



2017

COUNCIL BUSINESS PAPERS

Ordinary Meeting WEDNESDAY 15 MARCH 2017



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8 March 2017

Dear Councillor

MEETING NOTICE
Ordinary Meeting
15 MARCH 2017
Open Day at 5:30pm

Council Meeting commencing at conclusion of Open day

Notice is hereby given that the above meeting of Mid-Western Regional Council will be held in the Council Chambers, 86 Market Street, Mudgee at the time and date indicated above to deal with the business as listed on the Meeting Agenda.

Members of the public may address the Committee Meeting at Open Day. Speakers are given 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

AGENDA

Item 1:	Apologies.....	7
Item 2:	Disclosure of Interest.....	7
Item 3:	Confirmation of Minutes.....	7
	3.1 Minutes of Ordinary Meeting held on 15 February 2017	7
Item 4:	Matters in Progress	8
Item 5:	Mayoral Minute	10
	Nil	
Item 6:	Notices of Motion or Rescission.....	11
	6.1 Community Safety Committee.....	11
	6.2 Centrepay for Ratepayers	13
Item 7:	Office of the General Manager	14
	Nil	
Item 8:	Development	15
	8.1 S96(1A) Modification - MA0025/2017 - Extension to pergola - Oriental Hotel, Mudgee.....	15
	8.2 Results of Community Engagement	26
	8.3 Update on the Number of Matters Dealt with under the Protection of the Environment Operations Act 1997.....	29
	8.4 Monthly Development Applications Processing and Determined.....	31
	8.5 Food Inspection Program.....	40
	8.6 Land & Housing Supply Monitor	42
Item 9:	Finance	44
	9.1 Review of Hardship Provision - Rates and Charges Policy.....	44
	9.2 Cudgegong Waters Caravan Park Licence & Sub Licence Assignment	50
	9.3 Request for Council Consent to Proposed Road Closure	54
	9.4 Related Party Disclosure Policy	58

9.5	Naming of a Bridge over McDonalds Creek on Hill End Road Erudgere.....	71
9.6	Monthly Statement of Investment and Bank Balances as at 28 February 2017	92
9.7	Monthly Budget Review January 2017	97
Item 10:	Operations.....	113
10.1	RFT 2016/11 Wollar Road Reconstruction Stage 4.....	113
10.2	Kandos and Rylstone Floodplain Risk Management Study and Plan.....	116
10.3	Relocation of Existing Drainage Easement Lot 5 and 6 DP12081	118
10.4	Draft Liquid Trade Waste Policy	122
10.5	Deferment of Developer Contributions	126
Item 11:	Community	129
11.1	Electronic Telecommunications - Acceptable Use Policy.....	129
Item 12:	Reports from Committees.....	142
12.1	Local Traffic Committee Meeting - February.....	142
12.2	Gulgong Memorial Hall Committee Meeting Minutes 5th December, 2016 and 6th February, 2017.....	145
12.3	Mudgee and Gulgong Access Committee	151
12.4	Rylstone and Kandos Access Committee.....	163
Item 13:	Urgent Business Without Notice	177
Item 14:	Confidential Session.....	179
14.1	General Manager's Performance Agreement 2016-2017	181

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 February 2017

Council Decision:

That the Minutes of the Ordinary Meeting held on 15 February 2017 be taken as read and confirmed.

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.	No determination as yet.
Saleyards Subdivision	Res 228/14 Ordinary Mtg 4/6/14	<p>That Council:</p> <ol style="list-style-type: none"> 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; 3. all tenders be forwarded to Council for determination as to whether or not Council will sell the site; 4. the tender process to last 60 days, and the tender notice clearly indicate that Council may not necessarily accept all or any tenders; 5. Council demolish the old SES building prior to the public tender of this subdivision and remove all demolished waste from site. 	<p>Council has completed the demolition of the old SES building, and the survey of the subdivision is also complete.</p> <p>Further discussion with Council to decide the best timing to call for a tender of this subdivision.</p>
Efficiency Plant Report	331/16 Ordinary Mtg 16/11/16	<p>That:</p> <ol style="list-style-type: none"> 1. Council investigate alternate options for the future purchase of road maintenance equipment; and 2. a report be brought back to Council identifying efficiencies and cost savings. 	<p>To be reported to Council at a future Council meeting.</p> <p>Report from staff will be presented to the 19 April 2017 meeting.</p>
Purchase of two graders for gravel road maintenance	01/16 Ordinary Mtg 16/11/16	<p>That:</p> <ol style="list-style-type: none"> 1. Council investigate alternate options for the future purchase of road maintenance equipment; and 2. A report be brought back to Council identifying efficiencies and cost savings. 	Report from staff will be presented to the 19 April 2017 meeting.

SUBJECT	RESOLUTION NO. & DATE	RESOLUTION	ACTION
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.	Continued discussions with the General Manager of Mudgee Golf Club. The Mudgee Golf Club is to satisfy the conditions of consent for their DA. The Mudgee Golf club is to be responsible for the ongoing maintenance of the buggy corridors. Negotiations have been finalised. RECOMMEND COMPLETION.
Feasibility of a solar farm for mid-western regional council	360/16 Ordinary Mtg 14/12/16	That: 1. Council staff conduct a preliminary assessment on the feasibility of a solar farm for Mid-Western Regional Council.	Discussions taking place with a number of industry experts to determine the best course of action.

Item 5: Mayoral Minute

Nil

Item 6: Notices of Motion or Rescission

6.1 Community Safety Committee

NOTICE OF MOTION LISTED BY CR ALEX KARAVAS
TO 15 MARCH 2017 ORDINARY MEETING
GOV400064, A010054

MOTION

That:

- 1) Council re-instate the Community Safety Committee as a Section 355 Committee of Council.
- 2) Endorse the General Manager, Mayor, Cr Karavas and the Youth Mayor to be members of the Committee.

Subject to community consultation through the Community Safety Committee,

- 3) Develop a plan for the installation of CCTV in the Mudgee CBD with particular reference to Byron Place and Mudgee Town Centre carparks.
-

Background

Following a number of recent incidents in the Byron Place and Mudgee Town Centre carparks, there is community support of the installation of CCTV in these carparks. An online petition has been made with 262 individual signatures in support of this move.

Officer's comments

Council has previously formed a Community Safety Committee, although it had not met regularly or for some time. There are benefits in forming a Committee, particularly in relation to the ability to undertake community consultation as well as being able to attract funding through specific funding programs.

The ability to strengthen relationships between Council, the Police and local businesses is also an important consideration.

If Council is supportive of the Notice of Motion, it may wish to consider the formation of this Committee and whether there are specific groups or organisations, such as Chambers of Commerce, that should be invited to be involved. The involvement of Police would also be seen as essential. There may be opportunities for members of the general public or other interested parties to be involved as well. Another important consideration may be whether this Community Safety Committee is focused solely on the Mudgee CBD or whether it would have a wider brief across the region.

Council may also wish to consider the appetite that it may have for funding projects such as security cameras in the Mudgee CBD (including Byron Place) as it would be likely that there would be some considerable costs involved in these types of works.

6.2 Centrepay for Ratepayers

NOTICE OF MOTION LISTED BY DEPUTY MAYOR PAUL CAVALIER
TO 15 MARCH 2017 ORDINARY MEETING
GOV400064, GOV400064

MOTION

That Council introduce Centrepay for Ratepayers.

Background

I have had some requests for the introduction of Centrepay. Centrepay allows deductions to be made to Council directly from a ratepayer's Centrelink payments. As deductions are made directly from ratepayers' Centrelink payments to Councils bank account, this can help make sure bills are paid on time.

Officer's comments

Council officers have looked into implementing Centrepay a number of times over the years, and have found that:

- The process is administratively burdensome, at a transactional level, as Centrelink charge their fee on each transaction, not as a monthly charge;
- The fee is quite high, for relatively low transaction amounts (minimum \$10 payment), which results in up to a 10% transaction fee;
- There are currently other options that allow for the same result, with a lower cost charge and lower administration (direct debit on the day of payment); and
- Council has had only a few requests over the years.

However, Council officers could carry out community consultation through the rate notice to ascertain whether there is a genuine interest in the implementation of Centrepay for ratepayers, and will again look into the process to ensure that the above factors have not been streamlined since it was last reviewed as an option.

Item 7: Office of the General Manager

Nil

Item 8: Development

8.1 S96(1A) Modification - MA0025/2017 - Extension to pergola - Oriental Hotel, Mudgee

REPORT BY THE TOWN PLANNER
TO 15 MARCH 2017 ORDINARY MEETING
GOV400064, MA0025/2017

RECOMMENDATION

That Council:

- A. receive the report by the Town Planner on the S96(1A) Modification - MA0025/2017 - Extension to pergola - Oriental Hotel, Mudgee;
- B. approve S96(1A) Modification - MA0025/2017 - Extension to pergola - Oriental Hotel, Mudgee subject to the following conditions:

APPROVED PLANS

- 1. ~~Development is to be carried out generally in accordance with stamped plans~~
 - ~~• Project No. 711 - Drawing Number DA/CC1301 - Issue A First Floor Plan~~
 - ~~• Project No. 711 - Drawing Number DA/CC1201 - Issue A Ground Floor Plan + Site Plan + Fire Safety Measures Plan~~
 - ~~• Project No. 711 - Drawing Number DA/CC1601 - Issue A Sections~~
 - ~~• Project No. 711 - Drawing Number DA/CC1501 - Issue A Elevations~~

~~and the Application received by Council on 21 August 2015 except as varied by the conditions listed herein and as marked in red on the plans. Any minor modification to the approved plans will require the lodgement and consideration by Council of amended plans. Major modifications will require the lodgement of a new development application.~~

- 1a. Development is to be carried out generally in accordance with stamped plans
 - Project No. 711 - Drawing Number DA/CC1301 - Issue A First Floor Plan
 - Project No. 711 - Drawing Number DA1001 S96 - Issue B Ground Floor Plan + Site Plan
 - Project No. 711 - Drawing Number DA1601 S96 - Issue A Sections
 - Project No. 711 - Drawing Number DA1501 S96 - Issue A Elevations

and the Application received by Council on 21 August 2015 except as varied by the conditions listed herein and as marked in red on the plans.

Any minor modification to the approved plans will require the lodgement and consideration by Council of amended plans. Major modifications will require the lodgement of a new development application. (AMENDED MA0025/2017)

2. This consent does not alter any of the conditions or requirements as stipulated under previous consent DA0164/2015.
3. ~~The pergola is not to encroach within the playground area as approved under DA0164/2015.~~ (AMENDED MA0025/2017)

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

4. All building work is to comply with the requirements of the Access to Premises Standard.
5. A schedule of existing and proposed fire safety measures is to be submitted to the Principal Certifying Authority with the application for the Construction Certificate.

PRIOR TO COMMENCEMENT OF WORKS BUILDING

6. No work shall commence until a Construction Certificate has been issued and the applicant has notified Council of:
 - a) the appointment of a Principal Certifying Authority and
 - b) the date on which work will commence.Such notice shall include details of the Principal Certifying Authority and must be submitted to Council at least two (2) days before work commences.
 7. The site shall be provided with a waste enclosure (minimum 1800mm X 1800mm X 1200mm) that has a lid or secure covering for the duration of the construction works to ensure that all wastes are contained on the site. The receptacle is to be emptied periodically to reduce the potential for rubbish to leave the site. Council encourages the separation and recycling of suitable materials.
NOTE: ALL WASTE GENERATED FROM THE CONSTRUCTION PROCESS IS TO BE CONTAINED ON-SITE
 8. A sign must be erected in a prominent position on any work site on which involved in the erection or demolition of a building is carried out;
 - a) stating that unauthorised entry to the work site is prohibited, and
 - b) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.
 - c) the name, address and telephone number of the principal certifying authority for the work,
 - d) The sign shall be removed when the erection or demolition of the building has been completed.
 9. If the work involved in the erection/demolition of the building;
 - a) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
 - b) building involves the enclosure of a public place
-

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

- 10. Prior to the commencement of works on site, the applicant shall advise Council's Planning Department, in writing, of any existing damage to Council property.**
- 11. The development site is to be managed for the entirety of work in the following manner:**
 - a. Erosion and sediment controls are to be implemented to prevent sediment from leaving the site. The controls are to be maintained until the development is complete and the site stabilised with permanent vegetation;**
 - b. Appropriate dust control measures;**
 - c. Construction equipment and materials shall be contained wholly within the site unless approval to use the road reserve has been obtained;**
 - d. Toilet facilities are to be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.**

BUILDING CONSTRUCTION

- 12. All building work must be carried out in accordance with the provisions of the National Construction Code, the Environmental Planning & Assessment Act 1979 and Regulations and all relevant Australian Standards.**
 - 13. All plumbing and drainage work must be carried out by a licensed plumber and drainer and must comply with the Plumbing Code of Australia.**
 - 14. Construction work noise that is audible at other premises is to be restricted to the following times:**
 - Monday to Saturday - 7.00am to 5.00pm****No construction work noise is permitted on Sundays or Public Holidays.**
 - 15. All mandatory inspections required by the Environmental Planning & Assessment Act and any other inspections deemed necessary by the Principal Certifying Authority being carried out during the relevant stage of construction.**
 - 16. The licensed demolition contractor and/or principal contractor must comply with the following specific requirements in respect of the proposed demolition works:-**
 - a) Demolition work is not be undertaken until:**
 - Council has been provided with a copy of any required Hazardous Substances Management Plan;**
 - The licensed demolition contractor and/or principal contractor has inspected the site and is satisfied that all measures are in place to comply with the provisions of such**
-

Plan;

- b) **The removal, handling and disposal of any asbestos material (in excess of 10m²) is to be undertaken only by an asbestos removal contractor who holds the appropriate class of Asbestos Licence, issued by WorkCover NSW, and in accordance with the requirements of WorkCover NSW, the Work Health and Safety Act 2011 and Australian Standard 2601-2001**
 - c) **All asbestos and other hazardous materials are to be appropriately contained and disposed of at a facility holding the appropriate license issued by the NSW Environmental Protection Agency;**
 - d) **Seven working day's notice in writing is to be given to Council prior to the commencement of any demolition works. Such written notice is to include the date demolition will commence and details of the name, address, contact telephone number and licence details (type of licences held and licence numbers) of any asbestos removal contractor and demolition contractor.**
17. **The removal of any asbestos material (less than 10m²) during the demolition phase of the development is to be in accordance with the requirements of the Workcover Authority and disposed of at an approved waste facility.**
18. **All stormwater is to discharge to the street with the use of non-flexible kerb adaptors. Please note this can be achieved by connecting to existing stormwater lines.**
19. **This approval does not provide any indemnity to the owner or applicant under the Disability Discrimination Act 1992 with respect to the provision of access and facilities for people with disabilities.**
20. **All building work is to comply with the requirements of the Access to Premises Standard.**
21. **The list of measures contained in the schedule attached to the Construction Certificate are required to be installed in the building or on the land to ensure the safety of persons in the event of fire in accordance with Clause 168 of the Environmental Planning and Assessment Regulation 2000.**

PRIOR TO OCCUPATION CERTIFICATE

22. **Prior to the occupation of a new building, or occupation or use of an altered portion of, or an extension to an existing building, an Occupation Certificate is to be obtained from the Principal Certifying Authority appointed for the erection of the building.**
23. **Prior to occupation or the issue of the Occupation Certificate (or Interim Occupation Certificate) the owner of the building must cause the Principal Certifying Authority to be given a fire safety certificate (or interim fire safety certificate in the case of a building or part of a building occupied before completion) in accordance with Clause 153 of the Environmental Planning and Assessment Regulation 2000 for each measure listed in the schedule. The certificate must only be in the form specified by Clause 174 of the Regulation. A copy of the certificate is to**
-

be given to the Commissioner of the New South Wales Fire Brigade and a copy is to be prominently displayed in the building.

24. Confirmation of registration of the boundary adjustment as approved under DA0164/2015.

GENERAL

25. For every 12 month period after the issue of the Final Fire Safety Certificate the owner/agent of the building must provide the Council and the Commissioner of NSW Fire Brigades with a copy of a Annual Fire Safety Statement Certifying that each specified fire safety measure is capable of performing to its specification.
26. Where any essential services are installed in the building a copy of the final Fire Safety Certificate (together with a copy of the current fire safety schedule) is to be given to the Commissioner of NSW Fire Brigades and Council. A further copy of the Certificate (together with a copy of the current fire safety schedule) is to be prominently displayed in the building.
27. All loading and unloading in connection with the premises shall be carried out wholly within the site.
28. All exterior lighting associated with the development shall be designed and installed so that no obtrusive light will be cast onto any adjoining property or roadways, in accordance with Australian Standard 4282 "Control of the Obtrusive Effects of Outdoor Lighting".
29. The premises shall, at all times, be operated and maintained in accordance with Food Safety Standards 3.1.1, 3.2.2 and 3.2.3 prescribed in chapter 3 of the Australia and New Zealand Food Standards Code.

Executive summary

OWNER/S	Desmond & Carol Kennedy
APPLICANT:	Snell Architects
PROPERTY DESCRIPTION	6 Lewis Street, Mudgee (Oriental Hotel)
PROPOSED DEVELOPMENT	Commercial Alterations & Additions
ESTIMATED COST OF DEVELOPMENT:	N/A
REASON FOR REPORTING TO COUNCIL:	Property is owned by an elected Councillor
PUBLIC SUBMISSIONS:	0

Council has received a S96(1A) modification application to the original consent DA0054/2016, which was granted approval at Council's Ordinary Council Meeting of 16 September 2015. The consent related to the installation of a dry bar area, gas bottle storage enclosure and a pergola at the rear of the site.

The modification relates to extending the pergola area further to the rear of the site and a minor increase to the width to provide further weather protection to the dining area and the children's play area. The area shaded in blue in the attached plans to this report indicates the extent of the addition towards the southern boundary.

The application was notified to the neighbours, consistent with the original assessment, with no submissions being received.

No significant impacts are expected as a result of the minor change and the application is recommended for approval subject to standard conditions.

Disclosure of Interest

Nil.

Detailed report

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

REQUIREMENTS OF REGULATIONS AND POLICIES

Mid Western Regional Local Environmental Plan 2012

The land is zoned B3 Commercial Core pursuant to Mid-Western Regional Local Environmental Plan 2012. The proposed pergola extension is still permissible with consent as an ancillary structure to the pub and is considered to still meet the objectives of the zone.

The structure is not visible from the street and will therefore provide no negative impacts upon the streetscape or the significance of the Heritage Conservation Area (HCA).

No other considerations of the MWRLEP 2012 are affected by the proposed pergola extension.

Mid Western Regional Development Control Plan 2013

The proposed pergola extension generally complies with MWRDCP 2013. No increase in floor space is generated from the proposal with the pergola only intended to improve the amenity for existing areas of the pub.

IMPACT OF DEVELOPMENT

Context and Setting

The extension sits within the context of the existing pub.

Access, transport and traffic

No increase in floor area as a result of the proposed pergola extension.

Public domain

N/A

Utilities

N/A

Heritage

No impact upon HCA as discussed above.

Other land resources

N/A

Water

N/A

Soils

N/A

Air and Microclimate

N/A

Flora & fauna

N/A

Waste

N/A

Energy

N/A

Noise & vibration

The pergola extension does not relate to an increase in floor area associated with the pub.

Natural Hazards

N/A

Technological hazards

N/A

Safety, security and crime prevention

N/A

Social impact in the locality

N/A

Economic impact in the locality

N/A

Site design and internal design

Appropriate design with minimal impact upon surrounding properties. The requirement for the retention of the childrens play area will still remain current as consented to under the previous development consent for the hotel additions (DA0164/2015). The height of the pergola extension will not render this space unavailable for a childrens play area.

Construction

To comply with the BCA.

Cumulative Impacts

Nil.

SUITABILITY OF SITE FOR DEVELOPMENT

Does the proposal fit in the locality

Yes, sits within the context of the existing pub.

Are the site attributes conducive to development

Yes, no impediment to the proposal.

SUBMISSIONS MADE IN ACCORDANCE WITH ACT OR REGULATIONS

Public Submissions

The S96(1A) application was neighbour notified in accordance with MWRDCP 2013 and consistent with the original application. No submissions were received as a result.

Submissions from public authorities

Nil.

*THE PUBLIC INTEREST***Federal, State and local government interests and community interests**

No significant issues in the interest of the public are expected as a result of the proposed development.

*CONSULTATIONS***Health & Building**

Conditions received.

Development Engineer

N/A

Heritage Advisor

N/A

Community Plan implications

Theme	Looking After Our Community
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.

DREW ROBERTS
TOWN PLANNER

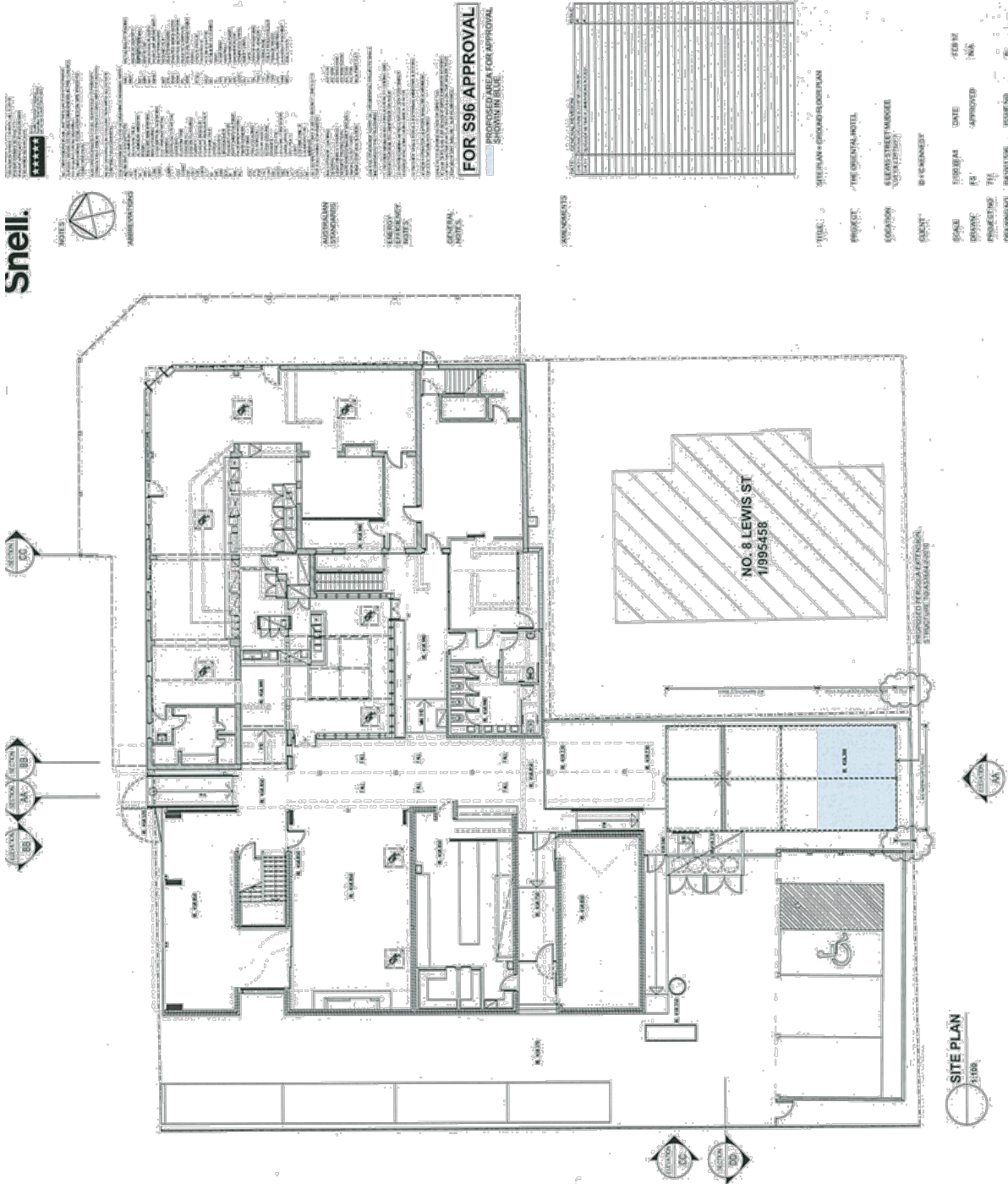
JULIE ROBERTSON
DIRECTOR DEVELOPMENT

02 March 2017

Attachments: 1. Amended Plans.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



Snell.



AUTISTALIAN STANDARDS
ENERGY RATING NOTES
GENERAL NOTES

FOR S96 APPROVAL
 PROPOSED AREA FOR APPROVAL SHOWN IN BLUE

PARAMETERS

NO.	DESCRIPTION
1	...
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TITLE: SITE PLAN - CHURCH FLOOR PLAN
PROJECT: THE CENTRAL HOTEL
LOCATION: 8 LEWIS STREET MURKES
CLIENT: B. FREDERICK

SCALE: 1:100
DRAWN: [Name]
DATE: [Date]
APPROVED: [Signature]
DATE: [Date]

SITE PLAN
 1:100

Snell.

8.2 Results of Community Engagement

REPORT BY THE MANAGER ECONOMIC DEVELOPMENT

TO 15 MARCH 2017 ORDINARY MEETING
GOV400064, COR400124

RECOMMENDATION

That Council receive the report by the Manager Economic Development on the Results of Community Engagement.

Executive summary

As part of the Integrated Planning and Reporting Framework Council is required to review its Community Strategic Plan and Delivery Program every four years. In order to meet this requirement and ensure the *Towards 2030: Mid-Western Region Community Plan* remains relevant and updated, a range of community engagement activities have been undertaken to seek feedback from the community on the current plan, and for input into future activities.

The following report highlights key findings from the community engagement activities conducted between November 2016 and February 2017 which reflect the community's needs and priorities.

Disclosure of Interest

Nil

Detailed report

Community Engagement Strategy

A Community Engagement Strategy was adopted by Council at its November 2016 meeting. This included various community engagement activities that have taken place across the Mid-Western Region up to February 2017. Over 2,500 community members have been engaged through a variety of tools including:

- Telephone surveys
- Online surveys
- Community Roadshow
- Postcard exercise
- Workshops
- Direct mail
- Permanent displays

Results of Community Engagement.

The results of community engagement can be used to demonstrate the community's key priorities and projects for the future. The detailed results are included in the attached report.

The key findings are summarised below.

Key Themes.

The community was asked to consider how they would allocate resources between the five key themes of the community plan (ie. Looking After Our Community, Protecting Our Natural Environment, Building A Strong Economy, Connecting Our Region, Good Government). This allocation was compared to Council’s current allocation of resources on activities in the Delivery Plan/Operational Program. The results show that the community’s preferences are mostly consistent with current allocation of Council resources.

Top 20 Projects

Community engagement activities identified a range of infrastructure projects as a high priority for the community, of which some projects are already captured in the *Towards 2030* Community Plan. New projects identified during community engagement which Council may investigate further include: Indoor Aquatic Centre, Return Passenger Trains, Entertainment Centre, Indoor Sports Centre, Youth Centre and Rail Trails.

The 20 most frequently identified projects in the Community’s Top 5 are listed below.

Rank	Project	% Mentioned
1	Mudgee Hospital Upgrade	44.5%
2	Indoor Aquatic Centre	37.1%
3	Outdoor Water Park	34.8%
4	Return Passenger Trains	21.7%
5	Entertainment Centre	18.8%
6	Road Upgrades Outside Towns	17.8%
7	Children's Adventure Playground	17.2%
8	Indoor Sports Centre	15.8%
9	Eliminate Mobile Blackspots	14.9%
10	Art Gallery	13.3%
11	Attract More National Retailers	13.0%
12	University Campus	12.9%
13	Parents Rooms in Towns	12.2%
14	Improve Public Transport Between Towns	12.0%
15	More Bike Paths	11.7%
16	Youth Centre	11.3%
17	Bells Line Expressway	10.1%
18	Toilet Facilities at Playgrounds	9.7%
19	Rail Trail	9.1%
20	CCTV in Town Centres	8.4%

Postcard Exercise

385 school-aged children completed a postcard exercise to provide feedback about what they liked about the region and what they would like to see improved.

Key themes, from this exercise, included the desire for more pool facilities, and more general activities for youth including skateparks, waterparks and commercial businesses such as Flipout (trampoline park) and bowling.

Next steps

Council will use the results of the community engagement to inform a review of the Mid-Western Region 2030 Community Plan and development of the 2018-2021 Delivery Program.

Community Plan implications

Theme	Good Governance
Goal	Good communications and engagement
Strategy	Encourage community access and participation in Council decision making

Financial implications

N/A

ALINA AZAR
MANAGER ECONOMIC DEVELOPMENT

JULIE ROBERTSON
DIRECTOR DEVELOPMENT

27 February 2017

Attachments: 1. Community Engagement Summary of Findings. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

8.3 Update on the Number of Matters Dealt with under the Protection of the Environment Operations Act 1997

REPORT BY THE MANAGER, HEALTH AND BUILDING

TO 15 MARCH 2017 ORDINARY MEETING

GOV400054, GOV400043, ENV200046

RECOMMENDATION

That Council receive the report by the Manager, Health and Building on the Update on the Number of Matters Dealt with under the Protection of the Environment Operations Act 1997.

Executive summary

The report presented is designed to keep Council informed of the current activity in relation to matters dealt with under the Protection of the Environment Operations Act 1997.

Disclosure of Interest

Nil.

Detailed report

Included in this report is an update on the number of matters dealt with by Council staff under the Protection of the Environment Operations (POEO) Act 1997 for the 2016/2017 financial year from October to December 2016.

It should be noted that multiple departments within Council have responsibilities and powers to act under the POEO Act. The list presented below indicates the number dealt with by both the Rangers and Health and Building staff during the period.

The POEO Act deals with matters relating to:

- Offensive noise
- Offensive odour
- Illegal dumping and other pollution incidents (in water, land and air)

Environmental Complaint	Locality
Noise – Loud music	Kandos
Noise – Machinery use outside of hours	Mudgee
Noise – Shooting range for extended periods of time	Mudgee
Noise – Motor vehicle/s from private residence	Mudgee
Noise – Barking dogs	Bocoble
Noise – Barking dogs	Gulgong
Noise – Motorbikes	Charbon
Noise – Motorbike track	Queenspinch
Noise – Pigs	Kandos

Environmental Complaint	Locality
Dumping – Rubbish from building site	Mudgee
Dumping – Lawn clippings and green waste on roadside	Mudgee
Dumping – Disposal of dog waste into laneway	Gulgong
Dumping – Abandoned vehicle	Yarrowonga
Dumping – Transport waste to unlawful waste facility	Ilford
Dumping – Abandoned trailer	Mudgee
Dumping – Asbestos	Gulgong
Dumping – Green waste	Lue
Dumping – Abandoned trolleys in street	Mudgee
Odour – Overflowing septic	Mudgee
Odour – Sewage from neighbouring property	Mudgee
Pollution – Rubbish in neighbouring yard	Mudgee
Pollution – Dirt from depot site being driven onto road	Mudgee
Pollution – Bird droppings in public walkway	Mudgee
Pollution – Cigarette littering in street	Mudgee
Pollution – Deposit advertisement material on vehicles	Mudgee
Pollution – Tree waste	Mudgee
Pollution – Dust	Rylstone

Community Plan implications

Theme	Protecting Our Natural Environment
Goal	Protect and enhance our natural environment
Strategy	Raise community awareness of environmental and biodiversity issues

Financial implications

Not applicable.

JOSH BAKER
MANAGER, HEALTH AND BUILDING

JULIE ROBERTSON
DIRECTOR DEVELOPMENT

1 March 2017

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

8.4 Monthly Development Applications Processing and Determined

REPORT BY THE DIRECTOR DEVELOPMENT

TO 15 MARCH 2017 ORDINARY MEETING

GOV400054, GOV400043, A100055, A100056

RECOMMENDATION

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

Executive summary

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

Disclosure of Interest

Nil.

Detailed report

Included in this report is an update for the month ending 28 February 2017 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

Theme	Looking After Our Community
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Goal	Vibrant towns and villages
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Strategy	Maintain and promote the aesthetic appeal of the towns and villages within the Region
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Financial implications

Not applicable.

JULIE ROBERTSON
DIRECTOR DEVELOPMENT

2 March 2017

Attachments: 1. Monthly Development Applications Processing and Determined - February 2017.

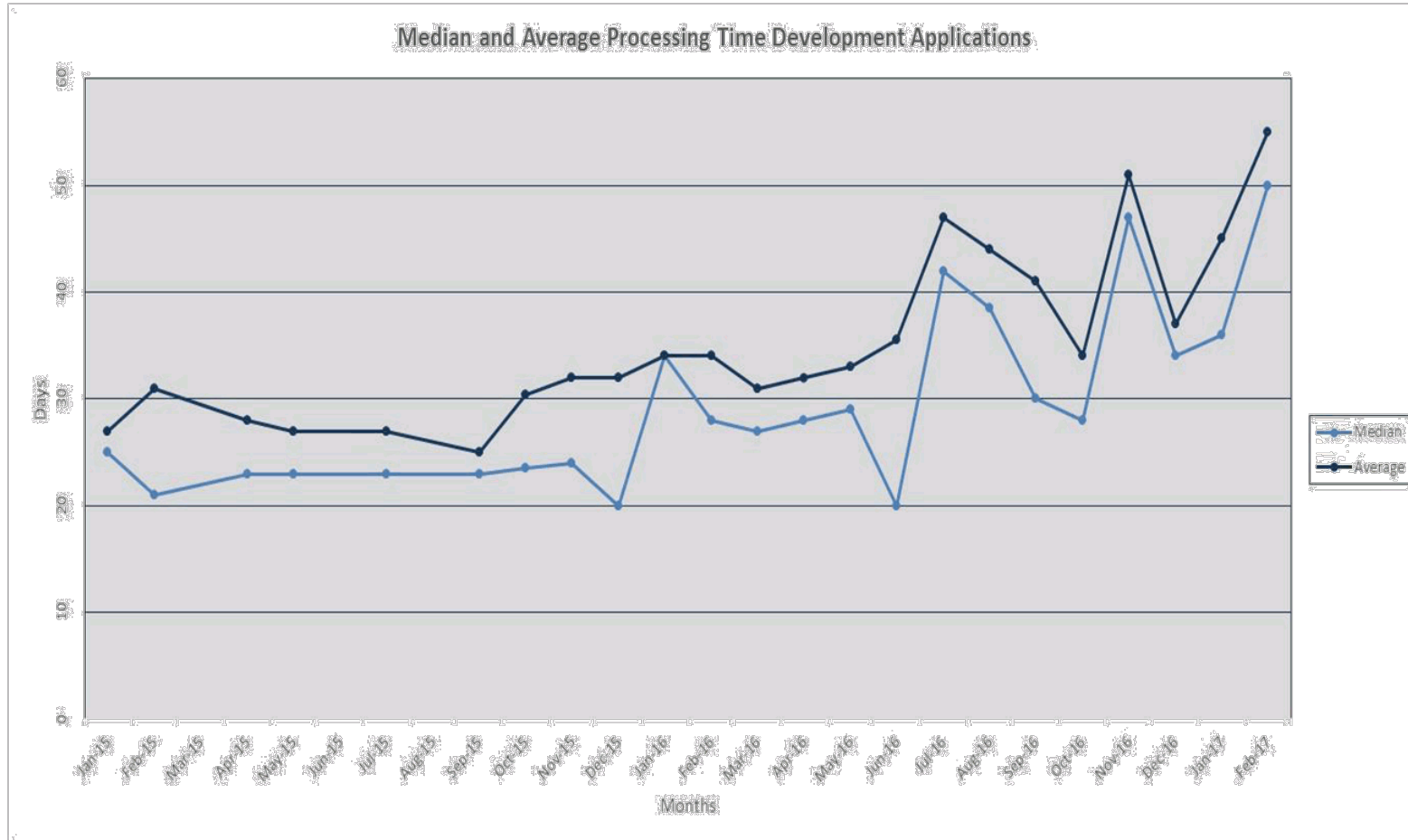
APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Monthly Development Application Processing Report – February 2017

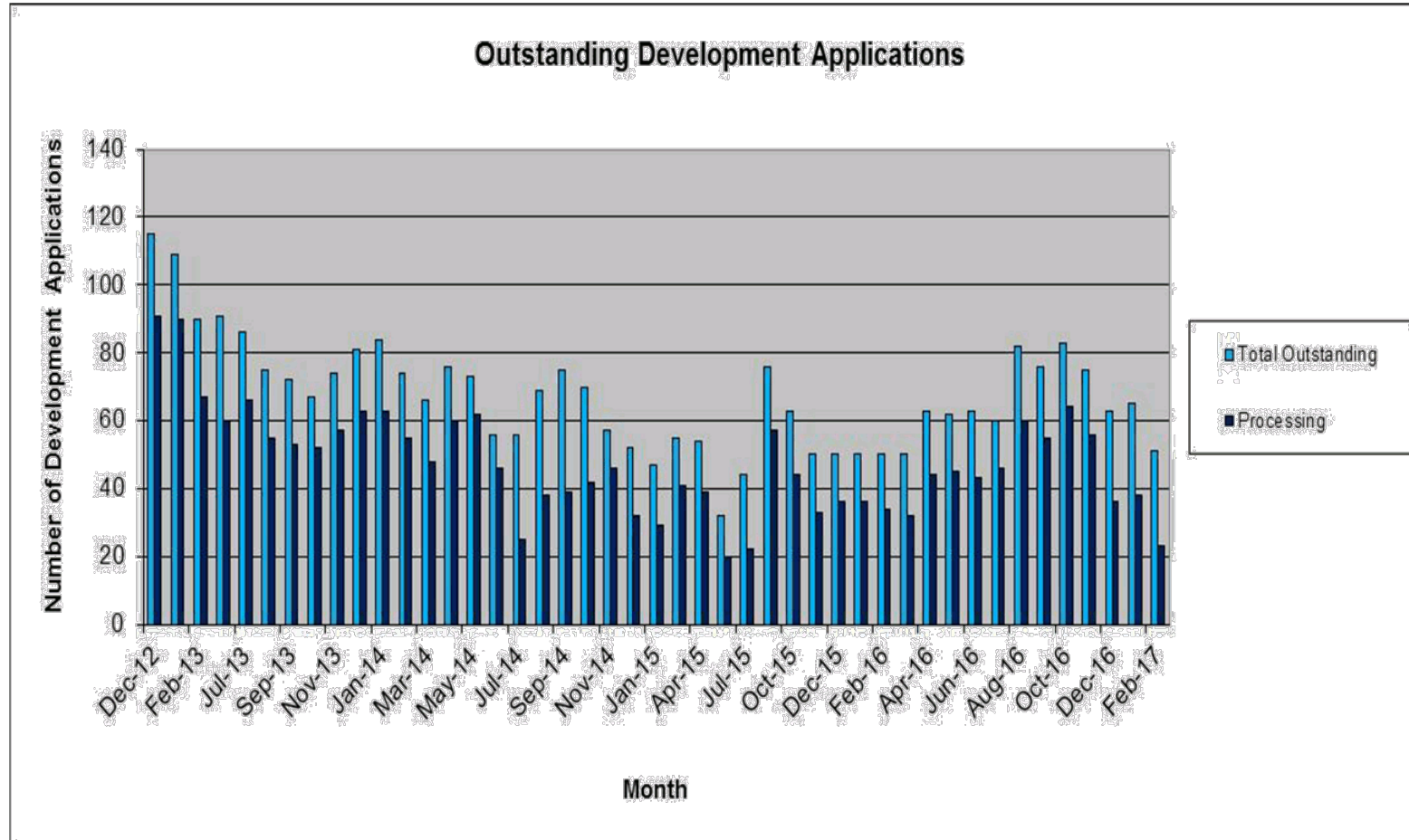
This report covers the period for the month of February, 2017.

Graph 1 indicates the processing times up to 28, February 2017 with the month of January having an average of 55 days and a median time of 50 days.



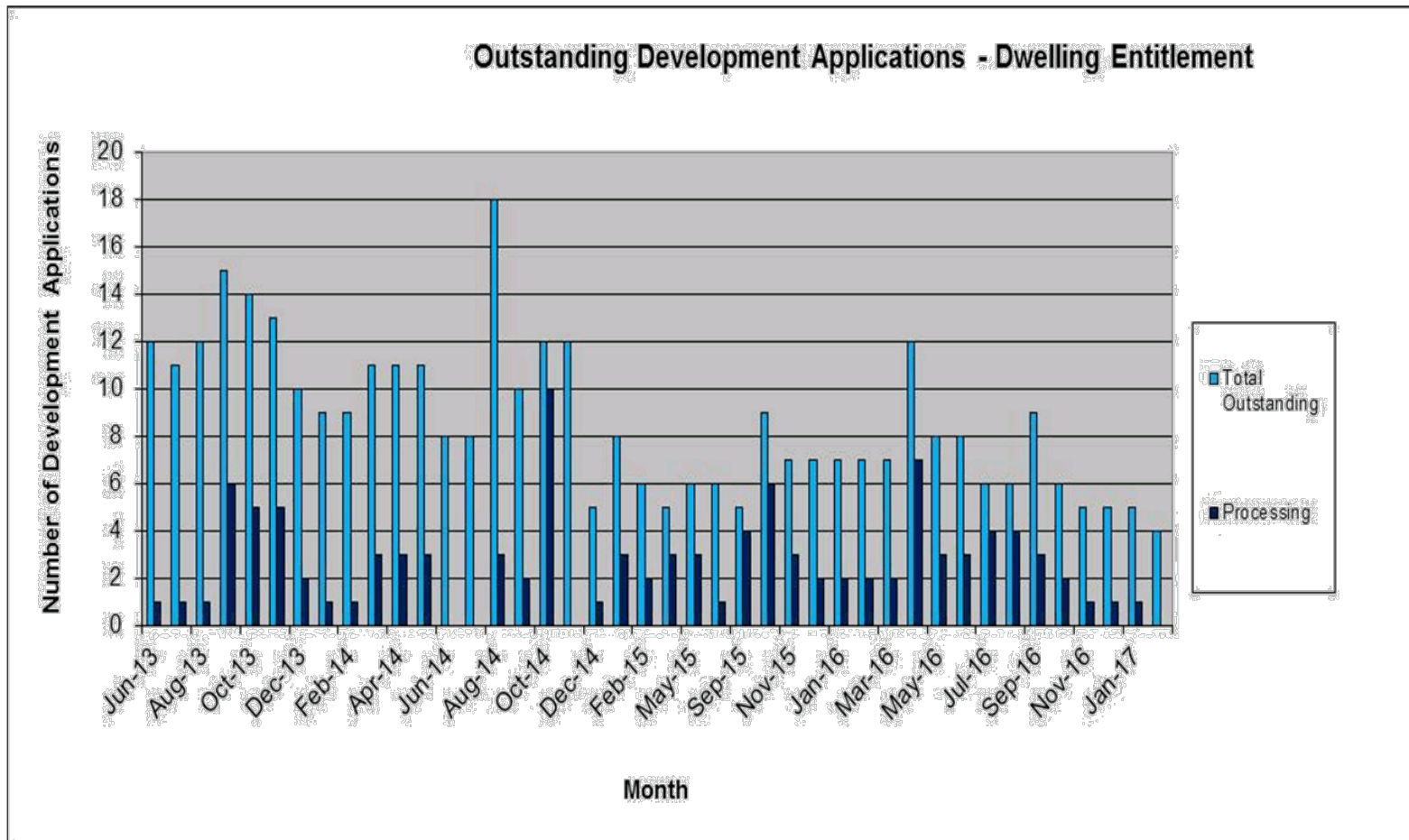
Monthly Development Application Processing Report – February 2017

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



Monthly Development Application Processing Report – February 2017

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



Monthly Development Application Processing Report – February 2017

The Planning and Development Department determined 29 Development Applications either by Council or under delegation during February, 2017.

Development Applications Determined – February, 2017.

Appl/Proc ID	Description	House No	Street Name	Locality
DA0135/2017	Animal Boarding or Training Establishment	120	Rocky Waterhole Road	MOUNT FROME
DA0334/2016	Dwelling House	109	Tinja Lane	EURUNDEREE
DA0085/2017	Commercial Premises	122	Mayne Street	GULGONG
DA0114/2017	Alterations & Additions	300	Dry Creek Road	BOTOBOLAR
DA0138/2017	Alterations & Additions	306	Windeyer Road	GRATTAI
DA0140/2017	Dwelling House	1235	Glen Alice Roa	DABEE
DA0141/2017	Recreation Facility (outdoor)	1765	Wollar Road	COOYAL
DA0142/2017	Change of use – Dwelling to apartments	473	Black Springs Road	BUDGEE BUDGE
DA0148/2017	Dual Occupancy	21	Callaghan Street	CLANDULLA
DA0156/2017	Change of use – Dwelling to apartments	22	Market Street	MUDGEE
DA0157/2017	Commercial Alterations/Additions	19	Chruch Street	MUDGEE
DA0160/2017	Commercial Alterations/Additions	19	Church Street	MUDGEE
DA0161/2017	Telecommunications Facility	3221	Goolma Road	GOOLMA
DA0163/2017	Dwelling House	15	Lions Drive	MUDGEE
DA0168/2017	Subdivision - Torrens Title	565	Gollan Road	GOOLMA
DA0169/2017	Farm Building	122	Strikes Lane	EURUNDEREE
DA0170/2017	Alterations & Additions	27	Short Street	MUDGEE
DA0171/2017	Commercial Alterations/Additions	24	Industrial Avenue	MUDGEE
DA0173/2017	Change of use – Dwelling to apartments	51	Lewis Street	MUDGEE
DA0175/2017	Alterations & Additions	43	Beragoo Road	GRATTAI
DA0179/2017	Residential Shed	23	Denison Street	MUDGEE
DA0180/2017	Residential Shed	183	Beragoo Road	GRATTAI
DA0181/2017	Demolition	7	Nandoura Street	GULGONG
DA0182/2017	Subdivision - Torrens Title	452	Burrundulla Road	BURRUNDULLA
DA0183/2017	Industrial Building	54	Depot Road	MUDGEE
DA0186/2017	Dwelling House	17	Redbank Road	MUDGEE
DA0187/2017	Carport	74	Fairydale Lane	CAERLEON
DA0189/2017	Alterations & Additions	21	Douro Street	MUDGEE
DA0195/2017	Dwelling House	56	Winter Street	MUDGEE

Monthly Development Application Processing Report – February 2017

Development Applications currently being processed – February, 2017

Appl/Proc ID	Description	House No	Street Name	Locality
DA0138/2016	Alterations & Additions	1541	Henry Lawson Drive	ST FILLANS
DA0046/2016	Alterations & Additions	1581	Yarrabin Road	YARRABIN
DA0202/2017	Awning	12	Melton Road	MUDGEE
DA0197/2017	Carport	14	Mulgoa Way	MUDGEE
DA0205/2017	Carport	14	Tennant Close	MUDGEE
DA0176/2017	Carport	2	McGregor Place	MUDGEE
DA0194/2017	Change of use	24	Cox Street	LUE
DA0278/2014	Change of use	2012	Aarons Pass Road	AARONS PASS
DA0325/2016	Change of use	179	Denison Street	MUDGEE
DA0188/2017	Change of use	64	Sydney Road	MUDGEE
DA0137/2017	Change of use	15	Clare Court	MUDGEE
DA0177/2017	Commercial Alterations/Additions	56	Sydney Road	MUDGEE
DA0184/2017	Dwelling House	45	Dunn Street	KANDOS
DA0102/2016	Dwelling House	705	Windeyer Road	GRATTAI
DA0191/2017	Dwelling House	189	Burrundulla Road	BURRUNDULLA
DA0190/2017	Dwelling House	132	Tinja Lane	EURUNDEREE
DA0154/2017	Dwelling House	162	Ulan Road	BOMBIRA
DA0214/2011	Dwelling House	663	Castlereagh Highway	BURRUNDULLA
DA0193/2017	Dwelling House	3	Beryl Road	GULGONG
DA0335/2016	Dwelling House	346	Powells Road	PYANGLE
DA0315/2016	Tourist and visitor accommodation	345	Bylong Valley Way	ILFORD
DA0267/2014	Signage	33	Sydney Road	MUDGEE
DA0145/2017	Recreation Area	4882	Ulan Road	ULAN
DA0104/2017	Recreation Facility (outdoor)	2970	Hill End Road	AVISFORD
DA0174/2017	Residential Shed	124	Bellevue Road	MUDGEE
DA0127/2017	Residential Shed	156	Robertson Street	MUDGEE
DA0196/2017	Residential Shed	16	Maher Place	MUDGEE
DA0344/2016	Residential Shed	23	Ferris Street	CLANDULLA
DA0201/2017	Residential Shed	38	Robert Hoddle Grove	BOMBIRA
DA0203/2017	Shed >150m2	68	Bara Road	LUE

Monthly Development Application Processing Report – February 2017

DA0327/2011	Shed >150m2	23	Horatio Street	MUDGEE
DA0206/2017	Shed >150m2	274	Frog Rock Road	FROG ROCK
DA0267/2016	Dwelling House	82	Nugget Lane	GULGONG
DA0134/2017	Subdivision - Torrens Title	11	Tongbong Street	RYLSTONE
DA0191/2015	Subdivision - Torrens Title	196	Robertson Road	MUDGEE
DA0178/2014	Subdivision - Torrens Title	7291	Castlereagh Highway	ILFORD
DA0034/2017	Subdivision - Torrens Title	38	Hill End Road	CAERLEON
DA0192/2017	Swimming Pool	229	Robertson Road	SPRING FLAT
DA0101/2017	Telecommunications Facility	4269	Wollar Road	WOLLAR
DA0343/2016	Commercial Alterations/Additions	137	Ulan Road	PUTTA BUCCA
DA0036/2017	Dwelling House	2352	Lue Road	HAVILAH
DA0050/2015	Dwelling House	3634	Bylong Valley Way	RYLSTONE
DA0134/2015	Dwelling House	4156	Lue Road	CAMBOON
DA0135/2015	Dwelling House	4156	Lue Road	CAMBOON

Monthly Development Application Processing Report – February 2017

Heritage Development Applications currently being processed – February, 2017

Appl/Proc ID	Description	House No	Street Name	Locality
DA0043/2017	Alterations & Additions	44	Louee Street	RYLSTONE
DA0200/2017	Alterations & Additions	131	Mayne Street	GULGONG
DA0271/2011	Alterations & Additions	87	Short Street	MUDGEE
DA0199/2017	Alterations & Additions	127	Mortimer Street	MUDGEE
DA0112/2017	Alterations & Additions	156	Gladstone Street	MUDGEE
DA0198/2017	Awning	28	Gladstone Street	MUDGEE
DA0204/2017	Change of use – Retail Shop to Beautician	54	Louee Street	RYLSTONE
DA0165/2017	Change of use – Retail to education establishment	47	Market Street	MUDGEE
DA0185/2017	Dual Occupancy	18	Mealey Street	MUDGEE
DA0122/2017	Dual Occupancy	1	Lewis Street	MUDGEE
DA0091/2017	Residential Shed	42	Louee Street	RYLSTONE
DA0043/2017	Alterations & Additions	44	Louee Street	RYLSTONE

8.5 Food Inspection Program

REPORT BY THE MANAGER, HEALTH AND BUILDING
TO 15 MARCH 2017 ORDINARY MEETING
GOV400054, GOV400043, A0130009

RECOMMENDATION

That Council receive the report by the Manager, Health and Building on the Food Inspection Program.

Executive summary

The report presented is designed to keep Council informed of the current activity in relation to its food inspection program.

Disclosure of Interest

Nil.

Detailed report

Included in this report is an update on the progress of the food inspection program for the October to December 2016 quarter.

This report focuses on the number of inspections carried out to date, the number of defective inspections and the number of "5 star" inspections which are awarded to premises that are maintaining the highest standard of food safety.

Throughout this period no food premises had an inspection carried out under the food inspection program and therefore:

- 0 premise received a 5 star rating;
- 0 premises received warning letters citing unsatisfactory food safety conditions; and
- 0 premises were issued with an improvement notice.

During this period, Council's health and building officers also inspected the temporary food stalls at the 2016 Flavours of Mudgee festival. There were approximately 18 stalls inspected. It should be noted that these temporary stalls are not given a star rating however the operators were provided with general advice on the importance of safe food handling and the obligations of the person handling and selling food.

Please note that the majority of food inspections conducted under the annual food inspection program are carried out in the last quarter of the financial year. In the remaining quarters, food inspections are undertaken on an as needs basis such as for new premises or in response to a specific request/complaint.

Community Plan implications

Theme	Looking After Our Community
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

These inspections contribute to the revenue in the 2016-17 Operational Plan.

JOSH BAKER
MANAGER, HEALTH AND BUILDING

JULIE ROBERTSON
DIRECTOR DEVELOPMENT

2 March 2017

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

8.6 Land & Housing Supply Monitor

REPORT BY THE DIRECTOR DEVELOPMENT

TO 15 MARCH 2017 ORDINARY MEETING
GOV400054, GOV400043, LAN900042

RECOMMENDATION

That Council receive the report by the Director Development on the Land & Housing Supply Monitor.

Executive summary

The Land Supply Monitor was developed as part of the Urban Release Strategy Process. This report provides the latest data for the period ended 31 December 2016.

Disclosure of Interest

Nil.

Detailed report

The table below provides data for the last 3 years and year to date for the six month period ending 31 December 2016.

Land and Housing Monitor Summary

	2013/2014	2014/2015	2015/2016	1 Jul – 31 Dec 2016
Subdivision				
Residential Subdivision Applications (no. of lots approved - DAs)	710	246	80	15
Residential Subdivision Certificates (no. of lots released)	95	135	18	16
Dwellings				
DA Approvals for Dwellings and Dual Occupancies (no. dwellings approved)	148	123	95	44
CDC's for Dwellings and Dual Occupancies (no. dwellings)	50	23	38	19
Occupation Certificates (no. dwellings)	51	91	22	90

Community Plan implications

Theme	Looking After Our Community
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

Nil.

JULIE ROBERTSON
DIRECTOR DEVELOPMENT

6 March 2017

Attachments: 1

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Item 9: Finance

9.1 Review of Hardship Provision - Rates and Charges Policy

REPORT BY THE REVENUE AND PROPERTY MANAGER

TO 15 MARCH 2017 ORDINARY MEETING

GOV400064, A0340005, RAT700042

RECOMMENDATION

That Council:

1. receive the report by the Revenue and Property Manager on the Review of Hardship Provision - Rates and Charges Policy; and
2. adopt the revised Hardship Provision – Rates and Charges Policy.

Executive summary

The existing Hardship Provision – Rates and Charges Policy has been reviewed and proposed amendments are suggested as part of Council's ongoing policy review program.

Disclosure of Interest

Nil

Detailed report

The proposed principle amendment to the Hardship Provision – Rates and Charges Policy has been drafted at 4.11 in the Policy and provides that only one successful application under the hardship provisions will be granted within the current ratepayer's ownership period.

The proposed changes on page 1 of the Policy are to bring the current Policy format in line with the Council policy template.

All proposed amendments are shown as "track changes" on the draft copy of the Policy attached to this report.

Community Plan implications

Theme	Good Governance
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

17 February 2017

Attachments: 1. Draft Hardship Provision - Rates and Charges Policy.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

	POLICY	ADOPTED C/M 5-March-2014 Minute No. 75/14
	Hardship Provision – Rates and Charges	REV: March 2016 FILE No. A0100055 A0340005 A0340046

PURPOSE

~~The purpose of this policy is to provide a framework for assessing and processing requests for financial assistance from ratepayers who are suffering substantial financial hardship with the payment of their rates and charges.~~

OBJECTIVEObjectiveS

The objectives of this policy are to:

Provide assistance where possible, in accordance with the Local Government Act 1993 NSW (LGA) and the Local Government (General) Regulation 2005 NSW, to those ratepayers who are experiencing substantial financial difficulties in paying their rates and charges.

Provide an administrative process to determine hardship applications.

RELEVANT LEGISLATIONLegislative requirements

Local Government Act 1993 NSW
 Local Government (General) Regulation 2005 NSW
 Valuation of Land Act 1916 NSW

RELATED POLICIES and PLANSRelated policies and plans

Debt Recovery Policy
 Privacy Management Plan

BACKGROUND

~~This policy recognises that due to exceptional circumstances, ratepayers may at times encounter difficulty in paying rates and charges. The policy provides the framework to be followed in providing assistance to those ratepayers who are suffering substantial financial hardship. A ratepayer in substantial financial hardship is someone who is identified by themselves, the Council or an independent financial counsellor as having the intention, but not the financial capacity to make the required payments within the timeframe set out in the rates and charges notice. Where a ratepayer falls within this definition, the Council may apply its Hardship Provision – Rates and Charges policy.~~

1. POLICYPolicy

This policy recognises that due to exceptional circumstances, ratepayers may at times encounter difficulty in paying rates and charges. The policy provides the framework to be followed in providing assistance to those ratepayers who are suffering substantial financial hardship. A ratepayer in substantial financial hardship is someone who is identified by themselves, the Council or an independent financial counsellor as having the intention, but not the financial capacity to make the required payments within the timeframe set out in the rates and charges notice. Where a ratepayer falls within this definition, the Council may apply its Hardship Provision – Rates and Charges policy.

1.1 The Local Government Act 1993 NSW (LGA) specifies a range of assistance measures that Council can provide to ratepayers who are experiencing substantial financial hardship, including those addressed in this policy - Sections 567 and 601.

HARDSHIP PROVISION – RATES & CHARGES

2. Eligibility

2.1 This Policy is available to the ratepayers of all land categorised as Residential or Farmland for rating purposes within the Mid-Western Regional Council local government area, subject to ~~a number of limitations as disclosed in~~ the “definitions” and “provisions” as disclosed sections of this Policy.

3. Definitions

3.1 Ratepayer – the person liable for payment of the rates of the property for which hardship is being claimed.

3.2 Residential or Farmland categorisation for rating purposes – all land categorised as Residential or Farmland for rating purposes in accordance with S515 and S516 LGA.

3.3 Principal place of residence – the property that the ratepayer occupies as their sole or dominant residence.

3.4 Property ownership qualifying period – the applicant, having been the ratepayer on the property for which the application is being made for a period of not less than 1 year.

3.5 Mixed developments – those properties ~~that which~~ are subject to a Mixed Development Apportionment Factor (MDAF) furnished to Council by the Valuer General and are rated in accordance with the MDAF as part Residential and part Business. The part of the property that is subject to an MDAF and rated as Residential only, is to be considered in the calculation of the increase.

3.6 Rates payable calculation test – the increase in the general rates levied as a result of a General Revaluation must be, at the minimum, 25% above the previous year’s rate levy, including any permissible rate increase adopted by Council in accordance with S506 & S508A LGA.

4. LGA, Section 567(c): Writing off of accrued interest

4.1 Accrued interest on overdue rates and charges may be written off where payment of the accrued interest would cause the ratepayer financial hardship.

4.2 Provisions

4.3 The applicant/s must be the ratepayer/s of the property.

4.4 Hardship provision relief will not be considered if the ratepayer/s has been convicted of fraud within the past 10 years.

4.5 The property for which the ratepayer/s is requesting assistance is the only property in which the ratepayer/s has an interest.

4.6 The property must be the ratepayer/s principal place of residence.

4.7 The property must be land categorised as either Residential or Farmland for rating purposes.

4.8 The residential component of mixed developments will only be considered for the hardship provision assistance.

4.9 The ratepayer/s must enter into a payment agreement in accordance with S564(1) LGA, facilitated by Council’s Debt Recovery Policy, for settlement of the overdue rates and charges.

HARDSHIP PROVISION – RATES & CHARGES

4.10 Interest on overdue rates and charges will be written off, provided that the ratepayer/s honours the payment agreement entered into in accordance with S 564(1) LGA relating to the payment of the overdue amounts. If the payment agreement is not adhered to, the accrued interest on the overdue rates and charges will not be written off.

4.11 Only one successful application will be granted within the current ratepayer's ownership period.

5. LGA, Section 601: Hardship Resulting from certain Valuation Changes

5.1 A ratepayer who suffers substantial financial hardship as the consequence of the making and levying of a rate on the most recent valuation may apply to Council for deferral of payment of the calculated amount as stipulated in the Provisions, below. The rate will not be waived or reduced.

5.2 Provisions:

5.3 Assistance is only available in relation to general purpose rates. No assistance is provided for any other charges or special rates levied on the property.

5.4 Assistance is only available in the first year that the new valuations are used to levy the general purpose rate, i.e. only to 30 June of the financial year in which the general purpose rate was levied.

5.5 The application must be made within 3 months of the posting date of the Rates and Charges Notice in the first year of the use of the General Revaluation for rating purposes.

5.6 The applicant/s must be the ratepayer/s of the property and satisfy the property ownership qualifying period.

5.7 Hardship provision relief will not be considered if the ratepayer/s has been convicted of fraud within the past 10 years.

5.8 The property must be the ratepayer/s principal place of residence.

5.9 The property must be land categorised as either Residential or Farmland for rating purposes.

5.10 The residential component of mixed developments will only be considered for the hardship provision assistance.

5.11 Applications for assistance must meet the 'Rates payable calculation test'.

5.12 The ratepayer/s must enter into a payment agreement in accordance with S564(1) LGA, facilitated by Council's Debt Recovery Policy, for settlement of the deferred amount.

5.13 Interest on outstanding deferred amounts will not accrue, provided that the ratepayer/s honours the payment agreement entered into in accordance with S 564(1) LGA relating to the payment of the deferred amount. If the payment agreement is not adhered to, interest, in accordance with S566 LGA, will apply from the date of the default.

6. PROCEDURE

6.1 Applications for Hardship Provision – Rates and Charges must be made on the Hardship Assistance application form available from Council's website or from any of Council's offices.

HARDSHIP PROVISION – RATES & CHARGES

6.2 All Hardship Provision – Rates and Charges applications will be determined in accordance with Council delegations and where considered necessary, will be discussed only in a meeting of Council ~~that~~ which is closed to the public.

6.3 Further information, supporting documentation or an interview with the ratepayer/s may be requested, if considered necessary, to fully understand the issues causing hardship.

6.4 All Hardship Provision – Rates and Charges applicants will be advised in writing of Council's decision within 30 days of receipt of the application.

6.5 Any applicant dissatisfied with Council's decision may request that the application be reconsidered. Such requests must be made within 7 days of being advised that the initial application was unsuccessful.

6.6 All applicants have the obligation of informing Council within 21 days of any change in circumstances that may affect ultimate eligibility under the Hardship Provision – Rates & Charges.

6.7 All data collected through the Hardship Provision – Rates and Charges process will be dealt with by way of Council's Privacy Management Plan.

6.8 Sections 564(2), 567(a) and 567(b) LGA allow Council to write off or reduce interest accrued on rates and charges if a person complies with an agreement as to periodical payment or if the person was unable to pay the rates and charges by the due date for reasons beyond that person's control. These Sections do not refer to financial hardship and are therefore covered in Council's *Debt Recovery Policy*.

VARIATION

Council reserves the right to vary the terms and conditions of this policy, subject to a report to Council.

9.2 Cudgegong Waters Caravan Park Licence & Sub Licence Assignment

REPORT BY THE REVENUE AND PROPERTY MANAGER
TO 15 MARCH 2017 ORDINARY MEETING
GOV400064, P2044711,F0650081

RECOMMENDATION

That Council:

1. receive the report by the Revenue and Property Manager on the Cudgegong Waters Caravan Park Licence & Sub Licence Assignment;
2. consent to the assignment of the Licence Agreement for the Occupation of Land for Caravan Park Activities dated 16 December 2013 to Mark Andrew Rogers and Deidre Francis Louise Rogers, facilitated by the *Deed of Assignment of Licence Agreement and Consent of Licensor*;
3. refer the assignment of the Licence Agreement for the Occupation of Land for Caravan Park Activities dated 16 December 2013 to the Department of Industry Lands for written consent of the Minister;
4. consent to the assignment of the Sub Licence Agreement dated 6 August 2014 to Mark Andrew Rogers and Deidre Francis Louise Rogers, facilitated by the *Deed of Assignment of Sub Licence*;
5. authorise the General Manager and Mayor to sign all documentation required to execute the *Deed of Assignment of Licence Agreement and Consent of Licensor* and the *Deed of Assignment of Sub Licence* upon receipt of the Minister's consent in relation to assignment of the Licence Agreement for the Occupation of Land for Caravan Park Activities dated 16 December 2013;
6. authorise the Common Seal be affixed to any documentation required to execute the *Deed of Assignment of Licence Agreement and Consent of Licensor* and the *Deed of Assignment of Sub Licence* upon receipt of the Minister's consent in relation to assignment of the Licence Agreement for the Occupation of Land for Caravan Park Activities dated 16 December 2013; and
7. require all costs associated with the assignment of the Licence Agreement for the Occupation of Land for Caravan Park Activities dated 16 December 2013 and the assignment of the Sub Licence Agreement dated 6 August 2014, including Council's reasonable legal costs, to be borne by Mark Andrew Rogers and Deidre Francis Louise Rogers.

Executive summary

The purpose of this Report is for Council to consider -

- 1) *The Deed of Assignment of Licence Agreement and Consent of the Licensor* to facilitate

the proposed assignment of the remaining term of the Licence agreement dated 16 December 2013 (the Licence) for Cudgegong Waters Caravan Park (the Park) from the current licensees Bevan & Helen McKay to Mark & Deidre Rogers and;

2) *The Deed of Assignment of Sub Licence* to facilitate the proposed assignment of the remaining term of the Sub Licence dated 6 August 2014 (the Sub Licence) for part of the Windamere Dam foreshores from the current licensees Bevan & Helen McKay to Mark & Deidre Rogers.

Disclosure of Interest

Nil

Detailed report

1) The Park Licence

Mid-Western Regional Council is the Trust Manager for Crown Reserve 190025 (the Reserve) which was gazetted for public recreation in January 1987. The Reserve has been licenced by the Cudgegong Waters Park Reserve Trust (MWRC) to the current licensees, Bevan & Helen McKay (the current Licensee), who have operated the Park business since the mid-1990's.

The current Licence commenced on 16 December 2013 and expires 15 December 2018, with an option to renew for a further 5 years up to December 2023. The remaining initial term is approximately 22 months with a further 60 months if the option to renew is taken up.

Under the terms of the Licence, the current Licensee may not transfer or create any interest in the Licence without the prior written consent of Council and the Minister administering Crown lands.

2) The foreshores Sub Licence

Council holds a licence (the Head Licence) from Water NSW for approximately 159 hectares of Windamere Dam foreshores. This licence has a termination date on 30 June 2017 but is subject to an Option to Renew for a further two 5 year periods. State Water has recently advised that the Option to Renew is currently being reviewed.

By agreement dated 6 August 2014, Council sub licensed approximately 5.03 hectares of the foreshores adjoining the Park to the current Licensee to gain access to the foreshores for recreational purposes and to launch and retrieve boats into and from the waters of Windamere Dam. The Sub Licence expires on 30 June 2017 with no option to renew.

The remaining initial term is approximately 4 months.

Under the terms of the Head Licence which Council holds with Water NSW, prior written consent is not required from Water NSW before Council enters into or amends details in relation to a sub licence agreement.

Assignment of the Park Licence and foreshores Sub Licence

In 2014, the current Licensee indicated that they were endeavouring to sell their interest in the remaining terms of the Licence and Sub Licence agreements.

The current Licensee initially introduced prospective purchasers in December 2014 however, Council resolved on 20 April 2016 that these prospective purchasers were not suitable as assignees.

Subsequently, in July 2016 the current Licensee introduced Mark and Deidre Rogers as prospective purchasers of the remaining terms of the Licence and Sub Licence agreements. Mr & Mrs Rogers were installed by the current Licensee to run the Park on a day-to-day basis until such time that Council deliberated the suitability of Mr & Mrs Rogers as prospective assignees of the Licence and Sub Licence and; Crown gave its consent for the remaining term of the Licence to be assigned.

During the past 6 months Council's Park management group has held a number of meetings with the current Licensee and Mr & Mrs Rogers regarding the operation of the Park in accordance with the current Licence and Sub Licence agreements, the *Local Government (Manufactured Homes Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulations 2005* specifically, and other relevant legislation and policy.

The meetings were conducted in order to ascertain the level at which all the obligations of the current Licensee under the current Licence, Sub Licence and other relevant legislation had been fulfilled and; also to assess Mr & Mrs Rogers' suitability as prospective assignees given that they have no previous experience in operating a caravan park.

As a result of these meetings and other investigations, a plan was put in place to address the obligations of the current Licensee in relation to the Licence which were not fulfilled. Some matters are still outstanding and these matters along with other terms and conditions are documented in Schedule 2 of the proposed *Deed of Assignment of Licence Agreement and Consent of Licensor*, which will require Mr & Mrs Rogers to attend to the matters within a stipulated time-frame.

In addition, during discussions with Mr & Mrs Rogers and analysis of supporting documentation provided, there is no reason to believe that the proposed assignees are other than suitable, respectable and responsible to assume the obligations of Council's Licence.

The existing Licence conditions will continue to apply along with the further terms and special conditions to the Licence agreement contained in Schedule 2 of the *Deed of Assignment of Licence Agreement and Consent of Licensor*.

The existing Sub Licence conditions will continue to apply along with the conditions in the Operative Part to the *Deed of Assignment of Sub Licence*. Condition 7 of the Operative Part specifically states that the Sub Licence currently assigned expires on 30 June 2017 and that Council can give no guarantee that it will be in a position to sub licence that part of the Windamere Dam foreshores after 30 June 2017.

It is recommended that Council consent to the assignment of the Licence Agreement and Sub Licence Agreement for the Occupation of Land for Caravan Park Activities dated 16 December 2013 and for access to the foreshores for recreational purposes and to launch and retrieve boats into and from the waters of Windamere Dam dated 6 August 2014, respectively to Mr & Mrs Rogers. Subsequently, it is recommended that Council refer the Licence assignment to the Department of Industry Lands for written consent of the Minister. The Minister must agree to Council's recommendation to the assignment otherwise the matter cannot be executed.

Community Plan implications

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

Financial implications

The existing Licence conditions will continue to apply along with the further terms and special conditions to the Licence Agreement contained in Shedule 2 of the *Deed of Assignment of Licence Agreement and Consent of Licensor*. Clause 7(t) of Schedule 2 allows for any capital upgrade works to be incorporated into a market rent review every 12 months, or when applicable.

All Council's costs in relation to the proposed assignment, including Council's reasonable legal costs are to be borne by Mark Andrew Rogers and Deidre Francis Louise Rogers.

DIANE SAWYERS
REVENUE AND PROPERTY MANAGER

LEONIE JOHNSON
CHIEF FINANCIAL OFFICER

21 February 2017

- Attachments:*
1. Contract McKay to Rogers. (Confidential - separately attached)
 2. Proposed Deed of Assignment of Licence Agreement & Consent of Licensor & Current Licence Agreement. (Confidential - separately attached)
 3. Proposed Deed of Assignment of Sub Licence & current Sub Licence Agreement. (Confidential - separately attached)
 4. Assessment Criteria, Personal References, Business Plan and Credit References. (Confidential - separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

9.3 Request for Council Consent to Proposed Road Closure

REPORT BY THE PROPERTY OFFICER
TO 15 MARCH 2017 ORDINARY MEETING
GOV400064, P24091

RECOMMENDATION

That Council:

1. **receive the report by the Property Officer on the Request for Council Consent to Proposed Road Closure of an unmaintained Council public road; and**
2. **consent to Anthony Edward Fitzgerald making a road closure application to NSW Department of Industry - Lands in connection with the unmaintained Council public road within Lot 180 DP 755416 at Kains Flat.**

Executive summary

The purpose of this report is for Council to consider an application from a land owner requesting consent to close an unmaintained Council public road by application to NSW Department of Industry - Lands.

Disclosure of Interest

Nil

Detailed report

Council has received a request from Anthony Edward Fitzgerald seeking Council consent to the making of a road closure application to NSW Department of Industry – Lands in relation to a Council public road within Lot 180 DP755416 at Kains Flat.

The road is unmaintained and does not form part of Council's current or future road network. Consultation with Council's Planning and Operations Department has confirmed that Council has no requirement for the road.

Any person can make application to NSW Department of Industry – Lands for the closure of a Council public road provided they have written consent from Council as the relevant roads authority.

As the road is un-formed and un-maintained it will vest in the Crown upon closure. Crown Lands will then offer the land for sale to Anthony Edward Fitzgerald being the adjoining owner.

Crown will progress all the stages of the road closure. This includes the notification to Council, neighbours, advertising in a local newspaper and attending to any enquiries and objections.

Council will not incur any costs in relation to this matter, and has been paid an amount of \$364 being Council's first stage fees for Permanent Council Road Closure Application as per Council's 2016/2017 Fees and Charges.

Accordingly, it is recommended that Council consent to Anthony Edward Fitzgerald making a road closure application to NSW Department of Industry - Lands in connection with an unmaintained Council public road within Lot 180 DP755416 at Kains Flat.

Community Plan implications

Theme	Connecting Our Region
Goal	High quality road network that is safe and efficient
Strategy	Provide a roads network that balances asset conditions with available resources and community needs

Financial implications

Not applicable

LILIAN MUTYIRI
PROPERTY OFFICER

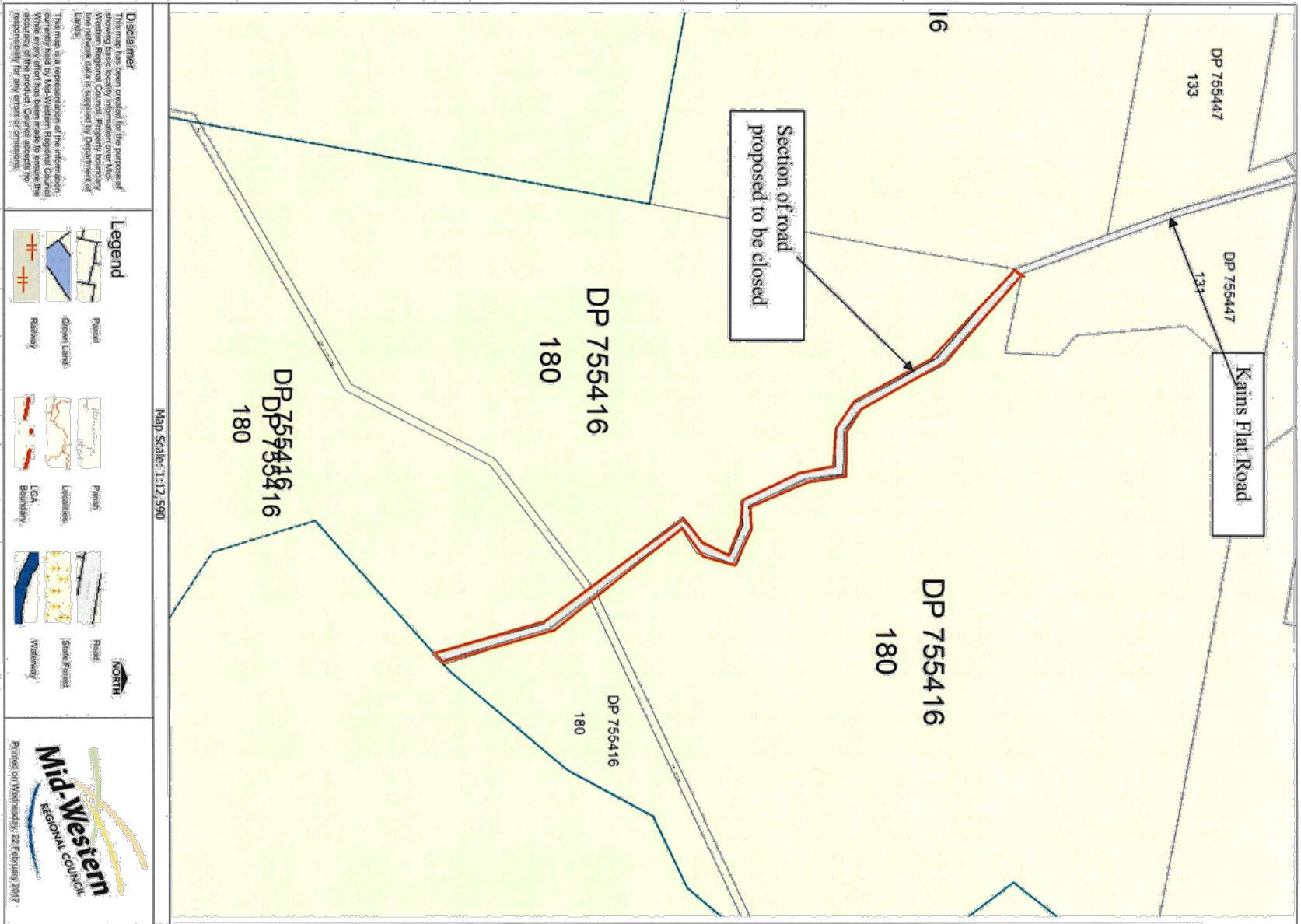
LEONIE JOHNSON
CHIEF FINANCIAL OFFICER

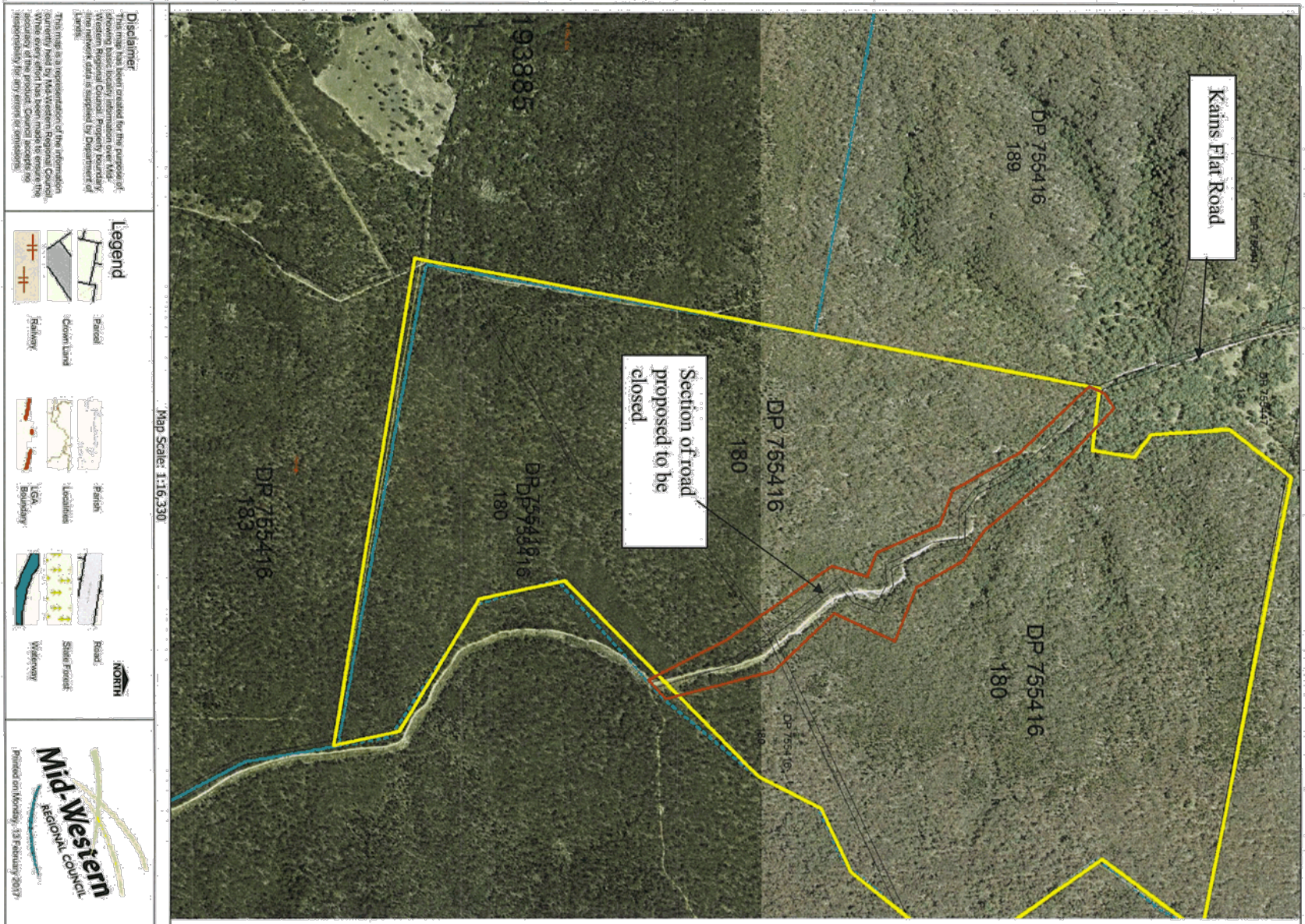
22 February 2017

Attachments: 1. Proposed Road Closure.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER





9.4 Related Party Disclosure Policy

REPORT BY THE FINANCIAL ACCOUNTANT
TO 15 MARCH 2017 ORDINARY MEETING
GOV400064, FIN3000139

RECOMMENDATION

That Council:

1. **receive the report by the Financial Accountant on the Related Party Disclosure Policy;**
2. **place the draft Related Party Disclosure Policy on public exhibition for 28 days to receive any public submissions; and**
3. **adopt the Related Party Disclosure Policy if no submission are received**

Executive summary

From 1 July 2016, the Australian Accounting Standards Board has determined that AASB 124 related party disclosures will apply to government entities, including local governments. Therefore from the 2016/17 financial year Councils must disclose related party relationships, transactions and outstanding balances, including commitments, in the annual financial statements.

The Related Party Disclosure Policy aims to set out the necessary requirements and guide Council for effective implementation of processes that will ensure compliance with AASB 124 disclosure requirements.

Disclosure of Interest

Nil

Detailed report

The scope of AASB 124 – Related Party Disclosures has been expanded to cover not-for-profit and public sector entities, this change to the accounting standards is effective for annual reporting periods beginning on or after 1 July 2016.

It has been recommend by the NSW Office of Local Government that Council establish a policy to define the parameters for Related Party Transactions and the level of disclosure and reporting required for Council to achieve compliance with AASB 124 – Related Party Disclosures. As detailed in the proposed policy, Council's approach to the collection of data will be sensible, efficient and practical. It is imperative that these processes are adhered to and that there is cooperation from all the identified Key Management Personnel (KMP).

Compliance with the disclosure requirements of accounting standard AASB 124 – Related Party Disclosure is mandatory. If the requirements are not met the annual financial statement will fail to meet audit requirements of the Auditor-General and potentially receive a modified auditor's opinion.

Community Plan implications

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

Financial implications

N/A

TRISH ELSEGOOD
FINANCIAL ACCOUNTANT


LEONIE JOHNSON
CHIEF FINANCIAL OFFICER

24 February 2017

Attachments: 1. Related Party Disclosure Policy.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

	POLICY Related Party Disclosure Policy		<i>A prosperous and progressive community</i>
	ADOPTED	VERSION NO	
	COUNCIL MEETING MIN NO	REVIEW DATE	
DATE:		FILE NUMBER	

Objective

The objective of the Policy is to ensure that the existence of certain related party relationships, related party transactions and information about the transactions, necessary for users to understand the potential effects on the Financial Statements are properly identified, recorded in Council's systems, and disclosed in Council's General Purpose Financial Statements to achieve compliance with AASB 124, the Privacy and Personal Information Protection Act 1998 [PPIPA] and the Government Information (Public Access) Act 2009 [GIPAA].

Legislative and regulatory requirements

- Local Government Act 1993 and Local Government (General) Regulation 2005
- Accounting Standard AASB 124 July 2015 Related Party Disclosures
- Accounting Standard AASB 10 August 2011 Consolidated Financial Statements
- Accounting Standard AASB 11 August 2011 Joint Arrangements
- Privacy and Personal Information Protection Act 1998 [PPIPA]
- Government Information (Public Access) Act 2009 [GIPAA]

Related policies and plans

- Access to Information Policy
- Conflicts of Interests Policy
- Code of Conduct

Definitions

Related Parties	A person or entity that is related to the entity that is preparing its financial statements. For the purpose of this policy, related parties are entities related to Council, key management personnel and close family members of key management personnel of Mid-Western Regional Council.
Related Party Transaction	A related party transaction is a transfer of resources, services or obligations between a reporting entity and a related party, regardless of whether a price is charged.
Key Management Personnel (KMP)	People that have authority and responsibility for planning, directing and controlling the activities of the entity, either directly or indirectly. For Council purposes KMP includes; <ul style="list-style-type: none"> • the Mayor,

POLICY: RELATED PARTY DISCLOSURE POLICY |

	<ul style="list-style-type: none"> • Councillors, • the General Manager, • Directors, • the Chief Financial Officer, • the Executive Manager, Human Resources
Close Family Members	Close family members are people who can be expected to influence or be influenced by key management personnel. This includes but is not limited to spouse or partner, children and dependents, children and dependents of spouse or partner and possibly parents, grandparents and other family members. Other family members that would expect to influence or be influenced by key management personnel need to be included as close family members.
KMP Compensation	All forms of consideration paid, payable or provided in exchange for services provided. Compensation categories include:- <ul style="list-style-type: none"> • Short Term Employment Benefits • Post Employment Benefits • Other Long Term Benefits, and • Termination Benefits.
Arms Length Transaction	A transaction between two related parties that is conducted as if they were unrelated, so that there is no question of conflict of interest.
Ordinary Citizen Transactions	Transactions that are made on an arm's length basis between the Council and key management personnel and their close family members that an ordinary citizen of the community would transact with the Council. This includes but is not limited to payment of rates for properties owned by the key management personal.
Normal Terms and Conditions	The standard rules governing transactions between Council and all external bodies. These can be governed by policies, legislation or accepted business practices.
Control	Is the power to govern the financial and operating policies of an entity so as to obtain benefits from its activities.
Joint Control	Is the contractually agreed sharing of control over an economic activity.
Significant influence	Is the power to participate in the financial and operating policy decisions of an entity, but is not control over those policies. Significant influence may be gained by share ownership, statute or agreement.
Responsible Accounting Officer	A position of Council with regulatory responsibilities, as described in the Local Government (General) Regulation 2005, currently filled by the Chief Financial Officer.
Material transaction	Transactions assessed as material, given the definitions on page 5 including: significant in terms of size; carried out on non-market terms; outside normal day-to-day business operations; disclosed to regulatory or supervisory authorities; reported to senior management.

Policy Statement

Related Party relationships are a normal feature of business. Related parties may enter into transactions that unrelated parties would not. Therefore a related party relationship has potential to have an effect on the profit or loss and financial position of Council.

In addition, the profit or loss and financial position of an entity may be affected by a related party relationship even if related party transactions do not occur. The mere existence of the relationship may be sufficient to affect the transactions of the entity with other parties.

For these reasons, knowledge of Council's transactions and outstanding balances (including commitments and relationships with Related Parties) may affect the assessment of Council's operations by users of Financial Statements, including assessments of the risks and opportunities facing the Council.

Council will exercise compliance with the disclosure requirements of AASB 124 by executing the following steps;

- a) identifying related party relationships and transactions;
- b) identifying outstanding balances, including commitments, between an entity and its related parties;
- c) identifying the circumstances in which disclosure of the items in (a) and (b) is required; and
- d) determining the disclosures to be made about those items.

Related Parties

Identification of Key Management Personnel (KMP)

KMP for Mid-Western Regional Council are considered to include:-

- the Mayor,
- Councillors,
- the General Manager,
- Directors,
- the Chief Financial Officer,
- the Executive Manager, Human Resources
- staff whom from time to time will act in any of the above mentioned positions

Identification of Related Parties

A person or entity is considered a related party of Council if any of the following conditions apply:-

- a) They are members of the same group (which means that each parent, subsidiary and fellow subsidiary is related to the others)
- b) They are an associate or belong to a joint venture of which Council is part of
- c) They and Council are joint ventures of the same third party
- d) They are part of a joint venture of a third party and council is an associate of the third party

POLICY: RELATED PARTY DISCLOSURE POLICY |

- e) They are a post-employment benefit plan for the benefit of employees of either Council or an entity related to Council.
- f) They are controlled or jointly controlled by close or possibly close members of the family of a person with significant influence over Council or a close or possibly close member of the family of a person who is a KMP of Council.
- g) They are identified as a close or possibly close member of the family of a person with significant influence over Council or a close or possibly close member of the family of a person who is a KMP of Council.
- h) They, or any member of a group which they are a part, provide KMP services to Council.

For the purposes of this policy, related parties of Council are:

- a) Entities related to Council;
- b) KMP of Council;
- c) Close family members of KMP;
- d) Possible close family members of KMP; and
- e) Entities or persons that are controlled or jointly controlled by KMP, or their close family members, or their possible close family members.

Please see Appendix 1 for examples of common related parties of council.

KMP's will identify all entities that are controlled or jointly controlled by close family members through the self-assessment process. Should uncertainties or any other contentious issues arise during this process the KMP's are responsible for discussing this with Councils Responsible Accounting Officer who can consult Councils external auditor for clarification if necessary.

Annual Review of Related Parties

A review of KMP's and their related parties will be completed at the beginning of each Financial Year. Whereby the identified KMP's will be required to complete the Related Party Declaration (see Appendix 2) by 31 July and present this to Councils Financial Accountant.

The method for identifying the close family members and associated entities of KMP will be by KMP self-assessment. KMP are responsible for keeping the Financial Accountant updated when any changes to those related parties occur outside of those times.

Particular events, such as a change in Councillors, General Manager, Directors or members of the Executive management team, will also trigger a review of Council's related parties immediately following such an event.

Councils Responsible Accounting Officer and Financial Accountant will be responsible for identifying Council subsidiaries, associates and joint ventures.

Councils Financial Accountant will maintain a register of all declared and identified related parties.

Related Party Transactions

Types of Transactions

The following are examples of transactions that are disclosed if they are transacted with a related party:

- Purchase or sale of goods;
- Purchase or sale of property and other assets;
- Rendering or receiving services;
- Leases;
- Quotations and/or tenders;
- Commitments;
- Settlements of liabilities on behalf of Council or by Council on behalf of the related party;
- Grants and subsidy payments made to associated entities of Council;
- Non-monetary transactions; and
- Compensation made to key management personnel and their close family members.

Materiality of Transactions

AASB 124 grants Council discretion to use their judgement when determining the level of detail to be disclosed in the financial statements. It should be noted that Materiality is not simply determined by the value of a transaction, many other factors are considered. As well as considering the closeness of the related party relationship other factors to be considered, when assessing related party transactions, are;

- significant in terms of size;
- carried out on non-market terms;
- outside normal day-to-day business operations, such as the purchase and sale of businesses;
- disclosed to regulatory or supervisory authorities;
- reported to senior management;
- subject to shareholder approval.

Ordinary Citizen Transactions

Ordinary citizen transactions are those transactions that are made on an arm's length basis between Council and related parties that an ordinary citizen of the community would transact with the Council.

Examples of these are rates payments for properties owned by the related party and dog registration payments.

Council will identify all transactions between Council and related parties. Any that are deemed to be ordinary citizen transactions will not typically be required to be disclosed in the annual financial report.

Transactions between Council and related parties that would normally be considered to be ordinary citizen transactions but where the terms and conditions differ from normal practice will not be considered to be an ordinary citizen transaction for the purposes of this policy. These will be disclosed in Council's annual financial statements in the related party disclosure.

Please note that KMP's are still required to notify the Financial Accountant of these transactions via the process outlined below and the determination of whether or not disclosure is required is vested with the Responsible Accounting Officer and Financial Accountant. Should uncertainties or

POLICY: RELATED PARTY DISCLOSURE POLICY |

any other contentious issues arise during this process the KMP's are responsible for discussing this with Councils Responsible Accounting Officer who can consult Councils external auditor for clarification if necessary.

Identification of all Related Party Transactions

All related party transactions will be captured to allow a full assessment of transactions that are to be included in the related party disclosure per the disclosure requirements contained in AASB 124.

This will also allow Council's external auditors to perform a full analysis of the entire process that results in the related party transaction disclosure.

All KMP will be required to complete and submit a Related Party Transaction Declaration (Appendix 3) to the Financial Accountant, a notification advising of any known related party transactions that have occurred in the past 6 month period and any related party transactions that have the potential of occurring in the next 6 month period. A Nil notification will be required to be submitted to the Financial Accountant if no transactions are required to be reported.

These notifications will be due to the Financial Accountant by the 31 January and the 31 July covering the reporting periods from 1 July to 31 December and 1 January to 30 June respectively.

To ensure all related party transactions are captured and recorded, the Financial Accountant is responsible for reviewing, if required, other sources of information held by Council including, without limitation:

- a) a register of related parties of a KMP and of persons related to the KMP;
- b) Council's pecuniary interest returns;
- c) minutes of Council and committee meetings;
- d) Council's Contracts' Register.

Councils Financial Accountant will maintain a register of all declared and independently identified related party transactions.

Required Disclosures and Reporting

AASB124 provides that Council must disclose the following financial information in its financial statements for each financial year period:

1. *Disclosure of any material related party transactions* – if there have been material transactions between related parties, Council must disclose the nature of the relationship with the related party, as well as sufficient information about the transactions and outstanding balances, including commitments, necessary for users to understand the potential effect of the relationship on the financial statements.
2. *KMP Compensation Disclosures* – must disclose in the financial statements KMP compensation in total for each of the categories.

If an elected member or staff member is affected by the related party disclosure they will be given a copy of the disclosure for comment before the external audit is finalised. All comments will be considered however any deviations from the standard policy will not be included in the final disclosure. The General Manager will give the final approval of what will be contained in the disclosure.

Information Privacy

Confidential

The following information is classified as confidential and is not available for inspection by or disclosure to the public, including through a GIPAA application:

- a) information (including personal information) provided by a KMP in a related party disclosure; and
- b) personal information contained in a register of related party transactions.

Storage of information

Declarations and registers pertaining to the Councils related parties and related party transactions will be maintained within a secure and confidential location of Councils records management system.

When Consent is Required

Except as specified in this Policy, Council and other permitted recipients will not use or disclose personal information provided in a related party disclosure by a KMP or contained in a register of related party transactions for any other purpose or to any other person except with the prior written consent of the subject KMP.

Permitted Recipients and Permitted Purposes

For the purpose of this policy the following persons are permitted to access, use and disclose the information (including personal information) provided in a related party disclosure or contained in a register of declared related parties and/or related party transactions:

- a) the General Manager;
- b) the Responsible Accounting Officer, Financial Accountant and Manager of Financial Planning;
- c) Public Officer;
- d) an Auditor of Council (including an Auditor from the NSW Auditor General's Office);

For the purpose of this policy any person specified above may access, use and disclose information (including personal information) in a related party disclosure or contained in a register of declared related parties and/or related party transactions for the following purposes:

- a) to assess and verify a notified related party transaction;
- b) to reconcile identified related party transactions against those notified in a related party disclosure or contained in a register of related party transactions;
- c) to comply with the disclosure requirements of AASB 124;
- d) to verify compliance with the disclosure requirements of AASB 124.

POLICY: RELATED PARTY DISCLOSURE POLICY |

Government Information (Public Access) [GIPPA] Status

The following documents are not open to or available for inspection by the public:

- a) related party disclosures provided by a KMP; and
- b) a register of related party transactions.

A GIPAA application seeking access to:

- a) a document or information (including personal information) provided by a KMP in a related party disclosure; or
- b) personal information contained in a register of related party transactions;

will be refused on the grounds that the document or information comprises information for which there is an overriding public interest against disclosure pursuant to Section 14 of GIPAA.

A GIPAA application seeking access to, and release of, transactional information and documentation about the subject of a related party transaction with Council will be considered, assessed and decided in accordance with Council's usual procedures regarding applications made under GIPAA.

Appendix 1

Examples of common related parties of Council

Likely to be a Related Party of council	May be a Related Party of council
Councillors (including the Mayor)	Senior staff (if they are KMP they are a related party)
General Manager (GM)	Other family members of the Councillors, GM and senior staff that are KMP (if the family member may be expected to influence, or be influenced by, that person in their dealings with Council, then they are a related party)
Children of the Mayor, Councillors and the GM	
Spouse/Domestic Partners of the Mayor, Councillors and the GM	
Dependents of the Mayor, Councillors and the GM	
Dependents of a Spouse/Domestic partner of the Mayor, a Councillor or the GM	
Children of a senior staff member that is a KMP	
Spouse/Domestic partners of a senior staff member that is a KMP	
Dependents of a senior staff member that is a KMP	
Dependents of a Spouse/Domestic partner of a senior staff member that is a KMP	
Entities that are controlled or jointly controlled by Council, a KMP or their close family member.	

Disclaimer: This list contains a list of common related parties of council, however there may still be relationships not identified in this list that will meet the definition of a related party.

Appendix 3



Related Party Transaction Declaration

[Note: This document is confidential and is not GIPAA-accessible. See: Council's Related Party Disclosure Policy]

Name of Key Management Personnel:
Position of Key Management Personnel:

(a) has previously entered into and which will continue in the **##insert relevant financial year Eg. 2016/2017## financial year**; or
(b) has entered into, or is reasonably likely to enter into, in the **##insert relevant financial year Eg. 2016/2017## financial year**.

Description of Related Party Transaction	Is transaction existing/potential?	Related Party's Name (Individual's or entity's name)	Related Party's Relationship/Reasons why related	Description of Transaction Documents or Changes to the Related Party Relationship



Notification

I _____ notify that, to the best of my knowledge, information and belief, as at the date of this notification, the above list includes all existing and potential related party transactions with Council involving myself, close members of my family, or entities controlled or jointly controlled by me or close members of my family, relevant to the **##insert relevant financial year Eg. 2016/2017## financial year**.

I make this notification after reading the Privacy Collection Notice provided by Mid-Western Regional Council, which details the meaning of the words "related party", "related party transaction", "close members of the family of a person" and, in relation to an entity, "control" or "joint control", and the purposes for which this information will be used and disclosed.
I permit the Responsible Accounting Officer and the other permitted recipients specified in Council's Related Party Disclosure Policy to access the register of interests of me and persons related to me and to use the information for the purposes specified in that policy.

Signature of KMP:
Full Name of KMP:
Date:

9.5 Naming of a Bridge over McDonalds Creek on Hill End Road Erudgere

REPORT BY THE PROPERTY SUPPORT OFFICER
TO 15 MARCH 2017 ORDINARY MEETING
GOV400064, PAR300020

RECOMMENDATION

That Council:

1. receive the report by the Property Support Officer on the Naming of a Bridge over McDonalds Creek on Hill End Road Erudgere; and
2. support the naming of the bridge over McDonalds Creek on Hill End Road Eurudgere John Newman Bridge.

Executive summary

Council has received a request from the public to name the new bridge over McDonalds Creek on Hill End Road.

Disclosure of Interest

Nil

Detailed report

Following the completion of work on the bridge over McDonalds Creek on Hill End Road in the Locality of Erudgere, Council received a request for the bridge to be named. Letters were sent to the immediate neighbours of the bridge and advertising was placed in the Mudgee Guardian dated 3 February 2017. Submissions closed on 27 February 2017 with two submissions and two petitions received for the following names:

John Newman Bridge
Hughes Bridge

Both names are valid name choices and can apply to the bridge.

The Geographical Names Board (GNB) is the naming authority for place names.

Council's decision at this meeting will be submitted as a recommendation to the GNB for their next meeting along with Council's application to name this bridge. The GNB will then meet the cost of advertising in relation to this matter before making a final decision on the name for this bridge.

Community Plan implications

Theme	Connecting Our Region
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Goal	High quality road network that is safe and efficient
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Strategy	Provide traffic management solutions that promote safer local roads and minimise traffic congestion
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Financial implications

Cost of two signs plus installation at an approximate cost of \$600. These costs are included in the 2016/2017 Operation Plan. Gazettal costs will be met by the GNB.

CAROLYN ATKINS
PROPERTY SUPPORT OFFICER

LEONIE JOHNSON
CHIEF FINANCIAL OFFICER

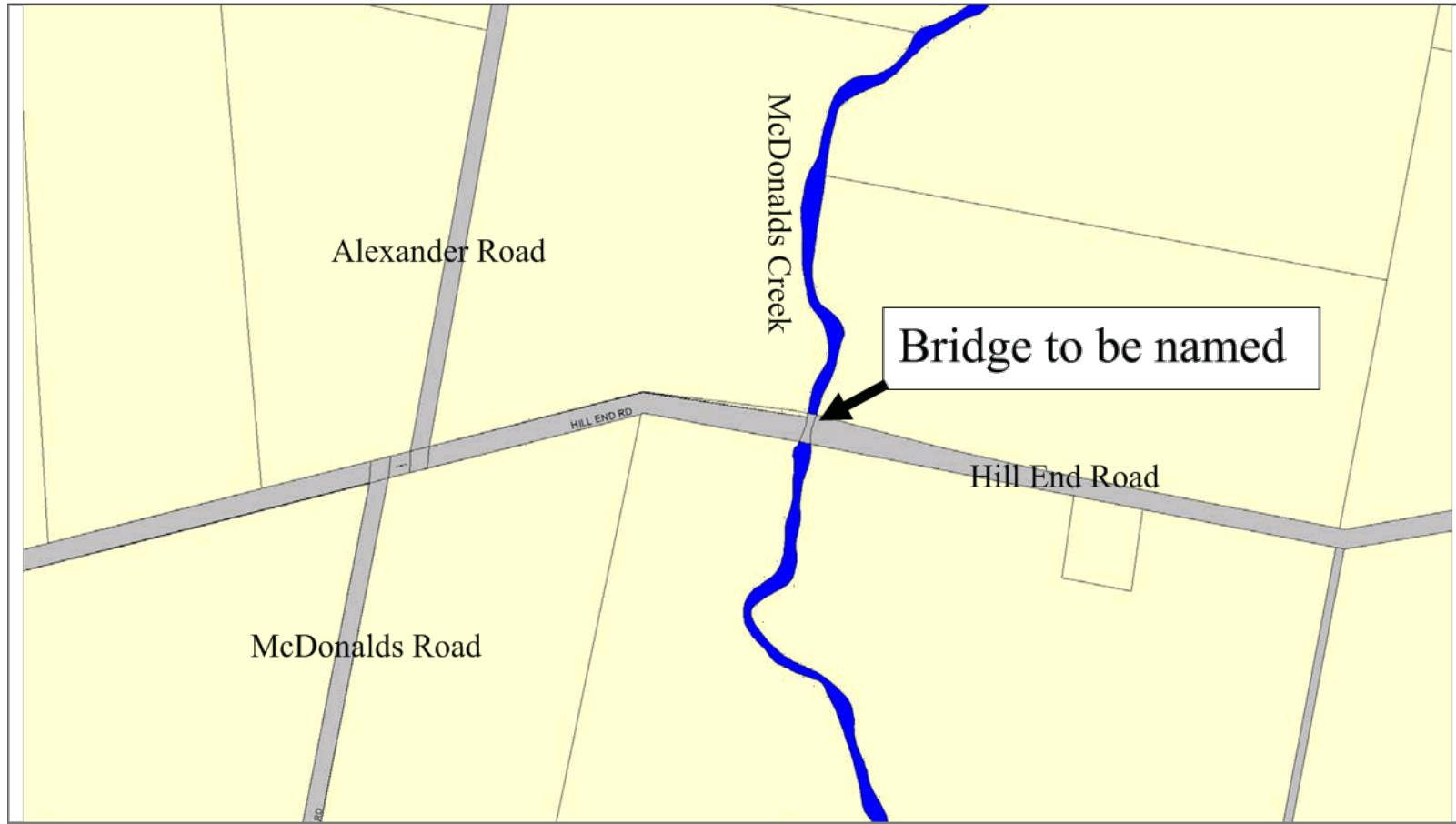
28 February 2017

Attachments:

1. Map of the location of the bridge to be named.
2. Submission for John Newman Bridge.
3. Submission for Hughes Bridge.
4. Petition for John Newman Bridge.
5. Petition for John Newman Bridge.

APPROVED FOR SUBMISSION:











BRAD CAM
GENERAL MANAGER



Map Scale: 1:5,646

Disclaimer
 This map has been created for the purpose of showing basic locality information over Mid-Western Regional Council. Property boundary line network data is supplied by Department of Lands.
 This map is a representation of the information currently held by Mid-Western Regional Council. While every effort has been made to ensure the accuracy of the product, Council accepts no responsibility for any errors or omissions.

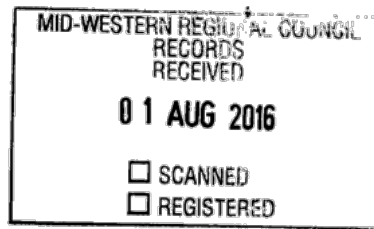
Legend

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

NORTH



Printed on Tuesday, 31 January 2017



"Malboona"

1193 Yarrabin Road

Mudgee. 2850

27/7/2016

The General Manager,
Mid Western Regional Council,
Mudgee. 2850

RE: SUBMISSION FOR THE NAMING OF BRIDGE OVER McDONALD'S CREEK

Dear Mr Camm,

Recently the bridge over McDonald's Creek was upgraded and I would like Council to consider naming this bridge "The John Newman Bridge".

John Newman was my Great Grandfather, who came to Mudgee in 1857 at the age of 19 and lived in the McDonald's Creek area from 1860 until 1915, when he retired to 45 Lawson Street Mudgee. John's home was called "Wattle Cottage, on the corner of the Hargraves and Old Grattai Roads. However, John owned a considerable amount of land in the McDonald's Creek area, including land from his house block, Portion 32, Munna Map Sheet, to McDonald's Creek. He also owned the Burnbrae winery and adjacent Portions, (see Erudgere Parish Map) as well as 2 Portions labelled Rushby, adjoining McDonald's Creek .

Whilst living in the district, John showed a commitment to family, agriculture and the community and helped shape the character of Mudgee during his lifetime, (1838-1922). He was considered by his peers as a pioneer of the Mudgee district as outlined in his Obituary.

John had 15 children born at Wattle Cottage, 12 living to adults, who also contributed to the development of Mudgee. My Grandfather, Albert Orchard Newman lived his whole life at McDonald's Creek and Collingwood and the Newman family continue to live and manage properties in the Collingwood/Yarrabin area.

John Newman was a progressive farmer and ran a Lincoln Stud from his property. This was mentioned in the publication, Australian Men of Mark. John was also the promoter of the first Farmer's and Settler's Association in Mudgee and worked as a member of the Farmer's and Settler's Committee. This Association later merged into the Mudgee Agricultural Show Society. John entered stock and pastures to the show each year and won many prizes, whilst his children participated in riding and other events at the show. He also contributed to Agriculture by taking a position as a Pasture Director for the sheep district of Mudgee from the 1890's.

John Newman was an Alderman on the Cudgegong Borough Council for many years and acted as Mayor from 1870-71. He was still actively involved with the Council when he was appointed an Alderman in 1906. The Mudgee Guardian reported on 15th March, 1906 that

the Mayor stated at Council that "the ratepayers gained a distinct advantage of Alderman Newman coming back to Council... His long experience of municipal life would be a great advantage to the Council"

John Newman was appointed a Magistrate of the colony, (JP) in 1898 and he contributed further to Mudgee as he also served on the Mudgee Public School Board in 1898.

John's family were Methodists and John and his wife Victoria worked for the Collingwood Church in many capacities. Both John and Victoria were recognised for their contribution to the Church at the opening of the new Collingwood Church in 1929.

I have done considerable research about my Great Grandfather and am saddened that there has been no recognition of his outstanding contribution to the Mudgee community.

I will attach the Obituary of John Newman, which summarises many of his contributions and a map of the McDonald's Creek area which identifies land owned and managed by John Newman and his family.

I would appreciate it if you could pass my submission to the Mayor and Councillors as well as appropriate Council staff for consideration of naming the McDonald's Creek Bridge, the John Newman Bridge.

I can supply further information about John Newman if required.

Thanking you for consideration of this matter.

Regards

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

Bill Newman

Obituary of John Newman

From the Mudgee Guardian, May 29th, 1922

"The death of Mr. John Newman, at his residence "Devon", Lawson Street Mudgee, takes from this community one who had in every way large claims to rank as a pioneer resident, very highly esteemed, and who had enjoyed great personal popularity as a citizen, and favours in special honours in Indeed, in his connection chiefly with the Municipality of Cudgegong the deceased gentleman has a record of special service to his credit. He had served as alderman for many years, and had filled the mayoral office with distinction. He was a man who guarded speech and action, and was punctual as well as tactful. The bump of caution was characteristic of the man. John Newman made no rash assertions, he thought well before uttering opinions, and, when differing from others, was courteous to a degree. A common expression of his when differing with a brother alderman was "I differ with you my friend." He and the old "General" Wilton very often differed in council, but they never quarrelled. Such was the type of man our deceased townsman proved himself to be, through a long term of public services in this community. We must mourn the loss of such a townsman, and reverently proclaim "peace to his ashes."

The late Mr. John Newman came to the country and to this district a very young man. At the time of his departure from his native village in Devonshire, he could not have been more than 19 years of age, and because relatives had come to Mudgee earlier the young Devonshire townsman chose Mudgee as his first Australian homespot. And how very successful the deceased has been in his adopted home in Australia is borne out in many respects. His choice of McDonald's Creek and the eminent situation of his snug, nicely managed homestead property, popularly known as "Wattle Cottage", three miles from Mudgee, will remain his monument in the history of this district.

With the late William Wilton, De Courcy Brown, P.J. Rheinberger and a band of others, he was the promoter of the first Farmers and Settlers' Association (fee 5/- a member). Later Mr. Newman and his brethren merged into the now Agricultural Society, and erected the present well equipped show ground, their one mistake (if any) being that they were not land grabbers. Flirtation Hill, now a useless eyesore, should have been grabbed and made Nature's outlook, a panoramic grandstand off the hill. the civic associations of Mudgee.

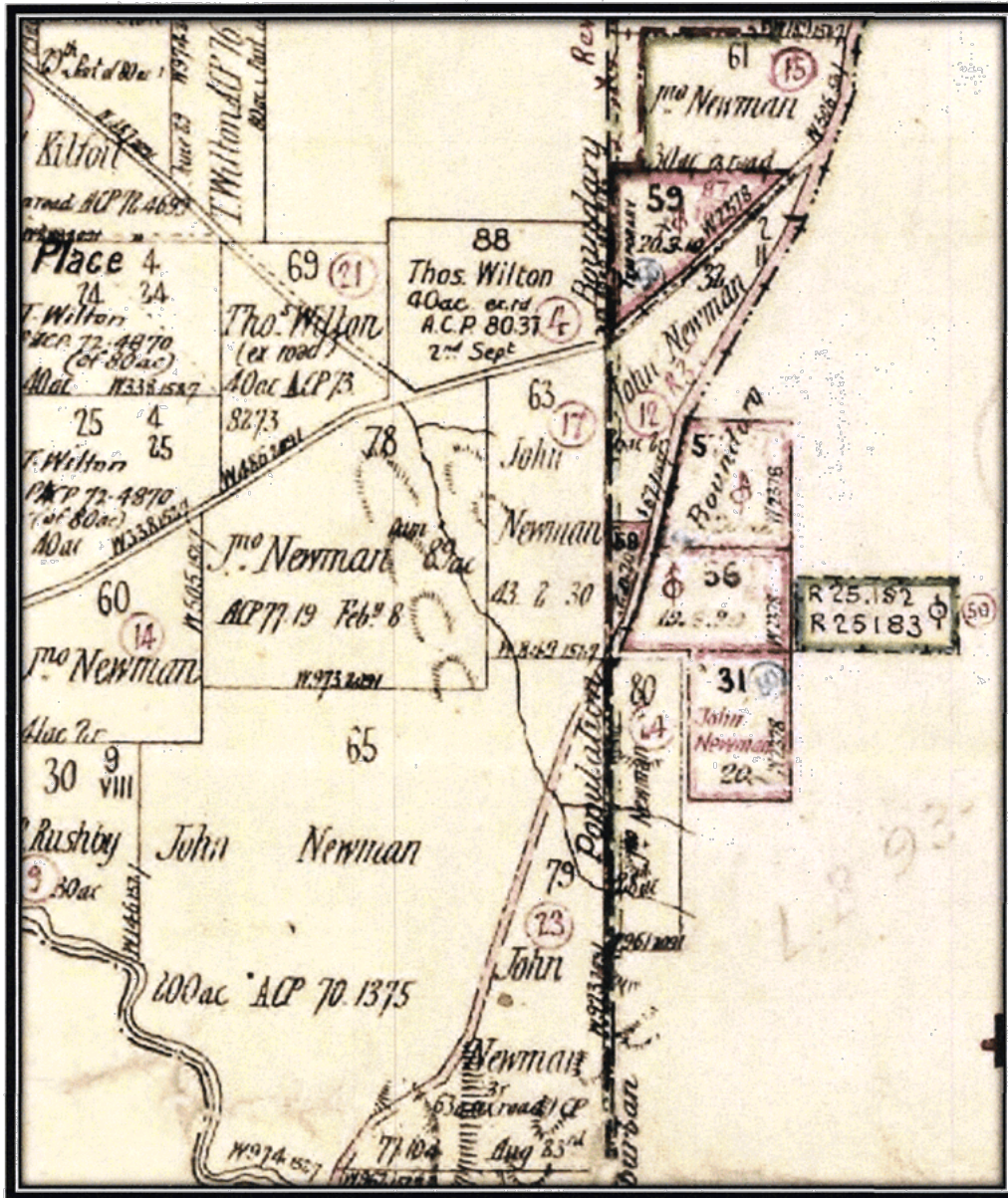
The deceased was happy in the choice, early in his career, of the partner who shared with him the domestic cares in the happy model homestead. His choice fell on the daughter of Mr. John Orchard, and Miss Orchard bore the distinction of being named after England's good Queen "Victoria". There are those amongst us left to tell of the pioneer band who remember the late Mrs. Newman in her girlhood days, as a charming personality and richly endowed with common sense and the graces of beautiful womanhood. Their union proved a long and happy mating. Indeed, the only break came a year or so ago (in 1920) when the grand old wife and mother was called. No break by death had previously entered the home of sunshine. The union proved also a happy issue in the twelve Australian born "wattle blooms" born at Wattle Cottage. All but one have taken their place in the duties of life, and

the one remaining stayed on to be her late father and mother's home comforter. The first born of the family group is Mr. John Henry Newman, who early in life chose the railway service in preference to going on the land. Mrs. John Bayliss resides at McDonald's Creek near the old home spot. Mrs. James Buckley resides near Coonabarabran, Mr. Albert Newman, "Nealton", Collingwood, Mr. Charles Newman, at "Ashby" Baradine, Mrs. William Buckley, at Tooraweenah, Mr. George Newman, McDonald's Creek, Mrs. John Fraser, Queensland, Mrs. George James, Grattai, Mr. Stanley Newman, Queensland, Mr. Rupert Newman, Queensland, and Miss Kitty Newman, "Devon", Mudgee.

The late Mr. Newman had been, at intervals, in precarious health, due to a heart affliction. The end came in the early hours of Saturday morning last, at the good old age of 84, members of his family who were within call by telephone being at the death bed. Dr. Nickoll had been summoned, but ere the doctor had reached the home, the spirit had gone to God who gave it.

Few men who followed up mixed farming were more successful than the late Mr. Newman. He was one of the first to take up crossbred lamb raising, and was responsible for an excellent type of lamb which found a ready market. The Merino-Lincoln was his choice of cross. The late Mr. Newman had no time for cant or humbug. His word was his bond, and no one ever found him deviating in this respect".

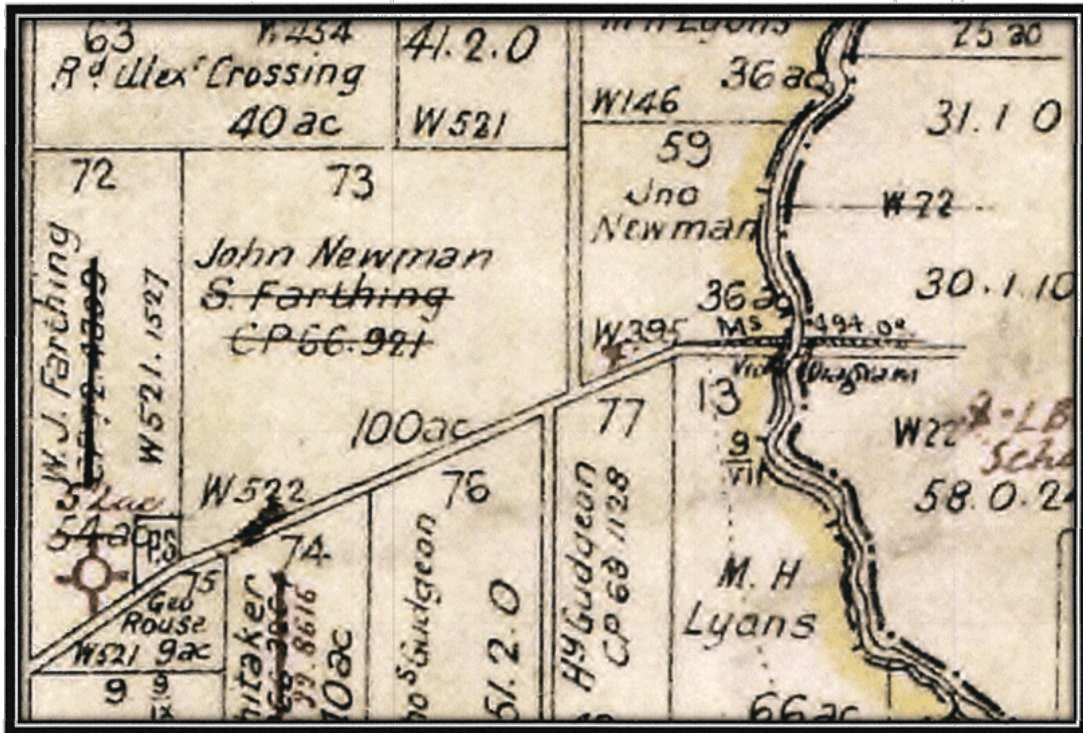
Parish Map of Munna



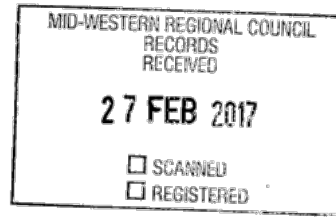
* Lot 32 is the location of John Newman's house, "Wattle Cottage" or "Wattle House"

*Additional portions owned by John Newman on the above map include portions 31, 60, 61, 63, 65, 78, 79, 80. He also owned Lot 30 being Rushby's block after 1895.

Erudgere Map Showing Portions owned by John Newman



* Lot 59 is the present Burnbrae winery and Lot 73 Blacklea Olives



James Hughes
1 Avisford Court
Mudgee NSW 2850
0428 386 758

20th February 2017

General Manager
Mid-Western Regional Council
PO BOX 156
Mudgee NSW 2850

Re: Bridge Name over McDonalds Creek on Hill End Road MUDGEES

Dear Sir,

I'm writing to you to propose a name for the newly re-built McDonald's Creek Bridge on Hill End Road.

My family has been in the 'Valley' for nearly 160 years since the original Hughes' settled at Daisy Hill (now known as Elouera) at 17 Erudgere Lane in 1859. As I'm sure you are aware, these were really good times for agriculture and the Hughes' continued to acquire more land as the years went on, namely Athlone which is across the road from Elouera.

In 1910, Edward Hughes was elected Mayor of the Cudgegong Municipality, which also covered parts of Mudgee. He served the area for 10 years until 1920 (see attached a copy of a letter from Council Staff). I've also attached a photo of a wedding held at 'Daisy Hill' in 1910 with the Hughes family at the time.

By 1971, Frank Augustine Hughes along with his brother Vincent Edward Hughes bought the land now known as Burnbrae Wines as well as the land across the road at Thistle Hill Winery. This meant that the Hughes' owned all of the land along Hill End Road, from McDonald's Creek to Erudgere Lane (including Athlone and Elouera). McDonald's Creek ultimately acted as the boundary fence. Unfortunately due to ill-health, Frank Hughes had to sell this share of the land a few years later.

To this very day, the Hughes' still own a property in the 'Valley' – Elouera, Vincent's son; Michael Hughes is a grazier and the owner of this property and has been farming there for 50 years.

I'd like to propose that due to the rich family history within the 'Valley', that the Hughes family is recognised with the naming of the McDonald's Creek Bridge – "Hughes Bridge".

Should you have any questions regarding this submission, please don't hesitate to contact me,

Yours Sincerely,

A handwritten signature in black ink, appearing to read "James Hughes".

James Hughes

To

Edward Hughes, Esq.,

Mayor of Cudgegong Municipal Council, 1910-20.

Dear Sir,--

We, the undersigned Employees of the Cudgegong Municipal Council, take this opportunity of expressing our deep appreciation of and regard for you as a man who at all times proved fair and just to us.

We can assure you that our association with you in municipal work will live long with us as a pleasant memory.

We sincerely hope that in the years to come good health, happiness, and prosperity will be yours to enjoy.

Again assuring you of our regard, we subscribe ourselves,

Yours Most Sincerely,

**W. HAWKINS
W. BISBY
R. HICKSON
D. BRATBY**



**S. RAYNER
M. NASH
C. MCGOWAN
B. SINGLETON.**

W. S. WALKER, Town Clerk.

Mudgee, February, 1920.



SUBMISSION FOR THE NAMING OF THE McDONALD'S CREEK BRIDGE

This submission is in response to the Council's request for submissions for the naming of the bridge over McDonald's Creek on the Hill End Road, Erudgere, in the Mudgee Guardian on 9th February, 2017 and supports the submission provided to Council provided by William Newman, in July 2016:

PROPOSED NAME: THE JOHN NEWMAN BRIDGE

REASONS FOR PROPOSED NAME: (Based on the criteria included in the Geographical Names Board Fact Sheet on Commemorative Naming).

1. A name with an historical background in an area of the feature:

John Newman was a pioneer of the Mudgee district, a farmer and the original owner of land in the McDonald's Creek area. John came to Mudgee with his cousin George Hosking in 1858 (both 19) and he lived in Mudgee until his death in 1922.

In 1861 John Newman built his home called "Wattle Cottage" on the corner of the Hargraves and Old Grattai Road. Here he raised a family of 12 children and acquired farming land on the South side of the Hargraves Road to McDonald's Creek and on the Northern side of the Road from McDonald's Creek to Erudgere Lane, including Burnbrae, now a winery. As the original selector of land, his name appears on the Parish Maps of the time.

John Newman also acquired land in the Collingwood area and contributed to both the Collingwood and McDonald's Creek community.

Since John settled in the area in 1858, his descendants have continuously lived and farmed in the Mudgee District in the area where John first took up his land.

2. Outstanding Achievements in the Community

Agriculture:

1. John Newman was an **innovative farmer** of the time and was recognised for the development of his Cross Bred Lincoln sheep. John ran a stud from his property and these sheep provided an example to other farmers of how to diversify their farms.

2. **Farmer's and Settler's Association** - John was involved in the establishment of the Farmer's and Settler's Association and served on the committee. Later, when the F&S Association merged with the Agricultural Society, John was also a member of this Committee. John and his family contributed to the success of the show, by their contribution of time and by submitting entries and participating in show events. John won many prizes for his sheep and wool at the Mudgee show.

3. **Mudgee Pasture Director** - John was a Pasture Director for many years. His name appears in Government Gazettes as a Pasture Director with W Bell and HA Lowe (1895-1898).



3. Civic Responsibilities

Alderman of the Cudgegong Council (1868-1908), Acting Mayor (1870-1871)

John Newman was an inaugural member of the Cudgegong Council in the 1860's and he served on the Council for forty continuous years.

In 1905, John decided to retire from the Council and nominated Mr Hughes Jnr to represent McDonald's Creek, although residents asked John to stand again. However, on 15th March, 1906, the Mudgee Guardian reported that *"the Mayor, in accordance with the Under-Secretary, was notifying that Mr J Newman had been appointed an Alderman of East Ward, and he was duly declared elected". The Mayor stated that "the ratepayers gained a distinct advantage of Alderman Newman coming back to Council... His long experience of municipal life would be a great advantage to the Council"*.

The esteem of John Newman was expressed in a newspaper article in the Mudgee Guardian on 30th January, 1908:

"Mr Newman is the only surviving member of the first Cudgegong Council elected way back in the sixties. Mr Newman passed three score years and ten on Monday last and carries his weight of seventy summers with the physical agility of a man in the prime of life".

"General regret is felt at Mr Newman's determination to retire from municipal life, but it must be conceded by all, that he has done his duty nobly and well during the last 40 years".

Magistrate of the Colony

John was appointed as a Magistrate of the colony, (Justice of the Peace), by the Governor in 1898.

Mudgee Public School Board

In 1898, John served on the Public School Board for the Sub-district of Mudgee. This was recorded in the Government Gazette, 28th November, 1898.





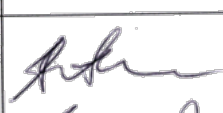
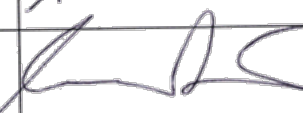

John Newman died on 26th May, 1922



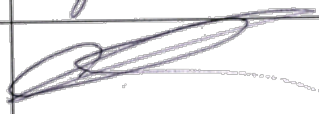







The many achievements of John Newman have been recorded in his Obituary which was printed in the Mudgee Guardian on the 29th May, 1922. It is worthwhile noting the esteem with which John was held by his peers at the time:

"...in his connection chiefly with the Municipality of Cudgegong the deceased gentleman has a record of special service to his credit. He had served as alderman for many years, and had filled the mayoral office with distinction. He was a man who guarded speech and action, and was punctual as well as tactful. The bump of caution was characteristic of the man. John Newman made no rash assertions, he thought well before uttering opinions, and, when differing from others, was courteous to a degree. A common expression of his when differing with a brother alderman was "I differ with you my friend." He and the old "General" Wilton very often differed in council, but they never quarrelled. Such was the type of man our deceased townsman proved himself to be, through a long

term of public services in this community. We must mourn the loss of such a townsman, and reverently proclaim "peace to his ashes." (from his Obituary).

As a pioneer of the district with outstanding achievements that have shaped the development of the Mudgee District, the following residents support the application to name the McDonald's Creek Bridge, **The John Newman Bridge**, in memory of John Newman, who did so much for Agriculture and the farming community and who has not been recognised for these achievements:

Name	Address	Signature
Bruce Tilley	Cobbadah Yarrabin Rd	
JAMES MORT	WESTMOUNT HILL END RD FRUAGRE	
RUSSELL LYNN	71 MADEIRA RD MUDGEE	
JEREMY NEWMAN	'WILLABEE' 151 YARRABIN ROAD MUDGEE	
Usula Newman	"Willabee" 151 Yarrabin Road Mudgee	
Anne Mort	Tallawangra 176 Yarrabin Road	Anne Mort.
Helen Shearman	"Darthala" 194 Hill End Rd Mudgee	Helen Shearman
Ruth Newman	"Neaton" Yarrabin Rd Beddingwood	Ruth Newman
SCEN LAWRENCE	56 TUCKERMAN'S RD MUDGEE	
Simon Bennett	487 QUEENS PINE RD MUDGEE	
PAUL PARFELL	74 ... MUDGEE ...	
Clarissa Mort	293 Yarrabin Rd	Clarissa Mort

Name	Address	Signature
Gwen Odgers	"Woodlands" 730 Hill End Rd Mudgee	Gwen Odgers
MARTIN RAYNER	656 HILL END RD MUDGE	
Marg. Lucas	509 Hill End Rd Mudgee	M. L. Lucas
Jim Lucas	509 Hill End Rd Mudgee	J Lucas
CHRIS ROBSON	557 Hill End Rd Erudgere	
Carmen Robson	557 Hill End Rd Erudgere	
Alex Robson	557 Hill end road, Erudgere	
Jack Malone	45 Ulan Rd, Putta Bucca	Jack
Ben Robson	557 Hill end road Erudgee	Bh
Tony Newman	"Nealton" 82 Gerrakin Rd	
Helen Rohr	575. ERUDGERE LANE Mudgee	
PAM DUFFY	13 INVERNESS MUDGE AVE	
BREAN DUFFY	13 INVERNESS MUDGE, AVE	
Brian Munn	19 LEONFIELD DR., mudgee	
BARRY ROHR	PIAMBOVC	

Name	Address	Signature
Sue Munnis	19 Leconfield Rd Mudgee.	S. L. Munnis
Jay Fraser	47A Court St Mudgee	J. Fraser
emily Carter	2/134 Court st	E. Carter
Shaun Rayner	29 melton Rd	S. Rayner
Annette Mitchell	13 Lockwood st	A. Mitchell
Jeany Turner	Lawson Lane	J. Turner
Reck Turner	Lawson Lane	R. Turner
IAN NEWTON	91 MARKET ST	I. Newton
JAN O'BRIEN	8 Chestnut Cl MUDGE	J. O'Brien
PAUL O'BRIEN	8 Chestnut Cl MUDGE	P. O'Brien
Phil MARCHANT	317 Hill End ROAD mudgee.	Phil Marchant
Trine Gay	548 Hill End Rd Mudgee	T. Gay
ANDREW GAY	" "	A. Gay
Gai Blackley	29 alexander Road Errolgere	G. Blackley
Bernard Blackley	"	B. Blackley

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John Newman died on 26th May, 1922

The many achievements of John Newman have been recorded in his Obituary which was printed in the Mudgee Guardian on the 29th May, 1922. It is worthwhile noting the esteem with which John was held by his peers at the time:

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term of public services in this community. We must mourn the loss of such a townsman, and reverently proclaim "peace to his ashes." (from his Obituary).

As a pioneer of the district with outstanding achievements that have shaped the development of the Mudgee District, I support the application to name the McDonald's Creek Bridge, **The John Newman Bridge**, in memory of John Newman, who did so much for Agriculture and the farming community and who has not been recognised for these achievements:

Winifred Louise McPherson nee Newman
W.L. McPherson

Robert William McPherson, M.A.
[Signature]

9.6 Monthly Statement of Investment and Bank Balances as at 28 February 2017

REPORT BY THE MANAGER, FINANCIAL PLANNING
TO 15 MARCH 2017 ORDINARY MEETING
GOV400064, FIN300053

RECOMMENDATION

That Council:

1. **receive the report by the Manager, Financial Planning on the Monthly Statement of Investment and Bank Balances as at 28 February 2017; 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

Theme	Good Governance
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

2 March 2017

Attachments: 1. Investment Balances February 2017.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

For the month ended: 28-Feb-17

Bank Account	Opening Balance	Receipts	Payments	Closing Balance	Overdraft Limit
National Australia Bank (Cheque Account)	\$ 128,668	\$ 24,412,437	\$ 24,334,188	\$ 206,917	\$ 700,000

The bank balances have been reconciled to the General Ledger as at 28/02/2017

Investments	Type	Amount \$'000	Yield %	Maturity Date	Term	Long Term Rating
National Australia Bank	At Call	4,112	1.80%	NA	At Call	AA-
National Australia Bank	Term Deposit	1,600	2.92%	5/07/2017	364	AA-
National Australia Bank	Term Deposit	1,500	2.73%	4/10/2017	364	AA-
National Australia Bank	Term Deposit	1,000	2.76%	25/10/2017	364	AA-
National Australia Bank	Term Deposit	1,000	2.70%	7/06/2017	203	AA-
National Australia Bank	Term Deposit	2,000	2.70%	14/06/2017	203	AA-
National Australia Bank	Term Deposit	1,500	2.68%	26/07/2017	217	AA-
St George Bank	Term Deposit	1,000	2.75%	12/04/2017	224	AA-
St George Bank	Term Deposit	500	2.75%	12/04/2017	224	AA-
St George Bank	Term Deposit	2,000	2.80%	19/04/2017	224	AA-
St George Bank	Term Deposit	500	2.80%	19/04/2017	224	AA-
St George Bank	Term Deposit	1,500	2.75%	10/05/2017	224	AA-
St George Bank	Term Deposit	500	2.70%	5/04/2017	175	AA-
St George Bank	Term Deposit	500	2.70%	3/05/2017	203	AA-
St George Bank	Term Deposit	2,500	2.70%	12/07/2017	217	AA-
Bankwest	Term Deposit	1,500	2.54%	29/03/2017	217	AA-
Bankwest	Term Deposit	1,000	2.53%	26/04/2017	245	AA-
Bankwest	Term Deposit	1,500	2.52%	17/05/2017	238	AA-
ANZ	Term Deposit	2,300	2.66%	28/06/2017	210	AA-
ANZ	Term Deposit	2,500	2.66%	23/08/2017	196	AA-
ANZ	Term Deposit	1,200	2.65%	27/09/2017	217	AA-
AMP	Term Deposit	1,000	2.95%	15/03/2017	210	A+
AMP	Term Deposit	1,000	2.95%	5/04/2017	217	A+
AMP	Term Deposit	1,000	2.80%	26/07/2017	203	A+
AMP	Term Deposit	2,000	2.75%	9/08/2017	182	A+
Suncorp Metway	Term Deposit	2,000	2.50%	8/03/2017	208	A+
Suncorp Metway	Term Deposit	1,500	2.55%	22/03/2017	210	A+
Suncorp Metway	Term Deposit	1,000	2.55%	3/05/2017	231	A+
Suncorp Metway	Term Deposit	2,000	2.70%	31/05/2017	210	A+
Suncorp Metway	Term Deposit	1,000	2.71%	24/05/2017	182	A+
Bank of Queensland	Term Deposit	1,000	2.80%	24/05/2017	196	A-
Bank of Queensland	Term Deposit	1,000	2.80%	21/06/2017	203	A-
Bank of Queensland	Term Deposit	800	2.75%	19/07/2017	196	A-
Bank of Queensland	Term Deposit	1,500	2.80%	2/08/2017	203	A-
Bank of Queensland	Term Deposit	1,000	2.80%	16/08/2017	210	A-
Bank of Queensland	Term Deposit	1,300	2.65%	11/10/2017	226	A-
Bendigo & Adelaide Bank	Term Deposit	1,000	2.80%	1/11/2017	364	A-
ING Bank	Term Deposit	1,500	3.10%	1/03/2017	364	A-
Beyond Bank	Term Deposit	1,500	2.70%	20/09/2017	210	BBB+
Members Equity Bank	Term Deposit	2,000	2.68%	26/04/2017	231	BBB+
MyState Bank	Term Deposit	1,000	2.70%	29/03/2017	217	BBB+
MyState Bank	Term Deposit	1,000	2.88%	19/07/2017	210	BBB+
Defence Bank	Term Deposit	1,000	2.88%	13/09/2017	280	BBB+
Peoples Choice Credit Union	Term Deposit	1,000	2.76%	30/08/2017	217	BBB+
Peoples Choice Credit Union	Term Deposit	1,500	2.73%	6/09/2017	210	BBB+
Tcorp - Medium Term Growth Fund	Managed Fund	998				TCorp (Unrated)
Total Investments		63,310				

MWRC Policy Requirements:

Investments by Institution	Long Term Rating	Amount \$'000	% of Portfolio	
			Actual	Policy Limit
National Australia Bank	AA-	12,712	20%	30%
Bankwest	AA-	4,000	6%	30%
St George Bank	AA-	9,000	14%	30%
ANZ	AA-	6,000	9%	30%
AMP	A+	5,000	8%	15%
Suncorp Metway	A+	7,500	12%	15%
Bank of Queensland	A-	6,600	10%	15%
Bendigo & Adelaide Bank	A-	1,000	2%	15%
ING Bank	A-	1,500	2%	15%
Beyond Bank	BBB+	1,500	2%	5%
Members Equity Bank	BBB+	2,000	3%	5%
MyState Bank	BBB+	2,000	3%	5%
Defence Bank	BBB+	1,000	2%	5%
Peoples Choice Credit Union	BBB+	2,500	4%	5%
Tcorp - Medium Term Growth Fund	TCorp (Unrated)	998	2%	15%
		63,310	100%	

Investments by S&P Rating	Long Term Rating	Amount \$'000	% of Portfolio	
			Actual	Limit
	AAA to AA-	31,712	50%	100%
	A+ to A-	21,600	34%	40%
	BBB+ to BBB-	9,000	14%	20%
	TCorp (Unrated)	998	2%	15%
	Unrated	-	0%	\$250,000
		\$ 63,310	100%	

Term to Maturity - Minimum Limits	% of Portfolio			
	Amount \$'000	Actual	Cumulative Actual	Cumulative Minimum
Less than 3 months	28,610	45%	45%	20%
Between 3 months and 1 year	34,700	55%	100%	40%
Between 1 year and 2 years	-	0%	100%	50%
Between 2 years and 4 years	-	0%	100%	85%
More than 5 years	-	0%	100%	0%
	63,310	100%		

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.

Bank Accounts	Opening Balance \$'000	Redeemed Balance \$'000	Re-invested Balance \$'000	Change in interest rate	Change in Term (days)	New Term Rate
National Australia Bank	2,597		4,112			
Bank of Queensland	2,000	2,000		Redeemed		
AMP	2,000		2,000	-0.10%	-7	2.75%
ANZ			2,500	New Deposit		2.66%
People's Choice Credit Union			1,500	New Deposit		2.73%
National Australia Bank	1,000	1,000		Redeemed		
Bank of Queensland	800	800		Redeemed		
Newcastle Permanent	1,500	1,500		Redeemed		
Beyond Bank			1,500	New Deposit		2.70%
ANZ			1,200	New Deposit		2.65%
Bank of Queensland			1,300	New Deposit		2.65%
TCorp	-		998	New Deposit		
	9,897		15,110			
Investment Portfolio Movement	5,213	Addition				

9.7 Monthly Budget Review January 2017

REPORT BY THE MANAGER, FINANCIAL PLANNING
TO 15 MARCH 2017 ORDINARY MEETING
GOV400064, FIN300065

RECOMMENDATION

That Council receive the report by the Manager, Financial Planning on the Monthly Budget Review January 2017.

Executive summary

This report presents to Council the January Monthly Budget Review of the 2016/17 Operational Plan.

Disclosure of Interest

Nil.

Detailed report

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

The attachment to this report shows the status of all capital works projects as at 31 January 2017.

Community Plan implications

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

Financial implications

This monthly budget review has no recommended budget variations, and therefore has no impact on the 2016/17 Operational Plan.

NEIL BUNGATE
MANAGER, FINANCIAL PLANNING

LEONIE JOHNSON
CHIEF FINANCIAL OFFICER

2 March 2017

Attachments: 1. Monthly Budget Review January 2017.

APPROVED FOR SUBMISSION:

BRAD CAM

GENERAL MANAGER



*Good
Government*

MONTHLY BUDGET
REVIEW – JANUARY
2017

ATTACHMENT 1 – CAPITAL
PROGRAM UPDATE

2 MARCH 2017

MID-WESTERN REGIONAL COUNCIL
CORPORATE: FINANCE

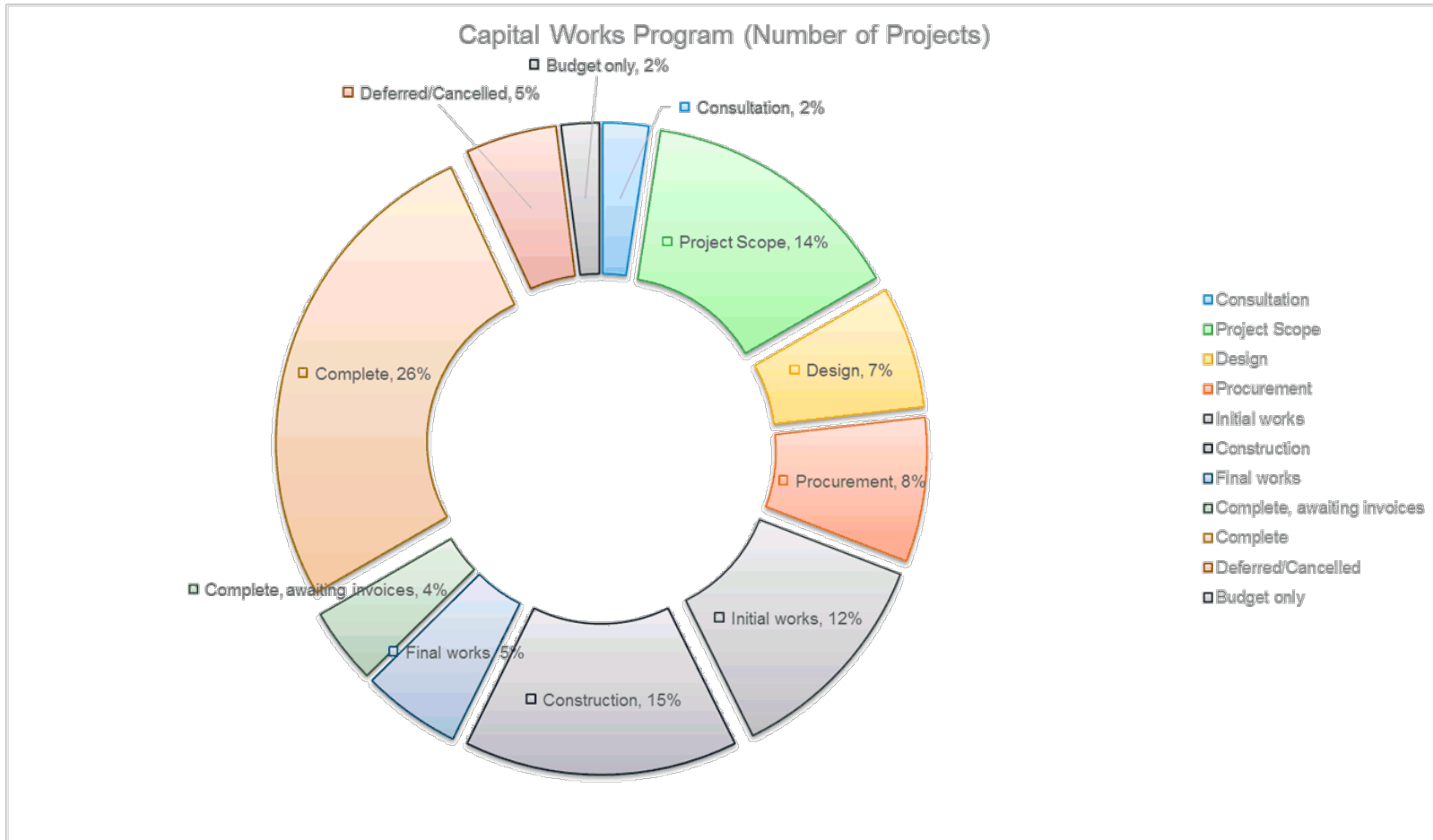
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THIS DOCUMENT HAS BEEN PREPARED BY LEONIE JOHNSON, CFO FOR MID-WESTERN REGIONAL COUNCIL.

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DATE OF PUBLICATION: 2 MARCH 2017



CORPORATE: FINANCE | MONTHLY BUDGET REVIEW – JANUARY 2017

KEY

Status	Description
Consultation	Engaging with stakeholders for ideas and to determine viability and direction for the project.
Project Scope	Initial concept, business case and project plan development.
Design	Initial and detailed design.
Procurement	Tendering, sourcing quotes or suppliers.
Initial works	Early stages of project delivery.
Construction	Major project activities are in progress.
Final works	Project is in final stages of completion or awaiting minor items.
Complete, awaiting invoices	Project work is complete. Waiting on invoices from suppliers for financial completion.
Complete	Project work is complete and all costs have been allocated.
Deferred/Cancelled	Project is no longer in current year's program
Budget only	Project for budget purposes only. Fully allocated out to projects.

\$'000	ORIGINAL ANNUAL BUDGET	CURRENT ANNUAL BUDGET	ACTUAL YTD	ACTUAL YTD/ PROPOSED ANNUAL BUDGET	COMMITMENTS	COMMENT
Looking after our Community						
CHILD CARE CENTRE SHORT/DOURO - CAPITAL	10	10	6	56%	0	Complete
COMM. TRANSPORT- VEHICLE PURCHASE	74	74	0	0%	22	Procurement
MUDGEES CEMETERY CAP IMPV	95	70	0	0%	8	Initial works
GULGONG CEMETERY CAP IMPV	34	15	0	0%	0	Initial works
GPS CEMETERY SITES	22	41	3	7%	0	Construction
MUDGEES CEMETERY INTERNAL ROADS	0	25	0	0%	0	Construction
PUBLIC TOILETS - CAPITAL UPGRADES	87	87	0	0%	3	Procurement
PUBLIC TOILETS - GULGONG CEMETERY	5	5	1	17%	0	Complete
DEMOLITION - JACK TINDALE TOILETS	25	25	9	38%	0	Complete
LIBRARY BOOKS	67	67	63	95%	0	Construction
CAPITAL UPGRADE - KANDOS HALL	125	125	45	36%	27	Construction
CAPITAL UPGRADE - KANDOS PRESCHOOL	5	5	0	0%	0	Design
CAPITAL UPGRADE - RYLSTONE & KANDOS HALLS CHAIRS/TABLES	10	10	0	0%	0	Initial works
CAPITAL UPGRADE - MUDGEES TOWN HALL STAGE LIGHTING	8	8	0	0%	0	Design
GULGONG POOL - DISABLED ACCESS	150	250	150	60%	77	Complete
KANDOS POOL TILING	0	66	66	100%	0	Complete
POOL CLEANER REPLACEMENT	15	15	14	98%	0	Complete
POOL FILTER REPLACEMENT	20	20	0	0%	0	Procurement
GULGONG POOL CLUB ROOM	10	10	3	30%	0	Construction
MUDGEES POOL ROOF RESTORATION	0	14	0	0%	12	Construction
MUDGEES SHOWGROUNDS - REDEVELOPMENT	0	19	12	61%	3	Consultation
GLENWILLOW SPORTS GROUND UPGRADES	0	20	0	0%	7	Construction
GLEN WILLOW CRICKET WICKET	30	0	0	0%	0	Deferred/Cancelled

CORPORATE: FINANCE | MONTHLY BUDGET REVIEW – JANUARY 2017

\$'000	ORIGINAL ANNUAL BUDGET	CURRENT ANNUAL BUDGET	ACTUAL YTD	ACTUAL YTD/ PROPOSED ANNUAL BUDGET	COMMITMENTS	COMMENT
GLEN WILLOW CARPARK	25	35	18	52%	3	Procurement
CAPITAL UPGRADE - KANDOS SPORTSGROUND CANTEEN	60	60	7	11%	15	Construction
CAPITAL UPGRADE - VICTORIA PARK MUDGEE AMENITIES	5	5	3	53%	0	Final works
CAPITAL UPGRADE - BILLY DUNN GRANDSTAND	3	3	4	119%	0	Complete
CAPITAL UPGRADE - VICTORIA PARK GULGONG AMENITIES	2	2	2	91%	0	Complete
BILLY DUNN OVAL - UPGRADES	27	27	0	0%	26	Initial works
GULGONG TENNIS COURTS	70	70	0	0%	0	Procurement
CAPITAL UPGRADE - BILLY DUNN CANTEEN	55	55	4	8%	15	Construction
CAPITAL UPGRADE - MUDGEE SHOWGROUND	33	0	0	0%	0	Complete
PASSIVE PARKS - LANDSCAPING IMPROVEMENTS	5	5	5	103%	0	Complete
RED HILL RESERVE - TOURISM DEVELOPMENT INVESTIGATION	0	8	3	42%	0	Construction
ROBERTSON PARK ROTUNDA	0	10	9	87%	0	Complete
PLAYGROUND EQUIPMENT UPGRADE - MOUFARRIAGE PARK	43	35	35	100%	0	Complete
PLAYGROUND EQUIPMENT UPGRADE - INTERACT PARK	13	13	13	98%	0	Complete
PLAYGROUND EQUIPMENT UPGRADE - GILBEY PARK	30	30	29	96%	0	Complete
PLAYGROUND UPGRADE - ANZAC PARK GULGONG	0	8	0	0%	0	Procurement
SCULPTURES ACROSS THE REGION	30	40	35	86%	0	Construction
PLAYGROUND SHADING PROGRAM	30	30	28	93%	0	Complete
PATH BINS AND BAG DISPENSERS	10	10	9	89%	0	Complete
PLAYGROUND RUBBER SOFTFALL PROGRAM	62	62	56	91%	0	Complete
YOUTH INFRASTRUCTURE	500	500	0	0%	0	Project Scope
IRRIGATION RENEWAL PROGRAM	30	30	8	26%	15	Construction
SHADESAIL CHARBON PLAYGROUND	16	0	0	0%	0	Deferred/Cancelled
MUDGEE DOG OFF LEASH AREA IMPROVEMENTS	10	10	10	103%	0	Complete
GULGONG DOG OFF LEASH AREA IMPROVEMENTS	10	10	10	99%	0	Complete

CORPORATE: FINANCE | MONTHLY BUDGET REVIEW – JANUARY 2017

\$'000	ORIGINAL ANNUAL BUDGET	CURRENT ANNUAL BUDGET	ACTUAL YTD	ACTUAL YTD/ PROPOSED ANNUAL BUDGET	COMMITMENTS	COMMENT
ART GALLERY FACILITY	30	45	5	11%	0	Consultation
STREETSCAPE - CBD INFRASTRUCTURE	13	13	0	0%	0	Project Scope
STREETSCAPE - TREE PLANTING RYLSTONE/KANDOS	5	5	3	50%	3	Initial works
Total	1,907	2,101	666	32%	237	

Protecting our Natural Environment

RURAL WASTE DEPOT UPGRADES	59	59	0	0%	0	Design
MUDGEES WASTE DEPOT UPGRADES	33	33	16	50%	0	Initial works
NEW TIP CONSTRUCTION	150	158	83	53%	15	Design
REMOTE SECURITY CAMERAS AT WTS	46	46	0	0%	53	Final works
WTS - HARGRAVES UPGRADE	50	50	0	0%	0	Project Scope
WTS - BYLONG UPGRADE	30	30	0	0%	0	Project Scope
WASTE SITE REHAB - MUDGEES	50	50	0	0%	0	Budget only
COMMUNITY RECYCLING CENTRE	0	21	31	148%	0	Final works
SEDIMENT DAM	69	120	0	0%	110	Final works
DRAINAGE CAPITAL IMPROVEMENTS	272	107	49	46%	2	Initial works
CAUSEWAY IMPROVEMENTS	60	5	0	10%	0	Project Scope
RIFLE RANGE ROAD CULVERT UPGRADE	0	58	1	2%	7	Initial works
HORATIO ST DETENTION BASIN	0	189	171	90%	22	Final works
CAUSEWAY IMPROVEMENT - BARNEY'S REEF ROAD	0	12	12	100%	0	Complete
CAUSEWAY IMPROVEMENT - CAMBELLS CREEK ROAD	0	43	4	8%	28	Initial works
WINTER STREET DETENTION BASIN	0	70	12	17%	3	complete
FITZGERALD STREET DRAINAGE IMPROVEMENTS	0	40	1	1%	14	Final works
MASON STREET DRAINAGE IMPROVEMENTS	0	45	0	0%	12	Final works

CORPORATE: FINANCE | MONTHLY BUDGET REVIEW – JANUARY 2017

\$'000	ORIGINAL ANNUAL BUDGET	CURRENT ANNUAL BUDGET	ACTUAL YTD	ACTUAL YTD/ PROPOSED ANNUAL BUDGET	COMMITMENTS	COMMENT
BENT STREET DRAINAGE IMPROVEMENTS	0	80	0	0%	0	Project Scope
ENV - PUTTA BUCCA WETLANDS CAPITAL	15	21	0	0%	0	Initial works
WATER NEW CONNECTIONS	139	139	31	22%	0	Consultation
WATER AUGMENTATION - WEST MUDGEE EXTENSION	0	39	6	16%	23	Complete, awaiting invoices
WATER AUGMENTATION - ULAN RD EXTENSION	1,600	1,600	0	0%	51	Design
WATER RYLSTONE DAM UPGRADE	6,000	200	68	34%	100	Design
WATER TELEMETRY - BUDGET ONLY	20	20	21	107%	0	Complete
WATER MAINS - CAPITAL BUDGET ONLY	800	0	0	0%	0	Budget only
WATER MAINS - MAYNE ST GULGONG	0	80	0	0%	0	Design
WATER MAINS - LYNNE ST GULGONG	0	58	0	0%	0	Design
WATER MAINS - SALEYARDS LN GULGONG	0	48	0	0%	1	Complete, awaiting invoices
WATER MAINS - ANDERSON ST GULGONG	0	22	15	69%	0	Complete
WATER MAINS - BARNEYS REEF RD GULGONG	0	194	6	3%	4	Construction
WATER MAINS - HOMER ST GULGONG	0	14	12	87%	0	Complete
WATER MAINS - ROBINSON ST GULGONG	0	22	12	52%	0	Complete, awaiting invoices
WATER MAINS - DABEE RD KANDOS	0	55	51	93%	0	Complete
WATER MAINS - ANGUS AVE KANDOS	0	55	0	0%	0	Design
WATER MAINS - CHURCH ST MUDGEE	0	66	66	100%	0	Complete
WATER MAINS - SYDNEY RD MUDGEE	0	55	55	99%	0	Complete
WATER MAINS - MADEIRA RD MUDGEE	0	48	36	75%	1	Complete, awaiting invoices
WATER MAINS - LAWSON ST MUDGEE	0	34	34	99%	0	Complete
WATER MAINS - SHORT ST MUDGEE	0	49	0	0%	10	Procurement
WATER PUMP STATION - CAPITAL RENEWALS	76	76	0	1%	0	Project Scope
RAW WATER SYSTEMS RENEWALS	16	16	2	12%	0	Construction
WATER TREATMENT PLANT - RENEWALS	95	95	6	6%	0	Construction
WATER METERS - BULK	150	135	21	16%	0	Construction
NEW WATER CONNECTIONS SPS	0	15	3	23%	0	Initial works
SEWER NEW CONNECTIONS	49	49	9	18%	0	Construction

CORPORATE: FINANCE | MONTHLY BUDGET REVIEW – JANUARY 2017

\$'000	ORIGINAL ANNUAL BUDGET	CURRENT ANNUAL BUDGET	ACTUAL YTD	ACTUAL YTD/ PROPOSED ANNUAL BUDGET	COMMITMENTS	COMMENT
SEWER AUGMENTATION - RYLSTONE & KANDOS	515	515	0	0%	0	Construction
SEWER AUGMENTATION - MUDGEE	0	4	0	0%	16	Final works
SEWER TELEMETRY	21	21	17	83%	0	Complete
SEWER MAINS - CAPITAL BUDGET ONLY	806	119	0	0%	0	Budget only
SEWER MAINS RELINING	0	600	1	0%	0	Procurement
SEWER MAINS - BELLEVUE TO RIFLE RANGE ROAD	0	47	0	0%	0	Complete, awaiting invoices
SEWER MAINS - RISING MAIN CAERLEON	0	12	0	0%	2	Complete, awaiting invoices
SEWER MAINS - BOMBIRA RISING MAIN	0	5	2	41%	0	Complete
SEWER MAINS - CCTV EQUIPMENT	0	32	30	94%	0	Complete
SEWER MAINS - HOLYOAK BRIDGE MUDGEE	0	55	55	100%	0	Complete
SEWER PUMP STATION - CAPITAL RENEWALS	68	68	0	0%	6	Procurement
SEWER PUMP STATION - FLOW METERING	0	18	0	0%	0	Design
SEWER PUMP STATION - CAERLEON	0	308	277	90%	0	Complete
SEWER TREATMENT WORKS - RENEWALS	45	45	20	45%	14	Construction
SOLAR PANEL INSTALLATION MUDGEE STP	100	100	0	0%	0	Procurement
Total	11,334	6,370	1,237	19%	492	

Building a Strong Local Economy

RYLSTONE TOURIST INFO BAY	35	35	4	10%	0	Construction
SALEYARDS - POST AND RAIL REPLACEMENT	10	10	10	102%	0	Complete
PROPERTY - EX SALEYARDS STAGE I	400	400	8	2%	0	Consultation
PROPERTY - MORTIMER ST PRECINCT	0	42	0	0%	0	Project Scope
PROPERTY - BURRUNDULLA LAND DEVELOPMENT	0	21	5	22%	0	Consultation
PROPERTY - DEVELOPMENT MORTIMER ST	4,830	130	7	5%	61	Project Scope
MINERS COTTAGE RED HILL	5	5	0	6%	0	Construction
Total	5,280	643	34	5%	61	

CORPORATE: FINANCE | MONTHLY BUDGET REVIEW – JANUARY 2017

\$'000	ORIGINAL ANNUAL BUDGET	CURRENT ANNUAL BUDGET	ACTUAL YTD	ACTUAL YTD/ PROPOSED ANNUAL BUDGET	COMMITMENTS	COMMENT
Connecting our Region						
URBAN RESEALS - MARKET ST SEG 10	12	12	0	0%	4	Project Scope
URBAN RESEAL - DABEE RD SEG 30, 40, 50, 60, 70 & 80	38	38	6	15%	23	Project Scope
URBAN RESEAL - COOPER DR SEG 10, 20 & 30	43	43	0	0%	0	Project Scope
URBAN RESEAL - MCDONALD ST SEG 10, 20, 30 & 50	25	25	3	13%	13	Project Scope
URBAN RESEAL - LITTLE BELMORE STREET GULGONG	14	0	0	0%	0	Deferred/Cancelled
URBAN RESEALS - TALLAWANG ST SEG 10	6	6	0	0%	2	Project Scope
URBAN RESEALS - GEORGE ST SEG 10, 20 & 30	38	38	0	1%	34	Project Scope
URBAN RESEALS - MADEIRA RD SEG 20 & 40	26	26	0	0%	26	Project Scope
URBAN RESEALS - OPORTO RD SEG 10 TO 80	59	59	4	6%	39	Project Scope
URBAN ROADS KERB & GUTTER CAPITAL	24	24	9	38%	0	Complete, awaiting invoices
FAIRY DALE LANE UPGRADE	0	272	272	100%	3	Complete
REHAB - KELLET DR MUDGEE	32	32	32	100%	0	Complete
REHAB - CHURCH ST SEG 100	19	19	1	6%	15	Initial works
REHAB - CHURCH ST SEG 120	156	156	83	53%	19	Complete, awaiting invoices
REHAB - MADEIRA RD SEG 20 & 30	125	125	47	38%	21	Complete, awaiting invoices
REHAB - DABEE ROAD SEG 10 & 20	50	5	0	0%	0	Initial works
REHAB - ANGUS AVE KANDOS	465	15	11	76%	0	Deferred/Cancelled
RESHEETING - URBAN ROADS	14	14	0	2%	0	Initial works
LEWIS & MORTIMER STREET INTERSECTION	0	9	0	0%	9	Project Scope
MARKET & LEWIS STREET INTERSECTION	179	224	100	45%	106	Construction
RYLSTONE PUBLIC SCHOOL CROSSING	17	24	16	67%	4	Construction
TRAFFIC COUNTER REPLACEMENT	0	15	1	4%	0	Procurement
MUDGEE PUBLIC SCHOOL PEDESTRIAN SIGNAGAE	0	1	0	0%	0	Project Scope
FAIRYDALE LANE LAND MATTERS CAPITAL	0	36	27	75%	0	Final works
URBAN ROADS LAND MATTERS CAPITAL	21	21	0	0%	0	Initial works
RURAL SEALED ROADS RESEALS BUDGET	775	0	0	0%	0	Budget only

CORPORATE: FINANCE | MONTHLY BUDGET REVIEW – JANUARY 2017

\$'000	ORIGINAL ANNUAL BUDGET	CURRENT ANNUAL BUDGET	ACTUAL YTD	ACTUAL YTD/ PROPOSED ANNUAL BUDGET	COMMITMENTS	COMMENT
RURAL RESEALS - LAHEYS CREEK RD SEG 40, 50	69	0	0	0%	0	Deferred/Cancelled
RURAL RESEALS - CUDGEGONG RD, EVANS CROSSING	1	0	0	0%	0	Deferred/Cancelled
RURAL RESEALS - BOCOBLE ROAD SEG 70 - 80	0	58	11	19%	39	Construction
RURAL RESEALS - BOTOBOLAR ROAD SEG 30,40,50	0	75	31	42%	41	Construction
RURAL RESEALS - EURUNDEREE LANE SEG 10,20,30	0	54	54	100%	0	Complete
RURAL RESEALS - FROG ROCK ROAD SEG 10, 20, 30	0	57	57	100%	0	Complete
RURAL RESEALS - WILBETREE ROAD SEG 10, 20, 30, 40	0	146	1	0%	70	Project Scope
RURAL RESEALS - NARRANGO RD SEG 70 TO 120	206	206	14	7%	121	Initial works
RURAL RESEALS - ROCKY WATERHOLE RD SEG 30 - 40	39	42	42	100%	0	Complete
RURAL RESEALS - OLD BARNEYS REEF RD SEG 10	22	22	0	0%	12	Project Scope
RURAL RESEALS - NULLO MOUNTAIN SEG 10 & 110	36	36	0	0%	19	Project Scope
RURAL RESEALS - KAINS FLAT RD SEG 20 & 40	49	44	44	100%	0	Complete
RURAL RESEALS - SPRING RIDGE RD SEG 130 - 180	162	0	0	0%	0	Deferred/Cancelled
RURAL REHAB - NARRANGO RD SEG 60	265	214	214	100%	0	Complete
RURAL REHAB - OLD BARNEYS REEF RD SEG 20	69	5	2	35%	0	Final works
RURAL REHAB - CUDGEGONG RD SEG 60	320	13	13	100%	0	Deferred/Cancelled
RURAL REHAB - HENRY LAWSON DR SEG 170	180	180	0	0%	18	Project Scope
HEAVY PATCHING BUDGET	107	107	45	42%	20	Initial works
RURAL REHAB - NARRANGO RD SEG 20	32	32	2	5%	32	Project Scope
RURAL REHAB - LUE RD PART SEG 190, 180	45	45	0	1%	46	Deferred/Cancelled
BLACKSPOT LUE ROAD	0	130	131	100%	2	Complete
HEAVY PATCHING - HENRY LAWSON DRIVE	0	18	18	100%	0	Complete
HEAVY PATCHING - WINDEYER RD	0	33	33	100%	0	Complete
HEAVY PATCHING - MUD HUT CREEK RD	0	4	4	100%	0	Complete
RURAL REHAB - COOPER DRIVE SEG 90	0	170	0	0%	29	Initial works
FUTURE YRS REFS - BUDGET ONLY	6	6	0	0%	0	Budget only
RURAL SEALED ROAD LAND MATTERS	26	26	0	1%	0	Initial works
RURAL SEALED REGIONAL ROAD REPAIR PROGRAM	800	800	79	10%	5	Initial works

CORPORATE: FINANCE | MONTHLY BUDGET REVIEW – JANUARY 2017

\$'000	ORIGINAL ANNUAL BUDGET	CURRENT ANNUAL BUDGET	ACTUAL YTD	ACTUAL YTD/ PROPOSED ANNUAL BUDGET	COMMITMENTS	COMMENT
BLACKSPOT HILL END ROAD	0	1,280	157	12%	33	Construction
REHAB COPE ROAD UPGRADE - CONFORMING RESEALS	84	0	0	0%	0	Complete
REHAB COPE ROAD UPGRADE - MILESTONE 2	47	0	0	0%	0	Complete
REHAB COPE ROAD UPGRADE - MILESTONE 3	(110)	140	97	70%	0	Complete
REHAB COPE ROAD UPGRADE - MILESTONE 4	230	184	99	54%	0	Complete
REHAB COPE ROAD UPGRADE - MILESTONE 5	1,477	1,431	888	62%	86	Construction
REG RESEALS - WOLLAR ROAD SEG 1345 - 1350	390	10	8	79%	0	Deferred/Cancelled
REG RESEALS - BYLONG VALLEY WAY RESEAL SEG 1095	374	374	5	1%	35	Design
REG RESEAL - WOLLAR RD SEG 1285	46	0	0	0%	0	Deferred/Cancelled
RURAL SEALED REGIONAL ROAD LAND MATTERS CAPITAL	5	5	0	0%	0	Initial works
TRIANGLE ROAD ACCESS	0	505	21	4%	0	Project Scope
WIDEN AND SEAL MT VINCENT ROAD HILL	8	8	8	98%	0	Complete
SEAL EXTENSION - PYRAMUL ROAD	62	199	111	56%	95	Final works
SEAL EXTENSION - BLACK SPRINGS ROAD	44	44	0	0%	45	Project Scope
SEAL EXTENSION - MT PLEASANT LANE	25	25	3	11%	19	Complete
SEAL EXTENSION - TINJA LANE	80	71	71	100%	0	Complete
RESHEETING - BUDGET ONLY	1,397	1,219	1,180	97%	9	Construction
RESHEETING - R2R DOUGHERTYS JUNCTION ROAD	0	28	14	51%	2	Complete
BISHOPS VIEW ROAD HARGRAVES	0	40	1	4%	4	Complete, awaiting invoices
RESHEETING - R2R BARTLETTS ROAD	0	13	0	0%	0	Project Scope
RESHEETING - R2R COX CREEK ROAD	0	30	0	0%	0	Project Scope
RESHEETING - R2R BOWLES LANE	0	20	0	0%	0	Project Scope
RESHEETING - R2R WINDLES LANE	0	8	0	0%	0	Project Scope
RESHEETING - R2R WATERWORKS ROAD	0	18	0	0%	0	Initial works
RESHEETING - R2R SAWPIT ROAD	0	8	0	0%	0	Initial works
RESHEETING - R2R SPRING FLAT SOUTH LANE	0	18	0	0%	0	Initial works
RESHEETING - R2R MELROSE ROAD	0	25	0	0%	0	Project Scope

CORPORATE FINANCE | MONTHLY BUDGET REVIEW – JANUARY 2017

\$'000	ORIGINAL ANNUAL BUDGET	CURRENT ANNUAL BUDGET	ACTUAL YTD	ACTUAL YTD/ PROPOSED ANNUAL BUDGET	COMMITMENTS	COMMENT
RESHEETING - R2R BLUE SPRING ROAD	0	63	0	0%	0	Project Scope
REALIGNMENT MALONEYS ROAD	5	5	0	0%	0	Project Scope
UNSEALED ROADS LAND MATTERS CAPITAL	15	15	0	0%	0	Initial works
RURAL UNSEALED REGIONAL ROAD RESHEETING	0	22	21	100%	0	Complete
SEAL EXTENSION - WOLLAR ROAD	8,407	4,561	500	11%	373	Initial works
GREEN GULLY BRIDGE	0	129	129	100%	0	Complete
BUTTER FACTORY BRIDGE	0	11	11	100%	0	Complete
HENRY LAWSON DRIVE BRIDGE	1,028	1,028	26	3%	17	Consultation
REGIONAL ROAD BRIDGE CAPITAL	54	54	0	0%	0	Project Scope
MACDONALDS CREEK BRIDGE REPLACEMENT	0	3	2	100%	0	Complete
ULAN ROAD - MIDBLOCK 19.999 TO 22.215	2	2	0	21%	0	Complete
ULAN ROAD - MT PLEASANT LN TO BUCKAROO LN	47	0	0	0%	0	Complete
ULAN ROAD - CHURCH LN TO OVERTAKING LN 14.5	2,376	3,675	1,259	34%	21	Construction
ULAN ROAD - COPE RD TO UCML MINE ENTRANCE	233	0	9	0%	0	Design
ULAN ROAD - WATTLEGROVE LN TO MIDBLOCK 19.999	1,870	1,700	164	10%	146	Construction
ULAN ROAD - WYALDRA LN TO QUARRY ENTRANCE 27.783	1,711	0	80	0%	0	Design
ULAN ROAD - WINCHESTER CRES TO MIDBLOCK 31.106	400	655	664	101%	3	Complete
FOOTWAYS - CAPITAL BUDGET ONLY	115	115	36	31%	0	Construction
PEDESTRIAN - GLEN WILLOW WALKWAY	50	43	0	0%	8	Design
GULGONG WALKWAY	80	80	1	2%	0	Initial works
ROBERTSON ROAD - GOLF COURSE FENCE	0	6	13	238%	0	Procurement
CYCLEWAY LINK LAWSON PARK TO PITTS LANE	300	300	29	10%	4	Procurement
AIRPORT - RELOCATION OF GEORGE CAMPBELL DRIVE	0	150	0	0%	0	Design
AIRPORT - RELOCATION OF FENCING	0	50	0	0%	0	Project Scope
AIRPORT - TAXIWAY EXTENSION	0	200	0	0%	0	Design
AIRPORT - TERMINAL BUILDING FITOUT	0	50	47	94%	0	Procurement
AIRPORT - EXTENSION OF WATER & SEWER SERVICES	0	365	21	6%	0	Procurement

CORPORATE: FINANCE | MONTHLY BUDGET REVIEW – JANUARY 2017

\$'000	ORIGINAL ANNUAL BUDGET	CURRENT ANNUAL BUDGET	ACTUAL YTD	ACTUAL YTD/ PROPOSED ANNUAL BUDGET	COMMITMENTS	COMMENT
Total	25,427	22,745	7,087	31%	1,674	

Good Government

MUDGEES ADMINISTRATION BUILDING UPGRADE	200	200	27	13%	24	Construction
OLD POLICE STATION UPGRADE	10	10	16	156%	0	Complete
KANDOS LIBRARY	84	84	1	1%	0	Procurement
CARMEL CROAN GARAGE	20	55	4	7%	29	Construction
RYLSTONE COUNCIL BUILDING	20	20	3	17%	4	Final works
MUDGEES COTTAGE AERODROME	15	15	16	109%	0	Complete
CAPITAL UPGRADE - MWRC DEPOT	100	0	0	0%	0	Deferred/Cancelled
MUDGEES TOWN HALL	12	12	5	39%	0	Construction
MUDGEES STORES BUILDING	20	0	0	0%	0	Complete
DEPOT CHEMICAL SHEDS UPGRADE	0	23	0	0%	0	Initial works
TELEPHONE SYSTEM - VOIP	0	90	78	86%	0	Complete
STORES CAPITAL WORKS	0	15	16	106%	0	Complete
IT SPECIAL PROJECTS	44	44	6	14%	2	Construction
IT NETWORK UPGRADES	26	83	55	67%	2	Final works
IT CORPORATE SOFTWARE	60	160	24	15%	9	Construction
ASSET MANAGEMENT SYSTEM UPGRADES	15	33	0	0%	0	Procurement
PLANT PURCHASES	3,428	4,442	1,560	35%	1,577	Procurement
MUDGEES DEPOT CAPITAL WORKS	0	45	8	17%	0	Initial works
GULGONG DEPOT CAPITAL WORKS	220	220	0	0%	0	Procurement
Total	4,274	5,550	1,819	33%	1,647	

Total Capital Works Program

48,222	37,410	10,843	29%	4,111
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Item 10: Operations

10.1 RFT 2016/11 Wollar Road Reconstruction Stage 4

REPORT BY THE SENIOR WORKS ENGINEER
TO 15 MARCH 2017 ORDINARY MEETING
GOV400054, COR400127

RECOMMENDATION

That Council:

1. **receive the report by the Senior Works Engineer on the RFT 2016/11 Wollar Road Reconstruction Stage 4;**
2. **declines all tenders submitted for RFT 2016/11 Wollar Road upgrade Stage 4 as tenders did not meet budget requirements for this section ;**
3. **authorise the General Manager to negotiate with one or all of the tenderers for the upgrade of the Wollar Road upgrade Stage 4 as the market has been tested and it is likely that a contract can be formed with one of the parties that satisfies the requirements of the request for tender without further delay;**
4. **authorise the General Manager to finalise and execute a contract if a satisfactory outcome can be negotiated;**
5. **grant the General Manager delegated authority to approve variations to the contract up to a cumulative total of 10% of the original contract sum; and**
6. **notify unsuccessful tenderers that their tenders were unsuccessful.**

Executive summary

Tenders were called on 25 January 2017 for the Wollar Road upgrade Stage 4, and closed 21 February 2017. Advertisements for the tender were placed in the Local Government Tender section of the Sydney Morning Herald, the Mudgee Guardian and on Council's website.

The upgrade of the Wollar Road has an allocation of \$14.9M. The received tenders were reviewed by the Tender Assessment Panel and it was decided that Council look to negotiate with one or all of the tenderers to see if a more suitable price could be achieved. It is therefore recommended that all tenders be declined and the General Manager be authorised to negotiate with one or all parties that participated to form a contract for the stage 4 upgrade.

Disclosure of Interest

All panel members signed a declaration prior to tender evaluation indicating no disclosure of interest.

Detailed report

Tenders Received:

Tenders were called on 25 January 2017 for the upgrade of the 4.5km section of the Wollar Road towards the Bylong Valley Way. Tenders closed 21 February 2017. Advertisements for the tender were placed in the Local Government Tender section of the Sydney Morning Herald, the Mudgee Guardian and on Council's website.

The tendering process was initiated and a Procurement Plan and Tender Evaluation Plan were developed. A Tender Assessment Panel was formed, comprising representatives from the most relevant departments within Council. Members of the Tender Assessment Panel used the Evaluation Plan and methodology to determine which tenderers offered the best value for money for the fourth stage of the Wollar Road upgrade.

The upgrade of the Wollar Road has a budgetary allocation of \$14.9M.

Four tenders received were as follows:

Goldsprings Pty Ltd
KCE Pty Ltd
Shearer Contracting Pty Ltd
St Hilliers Pty Ltd

Tenders were assessed against pre-determined price (70%) and non-price (30%) components of their submissions. Any non-conforming tenders were not assessed.

Late Tenders

No late submissions were received.

Evaluation Methodology

The objective of the evaluation was to select the tenderer offering the best value for money in a rational and defensible way which is fair to all tenderers. The evaluation criteria and weightings were identified in the Request for Tender documentation.

Tenders were evaluated strictly in accordance with the Tender Evaluation Plan and in compliance with the provisions of the Local Government Act 1993 and Local Government (General) Regulation 2005

Assessment Panel

Andrew Kearins	Senior Works Engineer
Brad Cam	General Manager
Leonie Johnson	Chief Financial Officer

Evaluation Findings

All tenders were assessed and scored against the evaluation criteria listed in the tender document and weightings in the Evaluation Plan. The tender received from KCE was excluded from assessment by panel members based on clause 7.2.7(d) of the RFT for submitting greater than acceptable pricing.

The remaining three tenders were deemed conforming, however pricing exceeded the budget allocated for this section of road. The panel agreed to decline all tenders based on financial constraints. Given the market has been tested and a further tender is not likely to attract new bidders, it is therefore recommended that Council enter negotiations with one or all of the parties to form a contract to perform the work. This will allow works to progress without further delay.

Community Plan implications

Theme	Connecting Our Region
Goal	Efficient connection of the region to major towns and cities
Strategy	Develop a regional transport network that grows with the needs of business and industry

Financial implications

The upgrade of the Wollar Road has a budgetary allocation of \$14.9M. The anticipated cost of works for each stage of the project has been assessed, and each stage is restricted by the allocated cost assessment. Should Council approve a tender that is higher than the Stage 4 allocation, completion of the works within budget will be at risk. It is therefore recommended that negotiations be entered into with the compliant tenderers, in order of scored preference, to reach an outcome that meets, or comes close to, budgetary constraints for Stage 4.

ANDREW KEARINS
SENIOR WORKS ENGINEER

23 February 2017

Attachments: 1. Tender Evaluation Scoresheet RFT 2016/11. (Confidential - separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

10.2 Kandos and Rylstone Floodplain Risk Management Study and Plan

REPORT BY THE MANAGER DEVELOPMENT ENGINEERING
TO 15 MARCH 2017 ORDINARY MEETING
GOV400064, WAT500052

RECOMMENDATION

That Council:

1. **receive the report by the Manager Development Engineering on the Kandos and Rylstone Floodplain Risk Management Study and Plan;**
2. **adopt the Kandos and Rylstone Floodplain Risk Management Study and Floodplain Risk Management Plan.**

Executive summary

The Kandos and Rylstone Floodplain Risk Management Study seeks to identify, assess and optimise measures aimed at reducing the impact of flooding for existing and further development, to make recommendations to Council for the future management of lands within the study area and inform the development of the Floodplain Risk Management Plan.

This report seeks the formal adoption by Council of the Kandos and Rylstone Floodplain Risk Management Study and Floodplain Risk Management Plan.

Disclosure of Interest

Nil

Detailed report

The development of the Kandos and Rylstone Floodplain Risk Management Study and Plan has been undertaken in 3 Stages commencing in 2011. Stage 1 was the completion of the Kandos and Rylstone Flood Study which involved data collection and review, community consultation, hydrologic and hydraulic modelling and flood mapping. Stage 2 is the development of the Floodplain Risk Management Study and the Floodplain Risk Management Plan with the final stage being the adoption and implementation of the Plan. The development of the Kandos and Rylstone Floodplain Risk Management Plan has been undertaken in accordance with the NSW Governments (2005) Floodplain Development Manual.

The Kandos and Rylstone Floodplain Risk Management Study and Plan were jointly funded by Council and the Commonwealth and NSW State Government through the NSW Office of Environment and Heritage.

Council is responsible for local planning and land management in the towns of Kandos and Rylstone. Council currently has no formal floodplain risk management strategies in place to provide an appropriate level of protection for the community. The Kandos and Rylstone Floodplain Risk Management Study seeks to identify, assess and optimise measures aimed at reducing the impact

of flooding for existing and further development, to make recommendations to Council for the future management of lands within the study area and inform the development of the Floodplain Risk Management Plan.

Both formal and informal consultations were undertaken with the community and stakeholders during the preparation of the study, a summary of the consultation undertaken is contained within the report.

The following activities were undertaken and documented in the Study and development of the Plan;

- An assessment of potential flood management and mitigation measures in order to achieve improvements necessary to meet the required level of protection. Such measures include improved drainage works within both Kandos and Rylstone, levees, bypass floodways, culvert amplification, house floor raising, construction of flood retarding basins, flood warning and public education, zoning and development control, voluntary purchase etc.
- Estimation of flood damages and annual average damages and their net present value.
- An economic assessment of the floodplain management measure based on life cycle cost and benefits.
- Prioritisation of improved drainage measure and estimate the cost thereof; and
- Final flood mapping.

Community Plan implications

Theme	Looking After Our Community
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

The Floodplain Risk Management Study and Plan makes recommendation to Council which identify and prioritise potential flood management and mitigation measures. The measures range from large to small scale activities and can be funded either by the allocated recurrent capital budgets or as an independent projects. Projects that require asset creatiuon will be included in the next revision of the Stormwater Asset Management Plan and 10 Year Capital Works Program for further consideration of Council.

DANIEL BUCKENS
MANAGER DEVELOPMENT ENGINEERING

28 February 2017

Attachments: 1. Kandos and Rylstone Floodplain Risk Management Study and Plan_Final.
(separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

10.3 Relocation of Existing Drainage Easement Lot 5 and 6 DP12081

REPORT BY THE MANAGER DEVELOPMENT ENGINEERING
TO 15 MARCH 2017 ORDINARY MEETING
GOV400064, GOV400064

RECOMMENDATION

That Council:

1. **receive the report by the Manager Development Engineering on the Relocation of Existing Easement for Drainage Lot 5 & 6 DP12081 (9 & 11 George Street Kandos);**
2. **extinguish the existing Drainage Easement burdening Lots 5 & 6 DP12081 (9 & 11 George Street Kandos);**
3. **create a new Drainage Easement 3 metres wide burdening Lot 6 DP12081 (11 George Street Kandos) along the eastern boundary benefitting Council;**
4. **authorise the General Manager and Mayor to sign all documentation required to give effect to this resolution; and**
5. **authorise the Common Seal be affixed to any documentation required to give effect to this resolution.**

Executive summary

This Report seeks resolution from Council to extinguish an existing Drainage Easement burdening Lot 5 & 6 DP12081 (9 & 11 George Street, Kandos) and create a new Drainage Easement 3 metres wide burdening Lot 6 DP12081 (11 George Street, Kandos).

Disclosure of Interest

Nil

Detailed report

Council in undertaking Stormwater Drainage improvements in accordance with the recommendations of the Kandos and Rylstone Floodplain Risk Management Plan (refer to the report to council 10.2 entitled 'Kandos and Rylstone Floodplain Risk Management Study and Plan') in the Kandos area have identified that an existing Drainage Easement burdening Lot 5 and 6, DP12081 is located contrary to the recommendation in the report. To improve stormwater drainage and reduce the risk of flooding it is recommended that the existing easement be extinguished and relocated along the eastern boundary of Lot 6 DP12081, 11 George Street Kandos.

There is currently no infrastructure located within the easement and appears to have been created by the registration of the plan over the existing overland flow path. Further it appears as though a number of outbuildings have been constructed over the existing easement. The current proposal would be to relocate the easement along the eastern boundary of Lot 6, to a more appropriate

location improving stormwater drainage and minimising flood impact in the area as per the recommendation in the flood study.

Community Plan implications

Theme	Looking After Our Community
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

Amend the 2016/17 Operational Plan to transfer \$5000.00 from Drainage Capital Improvements to Mason Street Drainage Improvements, funded from the Asset Replacement Reserve. Easement survey plan will be undertaken as part of the Works As Executed Survey. It is proposed that Council cover the cost of lodgement and legal costs in connection with the relocation of the easement. There will be no compensation in connection with extinguishment and creation of the easement.

DANIEL BUCKENS
MANAGER DEVELOPMENT ENGINEERING

27 February 2017

Attachments: 1. Deposited Plan 12081.
2. Easement Relocation Plan.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

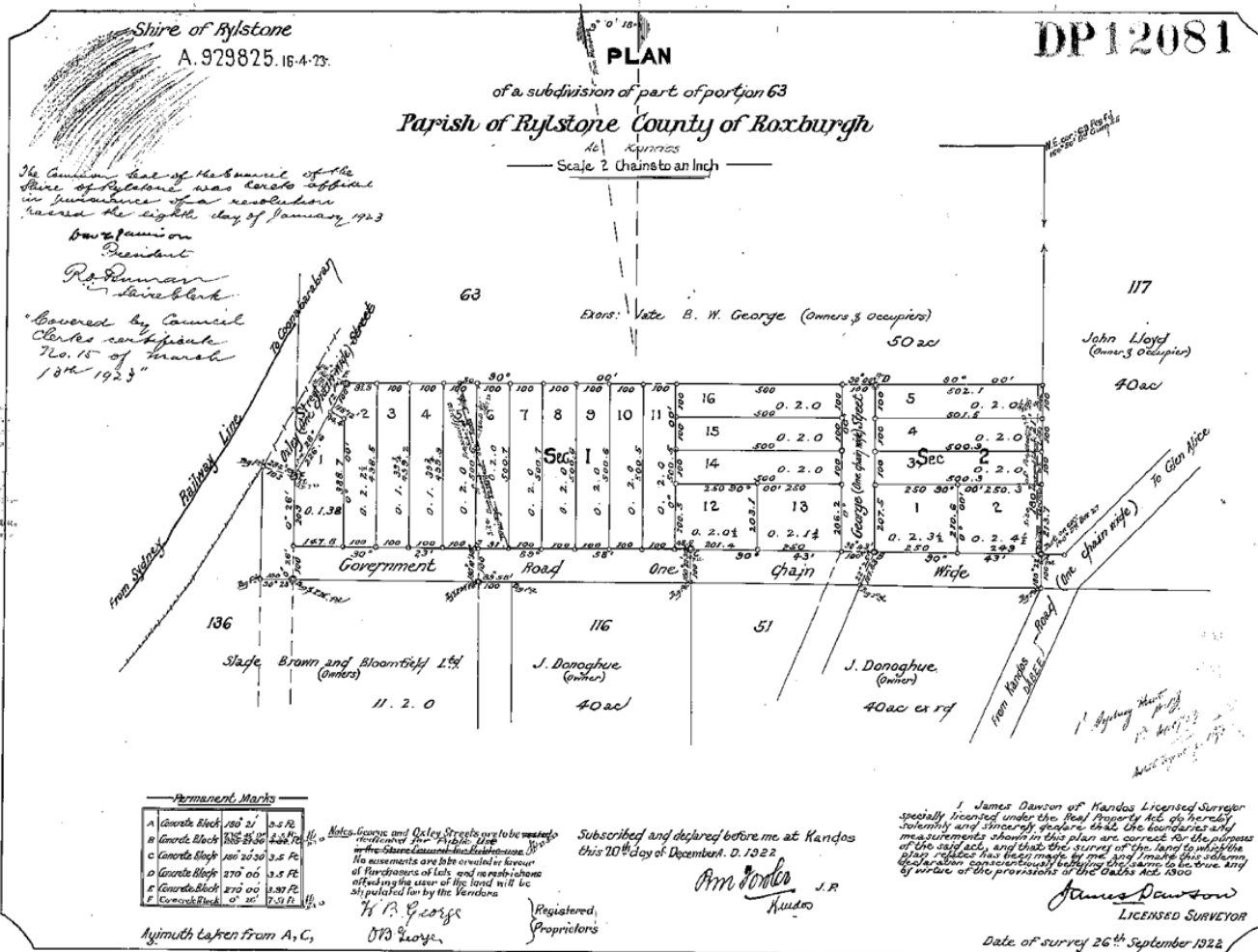
CONVERSION TABLE ADDED IN REGISTER GENERAL'S DEPARTMENT

DP 12081

LINKS	METRES
3.5	0.705
1.51	1.51
9	1.81
44.4	8.93
46.6	9.775
49.92	10.08
91	18.305
91.9	18.485
100	20.115
103	20.72
107.53	21.65
147.5	29.705
200.5	40.335
201.9	40.515
203.1	40.855
206.2	41.46
207.5	41.74
209	42.045
210.5	42.365
213.7	42.99
226.6	45.665
249	50.09
250	50.29
250.5	50.30
300.7	75.19
496.5	106.28
497.2	106.42
499.9	106.56
500	106.68
500.5	106.64
500.5	106.65
500.6	106.7
500.7	106.74
500.9	106.76
501.5	106.89
502.1	107.01

AC	RD	P	SQ	M
-	1	38	1973	
-	1	39	5/4	2917
-	2	-	2023	
-	2	1/4	2030	
-	2	1/2	2035	
-	2	3/4	2038	
-	2	1/2	2037	
-	2	5/2	2112	
-	2	4/2	2137	

AC	RD	P	HA
11	2	-	4.654
46	-	-	16.19
56	-	-	20.23



SCANNING: ELECTRONIC DOCUMENT SUPPLIED BY DPI NSW FOR YOUR INTERNAL USE ONLY

1

I, Bruce Richard Davies, Registrar General for New South Wales, certify that this negative is a photograph made as a permanent record of a document in my custody this 15th day of October, 1979

Bruce Davies



Approximate location of existing

Proposed position

10.4 Draft Liquid Trade Waste Policy

REPORT BY THE MANAGER, WATER AND SEWER
TO 15 MARCH 2017 ORDINARY MEETING
GOV400064, F0740038

RECOMMENDATION

That Council:

1. **receive the report by the Manager, Water and Sewer on the Draft Liquid Trade Waste Policy; and**
2. **endorse public exhibition of the Draft Liquid Trade Waste Policy for a period of twenty eight (28) days.**

Executive summary

This policy provides an approval process for liquid trade waste discharged into Council's sewerage system. It has been developed to ensure appropriate control of liquid trade waste discharge to the sewerage system and hence protection of public health, worker safety, the environment, and Council's sewerage system. This policy also promotes waste minimisation and water conservation

Disclosure of Interest

Nil

Detailed report

In accordance with the NSW Framework for Regulation of Sewerage and Trade Waste, Council is required to establish a Liquid Trade Waste Policy. The policy sets out how Council will regulate sewerage and trade waste discharges to its sewerage system and is concerned with the approval, monitoring and enforcement process for liquid trade waste discharged to Council's sewerage system including the levying of non residential sewerage and liquid trade waste fees and charges. The Draft Liquid Trade Waste Policy is attached.

Council is required to put in place a Policy that has been developed to ensure appropriate control of liquid trade waste and subsequently the protection of public health, worker safety, the environment, and Council's sewerage system. In addition to this, the Policy also aims to promote waste minimisation, water conservation, water recycling and biosolids reuse. The objectives of the policy are:

- to protect public health;
- to protect the health and safety of Mid-Western Regional Council employees;
- to protect the environment from the discharge of waste that may have a detrimental effect;
- to protect Mid-Western Regional Council assets from damage;
- to assist Mid-Western Regional Council to meet its statutory obligations;
- to provide an environmentally responsible liquid trade waste service to the non-residential sector;
- to encourage waste minimisation and cleaner production in the commercial and industrial sectors;
- to promote water conservation, water recycling and bio-solids reuse;
- to ensure compliance of liquid trade waste dischargers with Council's approved conditions;

- to provide operational data on the volume and composition of industrial and commercial effluent to assist in the operation of the sewerage system and the design of augmentations or new sewerage systems;
- to ensure commercial provision of services and full cost recovery through appropriate sewerage and liquid trade waste fees and charges.

Sewerage systems are generally designed to cater for waste from domestic sources that are essentially of predictable strength and quality. Liquid trade waste may exert much greater demands on sewerage systems than domestic sewage and, if uncontrolled, can pose serious problems to public health, worker safety, Council's sewerage system and the environment. Impacts of poor liquid trade waste regulation include:

- Grease, oil and solid material, which if not removed on-site, can cause sewer chokes and blockages and the discharge of untreated sewage to the environment.
- Strong waste may cause sewage odour problems and corrosion of sewer mains, pumping stations and sewage treatment works. In addition to this, discharge of some chemicals can destroy the ecosystem living within the sewerage system and plant.

Liquid trade waste discharges to the sewerage system include liquid wastes from:

- business/commercial premises (eg. beautician, florist, hairdresser, hotel, motel, restaurant, butcher, service station, supermarket, dentist)
- community/public premises (including craft clubs, schools, colleges, universities, hospitals and nursing homes)
- industrial premises trade activities (eg. mobile carpet cleaner)
- any commercial activities carried out at a residential premises
- saleyards, racecourses and stables and kennels that are not associated with domestic households
- septic tank waste, chemical toilet waste, waste from marine pump-out facilities and established sites for the discharge of pan content from mobile homes/caravans to the sewerage system.

As detailed in Part 3.7 of the draft Policy, liquid trade waste discharged to the sewerage system from industrial, commercial or other non-residential customers can impose significant costs on sewage transport and treatment facilities. To recover these costs and to ensure removal of existing significant cross-subsidies from residential customers, appropriate fees and charges are levied for liquid trade waste.

Council's liquid trade waste fees and charges may include:

- Application fee
- Annual trade waste fee
- Re-inspection fee
- Trade waste usage charge
- Septic tank and pan waste disposal charge
- Excess mass charges
- Food waste disposal charge
- Non-compliance trade waste usage charge
- Non-compliance excess mass charge and pH charge
- Non-compliance penalty.

Fees associated with the above activities will be provided for community feedback during public exhibition of the 2017/18 Operational Plan in April/May 2017.

The policy places each premises into one of four risk classifications and charging categories as follows:

- Category 1 – Dischargers requiring minimal pre-treatment with low impact, low risk

- Category 2 – Dischargers with prescribed pre-treatment, medium risk,
- Category 2S – Septic tank waste, Medium or high risk, and
- Category C – Large (20kL/Day) and industrial dischargers, High risk.

Full details of the categories are within Part 3.6 of the draft Policy. Part 3.7 of the draft Policy details considerations and calculations for trade waste fees and charges.

The draft Policy is quite technical in the requirements, particularly around determining the appropriate categories, the volume of discharge, biological and chemical makeup of the discharge, as well as the calculation of the fee; however the Policy is based on the model policy produced by the Department of Primary Industries Water.

Implementation

The following program will ensure a suitable Liquid Trade Waste Policy and pricing can be implemented to commence on 1 July 2017.

- Public Exhibition of draft Liquid Trade Waste Policy – 17 March to 2 May 2017
- Consider submissions and amend draft Policy as required
- Amended draft Policy submitted to NSW DPI Water for concurrence
- Adoption of Liquid Trade Waste Policy and pricing methodology – June 2017 Council Meeting
- Conduct further investigation and inspections to clarify requirements for trade waste discharge.

Community Plan implications

Theme	Protecting Our Natural Environment
Goal	Provide total water cycle management
Strategy	Maintain and manage waste water quality to meet Environmental Protection Agency standards

Financial implications

Should the Trade Waste Policy be endorsed by Council, Council officers will be recommending a staged implementation of Trade Waste Fees. During the 2017/18 Operational Plan development, access charges will be modelled for introduction in 2017/18. Discharge and other fees will then be implemented over the following years, once Council officers have completed the assessment and inspection stages.

2017/18 Trade Waste Access Fees will be provided for community feedback during public exhibition of the 2017/18 Operational Plan in April/May 2017.

CLAIRE CAM
MANAGER, WATER AND SEWER

27 February 2017

Attachments: 1. Draft Liquid Trade Waste Policy. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

10.5 Deferment of Developer Contributions

REPORT BY THE MANAGER DEVELOPMENT ENGINEERING
TO 15 MARCH 2017 ORDINARY MEETING
GOV400064, DA0152/2015

RECOMMENDATION

That Council:

1. **receive the report by the Manager Development Engineering on the Deferment of Developer Contributions;**
2. **approve the deferment of Developer Contributions in connection with DA0152/2015 in accordance with the Water and Sewerage Development Service Plan, subject to the following conditions:**
 - **the applicant is to arrange for a Bank Guarantee to be prepared to the value of contributions payable as agreed to by the Council (this is to include indexation where applicable);**
 - **the Bank Guarantee is to be made in favour of Council;**
 - **Council is to be custodian of the original Bank Guarantee, and**
 - **the maximum time frame granted for deferment is six (6) months. Should the contributions not be paid by this time, Council will exercise its right under the agreement to call in the Bank Guarantee without notice. Should the approved deferment overlap into the following financial year, then the contribution(s) payable will be subject to indexation.**

Executive summary

The Developer of the Bombira Estate, DA0152/2015, has made a request for the deferment of Developer Contributions in accordance with the Water and Sewerage Development Servicing Plan.

Disclosure of Interest

Nil

Detailed report

The Developer of the Bombira Estate, DA0152/2015, has made a request for the deferment of Developer Contributions in accordance with the Water and Sewerage Development Servicing Plan (DSP). In accordance with the DSP the deferral of payment of contributions is only permissible subject to resolution of Council.

The reasons for deferral are provided below (formal request letter attached):

- The high cost of stage one works due to major works on the infrastructure. Stage one works are the highest expense of any release due to lead in works from mains to the site such as electrical, NBN, roads, sewer, stormwater and water mains;
- Council owned mains are unlikely to be impacted during the 6 month time period as build program for residences are in the order of about 20 weeks; and
- It is unlikely that all properties will be yielded in the first 24 weeks, and therefore draw on the mains to which s64 and s94 contributions are designed to fund.

Deferral will be subject to the following conditions;

- The applicant is to arrange for a Bank Guarantee to be prepared to the value of contributions payable as agreed to by the Council (this is to include indexation where applicable)
- The Bank Guarantee is to be made in favour of Council
- Council is to be custodian of the original Bank Guarantee, and
- The maximum time frame granted for deferment is six (6) months. Should the contributions not be paid by this time, Council will exercise it right under the agreement to call in the Bank Guarantee without notice. Should the approved deferment overlap into the following financial year, then the contribution(s) payable will be subject to indexation.

Community Plan implications

Theme	Looking After Our Community
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

Payment of Contributions will be deferred for a period up six (6) months which will have no financial implication.

DANIEL BUCKENS
MANAGER DEVELOPMENT ENGINEERING

6 March 2017

Attachments: 1. Formal request for deferment of contributions.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



2 Jannali Road, Dubbo NSW 2830
PO Box 332, Dubbo NSW 2830
T: 02 5852 1800 F: 02 6885 0536
E: enquiries@maasgroup.com.au

Maas Group Holdings Pty Ltd ABN: 37 167 420 457 @ Maas Plant Hire Pty Ltd ABN: 76 135 712 793

Maas Civil Pty Ltd ABN: 68 135 556 811 @ Maas Administration Pty Ltd 75 135 556 464

6th of March 2017

Daniel,

As per our discussions in regards to the Bombira Estate Stage 1 release, we request deferment of the contributions for a period of 6 months with lodgement of a bank guarantee for S64 and S94 payments. Reason for this request of deferment are the following:

- High cost of stage 1 works, due to major works on the infrastructure. Traditionally stage 1 works are the highest expense of any release in subdivision works due to lead in works from mains to the site, ie. Electrical, NBN, roads, sewer, stormwater and watermains. Using a bank guarantee makes available cash flow to allow initial infrastructure works to be delivered.
- The council owned mains is unlikely to be impacted during this time period (or the greater system) as build programs for residences are generally in the order of 20 weeks.
- It is unlikely that all properties will be yielded in the first 24 weeks, and therefore draw on the mains to which sections 64 and 94 are designed to fund.
- It is noted that bank guarantees provide deferment of 6 months, however should all properties be occupied prior to this date, MWRC would be legally entitled to call the bank guarantee with a notice of 14 days to ensure Section 64 and Section 94 payments are received by council.

Sincerely,

Dominic Wilson
Project Manager - MAAS Civil
Mob: 0417 467 679
Email: dominicwilson@maasgroup.com.au

Item 11: Community

11.1 Electronic Telecommunications - Acceptable Use Policy

REPORT BY THE ICT MANAGER
TO 15 MARCH 2017 ORDINARY MEETING
GOV400064, INT800022

RECOMMENDATION

That Council:

1. **receive the report by the ICT Manager on the Electronic Telecommunications - Acceptable Use Policy; and**
2. **adopt the amended Electronic Telecommunications - Acceptable Use Policy Policy.**

Executive summary

This Policy sets out the standards of acceptable use and behaviour expected of Users operating Mid-Western Regional Council's ("Council") electronic telecommunications facilities and equipment.

Disclosure of Interest

Nil

Detailed report

This policy applies to Mid-Western Regional Council employees, Councillors, members of the public, and other users (jointly referred to as "Users"). The Policy applies to all usage of Mid-Western Regional Council's computer network and other electronic telecommunications facilities and equipment which is used or able to be used when a User is at any workplace of the Council or other place where work for the Council is carried out, whether or not the User is actually performing work at the time.

The Policy also sets out the type of surveillance that will be carried out in Council's workplace relating to the use of Council's Computer Network by all Users.

Community Plan implications

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

Financial implications

Not Applicable

MATTHEW WILLCOCKS
ICT MANAGER

SIMON JONES
DIRECTOR COMMUNITY

24 February 2017

Attachments: 1. DRAFT-Electronic Telecommunications Policy.
2. POLICY-ADOPTED - Electronic Telecommunications Acceptable use 121017.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



POLICY

Electronic Telecommunications - Acceptable Use

*A prosperous
and progressive
community*

ADOPTED	VERSION NO	1.0
COUNCIL MEETING MIN NO	REVIEW DATE	FEBRUARY 2019
DATE:	FILE NUMBER	A0100021

Objective

This Policy sets out the standards of acceptable use and behaviour expected of Users operating Mid-Western Regional Council's ("Council") electronic telecommunications facilities and equipment.

Scope

This policy applies to Mid-Western Regional Council employees, Councillors, members of the public, and other users (jointly referred to as "Users"). The Policy applies to all usage of Mid-Western Regional Council's computer network and other electronic telecommunications facilities and equipment which is used or able to be used when a User is at any workplace of the Council or other place where work for the Council is carried out, whether or not the User is actually performing work at the time.

The Policy also sets out the type of surveillance that will be carried out in Council's workplace relating to the use of Council's Computer Network by all Users.

Definitions

'Computer Network' or 'Electronic Telecommunications Systems' – includes all Council's internet, email, hand held device and computer facilities which are used by Users, inside and outside working hours, in the workplace of Council (or related corporation of Council) or at any other place while performing work for Council (or related corporation of Council). It includes, but is not limited to, desktop computers, laptop computers, mobile phones including smart phones, tablet devices, PDA's, other means of accessing Council's email, internet and computer facilities, (including, but not limited to, a personal home computer which has access to Council's IT systems).

'Computer Surveillance' – Surveillance by means of software or other equipment that monitors or records information input or output, or other use, of Councils Computer Network (including, but not limited to, the sending and receipt of emails, text messages and the accessing of websites).

'Intellectual Property' – all forms of throughout the world, including copyright, patent, design, trade mark, trade names and all Confidential Information and know-how and trade secrets.

'Mobile Device Management (MDM)' – Software that is installed on all Council issued electronic devices. MDM's are the administrative area dealing with deploying, securing, monitoring, integrating and managing mobile devices, such as smartphones, tablets and laptops, in the workplace. The intent of MDM is to optimise the functionality and security of mobile devices within the enterprise, while simultaneously protecting the corporate network.

Related policies and plans

- Code of Conduct
- Electronic Telecommunications Acceptable Use – Acknowledgement Form
- Landline, Mobile and Data Management Procedure

POLICY: ELECTRONIC TELECOMMUNICATIONS - ACCEPTABLE USE | 1.0

- Prevention of Discrimination, Harassment and Bullying Policy
- Social Media Acceptable Use Policy
- State Records Act 1998 and Regulation 2010
- Workplace Environment Statement – Core Values
- Workplace Surveillance Act 2005

Policy

Use of Internet, Email and Computer

Where use has been allowed, Users are entitled to use Council's computer network only for legitimate business purposes. All downloads and uploads that enter or leave the Council web server gateway remain the property of Mid-Western Regional Council.

Requirements for Use

In general terms Users must comply with the following rules when using Council's electronic telecommunications:

- a) Users must be authorised to access Council's network.
- b) Users must only use their own username/login and/or password when accessing the computer network;
- c) Users in possession of Council issued electronic devices must at all times handle the device with in a responsible manner and ensure that the device is kept secure;
- d) Users should ensure that when not in use or unattended, the device is either locked or shut down;
- e) If a User receives any communication of which the content is in breach of this policy, regardless of whether it includes text, images, materials or software the email and should immediately contact Information Technology for assistance;
- f) If a User receives any communication, the content of which is in breach of this policy and regardless of whether it includes text, images, materials or software, the User should immediately report the matter to the General Manager or delegated officer. The User must not forward the email or text message to any other person unless expressly asked to do so by the General Manager or his/her delegated officer.
- g) Cyber-bullying will not be tolerated and will be treated in the same manner and in accordance with Council's Prevention of Discrimination, Harassment and Bullying Policy.
- h) All Council owned mobile communication devices are required to have Mobile Device Management software to ensure complete device security.

Prohibited Conduct

Users must not send (or cause to be sent), upload, download, use, retrieve, or access any email or text message or material using Council's computer network that:

- a) Is obscene, offensive or inappropriate. This includes text, images, sound or any other material sent either in an email or in an attachment to an email, or through a link to a site (URL) or in a text message or as an attachment to a text message. For example material of a sexual nature, indecent or pornographic material
- b) Causes (or could cause) insult, offence, intimidation or humiliation
- c) May be defamatory or could adversely impact the image or reputation of Council. A defamatory message or material is such that it is insulting or lowers the reputation of a person or group of people;
- d) is illegal or unlawful;
- e) affects the performance of, or causes damage to Council's systems in any way, including computer and network systems; or
- f) Gives the impression of or represents, gives opinions or makes statements on behalf of Council without the express authority of Council.

Users must not use Council's computer network to:

- a) Violate copyright or other intellectual property rights. Computer software that is protected by copyright is not to be copied from, or into, or by using Council's computing facilities, except as permitted by law or by contract with the owner of the copyright;
- b) to create any legal or contractual obligations on behalf of Council unless expressly authorised by Council;
- c) disclose any confidential information of Council or any customer, rate payer, client or supplier of the Council unless expressly authorised by Council;
- d) Install software or run unknown or unapproved programs on the computer network. Under no circumstances should Users modify the software or hardware environments on Council's computer network;
- e) gain unauthorised access (hacking) into any other computer either internal or external to Council, or attempt to deprive other Users of access to or use of Council's computer network;
- f) send or cause to be sent chain or SPAM emails or text messages in any format;
- g) Use Council's electronic telecommunications facilities and/or equipment for person gain.

POLICY: ELECTRONIC TELECOMMUNICATIONS - ACCEPTABLE USE | 1.0

Procedure Following Suspected Breach

Any use of Council's electronic telecommunications facilities and equipment thought to be inconsistent with this procedure may be monitored and investigated. As part of the investigation process, the Users' rights to access any or all of the facilities and equipment may be revoked.

If inappropriate or prohibited use occurs, disciplinary action may be taken including issuing a warning, suspension, demotion or termination of employment; or, for Users other than employees, the termination or non-renewal of contractual arrangements.

Users other than employees will be managed on a case by case basis. In addition, Council may refer the matter to appropriate authorities for prosecution under the relevant criminal codes.

Monitoring and Surveillance of Council's Electronic Telecommunications

Users should be aware that although access controls and security features of Council's electronic telecommunications facilities and equipment give the User the illusion of privacy, their browsing activities, email, text message and file content can still be scrutinised. Access controls are put in place to prevent unauthorised access not to guarantee privacy.

Users should understand that:

- a) The IT team are authorised to access an area, files and electronic communications on the network, even those that are password protected. This authority extends to local resources including hard drives and removable media;
- b) All files, data and electronic communications that are stored on the network are routinely subject to backup. Backups of data are retained in accordance with legislative requirements. Backups may be accessed at any time for the purposes of file retrieval and for monitoring use of Council's electronic telecommunications devices and systems;
- c) Council by default blocks access to certain sites and content. Users who require access to blocked websites should contact the IT team in the first instance and may require the approval of their manager.
- d) Files or data that are inappropriate or non-work related may be deleted without notice;
- e) Filtering devices to detect and block inappropriate electronic communications or which deny access to websites or other content which is inappropriate may be deployed and monitored
- f) Unauthorised use that breaches this procedure may lead to measures as outlined throughout this policy
- g) Council reserves the right to prevent or cause to be prevented the delivery of an email or text message sent to or from a User, or access to an internet website by a User, if the content or the email or text message or the internet website falls under the *Prohibited Conduct* listed above
- h) Council reserves the right to scrutinise and determine the suitability of any information distributed through electronic telecommunications devices using any Council resources;

On a continuous and ongoing basis during the life of this procedure, Council may carry out electronic monitoring and surveillance of any User at such times of Council's choosing and without further notice to any User.

Electronic monitoring and surveillance occurs in relation to:

- a) Storage and download volumes;
- b) Internet sites – every web site visited is recorded including time and duration of access, and the volume of material downloaded;
- c) Emails – the content of all emails sent, received and stored on the network, including deleted emails;
- d) Computer hard drives – Council may access any hard drive on the computer network or owned by Council or used in Council business
- e) Text messages – Council may access any text messages store on a User's hand held device and the User must provide Council with the device for the purpose of allowing such access;
- f) Mobile telephone records – Itemised telephone accounts may be checked for private usage. It is the User's responsibility to reimburse Council in accordance with current procedures; and
- g) Suspected malicious code or viruses, applications or software.

Council retains logs, backups and archives of computing activities which it may audit from time to time. These records are the property of Council and may be used as evidence in legal proceedings or in workplace investigations into alleged misconduct.

Council may use and disclose the monitoring and surveillance records for the following purposes:

- Related to the employment of any employee, the retention of any other User or related to Council's business activities; or
- To a law enforcement agency in connection with an offence; or
- In connection with legal proceedings; or
- Where it is reasonably believed to be necessary to avert an imminent threat of serious violence or other injury to any person or substantial damage to property.

Council retains logs, backups, archives of computing activities, which it may audit. Such records are the property of Council, are subject to State and Federal laws and may be used as evidence in legal proceedings, or in workplace investigations into alleged misconduct.

Council may use and disclose computer surveillance records for the following purposes:

- Related to the employment of any employee, the retention of any other User or related to Councils business activities or;
- To a law enforcement agency in connection with an offence or;
- In connection with legal proceedings or
- Where it is reasonably believed to be necessary to avert an imminent threat of serious violence or other injury to any person or substantial damage to property.

Reasonable Personal Use

Reasonable personal use of Council's electronic telecommunications facilities and equipment is a privilege and should be undertaken in the User's own time and kept to a minimum. It should not impact on any work-related priorities or Council resources, or violate this policy or any other Council policy or procedure. Such use must not involve information or attachments that are prohibited (see above). The underlying principle is that Users must act ethically and responsibly in the use of Council resources.

POLICY: ELECTRONIC TELECOMMUNICATIONS - ACCEPTABLE USE | 1.0

While Council respects the right of Users to privacy, Council gives no warranty or assurance about the confidentiality or privacy of any personal information disclosed or saved by any User in the course of using Council's electronic telecommunications facilities or equipment for the User's personal purposes. Users should be aware that:

- Copies of personal files may be made in the course of Council's usual network backup procedures;
- A User's personal files may be reviewed in the course of Council's usual network administration procedures;
- Random samples of files are taken to ensure that breaches of this procedure or any law are not occurring;
- Council is not responsible for any loss that a User may incur if personal files are lost because of network or backup procedure failure.
- Employees provided with a Council mobile phone also have the benefit of using the mobile phone for their personal use and therefore have the additional responsibility of accounting and paying for the cost of any personal use of the phone in accordance with the relevant procedures that may be implemented from time to time.

Mid-Western Regional Council will not under any circumstances permit the use of Council equipment for prohibited purposes and will take immediate action against any User found to be engaging in any prohibited activities.


Record Keeping

Electronic communications and records stored or transmitted electronically are official documents which are subject to the same laws and record keeping requirements as other official documents.

Accordingly, all Users are responsible for ensuring their electronic communications (inwards, outwards and internally) and all other electronic records are recorded on the relevant Council file in line with document management procedures. This includes emails, text messages, photographic messages and voice messages.

Manager and Supervisor Responsibilities and Obligations

Supervisors and managers must ensure that all employees and other persons in their area of responsibility and have access to any of Council's electronic telecommunications facilities and equipment have understood and agree to comply with the provisions of this policy. It is essential that Supervisors and/or Managers ensure these Users sign the *Electronic Telecommunications – Acceptable Use Acknowledgement Form*.

	POLICY	ADOPTED C/M: 17/10/12 Minute No.: 464/12
	Electronic Telecommunications – Acceptable Use	REVIEW: Oct 2014 FILE No. A0100021

OBJECTIVE

This Policy sets out the standards of acceptable use and behaviour expected of Users operating Council's electronic telecommunications facilities and equipment.

SCOPE

This procedure applies to Mid-Western Regional Council employees, Councillors, members of the public, and other users (jointly referred to as "Users"). The Policy applies to all usage of Mid-Western Regional Council's computer network and other electronic telecommunications facilities and equipment which is used or able to be used when a User is at any workplace of the Council or other place where work for the Council is carried out, whether or not the User is actually performing work at the time.

This includes but is not limited to email, calendar and task management systems; internet browsing facilities; voice and mobile messaging technologies; facsimiles; intranet; electronic data interchange; computers connected to any network, data circuit or wireless, including a personal home computer which has access to Council's IT systems; telephones and smartphones; two way radios; satellite communications equipment; tablets and iPads.

The Policy also sets out the type of surveillance that will be carried out in Council's workplace relating to the use of Council's Computer Network by all Users.

PROCEDURE

In general terms Users must comply with the following rules when using Council's electronic telecommunications:

- a) Users must be authorised to access Council's electronic telecommunications systems;
- b) Users must only use their own username/login and/or password when accessing the computer network;
- c) Users in possession of Council issued electronic devices must at all times handle the device with in a responsible manner and ensure that the device is kept secure;
- d) Users should ensure that when not in use or unattended, the device is either locked or shut down;
- e) If a User receives an email which the User suspects contains a virus, the User should not open the email or attachment to the email and should immediately contact Information Technology for assistance;
- f) If a User receives an email or text message, the content of which is in breach of this procedure and regardless of whether it includes text, images, materials or software, the User should immediately report the matter to the General Manager or delegated officer. The User must not forward the email or text message to any other person unless expressly asked to do so by the General Manager or his/her delegated officer.

All downloads and uploads that enter or leave the Mid-Western Regional Council web server gateway remain the property of Mid-Western Regional Council.

Council by default blocks access to certain sites and content. Users who require access to blocked websites should contact the IT team in the first instance and may require the approval of their manager.

Mid-Western Regional Council reserves the right to prevent or cause to be prevented the delivery of an email or text message sent to or from a User, or access to an internet website by a User, if the content or the email or text message or the internet website falls under the *Prohibited Conduct* listed below.

In the case that an email is prevented from being delivered to or from a User, the User may receive a prevented delivery notice.

Record Keeping

Electronic communications and records stored or transmitted electronically are official documents which are subject to the same laws and record keeping requirements as other official documents.

Accordingly, all Users are responsible for ensuring their electronic communications (inwards, outwards and internally) and all other electronic records are recorded on the relevant Council file in line with document management procedures. This includes emails, text messages, photographic messages and voice messages.

Reasonable Personal Use

Reasonable personal use of Council's electronic telecommunications facilities and equipment is a privilege and should be undertaken in the User's own time and kept to a minimum. It should not impact on any work-related priorities or Council resources, or violate this procedure or any other Council policy or procedure. Such use must not involve information or attachments that are prohibited (see below). The underlying principle is that Users must act ethically and responsibly in the use of Council resources.

While Council respects the right of Users to privacy, Council gives no warranty or assurance about the confidentiality or privacy of any personal information disclosed by any User in the course of using Council's electronic telecommunications facilities or equipment for the User's personal purposes. Users should be aware that:

- Copies of personal files may be made in the course of Council's usual network backup procedures;
- A User's personal files may be reviewed in the course of Council's usual network administration procedures;
- Random samples of files are taken to ensure that breaches of this procedure or any law are not occurring;
- Council is not responsible for any loss that a User may incur if personal files are lost because of network or backup procedure failure.
- Employees provided with a Council mobile phone also have the benefit of using the mobile phone for their personal use and therefore have the additional responsibility of accounting and paying for the cost of any personal use of the phone in accordance with the relevant procedures that may be implemented from time to time.

Prohibited Conduct

Users must not send (or cause to be sent), upload, download, use, retrieve, or access any email or text message or material using Council's electronic telecommunications facilities and equipment that:

- a) is obscene, offensive or inappropriate. This includes text, images, sound or any other material sent either in an email or in an attachment to an email, or through a link to a site (URL) or in a text message or as an attachment to a text message;

- b) may be defamatory or could adversely impact the image or reputation of Council. A defamatory message or material is such that it is insulting or lowers the reputation of a person or group of people;
- c) is illegal or unlawful;
- d) affects the performance of, or causes damage to Council's systems in any way, including computer and network systems; or
- e) gives the impression of or represents, gives opinions or makes statements on behalf of Council without the express authority of Council.

Users must not use Council's computer network to:

- a) violate copyright or other intellectual property rights. Computer software that is protected by copyright is not to be copied from, or into, or by using Council's computing facilities, except as permitted by law or by contract with the owner of the copyright;
- b) to create any legal or contractual obligations on behalf of Council unless expressly authorised by Council;
- c) disclose any confidential information of Council or any customer, rate payer, client or supplier of the Council unless expressly authorised by Council;
- d) install software or run unknown or unapproved programs on the computer network. Under no circumstances should Users modify the software or hardware environments on Council's computer network;
- e) gain unauthorised access (hacking) into any other computer either internal or external to Council, or attempt to deprive other Users of access to or use of Council's computer network;
- f) send or cause to be sent chain or SPAM emails or text messages in any format;
- g) use Council's electronic telecommunications facilities and/or equipment for person gain.

Users must not use another User's electronic devices (including passwords and usernames/login codes) for any reason without the express permission of the User or Council.

Cyber-bullying will not be tolerated and will be treated in the same manner and in accordance with Council's Prevention of Discrimination, Harassment and Bullying Policy.

Mid-Western Regional Council will not under any circumstances permit the use of Council equipment for prohibited purposes and will take immediate action against any User found to be engaging in any prohibited activities.

Procedure Following Suspected Breach

Any use of Council's electronic telecommunications facilities and equipment thought to be inconsistent with this procedure may be monitored and investigated. As part of the investigation process, the Users' rights to access any or all of the facilities and equipment may be revoked.

If inappropriate or prohibited use occurs, disciplinary action may be taken including issuing a warning, suspension, demotion or termination of employment; or, for Users other than employees, the termination or non-renewal of contractual arrangements.

Users other than employees will be managed on a case by case basis. In addition, Council may refer the matter to appropriate authorities for prosecution under the relevant criminal codes.

Monitoring and Surveillance of Council's Electronic Telecommunications

Users should be aware that although access controls and security features of Council's electronic telecommunications facilities and equipment give the User the illusion of privacy, their browsing activities, email, text message and file content can still be scrutinised. Access controls are put in place to prevent unauthorised access not to guarantee privacy.

Users should understand that:

- a) The IT team are authorised to access an area, files and electronic communications on the network, even those that are password protected. This authority extends to local resources including hard drives and removable media;
- b) All files, data and electronic communications that are stored on the network are routinely subject to backup. Backups of data are retained in accordance with legislative requirements. Backups may be accessed at any time for the purposes of file retrieval and for monitoring use of Council's electronic telecommunicates devices and systems;
- c) Files or data that are inappropriate or non-work related may be deleted without notice;
- d) Filtering devices to detect and block inappropriate electronic communications or which deny access to websites or other content which is inappropriate may be employed;
- e) Unauthorised use that breaches this procedure may lead to measures as outlined throughout this document;
- f) Council reserves the right to scrutinise and determine the suitability of any information distributed through electronic telecommunications devices using any Council resources;

On a continuous and ongoing basis during the life of this procedure, Council may carry out electronic monitoring and surveillance of any User at such times of Council's choosing and without further notice to any User.

Electronic monitoring and surveillance occurs in relation to:

- a) Storage and download volumes;
- b) Internet sites – every web site visited is recorded including time and duration of access, and the volume of material downloaded;
- c) Emails – the content of all emails sent, received and stored on the network, including deleted emails;
- d) Computer hard drives – Council may access any hard drive on the computer network;
- e) Text messages – Council may access any text messages store on a User's hand held device and the User must provide Council with the device for the purpose of allowing such access;
- f) Mobile telephone records – Itemised telephone accounts may be checked for private usage. It is the User's responsibility to reimburse Council in accordance with current procedures; and
- g) Suspected malicious code or viruses.

Council retains logs, backups and archives of computing activities which it may audit from time to time. These records are the property of Council and may be used as evidence in legal proceedings or in workplace investigations into alleged misconduct.

Council may use and disclose the monitoring and surveillance records for the following purposes:

- Related to the employment of any employee, the retention of any other User or related to Council's business activities; or
- To a law enforcement agency in connection with an offence; or
- In connection with legal proceedings; or
- Where it is reasonably believed to be necessary to avert an imminent threat of serious violence or other injury to any person or substantial damage to property.

Supervisor/Manager Responsibilities and Obligations

Supervisors and managers must ensure that all employees and other persons in their area of responsibility and who have access to any of Council's electronic telecommunications facilities and equipment have understood and agree to comply with the provisions of this procedure. It is essential that Supervisors and/or Managers ensure these Users sign the *Electronic Telecommunications – Acceptable Use Acknowledgement Form*.

LINKED DOCUMENTS

- Workplace Environment Statement – Core Values
- Code of Conduct
- Equal Employment Opportunity and Workforce Diversity Policy
- Prevention of Discrimination, Harassment and Bullying Policy
- Social Media Acceptable Use Procedure
- Telephone Access Procedure
- Workplace Surveillance Act 2005
- Privacy and Personal Information Protection Act 1998 (NSW)
- State Records Act 1998 and Regulation 2010
- Electronic Telecommunications – Acceptable Use Acknowledgement Form

Item 12: Reports from Committees

12.1 Local Traffic Committee Meeting - February

REPORT BY THE MANAGER DEVELOPMENT ENGINEERING
TO 15 MARCH 2017 ORDINARY MEETING
GOV400054, A0100009

RECOMMENDATION

That Council:

1. receive the report by the Manager Development Engineering on the Local Traffic Committee Meeting;
 2. That Council support the event “Mudgee Small Farm Field Days” Friday and Saturday, 14 & 15 July 2017, 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 a holder of the Prepare a Work Zone Traffic Management Plan or superseded Select and Modify Certificate or the Design and Audit Certificate which has not expired;
 - 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 list Council, RMS and NSW Police as Interested Parties;
 - 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 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 14 July to 6pm Saturday 15 July 2017;
 - o. The southbound lane of Church Street, between Short Street and Market Street, be closed between the hours of 12.00pm – 6.00pm on 14 & 15 July 2017.
 - p. The Australian Rural Education Centre entrances on Ulan Road be monitored by appropriately trained traffic controllers between the hours of 7.30am to 10.30am and 3.30pm to 6.00pm (approximately – specific times to suit peak periods);
 - q. The Ulan Road / Lue Road intersection be monitored by appropriately trained traffic controllers in the mornings;
 - r. The Putta Bucca Road / Gulgong Road intersection is to be monitored by appropriately trained traffic controllers in the afternoons;
 - s. The Road Closures be carried out & monitored by appropriately trained traffic controllers;
 - t. A request be made to the Council to allow the following Speed Limit alterations on 14 & 15 July 2017;
 - Henry Lawson Drive, from the intersection of Eurunderee Lane to the Vineyard Motel driveway, be reduced to the speed limit of 80kph,
 - 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,
 - Putta Bucca Road, a 60kph speed zone be imposed from the intersection of Henry Lawson Drive to Chestnut Close.
 - u. All Parking is to be provided on site for the public, exhibitors and staff;
 - v. The “free courtesy buses” be organised by AREC to allow public and exhibitors transport to the event, as suggested by the organiser; and
 - w. The “contingency plan for wet weather” affected parking areas, be implemented as required; and
3. That Council approve the ANZAC Day March road closures that are undertaken consistent with previous year’s events.
-

Executive summary

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

Disclosure of Interest

There are no disclosures of interest associated with this report.

Detailed report

The Local Traffic Committee meeting was due to be held 17 February 2017, however due to the low number of agenda items the LTC reports were distributed via email.

Events for consideration include:

- Mudgee Small Farm Field Days (AREC)
- Anzac Day Marches

The reports for these events were distributed via email Tuesday 14 February for comment by committee members. RMS and NSW provided agreeance to the proposed recommendations for each event. No other comments were receive.

This report recommends the considerations given by the LTC on the above events.

Community Plan implications

Theme	Good Governance
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 for signage and line marking.

DANIEL BUCKENS
MANAGER DEVELOPMENT ENGINEERING

23 February 2017

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

12.2 Gulgong Memorial Hall Committee Meeting Minutes 5th December, 2016 and 6th February, 2017.

REPORT BY THE DIRECTOR COMMUNITY
TO 15 MARCH 2017 ORDINARY MEETING
GOV400054, A0100025

RECOMMENDATION

That Council:

1. receive the report by the Director Community on the Gulgong Memorial Hall Committee Meeting Minutes 5th December, 2016 and 6th February, 2017.;
2. note the minutes from the Gulgong Memorial Hall Committee meetings held on 5 December, 2016 and, 6 February, 2017.

Executive summary

The purpose of this report is to advise Council of the considerations and recommendations of the Gulgong Memorial Hall Committee meetings held on 5 December, 2016 and 6 February, 2017.

Disclosure of Interest

Nil.

Detailed report

The Gulgong Memorial Hall Committee met on 5 December, 2016 and 6 February as part of their ongoing monthly meetings.

Community Plan implications

Theme	Looking After Our Community
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.

SIMON JONES
DIRECTOR COMMUNITY

8 February 2017

Attachments: 1. Gulgong Memorial Hall Committee Meeting Minutes 6 February, 2017.

2. Gulgong Memorial Hall Committee Meeting Minutes 5 December, 2016.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Gulgong Memorial Hall Meeting 6/2/2017

Opened: 1605

Present: Charles Vassel, Percy Thompson, Pauline Hannaford, Chris Hannaford, Ray Thackeray, Maureen Trgo, Cheryl Vassel

Apologies: Bill Clifford

Minutes of last meeting: moved Pauline, 2nd Ray

Notification received on the 22/12 stating that at the Council meeting on the 14/12, Councillor Paul Cavalier will be the M/H meeting Rep, with Percy Thompson being alternative. Percy Thompson in disagreement with this. This meeting is open to any Councillor to attend. We thank Council for appointing a Councillor.

We are expected to follow and accept and endorse the Council Code of Conduct at our meetings. As a 355 Committee a copy of this is on the Internet and a copy will be printed to be viewed at the next meeting.

As it is a new year we should elect a Chairperson and Secretary. Councillor Thompson took the chair for this election – Chris Hannaford elected Chair person, Cheryl Vassel Secretary, Maureen Trgo Treasurer.

Report re Christmas Celebration submitted to The Gossip by Chris – feels the Christmas Celebration went well:

Need to reduce the number of hams to 10

Need to verify the code number on the tickets, not just go by the colour, as each colour has a different code and there was a dispute re a winner of one of the hams.

Treasurers report submitted by Maureen re the Christmas Celebration, same attached.

Asked to submit submission as to how the Christmas celebration benefits the Community – to bring the community together – run down of how many people in each group were present. Evaluation – more children's activities.

- Promotion earlier for 2017 Celebration.
- \$867.65 left over from last year's activities as a start to next year.
- Donations given to local groups from profits. – see attached

Report presented re: evaluation of 2016 and application of 2017 Event. All in favour. Chris to submit this to Council. All in favour.

Requesting same amount of funds for 2017, \$3000.

Cheryl write thank you letter to Council for their support, put cc on letter and it will go to every Councillor.

Alan Walker has said that next year he can bring other activities up, e.g. tight rope walking, which he will organise. Cannot come to meeting, so will send minutes to him.

Promotion of IGA as in photos etc with Bek etc. \$1000 for raffle, but this would be against the MPS who have a big raffle – so run it as is with ham raffles. Perhaps \$100 voucher with hams, \$2 per ticket. Ask Bek if she can be there to do the spins and have her photo taken with the winners.

What other organisations are around the town that should be included? List required so can compile a letter to go out to them. – Preschools, colouring competition, mentioned in Newsletter – already done.

Chris asked by Des Kelly, who is comparing the Dunedoo Bush Poetry Festival, whether he can take the Memorial Hall PA system, but this is outside the area, so he needs to submit an application to Council.

Need to watch as mice are back in Hall – Men’s Shed will do baiting.

Meeting closed 1659. Next meeting 6/3/2017, 1600 Men’s Shed.

Action Plan

Person Responsible	Action	Result
Chris	Report to Council	
Cheryl	Letter to Council	
Cheryl	Send minutes to Alan Walker	
All	List of Community Groups	
Chris	Talk to Des Kelly re PA system	
Men’s Shed Group	Mouse baits	

Gulgong Memorial Hall Meeting 5/12/2016

Opened 1601

Present: Charles Vassel, Pauline Hannaford, Chris Hannaford, Ray Thackeray, Maureen Trgo, Bill Clifford, Cheryl Vassel

Apologies:

Minutes of last meeting: all in favour

Business arising: Leo Nitto – has been rung on numerous occasions re insurance, told that services are no longer required as he does not have any insurance. Erin Dunk has ‘wannajump jumping castles’ will be happy to come to the Christmas Celebration Large jumping castle \$500, small \$400, with supervision – we will take both. Risk assessment will go in with the correct names on it, and Chris will take this in to Council tomorrow. We have 6 power spots in the rotunda, and one out of the power pole. Has had them in the Park before – will be put near playground area.

Will need one power cable running down to the flag pole area

Hams ordered

Des Kelly under control

Volunteers under control

Alan and Santa fine – papparrazzi will be set up

Hay \$8 per bale – 20 ordered.

Hospital Auxillary ready to do draw, will also assist at BBQ

Have not heard from Vaughan

Pauline has done vouchers for hams

IGA – Bek Woods – all food will be purchased locally, not at ALDI – will be put on Men’s Shed account.

Flyers redone – and delivered throughout town – Ad not in Mudgee Guardian as yet, query as to whether it will be useful – no Jelly tub or Fairy Floss. Merlene Laing contacted re the Community Singers being in the advertising flyer and not coming to the Celebration. Chris told her to get in touch with Paul Fookes, as their contact details are not in the Gossip, so difficult to get in touch with her.

Tap up the top of the Park, good for watering the ponies, and for washing out the eyes of any children that may get wet face-paint in their eyes.

When is Chamber raffle being drawn, ? on the 10th. Charlie will speak to Bill about this.

Do we need to think about something extra – IGA have large water pistols for \$1 each – last time we had them it took a long time to get rid of them. Have water slides, billy cart rides, chocolate wheel, pony ride, Santa photos, face painting, jumping Castle, so no, we have sufficient.

When Council requirements written out for risk assessments – sulky rides under Council Insurance one of the lowest risks – all events have a low to moderate risk – Committee pleased to know that all the safeguards that have been put in over the years have led to this conclusion.

Money has been received from Council - \$3,000.

Ray and Maureen will get lollies tomorrow, and ice blocks on Thursday. Sausages and bread etc will be picked up on Saturday, already have bacon.

Issue with Council – Chris’s Telstra bill – amount staggering – over \$60 worth of phone calls to Councillors – will Committee fund part of this? Yes. – all in favour.

Gulgong Celebration has not been listed in What’s on This week, Why not? Has been put over the radio, 2MG.

Food – allowing for 450 children with 1200 altogether.

Walk through Park to check out sites.

Meeting closed 16.45.

Next meeting – 6/2/2016, Men’s Shed

12.3 Mudgee and Gulgong Access Committee

REPORT BY THE MANAGER, COMMUNITY SERVICES
TO 15 MARCH 2017 ORDINARY MEETING
GOV400064, COS300015

RECOMMENDATION

That Council:

1. **receive the report by the Manager, Community Services on the Mudgee and Gulgong Access Committee;**
2. **note the minutes of the Mudgee and Gulgong Access Committee meetings held on 6 December 2016 and 7 February 2017;**
3. **endorse the amended Terms of Reference for the Mudgee and Gulgong Access Committee.**

Executive summary

The Mudgee and Gulgong Access Committee meets monthly to highlight and promote accessibility issues in the region. The next meeting is due to be convened on 7 March 2017.

Disclosure of Interest

Nil.

Detailed report

Of particular interest to the Committee at the December 2016 and February 2017 meetings was the possibility of an accessible lift and change facility at the Mudgee Olympic Swimming Pool. The demand for such a facility was discussed, as was the possibility of lodging a Community Plan Proposal to consider a future budget to construct the facility.

The Committee also spent some time examining and deliberating two development applications received by Council and submissions on behalf of the Committee were subsequently lodged.

The Committee is particularly keen to engage Councillors in an 'Access Challenge' later in the year. As with past challenges, this involves providing Councillors (and Council staff) with 'artificial disabilities' (be it by means of a blindfold, or wheelchair, for example) and have them navigate the streets of Mudgee as any person with a disability would ordinarily have to do so. The Challenge aims to give participants a different perspective when considering planning matters.

The Committee is looking forward to an upcoming presentation by a representative of the Mudgee Health Council concerning plans for the new Mudgee Hospital.

Other matters concerning accessibility for residents and visitors to the region were also discussed and the Committee's Terms of Reference were reviewed.

Community Plan implications

Theme	Looking After Our Community
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

Nil.

FIONA TURNER
MANAGER, COMMUNITY SERVICES

SIMON JONES
DIRECTOR COMMUNITY

25 February 2017

Attachments:

1. Minutes - December 2016.
2. Minutes - February 2017.
3. Updated Terms of Reference - February 2017.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

MINUTES OF THE ORDINARY MEETING OF THE MUDGEES AND GULGONG ACCESS COMMITTEE HELD ON TUESDAY 6th DECEMBER 2016, COMMENCING 2:00PM IN COUNCIL'S COMMITTEE ROOM, MUDGEES

1. WELCOME

PRESENT:

Access Committee Members: Councillor Sam Paine; Councillor Alex Karavas; Les Leighton; Mary Lovett; Roger Barnes; Victoria Barrett; Pamela Morris

Council Staff: Fiona Turner, Veronica Miller (Minutes)

2. APOLOGIES:

3. CONFIRMATION OF PREVIOUS MINUTES 1ST NOVEMBER 2016:

The minutes were confirmed with the following amendments from L Leighton:

Amendment of wording of 4.1:

'Discussed **what is the** demand for a fully accessible bathroom facility at the swimming pool in Mudgee'.

Amendment of wording of 7.5:

Les considers in hindsight that consideration should have been given for placement of a mobility car park out front of Cobb and Co Motel, on the southern side of Market Street. However, letter to Traffic Committee already sent (refer to 5.2).

Moved: L Leighton

Seconded: P Morris

4. MATTERS ARISING FROM MINUTES:

4.1 Guest speaker: John Bentley, Chair of Mudgee Health Council.

An invitation had been sent to John to address the Mudgee and Gulgong Access Committee at this meeting; and John had accepted the invitation. John did not arrive for the meeting.

4.2 Pool hoists at Council's swimming pools – V Miller.

V Miller tabled an article about the Orange Aquatic Centre, which will be installing lift and change facilities, following a grant of 'Lift and Change Facilities Trial Funding', which is being managed by Family and Community Services.

R Lamshed not able to attend meeting and provide feedback on the prevalence of people with a disability in the community who may require use of a pool hoist at Council's swimming pools.

Action: Carry over to next meeting.

4.3 Review of Terms of Reference of Committee: Carry over to next meeting.

4.4 Judging of the Rotary Clock Award nominees for disability accessibility: Carry over to next meeting.

4.5 Invitation to Councillors to take part in an 'Access Challenge': Carry over to next meeting.

5. CORRESPONDENCE:

5.1 Inwards:

- E-mail from John Bentley, Mudgee Health Council re: acceptance of invitation to attend meeting. 29.11.16

5.2 Outgoing:

- Letter to Council – Public seating along Douro/Mortimer/Perry Streets, Mudgee. 18.11.16
- Letter to Traffic Committee at Council, re: relocation of mobility parking space. 18.11.16
- Invitation to John Bentley, from Mudgee Health Council re: invite to attend MGAC meeting. 18.11.16
- Submission to Council re: Draft Disability Inclusion Action Plan. 7.11.16

6. DEVELOPMENT APPLICATIONS:

Paintball facility DA0141/2017

Motion: That the submission on behalf of the Committee note the following:

- To allow for accessibility of movement between the car park, toilets and the paint ball facility, with all access paths complying with the latest disability standards.
- Given the site is being developed for a new purpose, the Committee requests that the toilets comply with Australian Building Standards 1428.1

Moved: S Waller

Seconded: V Barrett

The Drip DA0145/2017

Motion: The Committee recommends:

- inclusion of a mobility parking space either side of the entrance to the walkway, compliant to the relevant standards.

- The surface of the walkway to the picnic area comply to the latest relevant standards.
- Proposed toilet facilities comply with Australian Building Standard 1428.1.
- The picnic tables be wheelchair/walker accessible, as the A-frame picnic tables shown in the submission to not cater for people with these requirements.

Moved: L Leighton

Seconded: P Morris

7. GENERAL BUSINESS

7.1 Review of Committee meeting time – V Barrett:

V Barrett proposed making the meetings earlier in the day, at 10:30 am or 11 am. It was agreed this would be suitable for Committee members.

Action: F Turner to check availability of Community Transport at this revised time.

Addendum: Future meeting of the Mudgee and Gulgong Access Committee will be held at 11 am. Owing to the change of time, it will be necessary to meet in a different venue. The next meeting will be held in the meeting room at the rear of The Stables, Mudgee.

7.2 Facilities to charge batteries for users of gophers – V Barrett:

V Barrett has received enquiries from users of gophers regarding provision of a place to charge batteries. F Turner has made enquiries, and at this stage there are no facilities in the Mid-Western Region. Suggested it is a private enterprise opportunity, not the responsibility of Local Government.

7.3 Access to information about Australian Building Standards – M Lovett:

Carry over.

7.4 Mudgee Guardian now available in full on 3 G Player – M Lovett:

M Lovett advised she is now receiving the Mudgee Guardian on her 3G player, and she expressed her thanks to the Committee for writing to Vision Australia about this request.

7.5 Mudgee Guardian Recorded for nursing home residents – M Lovett:

M Lovett heard there is a man who record the Mudgee Guardian for residents of the Opal nursing home. L Leighton aware of a man who read the Mudgee Guardian to residents at Pioneer House. Unsure of who these people are. M Lovett would like to learn more.

Action: V Miller and F Turner to investigate further.

7.6 Percy Nott Rest Area – R Barnes:

R Barnes reported that recently he encountered difficulty when both of the automated toilets at the Percy Nott Rest Area were self-cleaning concurrently, and recommended that self-cleaning be programmed for different times.

Action: F Turner to follow up.

Addendum: F Turner contacted Paul Blackwell, Buildings Coordinator at Council, who advised that these self-cleaning toilets are already programmed to self-clean at different times.

Meeting closed at 3:10 pm .

Please note change of meeting time and location:

Next meeting date – Tuesday 7th February at 11 am in The Stables meeting room (at rear of building), Mudgee.

**MINUTES OF THE MUDGEES AND GULGONG ACCESS COMMITTEE
HELD AT 11AM, TUESDAY 7TH FEBRUARY 2017
AT THE STABLES MEETING ROOM, MUDGEES**

1. Welcome

Present: Access Committee Members: Councillor Sam Paine, Victoria Barrett (Chair), Steve Waller, Mary Lovett, Pamela Morris, Rodger Barnes, Les Leighton.
Council Staff: Fiona Turner, Veronica Miller (minutes)

2. Receive apologies

A late apology was received from Councillor Alex Karavas.

3. Confirm Minutes of 6th December 2016 meeting

The minutes were confirmed.

Moved: L Leighton

Seconded: Councillor S Paine

4. Matters arising from previous Minutes:

- 4.1 **Guest Speaker** – John Bentley, Chair, Mudgees Health Council. F Turner advised that John Bentley had sent an apology for the meeting. Arrangements will be made for John Bentley to attend the March meeting.
- 4.2 Pool hoists at Council's swimming pools – F Turner. There has been previous discussion at the Mudgees and Gulgong Access Committee regarding installation of pool hoists and lift and change facilities at Council's swimming pools, however there was no budget for this to occur. F Turner advised she has worked with Council's Building Coordinator and has price construction costs for a new building at the Mudgees pool which would include a hoist with lift and change facilities. A budget proposal has been compiled and will go through Council's budget preparation process.
- P Morris mentioned the new ramp at Gulgong pool has been very well received in the community, and is appreciated by young mothers with their babies. Wheelchair accessible toilet facilities are also very good.
- 4.3 Review of Terms of Reference – F Turner tabled draft copy of changes to the Terms of Reference for the Committee. These were read through, no further changes suggested by Committee members.

4.4 Judging of the Rotary Clock Awards nominees for disability accessibility – L Leighton – L Leighton spoke about the poor quality of information provided by Rotary Clock Awards to L Leighton and V Barrett last year, it was only a list of names, no addresses or contact details or selection criteria, which made judging difficult for them. L Leighton explained that many of the nominees did not have accessible premises. F Turner suggested two options: speak to the Clock Awards organisers about the concerns L Leighton has; or develop a selection criteria for judging to provide to the organisers. S Waller suggested that the organisers may not understand the full scope of what accessibility entails. V Barrett suggested it may be a matter of education for the organisers. It was agreed that given L Leighton and V Barrett have been approached privately by the organisers of the Rotary Clock Award to judge the access category, it is not within the role of the Mudgee and Gulgong Access Committee specifically to approach the organisers about L Leighton's concerns. L Leighton and V Barrett will approach Rotary and the Mudgee Business Chamber of Commerce to offer to explain the criteria/educate organisers re: what constitutes accessibility. V Barrett also mentioned that the Access Awards now includes awards for employers of people with a disability.

4.5 Invitation to Councillors to take part in an 'Access Challenge' – Discussion re: what is involved in organising an Access Challenge? A previous Access Challenge involved Community Health Nurses (who brought crutches/bandages etc.), best contact for Community Health Nurses is Kate Egan, Manager at Community Health.

Would also need wheelchairs/gophers.

Vision Australia – glasses which replicate vision loss – best contact is Kimberley Rogers – M Lovett can provide contact details.

Guide Dogs Association – Gavin Stait – M Lovett can provide contact details.

Discussed possibility of including Youth Council members, as well as members of Rotary Clock Awards organisers (Rotary/ Mudgee Business Chamber).

The previous access challenge was 1-1.5 hours. Discussed need to ensure it isn't too long as the main aim is to attract Councillors to participate. Previously participants were given their respective 'disability', then walked around the CBD with an assistant (if necessary), and when they returned to Council filled out a questionnaire and had a discussion about their experience.

F Turner advised she will coordinate the Access Challenge, however foresees that it may take time to organise it, given how many organisations there are to coordinate.

5. Correspondence:

In –

Letter from Mid-Western Regional Council – Towards 2030 Community Plan – Community Engagement. 12.12.16 (previously distributed to MGAC members)

Letter from Mid-Western Regional Council – Public Seating. 3.1.17

Letter from Mid-Western Regional Council – Disability Inclusion Action Plan 2016 Submission Feedback. 5.1.17

E-mail from John Bentley, Chair, Mudgee Health Council – Apology for missing December meeting and advising he will attend the February MGAC meeting. 5.1.17

Out –

Letter - Submission to Council – Proposed Paintball Facility DA0141/2017. 9.12.16

Letter - Submission to Council – The Drip DA0145/2017. 9.12.16

E-mail to John Bentley, Chair, Mudgee Health Council – invitation to attend February 2017 MGAC meeting. 4.1.17

6. Development Applications: Nil

7. General Business:

- 7.1 R Barnes – re: the Percy Nott Rest Area Toilets – R Barnes reported he had difficulty locking the door because the sensor panels didn't detect his touch, because his hands shake involuntarily. F Turner will speak with Council's Building Coordinator to find out if anything can be done about this.
- 7.2 R Barnes - re: Byron Place Toilet. R Barnes reported there is signage that says 'Nursing Mothers' above the door of this toilet, so R Barnes concerned that he has noticed that men also use this toilet. F Turner advised this is a unisex public toilet, but is not a wheelchair accessible toilet. Discussion re: signage; this has previously been raised with Buildings Coordinator in a letter from the Committee dated 5th September 2016. F Turner will follow up with the Buildings Coordinator. R Barnes also concerned that the door is very heavy to push open, F Turner explained that Council has very little control re: the doorway as Council does not own the building, and therefore cannot widen the doorway to install a sliding door, and the toilet is not wheelchair accessible so there is not a requirement to modify the door.
- 7.3 M Lovett – provided copies of Vision Australia documents. M Lovett has been distributing these brochures, however was upset to learn that these documents aren't available in an audio version, and has voiced her concerns to Vision Australia.

- 7.4 L Leighton – queried when the next PAMP section will commence work? Fiona Turner advised she will follow up.
- 7.5 L Leighton – requested follow up of previous request to seal the carpark at Mudgee Showgrounds. Les advised that the budget application had been made following previous discussion with Andrew Drummond at Council; he's unsure when this will be budgeted to complete?
- 7.6 L Leighton – traffic island on crossing between Target to Coles, Mortimer Street. L Leighton advised there are no hazard tactile indicator plates on the traffic island

Motion: Write to Traffic Committee to request consideration of installation of hazard tactile indicator plates.

Moved: L Leighton

Seconded: R Barnes

- 7.7 L Leighton advised Committee re: news articles about workplace accidents and the certification review underway (attached).
- 7.8 S Waller: Query about the pedestrian pathway to Parklands Resort – given it is on the eastern side, opposite side of the road to Parklands Resort, S Waller explained there had been issues for the pedestrians crossing the road at the racecourse. F Turner to investigate.
- 7.9 M Lovett – queried how Councillors Paine and Karavas are finding the Access Committee? Cllr S Paine reported he has found the Committee very interesting and informative, and it has given him a lot to think about that he hadn't previously considered.
- 7.10 P Morris – reported a new ramp has been installed near Westpac bank in Gulgong, which is very much appreciated.

Meeting finished at 12:05 pm.

**Next meeting date – Tuesday 7th March 2017, at 11 am.
Venue: The Stables Meeting Room**

MID-WESTERN REGIONAL COUNCIL
MUDGEES AND GULGONG ACCESS COMMITTEE
TERMS OF REFERENCE

PREAMBLE

Mid-Western Regional Council appreciates the advice, voluntary time, commitment, interest and dedication demonstrated by members of its advisory committees. Council will give serious consideration to recommendations stated in minutes of Advisory Committees. Such recommendations are considered in the context of Council's management and strategic planning process.

COUNCIL CONTACT

The Manager, Community Services is the Council contact officer for the Committee.

RESPONSIBILITIES

The Mid-Western Regional Council Mudgee and Gulgong Access Committee will:

- Advise Council on operational issues affecting physical access for all residents and visitors, including those with disabilities, parents with prams and the frail aged and make recommendations to assist with quality outcomes and solutions within the framework of Council Policy and with reference to its Disability Inclusion Action Plan.
- Specifically, make recommendations in relation to Development Applications for the built environment, which will be considered by relevant staff and such recommendations will be incorporated as advisory notes with council's consent approvals.
- Advise Council on strategic issues affecting physical access for all residents and visitors, including those with disabilities, parents with prams and the frail aged and make recommendations to assist with quality outcomes and solutions within the framework of Council Policy and with reference to its Disability Inclusion Action Plan.

1.

The Mid-Western Regional Council Mudgee and Gulgong Access Committee is not a forum for discussing issues that could otherwise be dealt with by way of a simple Works Request to Council's Customer Service Team.

COMPOSITION OF COMMITTEE

The Committee shall comprise up to ten (10) community members, representing a diverse range of mobility issues together with two (2) delegates of the Council. The General Manager or his delegate shall also attend in a non-voting capacity.

MEETINGS

Committee meetings will be held monthly between February and December. The duration of the meeting will be up to 1 1/2 hours.

QUORUM

The quorum for the meeting of the Committee shall be 4 members.

DELEGATIONS

Nil.

FINANCIAL ARRANGEMENTS

Nil.

SECRETARIAL SUPPORT

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

12.4 Rylstone and Kandos Access Committee

REPORT BY THE MANAGER, COMMUNITY SERVICES

TO 15 MARCH 2017 ORDINARY MEETING

GOV400064, COS300015/A0060129

RECOMMENDATION

That Council:

1. **receive the report by the Manager, Community Services on the Rylstone and Kandos Access Committee;**
2. **note the minutes of the Rylstone and Kandos Access Committee held on 8 November 2016 and 14 February 2017;**
3. **endorse the amended Terms of Reference for the Rylstone and Kandos Access Committee; and**
4. **endorse Denise Jamieson and Muriel Nevell-King as new members of the Rylstone and Kandos Access Committee.**

Executive summary

The Rylstone and Kandos Access Committee meets bi-monthly to highlight and promote accessibility issues in the region. The next meeting is due to be convened on 11 April 2017.

Disclosure of Interest

Nil.

Detailed report

The Committee has been actively engaging with Council staff regarding mobility parking options in Rylstone and explanations regarding unsuitability of sites suggested by the Committee have been accepted upon the presentation of reasons as to why those sites were deemed unsuitable. The Committee continues to benefit from and is grateful for the assistance of Council staff educating them on matters of Australia Standards (2890.5 – On-street parking, for example).

The Committee continues to voice its concern about what it feels is a lack of suitability mobility parking on Angus Avenue, Kandos outside a commercial business. There is a mobility parking spot to serve the business but is located some distance from the store's front entryway on McDonald Street.

The Committee has struggled to meet quorum several times over the past 12 months. Accordingly, advertisements were placed in The Mudgee Guardian for two consecutive Fridays seeking applications from members of the community interested in joining the Committee. Two applications were received; from Denise Jamieson and Muriel Nevell-King. The former was discussed and supported at the February 2017 meeting but the application of Ms Nevell-King was not received until after that meeting and, therefore, has not been deliberated by members of the Committee.

Other matters concerned accessibility for residents of and visitors to the region were also discussed and the Committee's Terms of Reference were updated.

Community Plan implications

Theme	Looking After Our Community
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

Nil.

FIONA TURNER
MANAGER, COMMUNITY SERVICES

SIMON JONES
DIRECTOR COMMUNITY

25 February 2017

Attachments:

1. Minutes - November 2016.
2. Minutes - February 2017.
3. Updated Terms of Reference - February 2017.
4. Applications to join Committee - Denise Jamieson and Muriel Nevell-King.

APPROVED FOR SUBMISSION:

BRAD CAM
General Manager

RYLSTONE AND KANDOS ACCESS COMMITTEE MINUTES

10:30 am Tuesday 8th November 2016 – Council Chambers – Rylstone

1. PRESENT: Cllr Esme Martens, Shirley Tunnicliffe, Graham Jose, Claire Andu

STAFF: Fiona Turner, Veronica Miller (minutes)

2. APOLOGIES: Nil

3. MOTION OF ACCEPTANCE OF APOLOGIES:

Not required

Moved:

Seconded:

4. MOTION OF ACCEPTANCE OF MINUTES OF THE LAST MEETING (14th June 2016)

Moved: G Jose

Seconded: C Andu

Accepted with the following amendment:

Cllr Martens gave her apology to Council prior to the meeting.

5. CORRESPONDENCE:

In:

- **Resignation e-mail – Kerry Morrissey** – received by V Miller, 2.11.16.
- **Resignation letter – Nola Fraser** – Tabled by S Tunnicliffe, letter dated 4.11.16

Out:

- **Letter to Brad Cam at Council re: Mobility parking outside Kandos IGA 17.6.16**

S Tunnicliffe continues to observe people with a disability who drive around the block several times until they can secure a car park out the front of the Kandos IGA. Advice received was that a decision not to move the mobility car space was

made some time ago and that a report will go to Council to maintain the status quo.

Clr Martens advised she would be prepared to attend the Traffic Committee Meeting to advocate for the need for an accessible car park outside Kandos IGA.

Motion: Write to Traffic Committee requesting reason for accessible car park being declined in front of Kandos IGA.

Moved: C Andu

Seconded: G Jose

6. MATTERS ARISING FROM PREVIOUS MEETING:

6.1 Pedestrian Hook at Rylstone - F Turner. Discussion - a new problem has arisen regarding installing the traffic sign, previously accepted by the Committee, on a footpath. C Andu and S Tunnickliffe both advised they have sometimes used rubbish bins to hold onto and stabilise themselves as they have stepped up and down the steep kerb outside CRT. Suggested perhaps a handle could be affixed to the rubbish bins instead?

Motion: Write to Traffic Committee regarding the installation of a pedestrian hook/ a device to assist people who need something to hold on to as they step up/down the steep kerb. Request their advice on most appropriate format and location for such a device.

Moved: S Tunnickliffe

Seconded: C Andu

6.2 Mobility car parks Rylstone – new proposed locations - F Turner. Discussion, S Tunnickliffe had previously met with a Council representative to discuss possible locations for mobility car parks. F Turner advised of new proposed locations: outside the Cottage Museum sign on Louee Street; outside the Rylstone Council Chambers on Louee Street. Both of these new proposed locations acceptable to Committee.

Motion: Letter to Council accepting new proposed locations for mobility car parks in Rylstone.

Moved: Clr E Martens

Seconded: S Tunnickliffe

6.3 Pedestrian refuge barrier, corner Cox Street and Mudgee Street, Rylstone – update - F Turner.

This has now been repaired.

6.4 St Malachy's Church driveway repairs - V Miller

Kerry Morrissey advised works were completed.

7. GENERAL BUSINESS:

7.1 Draft Disability Inclusion Action Plan (DIAP) – F Turner.

Discussion. Clr E Martens noted she was pleased to read the acknowledgement of the importance of the role of each Access Committee in the Draft DIAP.

Clr Martens expressed disappointment that it has been the recommendation to Council by Council staff that the two Access Committees be combined.

The Committee did not have any submissions to make regarding the Draft DIAP. Committee members were advised they are able to make private submissions, which close on Friday 18th November 2016.

7.2 Nomination of Chairperson - F Turner.

There were no nominations. Discussion regarding the need to recruit new Committee members, then seek a Chairperson. F Turner advised an expression of interest can be advertised in Council Weekly Notices in the Friday edition of the Mudgee Guardian.

Action: Expression of interest for membership of Rylstone Kandos Access Committee to be placed in Council Weekly Notices, in Mudgee Guardian.

7.3 Community Planning Proposal – pathway McLachlan Street to river footbridge, Rylstone – F Turner and S Tunnickliffe.

Discussion regarding the proposal.

Action: S Tunnickliffe to provide more information regarding the proposed pathway to F Turner.

7.4 Membership – F Turner.

Resignations received from K Morrissey and N Fraser. Discussed need to recruit new Committee Members.

Motion: Letter of thanks for their contribution to the Committee to be sent to K Morrissey and N Fraser.

Moved: S Tunnickliffe

Seconded: Clr Martens

7.5 Review Access Committee Terms of Reference – F Turner.

F Turner advised there will be separate Terms of Reference for the

Rylstone Kandos Access Committee and the Mudgee and Gulgong Access Committee. The Terms of Reference will reference the DIAP. Changes will include: stipulating that meetings will be held every second month; allowing up to 2 Council delegates to attend; stipulating that the Committee will not be a forum to deal with works requests.

Clr Martens stated her preference for there to be 2 Councillors appointed to the Committee, so another Councillor can attend in the event she is unable to.

Action: F Turner to enquire with Council regarding the possibility of having an additional Councillor appointed to attend the Rylstone Kandos Access Committee.

Addendum: F Turner was advised that there are two options to this request:

1. *Clr Martens can raise her request as a Notice of Motion to Council.*
2. *The Committee can raise a motion to request an additional Councillor be appointed to the Committee which would then be included in the report to Council.*

7.6 Query regarding the access way next to the Rylstone Hotel – S Tunncliffe.

S Tunncliffe advised of her concerns regarding access barriers to the footpath next to the Rylstone Hotel.

Action: V Miller and F Turner to investigate and discuss at next meeting.

7.7 Health One Car park – S Tunncliffe.

Discussion, works promised by Jaime Goodlet, Manager Asset Operations at Western Local Health District in April 2016 still not completed.

Action: V Miller to contact J Goodlet and check progress.

7.8 Issues at rear of Globe Hotel, Rylstone – Clr E Martens.

Clr Martens advised of issues of excessive dust being produced at rear lane way of Globe Hotel, and that the waste removal truck, owned by JR Richards and Sons was observed reversing across the footpath, near children who were playing, despite there being ample room for the truck to safely turn around and drive out forwards. Discussion regarding public versus private land ownership at rear of Globe Hotel.

Action: F Turner to investigate land ownership and report back to the Committee.

Meeting closed: 11: 25 am.

Next meeting: 10:30 am, Tuesday 14th February 2017 at Rylstone Council Chambers.

RYLSTONE AND KANDOS ACCESS COMMITTEE MINUTES

Meeting: 10:30 am Tuesday 14th February 2017 at Council Chambers – Rylstone

1. PRESENT: Cllr Sam Paine, Shirley Tunnicliffe, Graham Jose, Claire Andu

STAFF: Fiona Turner, Veronica Miller (minutes)

2. APOLOGIES: Cllr Esme Martens

3. MOTION OF ACCEPTANCE OF APOLOGIES:

Moved: C Andu

Seconded: G Jose

4. MOTION OF ACCEPTANCE OF MINUTES OF THE LAST MEETING (8.11.2016)

Moved: G Jose

Seconded: C Andu

5. CORRESPONDENCE:

5.1 In:

5.1.1 Letter from Alina Azar, Manager Economic Development, Council: Towards 2030 Community Plan – Community Engagement. 12.12.16.

This letter was distributed to members in December, submissions are now closed.

5.1.2 Letter from Denise Jamieson: Expression of Interest in joining Rylstone and Kandos Access Committee. 28.1.17.

Application from Denise Jamieson was discussed.

Motion: Recommend to Council to accept application from Denise Jamieson to join the Rylstone and Kandos Access Committee for the purpose of meeting quorum.

Moved: G Jose

Seconded: S Tunnicliffe

5.1.3 Letter from Daniel Buckens, Manager Development Engineering, Council: Re: Proposed locations for mobility parking spaces in Rylstone. 11.1.17.

F Turner advised that Council continues to seek suitable locations for mobility parking spaces in Rylstone.

5.1.4 E-mail from Jamie Goodlet, Acting District Manager Asset Operations, Mudgee Health Service: Response re: progress on mobility car parks at Health One Rylstone 3.2.17.

V Miller advised Jamie Goodlet has undertaken to find out the plans for mobility parking at the new Health One Rylstone and will report back to the Committee. S Tunnicliffe advised that the mobility parks which were previously installed have now been removed with the new works at Health One Rylstone.

5.2 Out:

5.2.1 Letter to Daniel Buckens, Manager Development Engineering, Council: Proposed locations for mobility parking spaces in Rylstone. 5.1.17.

5.2.2 Letter to Daniel Buckens, Manager Development Engineering, Council: Mobility Parking – Kandos. 5.1.17.

5.2.3 Letter to Kerry Morrissey: Thank you from the Rylstone Kandos Access Committee. 5.1.17.

5.2.4 Letter to Local Traffic Committee, Council: Pedestrian access off Louee Street, Rylstone. 5.1.17.

No response received at this stage given the first meeting of the Local Traffic Committee is today.

5.2.5 Letter to Nola Fraser: Thank you from Rylstone Kandos Access Committee. 5.1.17.

5.2.6 E-mail to Jamie Goodlet, Acting District Manager Asset Operations, Mudgee Health Service: Query re: progress on mobility car parks at Health One Rylstone. 3.2.17.

6 MATTERS ARISING FROM PREVIOUS MEETING:

6.1 Community Planning Proposal – pathway McLachlan Street to river footbridge, Rylstone. F Turner advised that Community Planning Proposal submissions have now closed. If this issue is an ongoing concern, a works request may be applicable.

6.2 Review Rylstone and Kandos Access Committee Terms of Reference – Addition of another Councillor on Committee. F Turner tabled a draft of the proposed changes to the Terms of Reference.

6.3 Query re access way next to the Rylstone Hotel – F Turner and V Miller.

Further discussion re: the concerns raised previously about vehicles parking across the layback, blocking pedestrian access to cross Cudgegong Street, at the corner of Louee Street, Rylstone.

Motion: Letter to be sent to Local Traffic Committee requesting placement of a no parking zone at this location.

Moved: S Tunncliffe

Seconded: C Andu

6.4 Issues at rear of Globe Hotel, Rylstone – F Turner. F Turner advised that the owner of the Globe Hotel has contacted and advised he has already addressed the issue of vehicles reversing out of the rear access area.**7 GENERAL BUSINESS:**

Nil

Meeting closed at 11:25 am.

Next meeting: 10:30 am, Tuesday 11th April 2017 at Rylstone Council Chambers.

MID-WESTERN REGIONAL COUNCIL

RYLSTONE AND KANDOS ACCESS COMMITTEE

TERMS OF REFERENCE

PREAMBLE

Mid-Western Regional Council appreciates the advice, voluntary time, commitment, interest and dedication demonstrated by members of its advisory committees. Council will give serious consideration to recommendations stated in minutes of Advisory Committees. Such recommendations are considered in the context of Council's management and strategic planning process.

COUNCIL CONTACT

The Manager ~~Library and~~ Community Services is the Council contact officer for the Committee.

RESPONSIBILITIES

The Mid-Western Regional Council ~~Rylstone and Kandos~~ Access Committee will:

- Advise Council on operational issues affecting physical access for all residents and visitors, including those with disabilities, parents with prams and the frail aged and make recommendations to assist with quality outcomes and solutions within the framework of Council's ~~Management Plan Policy and with reference to its Disability Inclusion Action Plan~~.
- Specifically, make recommendations in relation to Development Applications for the built environment, which will be considered by relevant staff and such recommendations will be incorporated as advisory notes with council's consent approvals.
- Advise Council on strategic issues affecting physical access for all residents and visitors, including those with disabilities, parents with prams and the frail aged and make recommendations to assist with quality outcomes and solutions within the framework of Council's ~~Management Plan Policy and with reference to its Disability Inclusion Action Plan~~.
- ~~The Mid-Western Regional Council Rylstone and Kandos Access Committee is not a forum for discussing issues that could otherwise be dealt with by way of a simple Works Request to Council's Customer Service Team.~~

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COMPOSITION OF COMMITTEE

The Committee shall comprise up to ten (10) community members, representing a diverse range of mobility issues together with two (2) delegates of the Council. The General Manager or his delegate shall also attend in a non-voting capacity.

MEETINGS

Committee meetings will be held ~~bi-monthly between from~~ February ~~each year (and but not during~~ December). The duration of the meeting will be up to 1 1/2 hours.

QUORUM

The quorum for the meeting of the Committee shall be 4 members.

DELEGATIONS

Nil.

FINANCIAL ARRANGEMENTS

Nil.

SECRETARIAL SUPPORT

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

Denise Jamieson

[REDACTED]

[REDACTED]

Phone: [REDACTED]

Email: [REDACTED]

28th January 2017

council@midwestern.nsw.gov.au

ACCESS COMMITTEE

I wish to apply for the position of a Volunteer on the Rylstone Kandos Access Committee and I submit the following information:

I am 72 years of age and have lived in the Kandos/Rylstone area all my life:

I lead a very active lifestyle and am very healthy:

I have been a volunteer at ADA Cottage since 1998 and am very aware of access issues relating to people in this facility:

I am also aware of all issues relating to access for our older and also disabled people and young families with small children and babies in prams within our area:

I worked for Rylstone Shire Council from 1960 to 1993 (casual and full time), the last years 18 years as Rates Clerk so have an intimate knowledge of both our towns and the surrounding area:

I was a School Bus owner/driver from 1966 to 2013 so have had lots to do with School children in our area and any issues they have had with access:

I hope you will consider my application favourably as I feel that I will be able to fulfill a position of Volunteer with enthusiasm and empathy.

Yours faithfully

Denise M. Jamieson



22/2/2017

To Whom It May Concern

I have just been informed that council is calling for volunteers for the Access Committee. If this is not too late, I would like to be included!

I have been writing for at least 4 years about the poor state of access into many of the buildings in Kandos.

I even wrote to Paul Cavalier fairly recently.

To date, there has not been any acknowledgement of these letters.

My qualifications and experience has been gained from working amongst the elderly and disabled as a nursing sister, with a General and geriatric certificate. My work at Lidcombe has been in the Spinal Unit, and further in nursing homes, or Government institutions, both here and in Queensland.

Before I left Mudgee to gain further experience in "stroke care" and rehabilitation, I was employed at Mudgee District Hospital as District Nurse.

I trust that this is the information you would need.

Yours faithfully,

Muriel Nevell-King

Item 13: Urgent Business Without Notice

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

LOCAL GOVERNMENT ACT, 1993

10A *WHICH PARTS OF A MEETING CAN BE CLOSED TO THE PUBLIC?*

- (1) A council, or a committee of the council of which all the members are councillors, may close to the public so much of its meeting as comprises:
 - (a) the discussion of any of the matters listed in subclause (2), or
 - (b) the receipt or discussion of any of the information so listed.
- (2) The matters and information are the following:
 - (a) personnel matters concerning particular individuals (other than councillors),
 - (b) the personal hardship of any resident or ratepayer,
 - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
 - (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret,
 - (e) information that would, if disclosed, prejudice the maintenance of law,
 - (f) matters affecting the security of the council, councillors, council staff or council property,
 - (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
 - (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land,
 - (i) alleged contraventions of any code of conduct requirements applicable under section 440.
- (3) A council, or a committee of the council of which all the members are councillors, may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.
- (4) A council, or a committee of a council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

10D *GROUNDS FOR CLOSING PART OF MEETING TO BE SPECIFIED*

- (1) The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting.
- (2) The grounds must specify the following:
 - (a) the relevant provision of section 10A(2)
 - (b) the matter that is to be discussed during the closed part of the meeting,
 - (c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

664

DISCLOSURE AND MISUSE OF INFORMATION

- (1) A person must not disclose any information obtained in connection with the administration or execution of this Act unless that disclosure is made:
 - (a) with the consent of the person from whom the information was obtained, or
 - (b) in connection with the administration or execution of this Act, or
 - (c) for the purposes of any legal proceedings arising out of this Act or of any report of any such proceedings, or
 - (d) in accordance with a requirement imposed under the Ombudsman Act 1974 or the Freedom of Information Act 1989, or
 - (e) with other lawful excuse.
2. (1A) In particular, if part of a meeting of a council or a committee of a council is closed to the public in accordance with section 10A (1), a person must not, without the authority of the council or the committee, disclose (otherwise than to the council or a councillor of the council) information with respect to the discussion at, or the business of, the meeting.
3. (1B) Subsection (1A) does not apply to:
 - (a) the report of a committee of a council after it has been presented to the council, or
 - (b) disclosure made in any of the circumstances referred to in subsection (1) (a)-(e), or
 - (c) disclosure made in circumstances prescribed by the regulations, or
 - (d) any agenda, resolution or recommendation of a meeting that a person is entitled to inspect in accordance with section 12.
- (2) A person acting in the administration or execution of this Act must not use, either directly or indirectly, information acquired by the person in that capacity, being information that is not generally known, for the purpose of gaining either directly or indirectly a financial advantage for the person, the person's spouse or de facto partner or a relative of the person.
- (3) A person acting in the administration or execution of this Act, and being in a position to do so, must not, for the purpose of gaining either directly or indirectly an advantage for the person, the person's spouse or de facto partner or a relative of the person, influence:
 - (a) the determination of an application for an approval, or
 - (b) the giving of an order.

Maximum penalty: 50 penalty units

MOTION

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

After a motion to close the meeting has been moved and seconded and before the vote, the Chairman will ask if there are any other matters, besides those listed on the agenda which should be considered in Confidential Session.

He will then announce those matters to be considered in Confidential Session. In doing so, the Chairman will give reasons why those matters are to be considered in Confidential Session and explain the way in which discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

CHAIRMAN

The following matters have been listed for consideration in Confidential Session:

14.1 General Manager's Performance Agreement 2016-2017

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

Discussion of this matter in an open meeting would be, on balance, contrary to the public interest as it involves discussion of personnel matters concerning the General Manager.

The Chairman will then ask the General Manager if there are any written representations from the public on the proposed closure of the meeting.

The General Manager will read out any written representations received.

The Chairman will ask if anyone in the gallery would like to make verbal representations in regard to the matters now to be considered in Confidential Session.

The Chairman will then put the motion "to close the meeting" to the vote.