsw.gov.au](mailto:council@midwestern.nsw.gov.au)

**MINUTES OF MEETING FOR THE RED HILL COMMITTEE HELD ON  
3 JUNE 2016 COMMENCING AT 3pm**

Present: Cr Percy Thompson, Maurice Gaudry, Tony Harrison, David Warner, Chris Pearson, Alan Rickwood, Simon Jones, Nick (Red Hill Environmental Education Centre).

**1. APOLOGIES**

Michele McFarlane, Tony Harrison, Joy Harrison, Paul Blackwell

**2. GENERAL BUSINESS**

- David Warner presented an overview of the exhibits and the work being undertaken for the Opening on June 12<sup>th</sup> including:
  - Panels coming Monday to be installed Monday and Tuesday
  - Mannequin displays are in place
  - Sound recording is done and TV is in place
  - Counter is in place
  - Plaques to be installed but are set out
  - Pavers at front have been installed
  - Light has been installed in the shaft
- Any invoices for costs or reimbursements need to be in by the end of June
- Volunteers – about a dozen are confirmed initially. Red Hill Environmental Education Centre toilet being used for volunteers and emergencies
- Plaque to be finalised for the opening – Welcome to Country, Cr Cavalier and Dave Warner to speak
- Gold coin donation for entry at the start
- Draft MOU finalised. This will go to Council with the minutes at the July meeting.
- Official opening to be Sunday June 12<sup>th</sup> at 10am

**Meeting closed at 3.20pm.**

## 11.5 Re-establishment of Rylstone Sports Council

REPORT BY THE DIRECTOR, COMMUNITY  
TO 20 JULY 2016 ORDINARY MEETING  
GOV400054, A0360030

### RECOMMENDATION

#### That Council:

1. **receive the report by the Director, Community on the Re-establishment of Rylstone Sports Council;**
2. **accept the nominations of Brad Stockwell, Craig Parsons, Sherie Thorn and Julie Parsons to be members of the Rylstone Sport Council; and**
3. **convene a meeting of the re-established Rylstone Sport Council.**

---

### Executive summary

The Rylstone Sports Council exists as a Section 355 Committee of Council. It has not met for many years. Interest in reforming the Sports Council has developed and it is recommended that it now be re-established.

### Disclosure of Interest

Nil.

### Detailed report

Nominations have been received from four individuals to be members of the Rylstone Sports Council. The individuals and the sports that they represent are:

- Brad Stockwell (Rylstone/Kandos Touch Football Association)
- Craig Parsons (Kandos District Waratahs – Senior League)
- Sherie Thorn (Kandos Rylstone Little Athletics)
- Julie Parsons (Kandos District Waratahs – Junior League)

It will be important that all sports that are involved with the Sports Council are financial members and have paid the appropriate Sports Council fees. It is also noted that, as a Section 355 Committee of Council, the Sports Council members are covered by the Code of Conduct and the Code of Practice for Section 355 Committees.

At the first meeting, Terms of Reference for the Committee will need to be confirmed.

It is understood that an amount of approximately \$15,000 is currently available in the Rylstone Sports Council account. The Rylstone Sports Council is able to make recommendations to Council on the expenditure of these funds. A more detailed financial report will be provided at the first meeting of the Rylstone Sports Council.

## Community Plan implications

<b>Theme</b>	<b>Looking After Our Community</b>
Goal	Effective and efficient delivery of infrastructure
Strategy	Provide infrastructure and services to cater for the current and future needs of our community

## Financial implications

Nil.

SIMON JONES  
DIRECTOR, COMMUNITY

6 July 2016

*Attachments:* Nil

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER



## 11.6 Commonwealth Home Support Program Quarterly Update

REPORT BY THE MANAGER, COMMUNITY SERVICES  
TO 20 JULY 2016 ORDINARY MEETING  
GOV400054, A0060030, COS300013, COS300023, COS300026

### RECOMMENDATION

#### That Council:

1. **receive the report by the Manager, Community Services on the Commonwealth Home Support Program Quarterly Update;**
2. **note the activity reports from the Commonwealth Home Support Program funded services.**

---

### Executive summary

This report seeks to inform Council of the activities undertaken by the Commonwealth Home Support Program funded services that are auspciced by Council. This report covers April to June 2016 (inclusive).

### Disclosure of Interest

Nil.

### Detailed report

Mid-Western Regional Council auspices Community Transport, Home Modifications and Maintenance, Host Family Respite and Meals on Wheels. These services are jointly funded under the Commonwealth Home Support Program by the State Government (Ageing, Disability and Home Care) and the Federal Government (Department of Health – formerly Department of Social Services).

Community Transport is the exception to this as it is administered by Transport for NSW and whilst the majority of funding comes through the CHSP, there is also additional funding provided by the Department of Veterans Affairs, NSW Health and through Transport for NSW, directly.

### Community Plan implications

<b>Theme</b>	<b>Looking After Our Community</b>
Goal	A safe and healthy community
Strategy	Maintain the provision of high quality, accessible community services that meet the needs of our community

## Financial implications

Not applicable.

FIONA TURNER  
MANAGER, COMMUNITY SERVICES

SIMON JONES  
DIRECTOR, COMMUNITY

7 July 2016

*Attachments:* Nil

### APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER

## Item 12: Reports from Committees

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### 12.1 Local Traffic Committee Minutes

REPORT BY THE EA TO DIRECTOR, OPERATIONS  
TO 20 JULY 2016 ORDINARY MEETING  
GOV400054, A0100009

#### RECOMMENDATION

##### That Council:

1. receive the report by the EA to Director, Operations on the Local Traffic Committee meeting held 24 June 2016;
  2. note the minutes of the Local Traffic Committee meeting held 24 June 2016;
  3. that the event – “Mudgee Running Festival 2016 (Marathon Weekend)” Sunday 21 August 2016 – be classified as a Class 2 event under the “Guide to Traffic and Transport Management for Special Events Version 3.4” and proceeds with the following conditions:
    - a. Special Events Transport Management Plan (TMP), is to be prepared in accordance with the Guide to Traffic and Transport Management for Special Events Version 3.4 and submitted to and approved by Council prior to the event;
    - b. Events are to be undertaken in accordance with the requirements of the NSW Police Force with their approval documentation forwarded to Council for notation;
    - c. Controlling noise as required by the *Protection Of The Environment Operations (Noise Control) Regulation 2000*;
    - d. Reimbursing Council for the cost of damage repairs;
    - e. Complying with Council's Law Enforcement Officers' reasonable directives;
    - f. Maintain areas in a clean and tidy condition. No obstructions are to be left on the roadways or footpaths;
    - g. A Traffic Control Plan (TCP) certified by a person with a ‘Select & Modify’ or a ‘Design & Audit’ certificate be included in the TMP;
    - h. Any person directing traffic on a public road is required to possess an appropriate traffic controller’s certificate;
    - i. Council must be provided with a current copy of a public liability insurance policy in the amount of at least \$20 million. Such a policy is to note that Council, NSW Police and the RMS are indemnified against any possible action as the result of the event;
    - j. The event convener is to notify all affected businesses and residents adjacent to the proposed closure indicating the period during which their accesses will be affected. Such notification is to be in writing;
    - k. Maintain a four-metre wide emergency vehicle lane;
    - l. Advertise the proposed event in local newspapers with relevant information at least two weeks prior to the date; and
-

- m. The organiser is to debrief with Council and Police with all traffic control documentation and controls tabled for review.
4. that the event – “Mudgee Small Farm Field Days” Friday and Saturday, 15 & 16 July 2016 – be classified as a Class 2 event under the “Guide to Traffic and Transport Management for Special Events Version 3.4” and proceeds with the following conditions:
- a. A Special Events Transport Management Plan (TMP), is to be prepared in accordance with the *Guide to Traffic and Transport Management for Special Events Version 3.4* and submitted to and approved by Council prior to the event;
  - b. Events are to be undertaken in accordance with the requirements of the NSW Police Force with their approval documentation forwarded to Council for notation;
  - c. Controlling noise as required by the *Protection Of The Environment Operations (Noise Control) Regulation 2000*;
  - d. Reimbursing Council for the cost of damage repairs;
  - e. Complying with any of Council’s Law Enforcement Officers’ reasonable directives;
  - f. Maintain areas in a clean and tidy condition. No obstructions are to be left on the roadways or footpaths;
  - g. the qualification of the person creating the Traffic Control Plan must be at a minimum a holder of the Select and Modify Certificate or the Design and Audit Certificate;
  - h. Any person directing traffic on a public road is required to possess an appropriate traffic controller’s certificate;
  - i. Council must be provided with a current copy of a public liability insurance policy in the amount of at least \$20 million. Such a policy is to note that Council, NSW Police and RMS are indemnified against any possible action as the result of the event;
  - j. The event convener is to consult with all affected businesses and residents adjacent to the proposed closure, in writing, indicating the period during which their accesses will be affected;
  - k. Maintain a four-metre wide emergency vehicle lane;
  - l. Advertise the proposed event in local newspapers with relevant information at least two weeks prior to the date;
  - m. The organiser is to have a debrief with Council and Police with all traffic control documentation and controls tabled for review.

**And the following Special Conditions:**

- n. The southbound lane of Henry Lawson Drive be closed between Putta Bucca Road and Ulan Road from 6am on Friday 15 July to 6pm Sunday 17 July 2016;
- o. The southbound lane of Church Street, between Short Street and Market Street, be closed between the hours of 12.00pm – 6.00pm on 15 & 16 July 2016.
- p. The Australian Rural Education Centre entrances on Ulan Road be monitored by appropriately trained traffic controllers between the hours of 7.00am to 10.00am and 3.30pm to 6.00pm (approximately – specific times to suit peak periods);
- q. The Road Closures be carried out & monitored by appropriately trained traffic controllers;
- r. A request be made to the RMS to allow the following Speed Limit alterations on 15 & 16 July 2016;
  - Henry Lawson Drive, from the intersection of Eurunderee Lane to the Vineyard Motel driveway, be reduced to the speed limit of 60kph,

- Henry Lawson Drive from the Vineyard Motel driveway to the Ulan Road intersection be reduced to the speed limit of 60kph,
  - Ulan Road from the intersection of Buckaroo Road to the cemetery entrance (600m before the AREC site) be reduced to the speed limit of 80kph,
  - Ulan Road from the cemetery entrance to the town entrance be reduced to the speed limit of 60kph,
  - Ulan Road from the roundabout to Lue Road/Pitts Lane to AREC be reduced to the speed limit of 60kph
  - Craigmoor Road to the intersection of Henry Lawson Drive to be reduced to the speed limit of 60kph
  - Signs indicating alternate route to be installed on Castlereagh Highway providing detours on Putta Bucca Road and Rocky Waterhole Road.
- s. All Parking is to be provided on site for the public, exhibitors and staff;
- t. The 'free courtesy buses' be organised by AREC to allow public and exhibitors transport to the event, as suggested by the organiser; and
- u. The 'contingency plan for wet weather' affected parking areas, be implemented as required;
- v. The 'emergency plan 2016' be implemented as required
5. That the event – 'Mark Dwyer Memorial Handicap and Oatley Winery Scratch Race 2016' – be classified as a Class 2 Event under the "Guide to Traffic and Transport Management for Special Events Version 3.4" and proceeds with the following conditions:
- a. Events are to be undertaken in accordance with the *Guidelines for Bicycle Road Races* and the '*Typical Requirements for Bicycle Special Events*'.
  - b. A Special Events Transport Management Plan (TMP), is to be prepared in accordance with the *Guide to Traffic and Transport Management for Special Events Version 3.3* and submitted to and approved by Council prior to the event;
  - c. Events are to be undertaken in accordance with the requirements of the NSW Police Force with their approval documentation forwarded to Council for notation;
  - d. Controlling noise as required by the *Protection Of The Environment Operations (Noise Control) Regulation 2000*;
  - e. Reimbursing Council for the cost of damage repairs;
  - f. Complying with any of Council's Law Enforcement Officers' reasonable directives;
  - g. Maintain areas in a clean and tidy condition. No obstructions are to be left on the roadways or footpaths;
  - h. A Traffic Control Plan (TCP) certified by a person with a 'Select & Modify' or a 'Design & Audit' certificate be included in the TMP;
  - i. Any person directing traffic on a public road is required to possess an appropriate traffic controller's certificate;
  - j. Council must be provided with a current copy of a public liability insurance policy in the amount of at least \$20 million. Such a policy is to note that Council, NSW Police and the RMS is indemnified against any possible action as the result of the event;
  - k. The event convener is to consult with all affected businesses and residents adjacent to the proposed closure, in writing, indicating the period during which their accesses will be affected;
  - l. Maintain a four-metre wide emergency vehicle lane;
  - m. Advertise the proposed event in local newspapers with relevant information at least two weeks prior to the date;
-

- n. The organiser is to have a debrief with Council and Police with all traffic control documentation and controls tabled for review; and
- o. The organiser is to advise Ulan, Wilpinjong and Moolarben coal mines of race details to ensure that mine workers are aware of the cycling races; and
- p. Final approval for the Western Region road cycling events will only be granted if Council is given three months' notice of the event dates.

**6. That general business and correspondence items be noted.**

---

## Executive summary

The purpose of this report is to advise Council and seek support of considerations and recommendations of the Local Traffic Committee (LTC) meeting held 24 June 2016.

## Disclosure of Interest

There are no disclosures of interest associated with this report.

## Detailed report

The Local Traffic Committee meeting was held 24 June 2016 recommend the approval of the following events:

- Mudgee Small Farm Field Days 15-16 July 2016
- Gulgong Gold Rush Endurance Ride 30-31 July 2016
- Mudgee Running Festival, 21 August 2016
- Mark Dwyer Memorial Handicap and Oatley Winery Scratch Race 2016

The minutes and discussion notes for the LTC meeting held 24 June 2016 are attached.

## Community Plan implications

<b>Theme</b>	<b>Good Governance</b>
Goal	Good communications and engagement
Strategy	Improve communications between Council and the community and create awareness of Council's roles and responsibilities

## Financial implications

Minimal with maintenance budgets.

**GEMMA WILKINS**  
**EA TO DIRECTOR, OPERATIONS**

**DARYL COLWELL**  
**DIRECTOR, OPERATIONS**

28 June 2016

*Attachments:* 1. Local Traffic Committee Minutes 24 June 2016.

**APPROVED FOR SUBMISSION:**  
**BRAD CAM**  
**GENERAL MANAGER**

**MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING  
 HELD ON FRIDAY, 24 JUNE 2016**

Present: Daryl Colwell MWRC – (Chairperson), Cr John Weatherly (Councillor), Phillip Blackman (Members Representative), Sergeant Michael Wurth (NSW Police) , Prue Britt (RMS), William Hopcroft (MWRC),

Apologies: Chief Inspector Jeff Boon (NSW Police), Daniel Buckens (MWRC),

Secretary: Gemma Wilkins (MWRC)

The LTC meeting commenced at 11:30am.

**MINUTES OF PREVIOUS MEETING**

The minutes of the previous meeting held 27 April 2016 accepted as correct.

Moved: Prue Britt 2<sup>nd</sup> Cr John Weatherly

16/22 **MATTERS IN PROGRESS**

ITEM	ACTION
<p>High cube café at 94 lions drive, Mudgee - off street parking</p>	<p>August Council meeting did not endorse LTC recommendation from July meeting. Councillors resolved, 'That staff prepare a report on the traffic and safety issues along Lions Drive', for council to decide on a preferred course of action.</p> <p>Currently being considered by Council during the budget process. Council have endorsed the recommendations from previous LTC meeting in the February 18 Council Meeting.</p> <p>As 27 April, the Committee agreed to progress signage installation and yellow line marking for this item prior to new business taking over.</p> <p><b>As at 24 June signage in, line marking still to be completed. Wet weather has hindered this.</b></p>
<p>St Matthew's School -Parking Drop off Zone</p>	<p>Today, 27 April, is the first day of operation, seems to have improved the flow for the buses. Correspondence has been received debating the full day parking in front of the church. Council will note correspondence to assess at the end of the trial period.</p> <p><b>As at 24 June, feedback from building owners disputing the change to all day parking, 1 complaint from a parent regarding queuing of cars across Mortimer Street as parents don't seem to be pulling right to the front of the drop off area. Prue advised that Janene Pout has been conducting observations and will be preparing a report accordingly. Trial period ends in a week.</b></p>

Gulgong High School Drop off/Pickup Zone	Correspondence forwarded to Jenene Pout- Safety Around Schools Officer 10 February for review  As at 24 June this item is still in progress.
Third Street One Way Request	Council undertake a traffic survey to assess traffic movements in third street. Report to be referred back to LTC.  As at 24 June Council has collected traffic counts, report will follow.
Kandos Street Machine Festival	Council to write event organiser advising that event is classified as special event and therefore needs to go through appropriate approval channels  Still trying to gain contact details for the organiser.
Rocky Waterhole Road 80km Speed zone	As at March 11 RMS are awaiting quotation from Council for the supply and installation of the signs. Request sitting with Nicole Cassidy. Zone commencing 28 April  Zone now in place. To be removed from matters in progress for next meeting.
Yellow Line Methodology	Council convert no stopping zones to yellow line methodology  Conversion will be continued by Council progressively. Council to conduct educational campaign as the changes occur.

## 16/23 SPECIAL EVENT DEBRIEF

SPECIAL EVENT	
Mudgee Endurance Riders Association 14-15 May 2016	Mette Sutton (organiser) in attendance of meeting and provided event debrief. There were 29 competitors on the Saturday and 103 riders for the Sunday. Average speed 18.97km per hour, slowest rider 9.01km/h. No incidents reported. Experienced a lot of local community support and was used as a fundraising event. Moolarben RFS assisted with the road crossings.
Cudgegong Jump Club 29 May 2016	Report provided by event organiser. Tabled for information. No concerns raised by the committee members. Report will be filed for future reference.



## 16/24 MUDGEE RUNNING FESTIVAL AUGUST 2016

Council received an application from the Mudgee Triathlon Club requesting permission to hold the Annual Mudgee Running Festival 21 August 2016.

- Prue queried whether this event had the issues with parking blocking Short Street in the past.
- Phillip Blackman raised concerns with 100m advance warning signage where there is only one sign. Noting TCP on page 35 of agenda.
- Sergeant Michael Wurth queried whether the full marathon still goes all the way to St Fillans Road. It was suggested that concerns of speed along Black Springs Road should be addressed by the event organiser.
- Prue advised insurance out of date and that Council will need to receive an updated copy.

### RECOMMENDATION

**That the event – “Mudgee Running Festival 2016 (Marathon Weekend)” Sunday 21 August 2016 – be classified as a Class 2 event under the “Guide to Traffic and Transport Management for Special Events Version 3.4” and proceeds with the following conditions:**

- Special Events Transport Management Plan (TMP), is to be prepared in accordance with the Guide to Traffic and Transport Management for Special Events Version 3.4 and submitted to and approved by Council prior to the event;**
- Events are to be undertaken in accordance with the requirements of the NSW Police Force with their approval documentation forwarded to Council for notation;**
- Controlling noise as required by the *Protection Of The Environment Operations (Noise Control) Regulation 2000*;**
- Reimbursing Council for the cost of damage repairs;**
- Complying with Council's Law Enforcement Officers' reasonable directives;**
- Maintain areas in a clean and tidy condition. No obstructions are to be left on the roadways or footpaths;**
- A Traffic Control Plan (TCP) certified by a person with a ‘Select & Modify’ or a ‘Design & Audit’ certificate be included in the TMP;**
- Any person directing traffic on a public road is required to possess an appropriate traffic controller’s certificate;**
- Council must be provided with a current copy of a public liability insurance policy in the amount of at least \$20 million. Such a policy is to note that Council, NSW Police and the RMS are indemnified against any possible action as the result of the event;**
- The event convener is to notify all affected businesses and residents adjacent to the proposed closure indicating the period during which their accesses will be affected. Such notification is to be in writing;**
- Maintain a four-metre wide emergency vehicle lane;**
- Advertise the proposed event in local newspapers with relevant information at least two weeks prior to the date; and**
- The organiser is to debrief with Council and Police with all traffic control documentation and controls tabled for review.**

**MOTION: Approve the event based on the above recommendations.**

Moved: Michael Wurth

2<sup>nd</sup> Phillip Blackman

## 16/25 REPORT SMALL FARM FIELD DAYS 15 – 16 JULY 2016

Council has received a Traffic Management Plan for the Small Farm Field Days to be held on Friday and Saturday, 15 and 16 July 2016 at the Australian Rural Education Centre (AREC) site, Ulan Road, north of Mudgee. This event has been successfully conducted over the last several years.

- TCP 422 incorrect year date, this needs to be updated.

**RECOMMENDATION**

That the event – “Mudgee Small Farm Field Days” Friday and Saturday, 15 & 16 July 2016 – be classified as a Class 2 event under the “Guide to Traffic and Transport Management for Special Events Version 3.4” and proceeds with the following conditions:

- a. A Special Events Transport Management Plan (TMP), is to be prepared in accordance with the *Guide to Traffic and Transport Management for Special Events Version 3.4* and submitted to and approved by Council prior to the event;
- b. Events are to be undertaken in accordance with the requirements of the NSW Police Force with their approval documentation forwarded to Council for notation;
- c. Controlling noise as required by the *Protection Of The Environment Operations (Noise Control) Regulation 2000*;
- d. Reimbursing Council for the cost of damage repairs;
- e. Complying with any of Council’s Law Enforcement Officers’ reasonable directives;
- f. Maintain areas in a clean and tidy condition. No obstructions are to be left on the roadways or footpaths;
- g. the qualification of the person creating the Traffic Control Plan must be at a minimum a holder of the Select and Modify Certificate or the Design and Audit Certificate;
- h. Any person directing traffic on a public road is required to possess an appropriate traffic controller’s certificate;
- i. Council must be provided with a current copy of a public liability insurance policy in the amount of at least \$20 million. Such a policy is to note that Council, NSW Police and RMS are indemnified against any possible action as the result of the event;
- j. The event convener is to consult with all affected businesses and residents adjacent to the proposed closure, in writing, indicating the period during which their accesses will be affected;
- k. Maintain a four-metre wide emergency vehicle lane;
- l. Advertise the proposed event in local newspapers with relevant information at least two weeks prior to the date;
- m. The organiser is to have a debrief with Council and Police with all traffic control documentation and controls tabled for review.

And the following Special Conditions:

- n. The southbound lane of Henry Lawson Drive be closed between Putta Bucca Road and Ulan Road from 6am on Friday 15 July to 6pm Sunday 17 July 2016;
- o. The southbound lane of Church Street, between Short Street and Market Street, be closed between the hours of 12.00pm – 6.00pm on 15 & 16 July 2016.
- p. The Australian Rural Education Centre entrances on Ulan Road be monitored by appropriately trained traffic controllers between the hours of 7.00am to 10.00am and 3.30pm to 6.00pm (approximately – specific times to suit peak periods);
- q. The Road Closures be carried out & monitored by appropriately trained traffic controllers;

- r. A request be made to the RMS to allow the following Speed Limit alterations on 15 & 16 July 2016;
- Henry Lawson Drive, from the intersection of Eurunderee Lane to the Vineyard Motel driveway, be reduced to the speed limit of 60kph,
  - Henry Lawson Drive from the Vineyard Motel driveway to the Ulan Road intersection be reduced to the speed limit of 60kph,
  - Ulan Road from the intersection of Buckaroo Road to the cemetery entrance (600m before the AREC site) be reduced to the speed limit of 80kph,
  - Ulan Road from the cemetery entrance to the town entrance be reduced to the speed limit of 60kph,
  - Ulan Road from the roundabout to Lue Road/Pitts Lane to AREC be reduced to the speed limit of 60kph
  - Craigmoor Road to the intersection of Henry Lawson Drive to be reduced to the speed limit of 60kph
  - Signs indicating alternate route to be installed on Castlereagh Highway providing detours on Putta Bucca Road and Rocky Waterhole Road.
- s. All Parking is to be provided on site for the public, exhibitors and staff;
- t. The 'free courtesy buses' be organised by AREC to allow public and exhibitors transport to the event, as suggested by the organiser; and
- u. The 'contingency plan for wet weather' affected parking areas, be implemented as required;
- v. The 'emergency plan 2016' be implemented as required

**MOTION:** Approve the event based on the above recommendations.

Moved: Cr John Weatherly 2<sup>nd</sup> Prue Britt

#### 19/26 MUDGEE CYCLE CLUB EVENTS 2016

Council has received a request from the Mudgee Cycle Club seeking permission to use Mid-Western Regional Council roads for open road racing events to be held on varying dates throughout 2016.

These events are similar to cycling events organised by the Mudgee Cycle Club in previous years.

#### RECOMMENDATION

That the event – 'Mark Dwyer Memorial Handicap and Oatley Winery Scratch Race 2016' – be classified as a Class 2 Event under the "Guide to Traffic and Transport Management for Special Events Version 3.4" and proceeds with the following conditions:

- a. Events are to be undertaken in accordance with the *Guidelines for Bicycle Road Races* and the '*Typical Requirements for Bicycle Special Events*'.
- b. A Special Events Transport Management Plan (TMP), is to be prepared in accordance with the *Guide to Traffic and Transport Management for Special Events Version 3.3* and submitted to and approved by Council prior to the event;
- c. Events are to be undertaken in accordance with the requirements of the NSW Police Force with their approval documentation forwarded to Council for notation;
- d. Controlling noise as required by the *Protection Of The Environment Operations (Noise Control) Regulation 2000*;
- e. Reimbursing Council for the cost of damage repairs;
- f. Complying with any of Council's Law Enforcement Officers' reasonable directives;
- g. Maintain areas in a clean and tidy condition. No obstructions are to be left on the roadways or footpaths;

- h. A Traffic Control Plan (TCP) certified by a person with a 'Select & Modify' or a 'Design & Audit' certificate be included in the TMP;
- i. Any person directing traffic on a public road is required to possess an appropriate traffic controller's certificate;
- j. Council must be provided with a current copy of a public liability insurance policy in the amount of at least \$20 million. Such a policy is to note that Council, NSW Police and the RMS is indemnified against any possible action as the result of the event;
- k. The event convener is to consult with all affected businesses and residents adjacent to the proposed closure, in writing, indicating the period during which their accesses will be affected;
- l. Maintain a four-metre wide emergency vehicle lane;
- m. Advertise the proposed event in local newspapers with relevant information at least two weeks prior to the date;
- n. The organiser is to have a debrief with Council and Police with all traffic control documentation and controls tabled for review; and
- o. The organiser is to advise Ulan, Wilpinjong and Moolarben coal mines of race details to ensure that mine workers are aware of the cycling races; and
- p. Final approval for the Western Region road cycling events will only be granted if Council is given three months' notice of the event dates.

**MOTION:** Approve the event based on the above recommendations.

Moved: Phillip Blackman      2<sup>nd</sup> Sergeant Michael Wurth

## 16/27      GENERAL BUSINESS

### PERMISSION TO USE COUNCIL ROADS FOR GULGONG GOLD RUSH ENDURANCE RIDE

Council received a request from the Mudgee Endurance Riders Association Inc. to hold an endurance ride in Gulgong for the 30 and 31 July 2016. The ride commences at 7am and all riders must be off the course by 4pm. The ride utilises mostly unsealed roads, laneways and private property. The road crossings at Cope Road and Henry Lawson Drive will be manned by the Gulgong Fire Brigade to stop riders until safe to cross. All riders are to give way to traffic and adhere to road rules and the rules of Australian Endurance Riders Association. An insurance certificate indemnifying Council, NSW Police and RMS has been received.

- Mette Sutton spoke to committee about this event. RFS are providing support for the road crossings. A pre-race briefing will inform participants of the rules. There will be a water stop at the road crossings which will encourage the riders to pull up. All riders will wear a high visibility vest with reflective numbering for safety. The organisers noted minimal traffic on the road when they were mapping out course.
- Committee raised no objections. Council will issue acceptance letter of the event.

### SETTING REOCCURRING MEETING TIMES

To better prepare for committee meetings and coordinate with Council meeting dates it is proposed the committee consider setting a recurring meeting time each month.

- 3<sup>rd</sup> Friday of every month agreed.

## 19/28      CORRESPONDANCE

### A DAY ON THE GREEN DATE NOTIFICATION

Council received notification of the event date for Day on the Green. The dates have been added to the upcoming events calendar.

### ONE CHURCH COMPLAINT REGARDING PARKING CHANGES LEWIS STREET

Following the changes to parking along Lewis Street, Council have received feedback from One Church disputing the all-day parking at the front of the church.

- Committee decided in the past not to give special consideration or parking permits for anyone. Daryl advised that given the trial is still continuing we will let it run its course and address next meeting.

#### SHOP OWNER COMPLAINT REGARDING PARKING CHANGES LEWIS STREET

Following the changes to parking along Lewis Street, Council have received feedback from the building owner of the shops disputing the all-day parking at their shop front. Council returned these back to two hour parking in May following this complaint.

- Given the signs have been reinstated, there has been no further complaints received.

#### SPEED ZONE SIGNAGE RAZORBACK ROAD

Council received correspondence from RMS.

**Motion: That general business and correspondence items be accepted.**

Moved: Sergeant Michael Wurth      2<sup>nd</sup>: Cr John Weatherly

Meeting closed 12:21PM

## 12.2 Mudgee and Gulgong Access Committee

REPORT BY THE MANAGER, COMMUNITY SERVICES  
TO 20 JULY 2016 ORDINARY MEETING  
GOV400054, A0060008

### RECOMMENDATION

#### That Council:

1. **receive the report by the Manager, Community Services on the Mudgee and Gulgong Access Committee; and**
2. **note the minutes of the Mudgee and Gulgong Access Committee meetings held on 2 February, 1 March, 5 April, 3 May and 7 June 2016.**

### Executive summary

The Mudgee and Gulgong Access Committee meets monthly to highlight and promote accessibility issues in the region. The next meeting is to be held on 5 July 2016.

### Disclosure of Interest

Nil.

### Detailed report

A number of matters arose at the meetings, such as comment on the Pedestrian Access Management Plan and the Disability Inclusion Action Plan, as well as discussions relating to ongoing issues. These matters are discussed in more detail in the minutes themselves. Council staff attended meetings to discuss Council's responsibilities and limitations in terms of disability access to public buildings and facilities and local businesses.

### Community Plan implications

<b>Theme</b>	<b>Looking After Our Community</b>
Goal	Meet the diverse needs of the community and create a sense of belonging
Strategy	Provide equitable access to a range of places and spaces for all in the community

## Financial implications

Not applicable.

FIONA TURNER  
MANAGER, COMMUNITY SERVICES

SIMON JONES  
DIRECTOR, COMMUNITY

15 June 2016

*Attachments:* 1. February to June 2016 Minutes - Mudgee and Gulgong Access Committee.

### APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER

**MINUTES OF THE ORDINARY MEETING OF THE MUDGEES AND GULGONG  
ACCESS COMMITTEE  
HELD ON TUESDAY 2<sup>nd</sup> February 2016 COMMENCING 2:00PM  
IN THE COUNCIL COMMITTEE ROOM, MUDGEES**

**1. WELCOME**

**PRESENT:**

**Access Committee Members:** Councillor Percy Thompson, Mary Lovett (Chair),  
Rodger Barnes, Steve Waller, Victoria Barrett, Les Leighton, Renee Lamshed

**Council Staff:** Fiona Turner, Veronica Miller (minutes)

**2. APOLOGIES:** Nil

**3. CONFIRMATION OF PREVIOUS MINUTES 1<sup>st</sup> December 2015:**

Moved: R Barnes

Seconded: S Waller

Minutes confirmed;

**4. MATTERS ARISING FROM MINUTES:**

- 4.1 Pedestrian Access Management Plan (PAMP) –** F Turner made the PAMP submission to Council and was advised that the 3 submissions were already included in either the PAMP draft plan (elsewhere in the document) or in Council's planned maintenance works. The PAMP will go to Council for endorsement or otherwise on 17/02/2016.
- 4.2 Outcome of enquiry regarding obligation of business to provide accessibility for customers –** F Turner advised that she has arranged for Josh Baker, the Manager Health and Building at Council to come speak at the MGAC meeting next month. Josh will endeavour to clarify for committee members the obligation of a business to ensure accessibility when occupying an existing building vs catering for accessibility when building a new building. F Turner asked committee members to prepare their questions for Josh regarding accessibility to businesses before the next meeting.

Discussion regarding 'The Lodge'- issue of poor accessibility raised by M Lovett previously. Josh Baker advised 'The new works included at The Lodge provided a new accessible entrance into the building from the new accessible car space required to be provided under the Development Application (DA). Upgrade of existing internal areas through to the new part was not required rather from memory a sign to direct them to an accessible entrance.'



S Waller confirmed that there is an entry that is wheelchair accessible. S Waller also advised that the accessible bathroom at The Lodge appears to be well designed.

**Action:** Committee members prepare questions regarding accessibility to businesses for Josh Baker's appearance at the MGAC meeting on 1<sup>st</sup> March 2016.

## 5. CORRESPONDENCE:

### 5.1 Inwards: Nil

### 5.2 Outgoing:

**Pedestrian Access Management Plan** – submission to Council.

**Ogden's buses** – requesting notification to the community if the accessible bus is being serviced. V Miller read the letter to the committee and advised that Kim Jeffrey from Ogden's Coaches had been very helpful in her responses to the query regarding communicating with the public when the accessible bus is being serviced. Discussion regarding the letter, Kim's responses and further suggestions about how Ogden's can communicate with the public about when the accessible bus is being serviced.

Suggestion from committee that Ogden's can highlight on their timetable the contact phone number to call and check if an accessible bus is available before travelling.

M Lovett suggested that the Mudgee Gulgong Access Committee approach radio 2MG to provide announcements as a service to the community when the Ogden's accessible bus is being serviced.

*Addendum – M Lovett advised that she contacted radio 2MG and spoke to James, who advised that the radio station would be willing to provide free announcements when the Ogden's accessible bus is being serviced.*

**\*\*\*\* Clarification of terminology** – at the MGAC meeting on 1<sup>st</sup> December 2015 committee members questioned the use of 'tactile plates' in a letter to Mudgee Medical Centre. V Miller advised that 'tactile plates' or 'tactile indicator plates' refers to tiles embedded on walkways and footpaths which have raised bumps or bars, they may be hazard or directional plates, and are used by people who have low vision or are blind. Committee members were satisfied with this explanation.

## 6. DEVELOPMENT APPLICATIONS: Nil

F Turner advised committee members that as Development Applications are only on public exhibition for 28 days that this time can fall between MGAC meetings and therefore get missed for consideration by the committee. F Turner recommends that

MGAC members stay abreast of any Development Applications that relate to buildings with public access using one of the following methods:

- Visit one of the Council offices and speak with Customer Service about current Development Applications on exhibition.
- Call Council's Customer Service on 6378 2850 and query about Development Applications on exhibition, it is also possible to speak to the Duty Planner if relevant.
- Read the Friday edition of the Mudgee Guardian which contains a 'Council News' advertisement which will include any current Development Applications on exhibition.
- Access Council's website at the following link to check current Development Applications on exhibition:  
<http://www.midwestern.nsw.gov.au/planning-development2/On-Exhibition/Development-Applications-currently-on-exhibition/>

## 7. GENERAL BUSINESS

- 7.1 Disability Inclusion Action Plan (DIAP) – F Turner.** Council have engaged consultants to draft a Disability Inclusion Action Plan for Mid-Western Regional Council. The consultants are the Centre for Local Government (CLG) from the University of Technology, Sydney.

Stakeholders have been identified by the consultants, including members of the Mudgee and Gulgong Access Committee. Committee members can expect to be contacted (possibly by phone or e-mail) by the consultants for input into the draft DIAP. There will also be two focus groups and a community forum (possibly in late March/early April) during the consultation period.

Stakeholders within Council include, but are not limited to:

Simon Jones – Director Community  
Fiona Turner – Manager Community Services  
Veronica Miller – Coordinator, Host Family Respite Care Service  
Councillors Percy Thompson, John Webb and Esme Martens who sit on the Access Committees.

- 7.2 Location of clothes hook and mirror at Percy Nott Rest Area accessible toilet – L Leighton.** L Leighton advised that the toilets used at the Percy Nott Rest Area are a module unit. Les is pleased with the accessibility of the toilets and would recommend these be considered for use by Council in future, however with a few minor modifications. Les advised that there needs to be an addition of a hook and mirror as well as paper towel dispenser for hand drying. Les tabled documents for F Turner to forward to Paul Blackwell at Council regarding best practice for accessibility standards and Les' recommendations regarding the location of the additional items he has suggested be added to the modular units.  
**Action:** Forward copy of standards and diagrams to P Blackwell, Council.

- 7.3 Mudgee Guardian article regarding Council works at Mudgee Showground – L Leighton.** F Turner made enquiries and was advised that the \$20, 000 identified for

use at Mudgee Showground has been allocated to a new accessible ramp (already installed) and a kitchen in the Mudgee Pavilion building, which has been permanently leased by Council to the Bridge Club.

- 7.4 Accessible car park in Lawson Park East carpark – L Leighton.** L Leighton advised that despite previous discussion at the Access Committee the accessible car park in Lawson Park east has still not been marked. F Turner and V Miller had previously consulted onsite with Council regarding placement of the car parks, which F Turner was advised would need to go to the Traffic Committee for approval.

**Action:** F Turner will follow up

- 7.5 Location of clothes hook at Mudgee Cemetery accessible toilet – L Leighton.** L Leighton advised of the relevant standards regarding placement of a clothes hook and tabled a copy of the standards and a diagram of the suggested placement of a hook.

**Action:** Forward copy of standards and diagrams to P Blackwell, Council.

- 7.6 Review of 'Terms of Reference' of Mudgee and Gulgong Access Committee – F Turner.** F Turner distributed a copy of the current Terms of Reference for the committee and requested that all committee members read the terms in preparation for review at the next meeting.

**Next meeting date – Tuesday 1<sup>st</sup> March 2016 at 2pm in The Stables, Mudgee.**

**\*\*\*\*\*PLEASE NOTE THE CHANGE OF VENUE FOR MEETINGS\*\*\*\*\***

**MINUTES OF THE ORDINARY MEETING OF THE MUDGEES AND GULGONG  
ACCESS COMMITTEE HELD ON TUESDAY 1<sup>st</sup> March 2016 COMMENCING  
2:00PM IN THE STABLES, MUDGEES**

**1. WELCOME**

**PRESENT:**

**Access Committee Members:** Councillor Percy Thompson, Mary Lovett (Chair), Rodger Barnes, Steve Waller, Victoria Barrett, Les Leighton, Pamela Morris, Renee Lamshed

**Council Staff:** Fiona Turner, Veronica Miller (minutes)

**Guest speaker:** Josh Baker, Manager, Health and Building at Council.

**2. APOLOGIES:** Nil

**3. CONFIRMATION OF PREVIOUS MINUTES 1<sup>st</sup> December 2015:**

Moved: L Leighton

Seconded: S Waller

Minutes confirmed.

**4. MATTERS ARISING FROM MINUTES:**

- 4.1** Ogden's Coaches – verbal agreement from 2MG to offer free announcements when accessible bus is serviced – M Lovett – deferred until next meeting
- 4.2** Disability Inclusion Action Plan (DIAP) – update - F Turner. F Turner advised the Committee that the consultants who are tasked with developing the DIAP for Council will be conducting two focus groups in the Council area with members of the Mudgee Gulgong Access Committee and the Rylstone Kandos Access Committee. Committee members will be contacted with details. The Mudgee focus group will be held on Tuesday 22<sup>nd</sup> March, and the Rylstone focus group will be on Wednesday 23<sup>rd</sup> March. There will also be a Community Forum, open to other service providers and members of the community, on Tuesday 22<sup>nd</sup> March at 6 pm at The Stables, Mudgee.
- 4.3** Accessible car park in Lawson Park East carpark – update – F Turner – deferred until next meeting.
- 4.4** Location of clothes hook at Mudgee Cemetery accessible toilet – information from previous meeting has been forwarded to P Blackwell at Council – F Turner. F Turner advised that the clothes hook will be installed as recommended by L Leighton, and a solar powered sky light will also be installed. F Turner advised that the concerns L Leighton had previously raised regarding the accessible toilet at the Percy Nott Rest

Area had been investigated by Council. The placement of the clothes hook was found to be compliant. The mirror is problematic, and Council continues to seek a solution. The provision of a paper towel dispenser is not mandatory, and it was not possible to relocate it owing to electronics behind the wall panel.

- 4.5** 'Terms of Reference' of Mudgee and Gulgong Access Committee – review. Committee members were advised that after the Council elections in September 2016 the Mudgee and Gulgong Access Committee will be disbanded. The newly elected Council will then decide which community consultative committees to reappoint. Review of 'Terms of Reference' deferred.

## **5. CORRESPONDENCE:**

**5.1 Inwards:** Nil

**5.2 Outgoing:** Nil

## **6. DEVELOPMENT APPLICATIONS: Nil**

## **7. GENERAL BUSINESS**

- 7.1** Guest speaker – Josh Baker, Manager, Health and Building at Council. J Baker advised that the purview of his role entails the inside of a property. J Baker was asked what business owners are required to do to ensure accessibility of their property. J Baker advised that if upgrades are being made to an existing building a construction certificate is not always required, therefore Council may not be involved. However if the upgrades involve a new addition or reconfiguration of existing internal rooms then there is a requirement for accessibility to be ensured from the entry through the building. J Baker refers to the Disability Access to Premises Standards 2010.

Happy Soles was discussed. J Baker advised if it is a home business, then there are floor area limitations to the use of rooms in the home. J Baker advised that he doesn't get caught up under the Disability Discrimination Act obligations, he expects a business owner to allow for dignified access to a business, and to ensure that access is catered for. In the example of Happy Soles, as the business also operates out of the Mudgee Medical Centre, as well as the Church Street venue (which isn't safely accessible), then it would be considered that Happy Soles is catering to the accessibility needs of its clients through using the fully accessible Mudgee Medical Centre.

J Baker was asked if new business owners are required to register with Council. J Baker advised that other than food premises there is not requirement for a business to register with Council.

J Baker was asked if a premises had a change of use, from a residence to a business, would a new application to Council be required. J Baker advised there would be a requirement for a new application to Council. The example of Happy Soles was discussed and J Baker is able to check with the planning department what occurred. If a consent was acquired to change the use of premises, and there were conditions placed on the consent, then J Baker could discuss this with the business owner and Council could mediate and facilitate the situation to address accessibility.

J Baker advised that he can only act on what is required under planning laws and legislations.

P Morris gave the example of trees hanging over a pathway on an entry to a business, and asked if J Baker can address this. J Baker advised he can't enforce trees overhanging on a private property. However, if the trees overhang a public pathway, then a works request can be made to Council.

The issue of conserving heritage vs allowing for accessibility was discussed as this is often an issue in Mudgee and Gulgong. The issue of claiming 'unjustifiable hardship' was discussed, where a small business owner can claim on heritage grounds or financial grounds the inability to modify a building to allow for accessibility.

Clr Thompson discussed the new Holterman Museum in Gulgong, and his concerns about accessibility. J Baker advised he is aware of moves to ensure that the building will be accessible for all.

M Lovett discussed accessibility issues she encountered at The Lodge in Mudgee. J Baker advised that from memory he recalled that access had been provided for at the rear of building, with accessible car parking near the rear entry. J Baker was unsure if the rear car park was sealed and level with the new works, and unsure if it was certified by Council, but would look into it. M Lovett advised she was concerned about the stairs in the front entrance, which requires strips and rails to increase safety. J Baker advised that updating of existing steps by the business owner would be voluntary, and not required under certification. J Baker advised that Council is able to enforce a business owner to ensure that new works comply with the Disability Discrimination Act, but cannot enforce an existing structure. J Baker advised he can find out if The Lodge has been given certification yet.

The provision of access ways was also discussed, J Baker advised there are standards that need to be adhered to regarding gaps between paving, and requirements regarding provision of passing bays, and the access way needs to be wider at corners to allow turning room.

L Leighton raised the need for more automatic doors to be used. Examples discussed of buildings with automatic doors, and those without.

J Baker advised there are a lot of restrictions regarding the use and size of a building.

R Barnes raised concerns that the Busy Bee Roadhouse does not have an accessible entry (no ramp), and there is no accessible toilet. Given this is an existing building Council cannot enforce compliance.

P Morris raised concerns regarding pathways in Gulgong, however J Baker advised he cannot enforce compliance regarding pathways in his role.

L Leighton raised concerns regarding the Committee missing out on hearing about Development Applications. He gave the example of the Services NSW building, which he hadn't heard about. F Turner advised that the Development Application for the Services NSW building had been on public exhibition during January, when the Committee didn't meet, this was why it wasn't considered by the Committee.

**F Turner asked J Baker what powers Council has to enforce compliance with accessibility for existing buildings. J Baker advised that Council has no powers to enforce accessibility or compliance with standards with existing buildings. However, if there is an application to Council for change of use of building (e.g. residence to business), then Council can place conditions on an owner regarding compliance. Or, if there is a new addition to or reconfiguration of internal rooms of an existing building used for business then Council can require accessibility from the entry to the building through the building and has powers to enforce compliance. If an existing building is being upgraded, there may not be a requirement for Council certification, and therefore Council cannot enforce compliance in this case.**

J Baker advised that he refers to the following:

- Australian Standard – Design for Access and Mobility, 2009 (previous version was 2001).
- Building Code, which is updated annually.
- Australian Building Code Board – the website has the most up to date standards.

**7.2 Council's Weekly Notices in the Mudgee Guardian – making them accessible for people with Vision Impairment – M Lovett.** M Lovett advised, as discussed previously, that she does not receive the 'Council Weekly Notices' which is published in the Mudgee Guardian each Friday on the 3G player edition of The Mudgee Guardian which she receives from Vision Australia. M Lovett has spoken to Vision

Australia regarding this issue. M Lovett advised she also doesn't receive the 'events to come' on the disk she receives from Vision Australia.

**Motion:** Committee write to Vision Australia to request the inclusion of the 'Council Weekly Notices' on the recorded disk of the Mudgee Guardian for 3 G player.

Moved: V Barrett

Seconded: P Morris

- 7.3** Accessible Toilets needed at Victoria Park and Billy Dunn Oval – Councillor P Thomson. Cllr Thompson raised concerns about the need for accessible toilets at these parks. J Baker advised that the new toilets at Billy Dunn Oval are being built at the moment.

**Next meeting date – Tuesday 5<sup>th</sup> April 2016 at 2pm in Council Committee Room, Mudgee.**



**MINUTES OF THE ORDINARY MEETING OF THE MUDGEES AND GULGONG  
ACCESS COMMITTEE HELD ON TUESDAY 5<sup>th</sup> April 2016, COMMENCING  
2:00PM IN COUNCIL'S COMMITTEE ROOM, MUDGEES**

**1. WELCOME**

**PRESENT:**

**Access Committee Members:** Councillor Percy Thompson, Mary Lovett (Chair),  
Rodger Barnes, Steve Waller, Victoria Barrett, Les Leighton, Renee Lamshed

**Council Staff:** Fiona Turner, Veronica Miller (minutes)

**2. APOLOGIES:** Pamela Morris

**3. CONFIRMATION OF PREVIOUS MINUTES 1<sup>st</sup> March 2016:**

Moved: L Leighton

Seconded: R Barnes

Minutes confirmed.

**4. MATTERS ARISING FROM MINUTES:**

- 4.1** Ogden's Coaches – Mary spoke to James at 2MG radio, who said that 2MG could make a community announcement between 6-9am on the day if the Ogden's Coaches accessible bus is unavailable.

**Motion: A letter be sent to Ogden's Coaches advising that James at 2MG radio has advised that the radio station is willing to make a community announcement between 6-9am on the day if Ogden's Coaches advises them that the accessible bus is unavailable.**

Moved: R Lamshed

Seconded: S Waller

- 4.2** Disability Inclusion Action Plan (DIAP) – update - F Turner. F Turner provided an update and advised that the DIAP consultants are working on a draft copy of the DIAP, which is planned to go to Council in June/July 2016 and then will go on public exhibition, when Committee members can make further submissions.
- 4.3** Accessible car park in Lawson Park East carpark – update – F Turner – The car park has been marked in Lawson Park East but not in the original location requested by L Leighton. F Turner and V Miller have sent a map to Council marking the correct placement of the car park, it is anticipated that the car park will be marked in the correct location and signage added.

Addendum: This has now been completed.

- 4.4 'Terms of Reference' of Mudgee and Gulgong Access Committee – F Turner.**  
Discussion regarding when to revise the Terms of Reference of the Access Committee. F Turner advised when the Committee is disbanded after the Council elections in September the new Council will determine if it reforms the Section 355 Committees, and a review of Terms of Reference may occur then. F Turner advised the need for the Committee to focus solely on issues regarding accessibility, and the need for up to date training and education for the next Committee regarding accessibility issues.
- 4.5 Update following guest speaker Josh Baker, Manager, Health and Building at Council – 'The Lodge' and 'Happy Soles' – F Turner.**

The Lodge – J Baker has advised that there are conditions of compliance regarding the renovation and extension at The Lodge, the works are not yet completed and there has not been a final certificate issued. Council is monitoring.

Happy Soles – J Baker has made enquiries with the Council Planner regarding whether there was a Development Application made for change of use of the premises. There was no change of use to the existing consent, the building was classified as a health services facility and therefore there was no change of use Development Application required. Historically, planning rules were applied when the premises changed from a residence to a health service facility. Given Happy Soles also utilises the Medical Centre for alternative premises, accessibility has been provided for. Council has limitations regarding how much can be done given correct processes have been followed.

**Motion: Write a letter of thanks to J Baker from the Committee.**

Moved: L Leighton

Seconded: R Barnes

## **5. CORRESPONDENCE:**

**5.1 Inwards:** Nil

**5.2 Outgoing:** A letter to Vision Australia requesting inclusion of 'Council Weekly Notices' in recordings of The Mudgee Guardian will be sent this week.

## **6. DEVELOPMENT APPLICATIONS: Nil**

## **7. GENERAL BUSINESS**

- 7.1** M Lovett advised the Committee that Sally Mullinger, who is Manager of Works at Council has received a 'Women in Government Award' in recognition of her work. M

Lovett advised that S Mullinger has been very helpful to the Committee in the past, and proposed the Committee send a letter to congratulate her.

**Motion: Send a letter of congratulations for her award to Sally Mullinger from the Committee.**

Moved: R Lamshed

Seconded: M Lovett

- 7.2 M Lovett advised it is difficult for her to know which documents are on exhibition at Council. Discussion regarding a solution, as M Lovett finds Council's website difficult to navigate using her computer software.

**Action:** V Miller to send to Committee Members the direct link to Council's web page for documents on exhibition.

- 7.3 L Leighton – advised that new toilets are planned for the Mudgee Showground, and referred to the Minutes of the December meeting of the Showground Committee in the February 2016 Council Business Paper. L Leighton enquired if the plans for the new toilets will be subject to a Development Application, and therefore considered by the Access Committee? Discussion held.

**Action:** F Turner to contact Andrew Drummond to enquire.

- 7.4 Cllr P Thompson – Advised that he has received complaints about poor accessibility on the footpath when crossing the road to the Ten Dollar Hotel in Gulgong; laybacks are required.

**Action:** F Turner to investigate.

Addendum: Council advises there are planned works under footpath capital money to install laybacks at this location in 2016.

- 7.5 Cllr P Thompson – advised that the Sports Council is seeking to install lights at Victoria Park, Gulgong. This will increase patronage to the park. Cllr Thompson advised there is a need for an accessible toilet at the park. Discussion was held.

**Motion: Send a letter to Council supporting construction of an accessible toilet (with an MLAK facility) at Victoria Park, Gulgong.**

Moved: V Barrett

Seconded: L Leighton

Meeting closed at 3 pm.

**Next meeting date – Tuesday 3<sup>rd</sup> May 2016 at 2pm in Council Committee Room,  
Mudgee.**

**MINUTES OF THE ORDINARY MEETING OF THE MUDGEES AND GULGONG  
ACCESS COMMITTEE HELD ON TUESDAY 3<sup>rd</sup> MAY 2016, COMMENCING  
2:00PM IN COUNCIL'S COMMITTEE ROOM, MUDGEES**

**1. WELCOME**

**PRESENT:**

**Access Committee Members:** Councillor Percy Thompson, Mary Lovett, Les Leighton, Pamela Morris, Victoria Barrett, Renee Lamshed, Rodger Barnes.

**Council Staff:** Veronica Miller (minutes)

**2. APOLOGIES:** Stephen Waller, Fiona Turner (Council)

**3. CONFIRMATION OF PREVIOUS MINUTES 5<sup>th</sup> April 2016:**

Moved: V Barrett

Seconded: L Leighton

**4. MATTERS ARISING FROM MINUTES:**

**4.1 Amend Minutes from March 2016 meeting – V Miller:**

**Motion:** To amend date on the minutes at item 3 to read: Confirmation of previous minutes 2<sup>nd</sup> February 2016.

Moved: V Barrett

Seconded: R Barnes

**4.2 Ogden's coaches community announcement – V Miller.** Letter sent to Ogden's Coaches advising of M Lovett's conversation with radio 2MG offering community announcements for Ogden's Coaches when accessible bus is being serviced.

**4.3 Laybacks on footpath at Ten Dollar Hotel, Gulgong – V Miller.** Council has advised layback will be undertaken in current budget to be completed this year.

**4.4 Lawson Park East, accessible car park – V Miller.** Car park is now installed in location requested by L Leighton.

**5. CORRESPONDENCE:**

**5.1 Inwards:** Vision Australia – re: request for 'Council Weekly Notices' to be included in recordings of The Mudgee Guardian. V Miller advised still following this up with Vision Australia.

**5.2 Outgoing:**

- Letter to Vision Australia re: Council Weekly Notices
- Letter of thanks to Josh Baker at Council
- Letter of congratulations to Sally Mullinger at Council
- Letter to Ogden's Coaches re: 2MG radio announcements
- Letter to Council re: accessible toilet at Victoria Park, Gulgong – F Turner to update at next meeting.

**6. DEVELOPMENT APPLICATIONS: Nil****7. GENERAL BUSINESS**

- 7.1** L Leighton re: future of 355 Committees, including the Access Committee, after Council Elections in September. L Leighton interested in possibility of updated training for Access Committee members and an updated Terms of Reference. L Leighton would like to see this item remain on the agenda until September. M Lovett added that the Access Committee needs to be aware of 1428 Building Standards and needs to have access to this information. M Lovett also added that education regarding rights and responsibilities of people with a disability is also important for the new committee. M Lovett believes that the new Council Members and staff should undergo the disability awareness training previously implemented with Council, which involved Council members trying travel in a wheelchair, being blindfolded, and experiencing first hand accessibility in the community.

**Motion:** Revisit the above after the September election.

Moved: L Leighton

Seconded: V Barrett

- 7.2** Showground accessible toilet: L Leighton requested update. V Miller unable to assist but will ask F Turner to follow up.

Action: F Turner update at next meeting.

- 7.3** Cllr P Thompson – service of alcohol on footpaths. Cllr P Thompson attended meeting to discuss approval of service of alcohol on footpath. Cllr P Thompson advised that he advocated that no patrons should block the footpath access. GM Brad Cam agreed with this view.
- 7.4** R Lamshed – asked to raise the option of placing a hoist at the Mudgee Pool to transfer people between their own wheelchair and the pool wheelchair.

**Motion:** Fiona/Veronica to investigate option of providing hoist for all pools in Mid-Western region.

Moved: R Lamshed

Seconded: V Barrett.

Meeting closed at 2:55pm.

**Next meeting date – Tuesday 7<sup>th</sup> June 2016 at 2pm in Council Committee Room, Mudgee.**

**MINUTES OF THE ORDINARY MEETING OF THE MUDGEES AND GULGONG  
ACCESS COMMITTEE HELD ON TUESDAY 7<sup>th</sup> June 2016, COMMENCING  
2:00PM IN COUNCIL'S COMMITTEE ROOM, MUDGEES**

**1. WELCOME**

**PRESENT**

**Access Committee Members:** Cllr Percy Thompson, Mary Lovett, Victoria Barrett, Rodger Barnes, Pamela Morris, Les Leighton, Steve Waller.

**Council Staff:** Fiona Turner, Veronica Miller (minutes)

**2. APOLOGIES:** Renee Lamshed (*received after the meeting via e-mail*)

**3. CONFIRMATION OF PREVIOUS MINUTES 3<sup>rd</sup> May 2016:**

Moved: V Barrett

Seconded: P Morris

**4. MATTERS ARISING FROM MINUTES:**

- 4.1** Showground accessible toilets – F Turner provided update. L Leighton had enquired if a Development Application would be required for the new accessible toilet at the showgrounds. F Turner advised that a Development Application was not required as owing to relevant legislation, Mid-Western Regional Council is considered a caretaker of the showground and not required to complete a Development Application. The toilet in question was a modification to an existing building, and is leased to the Bridge Club to use. F Turner has been advised that on Show Day the accessible toilet will be opened to the public.
- 4.2** Vision Australia – inclusion of 'Council Weekly Notices' on Vision Australia's recordings of The Mudgee Guardian. V Miller advised committee that following extensive consultation and discussion with Fairfax Media and Vision Australia, that the Council Weekly Notices are considered to be a classified and therefore not included in news articles which are provided by Fairfax Media to Vision Australia to be converted into alternative format for people with vision impairment. Therefore, provision of information in alternative format will depend on Council providing it. As a result, V Miller has arranged for the Council Weekly Notices to be e-mailed to Mary Lovett each week in a Word format, which her screen reading software can read. Discussion regarding how to provide this information to the general public who may be unable to access print media, no immediate solution available.
- 4.3** Option of hoists for pools – F Turner. Carried over to July 2016 meeting to allow F Turner to further investigate this option.



- 4.4 Accessible Toilet at Victoria Park, Gulgong – F Turner.** Letter sent to Council requesting accessible toilet with MLAK facility be installed at Victoria Park. F Turner advised this has provisionally been allocated to the 2017/2018 budget. F Turner also advised committee that Paul Blackwell, Buildings Coordinator at Council, is keen to attend the next meeting of Mudgee and Gulgong Access Committee.

**Action:** Committee members to prepare questions for Paul Blackwell related to Council buildings and infrastructure (not footpaths or roads) for meeting in July 2016.

**5. CORRESPONDENCE:**

**5.1 Inwards:** Nil

**5.2 Outgoing:** Nil

**6. DEVELOPMENT APPLICATIONS: Nil**

**7. GENERAL BUSINESS**

- 7.1 Ogden's Coaches.** S Waller advised that the accessible bus at Ogden's Coaches is currently undergoing major repairs for the next 2 weeks. It was unknown if Ogden's Coaches had announced this on radio. Committee agreed that it could not do any more to ensure the community is informed about the accessible bus not being available, following letter to Ogden's advising 2MG radio willing to provide free community announcements.
- 7.2 Disability Inclusion Action Plan (DIAP).** F Turner advised that Council will consider the draft DIAP at the August 2016 meeting, then, subject to Council vote, the DIAP will go on public exhibition for 28 days. During this time, Committee members will have the opportunity to make further submissions regarding the DIAP.
- 7.3 Monthly Newsletter from Council's Community Development Officer.** M Lovett advised that she appreciated the Monthly Newsletter, however is often unable to find a telephone contact number in the document to contact agencies mentioned in the document. M Lovett advised that often, people may prefer to make telephone contact with an organisation, rather than look online. M Lovett also advised she is disadvantaged in regards to using online sites, owing to having a vision impairment, and other people may be similarly disadvantaged.

**Motion:** Letter to be sent to Council's Community Development Officer requesting that telephone numbers be included in information that is contained in the Monthly Newsletter.

Moved: M Lovett

Seconded: S Waller

7.4 R Barnes gave an apology for the July and August meetings.

Meeting closed at 2:45 pm

**Next meeting date – Tuesday 5<sup>th</sup> July at 2pm in Council Committee Room,  
Mudgee.**

## 12.3 Gulgong Sports Council Meetings - 9 May and 8 June 2016

REPORT BY THE DIRECTOR, COMMUNITY  
TO 20 JULY 2016 ORDINARY MEETING  
GOV400054, A0360003

### RECOMMENDATION

#### That Council:

1. **receive the report by the Director, Community on the Gulgong Sports Council Meetings - 9 May and 8 June 2016; and**
2. **note the minutes of the Gulgong Sports Council Meetings held on 9 May and 8 June, 2016.**

---

### Executive summary

The purpose of this report is to advise Council of the considerations and recommendations of the Gulgong Sports Council Meetings held on 9 May and 8 June, 2016.

### Disclosure of Interest

Nil.

### Detailed report

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 receive additional information.

### Community Plan implications

<b>Theme</b>	<b>Looking After Our Community</b>
Goal	Effective and efficient delivery of infrastructure
Strategy	Provide infrastructure and services to cater for the current and future needs of our community

## Financial implications

Not applicable.

SIMON JONES  
DIRECTOR, COMMUNITY

20 June 2016

*Attachments:* 1. Gulgong Sports Council Meeting 9 May, 2016.  
2. Gulgong Sports Council Minutes 8 June, 2016.

### APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER

Gulgong Sports Council  
Monthly Meeting  
Monday, 9<sup>th</sup> May, 2016

**Meeting Opened:** 7.00pm

**Apologies:** Mark Willis Touch Football, L.Hawkins, R.Murry - Athletics, B.Rae, Tracey Kane-MWRC,

**Present:** C. Holden - President, B. Gudgeon - Senior Cricket, MWRC - C. Rae Sports Council, , Greg Lillis Gulgong Soccer, P Thompson – MWRC. M.Gaudry - Gulgong Tennis,

President read previous minutes.

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

Moved: C. Holden

Seconded: C.Rae

All in favour – motion moved and carried.

**Council Business:**

1. Area around new Amenities at Billy Dunn needs to be sealed to stop erosion, down pipe needs to be directed away from building. Also gravel to be replaced in front of building.

2. All Clubs, schools and anyone booking ovals must use new booking forms.

3. Bookings must be made at least 2 weeks prior to date required.

**Finance Report:** Balance; \$3291.74

**Income;** \$55.00 Affiliation Fees

**Expenditure;** Gulgong Sports Development Fund \$200.00 contribution  
Mudgee Embroidery \$210.00 Shirts for Sports Council Committee

**Motion** – Finance report to be accepted.

Moved: B. Gudgeon Seconded: C.Rae

All in favor – motion moved and carried.

**Correspondence:** Nil

**General Business:**

1. Storage for Junior Athletics needs dividing wall sports council to fix.
2. Line marking to be re-done for little athletics.
3. Light in BBQ area at Victoria Pk Gulgong needs to be fixed.
4. Water tap in kiosk at Victoria Pk needs fixing (works Request).
5. Sports Council shirts to be ordered to replace old shirts. Moved C. Holden 2<sup>nd</sup> C.Rae.
6. Back doors on Billy Dunn Grandstand to be painted.

Meeting closed: 8.30

Craig Holden – President



Next meeting—12<sup>th</sup> June, 2016 Gulgong Bowling Club at 6.30pm.

Gulgong Sports Council  
Monthly Meeting  
Monday, 8<sup>th</sup> June, 2016

**Meeting Opened:** 6.30pm

**Apologies:** Mark Willis Touch Football, L.Hawkins, B.Rae, Tracey Kane-MWRC,

**Present:** C. Holden - President, B. Gudgeon - Senior Cricket, MWRC - C. Rae Sports Council, ,  
Greg Lillis Gulgong Soccer, M.Gaudry - Gulgong Tennis, Tim Papworth-Athletics, John  
Mobbs-Bowling club

President read previous minutes.

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

Moved: C. Holden

Seconded: C.Rae

All in favour – motion moved and carried.

**Council Business:**

1. Area around new Amenities at Billy Dunn needs to be sealed to stop erosion, down pipe needs to be directed away from building. Also gravel to be replaced in front of building.

2. All Clubs, schools and anyone booking ovals must use new booking forms, Craig to make sure that all have booking forms.

3. Bookings must be made at least 2 weeks prior to date required.

4. Roller door on Billy Dunn Grandstand to be replaced, craig to check with Tracey at MWRC.

**Finance Report:** Balance;

**Income;** \$55.00 Affiliation Fees

**Expenditure;** Gulgong Timber & H'ware \$413.25 (Hand Rails for Tennis Club)

R&J Engineering \$728.75 (Bob Cat Work refer to Dockets)

Gulgong Bowling and Sporting Club \$400.00 (Donations for Bowlers for state  
finals-Ladies and Men's Teams)

**Motion** – Finance report to be accepted, all accounts to be paid.

Moved: B. Gudgeon Seconded: M.Gaudry

All in favor – motion moved and carried.

**Correspondence:** Nil

**General Business:**

1. Light in BBQ area at Victoria Pk Gulgong needs to be fixed also door to be adjusted.
2. Water tap in kiosk at Victoria Pk needs fixing (works Request).
3. Back doors on Billy Dunn Grandstand to be painted.
4. Sign to be placed in BBQ area at Vic Pk regarding keeping area clean.
5. New earn to be ordered to replace the one at Vic Pk.

Meeting closed: 8.30

  
Craig Holden – President

Next meeting–13<sup>th</sup> July, 2016 Gulgong Bowling Club at 6.30pm.



## 12.4 Mudgee Sports Council Meeting - June 2016

REPORT BY THE DIRECTOR, COMMUNITY  
TO 20 JULY 2016 ORDINARY MEETING  
GOV400054, A0360013

### RECOMMENDATION

#### That Council:

1. **receive the report by the Director, Community on the Mudgee Sports Council Meeting - June 2016; and**
  2. **Note the minutes for the Mudgee Sports Council Meetings held on 28 June 2016.**
- 

### Executive summary

The purpose of this report is to advise Council of the considerations and recommendations of the Mudgee Sports Council meetings held 28 June 2016.

### Disclosure of Interest

Nil.

### Detailed report

The Mudgee Sports Council receives an update 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 receive additional information.

## Community Plan implications

<b>Theme</b>	<b>Looking After Our Community</b>
Goal	Effective and efficient delivery of infrastructure
Strategy	Provide infrastructure and services to cater for the current and future needs of our community

## Financial implications

Not applicable.

SIMON JONES  
DIRECTOR, COMMUNITY

30 June 2016

*Attachments:* 1. Mudgee Sports Council Meeting 28/06/16.

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER

**Mudgee Sports Council Minutes**

**Netball Clubhouse**

**28-06-16**

**18:15**

**Present:** J. Weatherley (MWRC Rep), P. Mitchell, S. Jones (MWRC Rep) J. Wiltshire (Netball), M. O’Keefe (AFL), K. Lang (Touch), M. Collins (Hockey), C. Kurtz (Soccer), & J. Johnson.

**Apologies** G. Robinson, D. Sprigg (Softball), G. Bartrim (Rugby) apologies be accepted moved M. Collins, seconded C. Kurtz.

**Business arising from previous meeting:**

- 1.** AFL has paid 2015 sports council fees.
- 2.** Netball have paid fees for sports council, and Softball paid in May, still awaiting Little A’s 14/15 and 15/16, Senior Cricket 14/15, 15/16 seasons, and Junior League season 15. All **Winter Sports are reminded that fee’s are due as well as affiliation fee.**
- 3.** Still awaiting key for canteen at Netball suggest sports council rep chase up with council staff.
- 4.** Has the funding grant been paid to Mudgee Junior League, it is with council staff.
- 5.** The follow up by council of dogs on grounds, no dogs allowed during sporting endeavours, signage will be changed.
- 6.** The issue of the termites at the Junior League clubhouse has been dealt with but the safety issue is still present.

**Treasurer’s Report:**

1. \$78,986.71 in account, as at meeting.
2. **Sports owing Jnr League, Snr Cricket, and Little A’s.**
3. Sports that have paid in May/ June AFL, and Mudgee Netball.
4. **Winter Sports are due end of June 2016, could respective sports council rep’s forward 2015/16 template to your treasurer.**
5. Simon to check about the \$9000 funding in April.
6. Funding application for Ella-Rose Hawes who has been selected to represent PSSA NSW in a National Primary school Soccer carnival in Perth WA in August this year, **Motion: that funding application be paid to Ella-Rose Hawes** Moved C. Kurtz, seconded J. Wiltshire carried, P. Mitchell to chase up account details.  
Treasurer’s report moved P. Mitchell seconded M. O’Keefe.

**Works Request Updates:**

1. Taps ladies toilets at West End difficult to shut off, and bins required, been checked and taps fixed, bins to be ordered.
2. Weeds on main Hockey field West End.
3. Lights in breeze way West End need cleaning, handed to cleaner.
4. Depression area lane 3, on 110m track 70m from finish line, needs top dressing, Walkers Oval, will be returfed once Walkers not being used by the schools for carnivals, due August.
5. Tap near long jump pits not working- Walkers Oval, no tap located.
6. Glen Willow Netball Check for leaking sprinkler western end of clubhouse very boggy, sand laid over area now worse suggest barricading area.

7. Glen Willow Netball- clubhouse requires spider spraying, will be done in Spring.
8. Victoria Park- Lock on Perry St gate very difficult to shut, lock oiled now working.
9. No Smoking signs required for Cahill Park grandstands, signs have been ordered.

**Works Requests:**

1. Nil.

**General Business:**

1. In October this year Mr Hugh Bateman is organising another fund Raiser for the McGrath Foundation it will be called “PinkupMudgee” he would like clubs to be involved in this wonderful activity by wearing pink clothing using pink stumps, Kathy Lang will email out to all clubs a list of merchandise that can be purchased, perhaps the Winter sports could get involved before their seasons conclude.
2. Mudgee wolves have purchased 6 new soccer goals for fields 3,4,and 5 at Glen willow these will go over the sleeves already there are easier to remove, and are convertible for multi user’s, they will also have sponsorship signage on them, Simon would like to see what is proposed for the signage before they go up.

Meeting finished 18:40

**Next Meeting Tuesday 26<sup>th</sup> July at the Netball Clubhouse**

## 12.5 Heritage Committee June 2016

REPORT BY THE SENIOR TOWN PLANNER  
TO 20 JULY 2016 ORDINARY MEETING  
GOV400054, DEV700020

### RECOMMENDATION

#### That Council:

1. **receive the report by the Senior Town Planner on the Heritage Committee June 2016; and**
2. **note the minutes of the June 2016 Heritage Committee Meeting**

---

### Executive summary

The purpose of this report is to advise Council of the considerations of the Heritage Committee meeting held on 23 June 2016.

### Disclosure of Interest

Nil.

### Detailed report

There were no recommendations from the June Heritage Committee.

### Community Plan implications

<b>Theme</b>	<b>Looking After Our Community</b>
Goal	Vibrant towns and villages
Strategy	Respect and enhance the historic character of our Region and heritage value of our towns

## Financial implications

Nil.

SARAH ARMSTRONG  
SENIOR TOWN PLANNER

JULIE ROBERTSON  
DIRECTOR DEVELOPMENT

5 July 2016

*Attachments:* 1. June Heritage Committee Minutes.

### APPROVED FOR SUBMISSION:

BRAD CAM  
General Manager

**MINUTES OF THE HERITAGE COMMITTEE MEETING HELD AT 3 PM  
ON 23 JUNE 2016 AT THE COMMITTEE MEETING ROOM, MUDGEES.**

**PRESENT:** Barbara Hickson, David Mort, John Bentley, David Warner,  
Peter Monaghan and Sarah Armstrong.

1. **APOLOGIES:** Cllr White

2. **MINUTES OF PREVIOUS MEETING**

Not applicable.

3. **GENERAL BUSINESS**

3.1 **Introduction of committee members**

The committee members introduced themselves including their expertise they bring to the committee.

3.2 **Terms of Reference**

The Terms of Reference were tabled and discussed.

3.3 **Local Heritage Grants program**

The outcomes of the 2015/16 program were discussed and the opening and publicity of the 2016/17 were outlined. Barbara Hickson raised the potential for interpretation funding, Sarah Armstrong to respond directly to Barbara Hickson.

4. **DATE OF NEXT MEETING**

Next Meeting 4 August 2016 (Committee Meeting Room, Mudgee)

Meeting closed at 4.30pm

## 12.6 Weeds Advisory Committee Meeting Minutes

REPORT BY THE NOXIOUS WEEDS ADMINISTRATOR  
TO 20 JULY 2016 ORDINARY MEETING  
GOV400054, ENV200042

### RECOMMENDATION

#### That Council:

1. **receive the report by the Noxious Weeds Administrator on the Weeds Advisory Committee; and**
2. **note the minutes of the Noxious Weeds Advisory Committee meeting held on Monday 6 June 2016.**

---

### Executive summary

The purpose of this report is to provide the minutes of the Weeds Advisory Committee meeting to Council for Council's consideration.

### Disclosure of Interest

There are no disclosures of interest.

### Detailed report

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

### Community Plan implications

<b>Theme</b>	<b>Protecting Our Natural Environment</b>
Goal	Protect and enhance our natural environment
Strategy	Control invasive plant and animal species



## Financial implications

There are no financial implications associated with this report.

SUSAN BURNS  
NOXIOUS WEEDS ADMINISTRATOR

DARYL COLWELL  
DIRECTOR, OPERATIONS

17 June 2016

*Attachments:* 1. Weeds Advisory Committee June 2016 Minutes. (separately attached)

### APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER

## 12.7 Mudgee Showground Management Committee Meeting

REPORT BY THE MANAGER, PLANT AND FACILITIES  
TO 20 JULY 2016 ORDINARY MEETING  
GOV400054, F0650007

### RECOMMENDATION

#### That Council:

1. **receive the report by the Manager, Plant and Facilities on the Mudgee Showground Management Committee Meeting held on 7 June 2016; and**
2. **endorse the Committee support for the plans presented by the Cudgegong Cruisers for an extension to their shed at the Mudgee Showground.**

---

### Executive summary

The purpose of this report is to advise Council of the considerations and recommendations of the Mudgee Showground Management Committee ordinary bi-monthly meeting held on 7 June 2016.

### Disclosure of Interest

There are no disclosures of interest for this report.

### Detailed report

The Showground Management Committee receives an updated Works Request and Matters in Progress report together with updated financial details bi-monthly. A copy of the Matters in Progress are attached for Council information.

### Community Plan implications

<b>Theme</b>	<b>Looking After Our Community</b>
Goal	Vibrant towns and villages
Strategy	Maintain and promote the aesthetic appeal of the towns and villages within the Region

## Financial implications

Not Applicable.

ANDREW DRUMMOND  
MANAGER, PLANT AND FACILITIES

30 June 2016

*Attachments:* 1. Mudgee Showground Management Committee Meeting Minutes June 2016.  
2. Cudgegong Cruisers Shed Extension Plans.

APPROVED FOR SUBMISSION:

DARYL COLWELL  
DIRECTOR, OPERATIONS



## MUDGEE SHOWGROUND MANAGEMENT COMMITTEE MEETING — 7 June 2016

### Meeting Opened: 5:30 pm

Present: Cr John Webb (Councillor), Daryl Colwell (Director Operations), Bill Robinson (Poultry Group), Helen Chisholm (Mudgee Dressage Group), Russell Holden (Building Users), Barry Nott (Mudgee Show Society) and Rick Field (Mid-Western Working Horse)

Observer: Lesley Burgess (Minute Secretary)

Absent: Dana Willmott (Mudgee Pony Club)

Apologies: Malcolm Swords (Livestock & Other Animal Groups)

Moved: Bill Robinson, Seconded: Russell Holden: Apology be accepted.

**Motion Carried**

Minutes of the December's Meeting – Accepted

Moved: Helen Chisholm

2nd: Bill Robinson

**Motion Carried**

### Matters in Progress

1. As per attached list.
2. There are no plans to demolish the grandstand as there is no budget.
3. Helen advised that Woolworths have had netting installed to prevent swallows from nesting outside their store. It was suggested Council talks to Woolworths to ascertain the name of the company that installed the netting in order to have the company quote to install similar netting on showground buildings that have problems with pigeons.

### Correspondence

1. Letter received today from MWW Horse Association regarding the continuing problems around collection of camping fees and yard hire during their events. Ken to be asked to be at the showground on Saturday mornings of their event to collect camping fees. MWW Horse Association has advised that they will make it a condition of participation that members will be unable to register until their camping fees are paid.

### Financial Report

1. Expenditure year to date against budget is showing good results.
2. Income to date is \$85,167 against a budget of \$61,500 with camping being the major contributor to the increased income. The Showground is now receiving positive publicity through word of mouth. Russell advised that the MRTI are promoting the showground for camping.
3. There is a spike in water usage. Council to investigate as to reason behind increase.
4. The Financial report was accepted -

Moved: Helen Chisholm  
2nd: Bill Robinson

**Motion Carried**

## **General Business**

### ***Cr John Webb***

- Would like to determine why the existing borehole is no longer used. It is understood that the borehead is bent and damaged and it is full of debris, however, Cr Webb would like to ascertain whether it is feasible to have the bore opened up again.
- The two big water tanks. Investigate to determine if water from building roofs drain into to these tanks.

### ***Helen Chisholm***

- Helen advised that there is a tap next to the Dressage Arena that does not appear to be connected. Helen would like this tap to be removed as it is a potential hazard to horse riders.
- Helen advised that the Dressage Group now have a totally new committee. Troy Grant has visited the showground to look at their new arena and as a result a second grant will be forthcoming for further improvements.
- Helen is no longer working for Ken Jeffrey.

### ***Russell Holden***

- The plans for the extension to the Cudgegong Cruisers shed were discussed. A motion was moved to support this extension.

Moved: Russell Holden  
2nd: Bill Robinson

**Motion Carried**

### ***Bill Robinson***

- Bill advised that campers tend to go to the Nicholson Street entrance. Sign to be placed on the fence on the corner of Nicholson and Douro stating "Main Entrance" with an arrow pointing to the gate on Douro Street.
- The sheep pens belonging to the Show Society were used by the Miniature Horse Association, however, these panels were not dismantled and put away after use. Next time they use the pens Council to ensure they are put away afterwards.

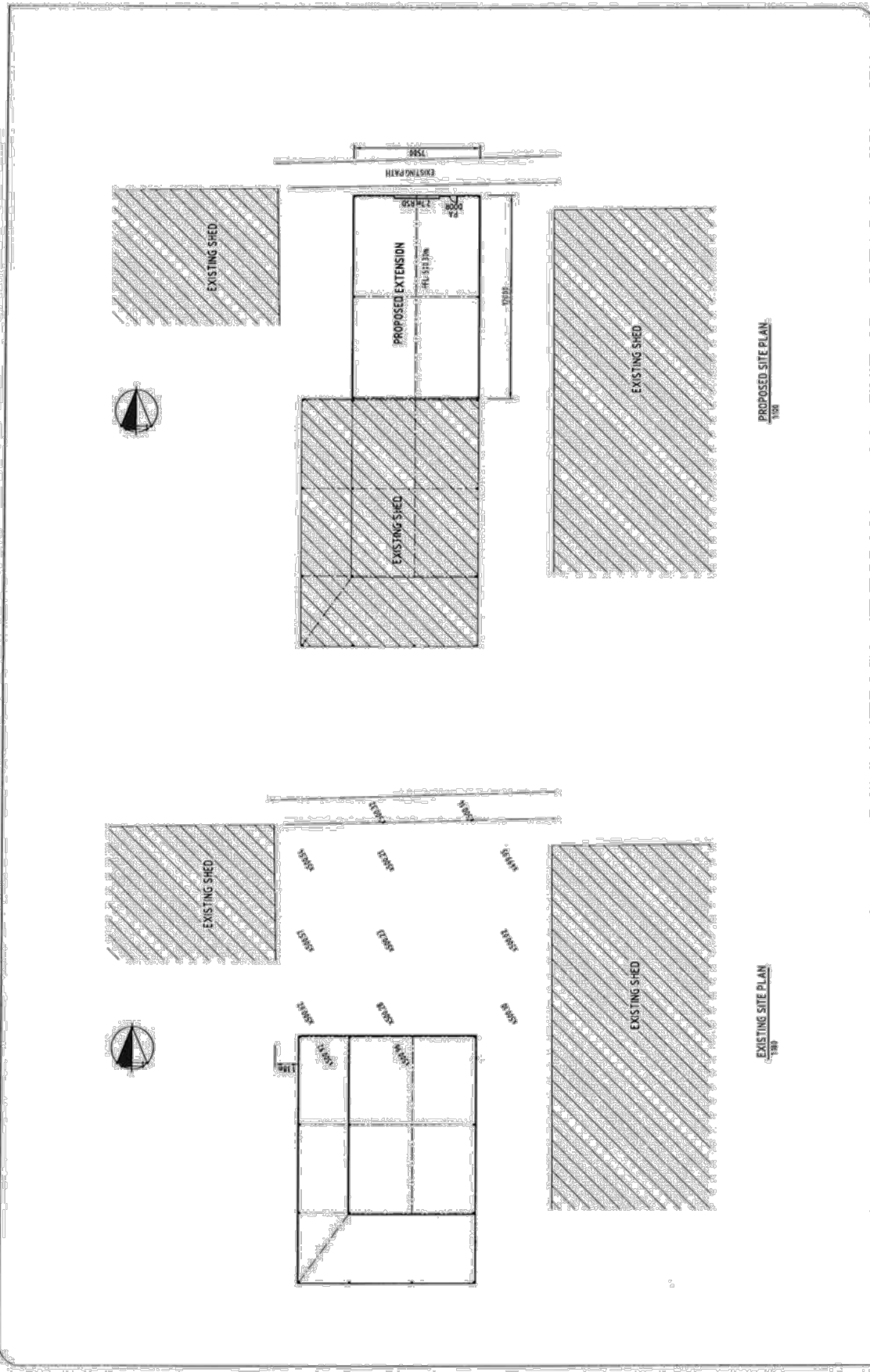
Meeting closed at: 6:45 pm

Next meeting to be held 2 August at 5:30pm

AT THE OPERATIONS OFFICES

## MATTERS ARISING

#	SUBJECT	MEETING DATE	ACTION	WHOM	PROGRESS
1.	Promote the Main Pavilion for Weddings	4/8/15		All	7/4/15 Consider giving the next wedding a discount in order to use their photos. 6/10/2015 Cr Webb advised that he intends to help promote the Main Pavilion for functions. 4/2/16 We could possibly have a Wedding at the showground on 11/3/17 (Isaac) Look into using their photos to promote the showground on our website - giving them a discount of hire fees to use their photos
2.	Drainage - Sheep pavilion flooding during rainfall. Water coming off gravel.	03/02/2015		Council	BL0282/2015 Currently no budget available. To look at installing a speed hump next time there is a grader onsite at the showground.
3.	Costing to have a grandstand erected	1/12/15		All	
4.	Signage stating "no camping beyond this point" to be placed down at the water retention area	5/4/16	To be installed	Council	
5.	Costing to have netting placed in buildings where pigeons are a problem	7/6/16		All	
6.	The Borehole to be investigated to see if it would be feasible to use it again.			Council	
7.	Sign to be placed on the fence on the corner of Nicholson and Douro stating "Main Entrance" and an arrow pointing to the gate.	7/6/16		Council	



PROPOSED SITE PLAN  
 1:500

EXISTING SITE PLAN  
 1:500

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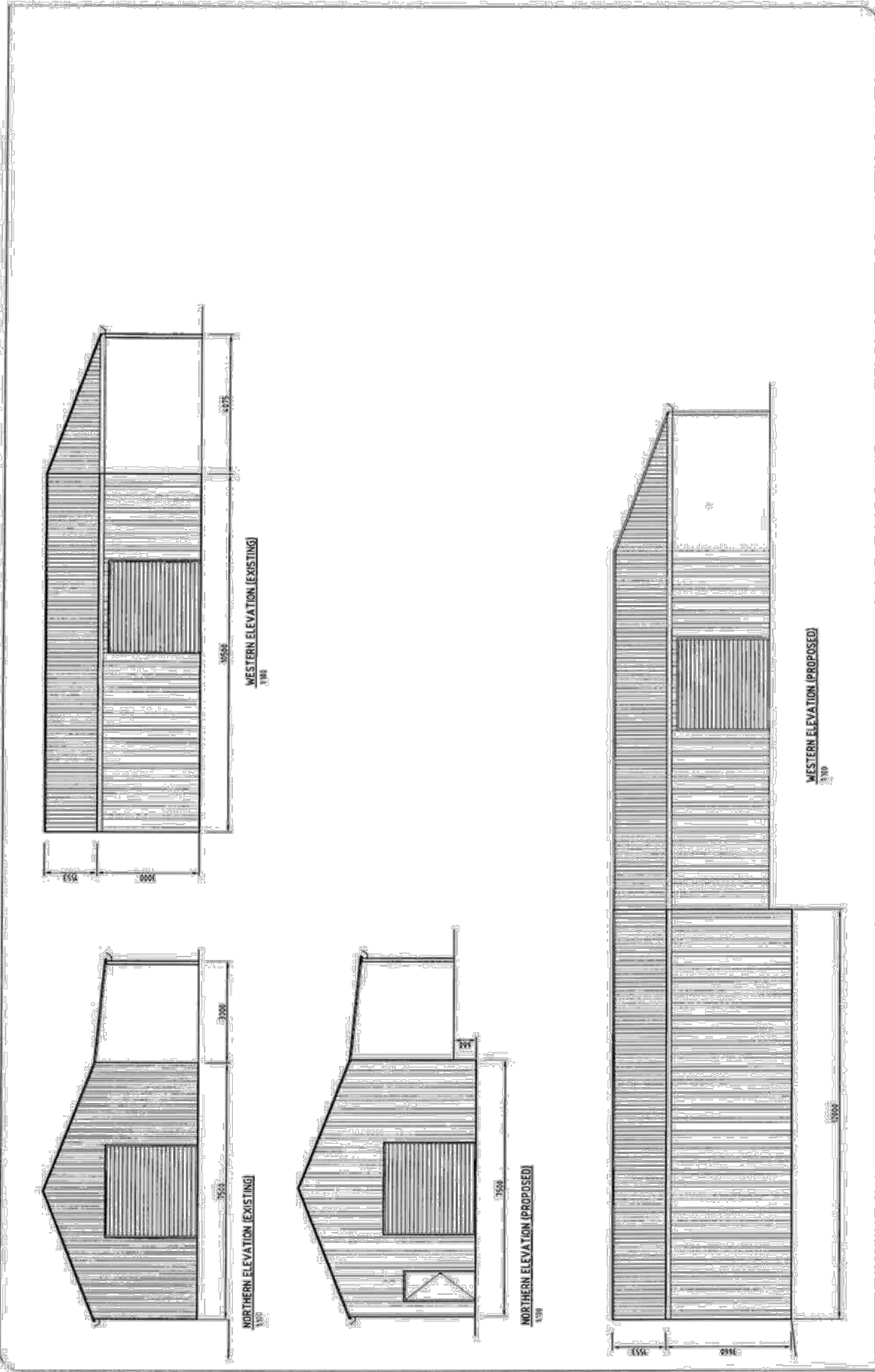
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Clients: **MUDGEE REGIONAL COUNCIL**  
 Project: **PROPOSED SHED EXTENSION,  
 MUDGEE SHOWGROUND,  
 MUDGEE, NSW**

Drawing Title: **SITE PLAN**

Design	Drawn	Rev	Date	Amendment
GA	GA	A	20/06/2016	
GA	GA	B	20/06/2016	
GA	GA	C	20/06/2016	
GA	GA	D	20/06/2016	
GA	GA	E	20/06/2016	
GA	GA	F	20/06/2016	
GA	GA	G	20/06/2016	
GA	GA	H	20/06/2016	
GA	GA	I	20/06/2016	
GA	GA	J	20/06/2016	
GA	GA	K	20/06/2016	
GA	GA	L	20/06/2016	
GA	GA	M	20/06/2016	
GA	GA	N	20/06/2016	
GA	GA	O	20/06/2016	
GA	GA	P	20/06/2016	
GA	GA	Q	20/06/2016	
GA	GA	R	20/06/2016	
GA	GA	S	20/06/2016	
GA	GA	T	20/06/2016	
GA	GA	U	20/06/2016	
GA	GA	V	20/06/2016	
GA	GA	W	20/06/2016	
GA	GA	X	20/06/2016	
GA	GA	Y	20/06/2016	
GA	GA	Z	20/06/2016	

Drawing Number: **251BE-A01** Revision: **A**



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**NSW**  
 Member of the NSW Institute of Architects

Client: **CLIDGONG CRUISERS**  
 Project: **PROPOSED SHED EXTENSION,  
 MUDGEE SHOWGROUND  
 MUDGEE, NSW**

(Drawing Title): **EXISTING & PROPOSED  
 ELEVATIONS**

Design	LM	Drawn	LM	Certification
Check	GA			
Drawing Sheet	RM			
Project Number	21852-A02			

Drawing Number: **21852-A02** Rev/BSN **A**



## Item 13: Urgent Business Without Notice

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### 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 14: Confidential Session

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Nil