



2017

COUNCIL BUSINESS PAPERS

Ordinary Meeting WEDNESDAY 20 SEPTEMBER 2017



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MUDGEES NSW 2850

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13 September 2017

Dear Councillor

MEETING NOTICE
Ordinary Meeting
20 SEPTEMBER 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.....	9
Item 2:	Disclosure of Interest.....	9
Item 3:	Confirmation of Minutes.....	9
	3.1 Minutes of Ordinary Meeting held on 16 August 2017.....	9
Item 4:	Matters in Progress.....	10
Item 5:	Mayoral Minute.....	12
	Nil	
Item 6:	Notices of Motion or Rescission.....	13
	6.1 Rail Line from Kandos to Gulgong.....	13
	6.2 Mudgee Showground Heritage Impact Study.....	14
Item 7:	Office of the General Manager.....	15
	7.1 Council Meeting Schedule for 2018.....	15
	7.2 Council Advisory Committees.....	17
	7.3 Delegates to External Committees and other Organisations.....	23
	7.4 Broadview Estate Pump Station.....	27
Item 8:	Development.....	30
	8.1 Planning Proposal Lot 4 DP 1043986 25B Dewhurst Drive, Mudgee - Post Exhibition Report.....	30
	8.2 DA0305/2017 - Extension to Winning Post Motel & Change of Use of Dwelling to Serviced Apartment - 101 - 105 Church Street & 58 Denison Street , Mudgee.....	33
	8.3 Tesla Destination Charger.....	53
	8.4 Events Assistance Funding Requests.....	56
	8.5 2017-18 Local Heritage Grant Allocation.....	64
	8.6 Temporary Suspension of Alcohol Free Zones for Sections of Cudgegong and Louee Streets, Rylstone.....	69
	8.7 Monthly Development Applications Processing and Determined.....	74

Item 9: Finance	82
9.1 Monthly Budget Review July 2017	82
9.2 New and Amended Fees and Charges 2017/18.....	103
9.3 Quarterly Budget Review June 2017.....	108
9.4 Monthly Statement of Investment and Bank Balances as at 31 August 2017	110
9.5 Draft Financial Statements 2016/17	118
9.6 2017-18 Federal Government Financial Assistance Grants.....	122
9.7 Holtermann Museum Mortgage Deed	125
9.8 Option to Renew Lease - Rylstone Kandos Preschool Incorporated	144
Item 10: Operations	148
10.1 Organics Collection Service Tender	148
10.2 Glen Willow Pedestrian Bridge	156
10.3 Exemption from Tender - Rylstone Dam Geotechnical Investigation Works.....	159
10.4 Snelsons Lane	162
Item 11: Community.....	165
11.1 Councillor Professional Development Program	165
11.2 Memorandum of Understanding - Twin Town Players.....	172
11.3 Offer of Donation of Art Works - Tatlow Collection	179
11.4 Graeme Morgan Memorial Plaque - Gulgong Swimming Pool.....	182
Item 12: Reports from Committees.....	184
12.1 Red Hill Committee Meeting Minutes July & August.....	184
12.2 Local Traffic Committee Meeting - August	191
12.3 Mudgee Sports Council Meeting - August.....	194
12.4 Heritage Committee Minutes August 2017.....	199
12.5 Mudgee Showground Management Committee.....	203
12.6 Cultural Development Committee.....	208
Item 13: Urgent Business Without Notice.....	215
Item 14: Confidential Session	216

14.1	Major Events for the Region	220
14.2	Purchase of Land for Road Widening - Ulan Road Upgrade Project	224
Item 15:	Urgent Confidential Business Without Notice	228
Item 16:	Open Council.....	228
Item 17:	Closure.....	228

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 16 August 2017

Council Decision:

That the Minutes of the Ordinary Meeting held on 16 August 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	That Council: 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.	Council has completed the demolition of the old SES building, and the survey of the subdivision is also complete. Further discussion with Council to decide the best timing to call for a tender of this subdivision.
Efficiency Plant and Future Purchase of Road Maintenance Equipment Report	331/16 Ordinary Mtg 16/11/16	That: 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.	To be reported to Council at a future Council meeting. With the new Director of Operations starting on 1 May 2017, he will do a review of plant and report back to Council at the 16 August 2017 Council meeting. RECOMMENDED FOR COMPLETION
Levee Bank	125/17 Ordinary Meeting	That Council investigate the design of a levy bank around the netball courts at Glen Willow and that a report be	To be reported to Council at the 20 September 2017

SUBJECT	RESOLUTION NO. & DATE	RESOLUTION	ACTION
	17/05/17	brought back to Council.	Council meeting.
Solar Energy Options	129/17 Ordinary Meeting 17/05/17	That: 1. Council endorse the strategy of installing solar panels on appropriate Council buildings to reduce ongoing electricity costs and deliver this strategy for at least one further Council building during the 2017/18 financial year.	To be reported to Council at a future meeting.
Rylstone Pedestrian Footbridge	N/A Request made by Cr Shelley at the 19 July 2017 Council Meeting.	Nil	Council will seek grant funding for the Pedestrian Bridge over the Cudgegong River at Rylstone.

Item 5: Mayoral Minute

Nil

Item 6: Notices of Motion or Rescission

6.1 Rail Line from Kandos to Gulgong

NOTICE OF MOTION LISTED BY CR PERCY THOMPSON
TO 20 SEPTEMBER 2017 ORDINARY MEETING
GOV400064, TRA300009

MOTION

That Council request the NSW State Government to consider re-opening the rail line from Kandos to Gulgong.

Background

The NSW State Government has recently announced they have money to spend on railway lines.

Officer's comments

Fixing Country Rail (FCRAIL) is a program to fund rail infrastructure enhancement projects that eliminate connectivity constraints on the NSW regional rail network and reduce the cost to market for regional businesses. FCRAIL is funded through a \$400 million Rebuilding NSW reservation. Applicants that can receive funding for the FCRAIL are restricted to rail asset owner/managers. Unfortunately, Council is not identified as a stakeholder that could submit an application for this funding.

6.2 Mudgee Showground Heritage Impact Study

NOTICE OF MOTION LISTED BY CR PERCY THOMPSON
TO 20 SEPTEMBER 2017 ORDINARY MEETING
GOV400064, GOV400064, DA0039/2018, F0650007

MOTION

That a Heritage Impact Study be carried out on the Mudgee Showground Grandstand that's recommended for demolition.

Background

I've been informed by members of the heritage committee that the Grandstand is in a heritage conservation area and as such an impact study should take place.

Officer's comments

Council staff note the Heritage Committee meeting minutes of 31 August 2017, which states the following:

'2. Development Application 0039/2018 11 Nicolson Street, Mudgee – demolition of the Mudgee grandstand

Cllr Thompson had approached committee member Chris Pearson for information and discussion of the proposed development application at the committee meeting. Chris Pearson then contacted Sarah Armstrong requesting the application be tabled and copies of the application be provided.

The application was discussed and a questions raised regarding the Development Application form item 12 on page 5 requiring a Heritage Impact Statement to be provided. A Heritage Impact Statement has not been provided.'

There is already a Mudgee Showground Conservation Management Plan that was prepared by Conybeare Morrison in March 2010.

As part of the development application a heritage impact statement will be provided and there is no requirement for a heritage impact study.

Item 7: Office of the General Manager

7.1 Council Meeting Schedule for 2018

REPORT BY THE DIRECTOR COMMUNITY
TO 20 SEPTEMBER 2017 ORDINARY MEETING
GOV400064, GOV400054

RECOMMENDATION

That Council:

1. receive the report by the Director Community on the Council Meeting Schedule for 2018; and
2. confirm the Council Meetings for 2018 as follows:
 - Wednesday, 21 February 2018
 - Wednesday, 21 March 2018
 - Wednesday, 18 April, 2018
 - Wednesday, 16 May 2018
 - Wednesday, 20 June 2018
 - Wednesday, 18 July 2018
 - Wednesday, 15 August 2018
 - Wednesday, 19 September 2018
 - Wednesday, 17 October 2018
 - Wednesday, 21 November 2018
 - Wednesday, 12 December 2018

Executive summary

The purpose of this report is to set the meeting program for the year 2018.

Disclosure of Interest

Nil.

Detailed report

Council meetings are held each month (with the exception of January). Meetings are currently being held on the third Wednesday of each month, commencing at 5.30pm with an Open Day session.

Due to the close proximity to the Christmas period of the scheduled December Council meeting, it is suggested that the December meeting be bought forward to Wednesday, 12 December 2018.

This report confirms the meeting schedule for the year 2018.

Community Plan implications

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

Strategic implications

Council Strategies

Not Applicable.

Council Policies

Code of Meeting Practice

Legislation

Under Section 365 of the *Local Government Act 1993*, Councils are required to meet at least ten times per year. This schedule allows for eleven meetings in 2018.

Financial implications

Not Applicable.

Associated Risks

Not applicable.

SIMON JONES
DIRECTOR COMMUNITY

5 September 2017

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

7.2 Council Advisory Committees

REPORT BY THE DIRECTOR COMMUNITY
TO 20 SEPTEMBER 2017 ORDINARY MEETING
GOV400064, A0110015

RECOMMENDATION

That Council:

1. receive the report by the Director Community on the Council Advisory Committees;
2. confirm the membership of all proposed Council Advisory Committees with external membership as shown on the attached schedule; and
3. appoints the following Councillor representatives to the following committees for the period until the end of August 2020:
 - (a) Mudgee Showground Management Committee (1 Councillor)
 - (b) Red Hill Reserve Working Party (1 Councillor)
 - (c) Mudgee Sports Council Sub Committee (1 Councillor)
 - (d) Gulgong Sports Council Sub Committee (1 Councillor)
 - (e) Rylstone Sports Council Sub Committee (1 Councillor)
 - (f) Mid-Western Regional Council Heritage Committee (1 Councillor)
 - (g) Mudgee & Gulgong Access Committee (1 Councillor)
 - (h) Rylstone & Kandos Access Committee (1 Councillor)
 - (i) Cultural Development Committee (1 Councillor)
 - (j) Australia Day Selection Committee (Mayor, Deputy Mayor and 2 Councillors)
 - (k) Mid-Western Regional Youth Council (2 Councillors)
 - (l) Gulgong Memorial Hall Committee (1 Councillor)
 - (m) Mudgee Saleyards Committee (1 Councillor)

Executive summary

Council can if it so determines set up advisory committees which will be established pursuant to Section 355 of the *Local Government Act 1993* and then appoint/elect Councillors to these Committees.

Disclosure of Interest

Nil.

Detailed report

Section 355 of the *Local Government Act 1993* provides that Council's functions may be exercised by a Council Committee. Also, a Council may seek advice from others (be they individuals or groups/committees) to assist it in carrying out its functions.

Council has previously established several "355 Committees" to assist in carrying out its functions. Council needs to determine whether to continue with these Committees and their representation.

It is recommended that the Councillor representative on these Committees can be appointed for the rest of this term of Council. This is determined to be until the end of August 2020. This will save having to address these appointments each year and provide some certainty for the Committee. Alternatively Council could alter this so that it becomes a two year appointment in line with the election of the Mayor and the Deputy Mayor. That would mean that the appointment addressed in this report would be for one year and the appointment in September 2018 could be for two years. It is also noted that another resolution of Council can change these appointments at any time.

Details of the existing Committee structure are set out in the attachment.

Community Plan implications

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

Strategic implications

Council Strategies

Community Strategic Plan

Council Policies

Provision of Expenses and Facilities to Councillors.

Legislation

Section 355 of the Local Government Act 1993.

Financial implications

The attendance by Councillors at these Committees may incur a travel cost to Council, provision for which is included in the budget through the relevant policy.

Associated Risks

There are some risks associated with relying on Section 355 Committees if proper oversight by Council is not put in place. The most effective Committee will be ones where sufficient staff support is provided to the Committee and the Committee members are made aware of and understand their roles and responsibilities. All minutes from Section 355 Committees should be sent to Council meetings for information and endorsement of any significant recommendations.

SIMON JONES
DIRECTOR COMMUNITY

5 September 2017

Attachments: 1. Advisory Committee Structure 2016/17.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

2016/17 ADVISORY COMMITTEE STRUCTURE**1. Mudgee Showground Management Committee**

Membership	Quorum	Responsibilities	Meetings
Councillors Holden and Karavas Director Operations Mudgee Show Society (1 delegate) Poultry Groups (1 delegate) Livestock and other animal groups (1 delegate) Mid-Western Working Horse Association (1 delegate) Mudgee Pony Club (1 delegate) Mudgee Dressage Group (1 delegate) Building & ground users (1 delegate)	4	Exercise powers to manage the facility as delegated by Council under S.377.	Meet bi-monthly on the 1 st Tuesday

2. Red Hill Reserve Working Party

Membership	Quorum	Responsibilities	Meetings
Councillor Cavalier Community Representatives (10) General Manager's delegate	N/A	Development of Masterplan for the Red Hill site	As needed

3. Mudgee Sports Council Sub Committee

Membership	Quorum	Responsibilities	Meetings
Councillor O'Neill 1 delegate from each of the sporting clubs or associations in Mudgee who are financial members.	N/A	Care control and management of active recreational facilities in Mudgee	Monthly

4 Gulgong Sports Council Sub Committee

Membership	Quorum	Responsibilities	Meetings
Councillor O'Neill 1 delegate from each of the sporting clubs or associations in Gulgong who are financial members.	N/A	Care control and management of active recreational facilities in Gulgong	Monthly

5 Rylstone Sports Council Sub Committee

Membership	Quorum	Responsibilities	Meetings
Councillor Shelley 1 delegate from each of the sporting clubs or associations in Rylstone who are financial members.	N/A	Care control and management of active recreational facilities in Rylstone	As required (not currently meeting)

6. Mid-Western Regional Council Heritage Committee

Membership	Quorum	Responsibilities	Meetings
Councillors Paine & Holden Community representatives (up to 13) General Manager's delegate Heritage Advisor	N/A	Provide advice to Council on heritage based issues	Once per month

7. Mudgee/Gulgong Access Committee

Membership	Quorum	Responsibilities	Meetings
2 councillors Paine & Karavas Community representatives (up to 10) GM delegate	4	Provide advice to Council on Access based issues	Bi-monthly

8. Rylstone/Kandos Access Committee

Membership	Quorum	Responsibilities	Meetings
1 Councillor Martens Community representatives (up to 10) GM delegate	4	Provide advice to Council on Access based issues	Bi-monthly

9. Cultural Development Committee

Membership	Quorum	Responsibilities	Meetings
1 Councillor Paine Community representatives (up to 10)	4	Implementation of recommendation of Cultural Plan	Bi-monthly

10. Gulgong Memorial Hall Committee

Membership	Quorum	Responsibilities	Meetings
1 Councillor Thompson Community representatives (up to 10)	N/A	Promotion of Gulgong Memorial Hall	Meets monthly.

11. Mudgee Regional Saleyards Committee

Membership	Quorum	Responsibilities	Meetings
1 Councillor Kennedy Currently advertising for interested members of the community to be committee members.	N/A	Advise Council on operation and improvements to the Saleyards.	Bi-monthly

12. Australia Day Selection Committee

Membership	Quorum	Responsibilities	Meetings
Mayor, Deputy Mayor & Councillors Shelley & Karavas (in addition the panel for Young Farmer of the Year also include Chairs of Mudgee, Gulgong & Rylstone branches of NSW Farmers Federation)	N/A	To select recipients of Council's Australia Day Awards	As required

13. Mid-Western Regional Youth Council

Membership	Quorum	Responsibilities	Meetings
Councillors Karavas & Paine 2 representatives from each of the 4 high schools is encouraged	4	Consultation and advocacy for youth	Twice each school term (8 per year)

7.3 Delegates to External Committees and other Organisations

REPORT BY THE DIRECTOR COMMUNITY
TO 20 SEPTEMBER 2017 ORDINARY MEETING
GOV400064, A0110015

RECOMMENDATION

That Council:

1. receive the report by the Director Community on the Delegates to External Committees and other Organisations ; and
2. appoint its delegates to the following external Committees or other organisations for the period September 2017 to August 2020:
 - 2.1 Bushfire Management Committee (2 Councillors)
 - 2.2 Rural Fire Service District Liaison Committee (2 Councillors)
 - 2.3 Mudgee Regional Tourism Inc (1 Councillor)
 - 2.4 Ulan Coal Mine Community Consultative Committee (1 Councillor)
 - 2.5 Wilpinjong Community Consultative Committee (2 Councillors)
 - 2.6 Charbon Community Consultative Committee (1 Councillor)
 - 2.7 Moolarben Community Consultative Committee (2 Councillors)
 - 2.8 Inglenook Exploration Community Consultative Committee (General Manager or nominee)
 - 2.9 Joint Regional Planning Panel (2 Councillors)
 - 2.10 Murray Darling Association (2 Representatives)
 - 2.11 Local Traffic Committee (1 Councillor)
 - 2.12 Bowdens Silver Mine Community Consultative Committee (1 Councillor)
 - 2.13 Crudine Ridge Wind Farm Consultative Committee (1 Councillor)
 - 2.14 Orana Arts (1 Councillor)

Executive summary

Council is represented on numerous external committees and other organisations.

Disclosure of Interest

Nil

Detailed report

Council needs to determine who its delegates to these external Committees will be for the period September 2017 to August 2020. Before doing so Council needs to ensure that having a representative on these organisations and external committees has current relevance and is effective for the region.

It is recommended that the Councillor representative on these external committees and other organisations can be appointed for the rest of this term of Council. This is determined to be until the end of August 2020. This will save having to address these appointments each year and provide some certainty for the committee. Alternatively, Council could alter this so that it becomes a two year appointment in line with the election of the Mayor and the Deputy Mayor. That would mean that the appointment addressed in this report would be for one year and the appointment in September 2018 could be for two years. It is also noted that another resolution of Council can change these appointments at any time.

The schedule attached sets out the current representation.

Community Plan implications

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

Strategic implications

Council Strategies

Community Strategic Plan

Council Policies

Provision of Expenses and Facilities to Councillors

Legislation

Not applicable

Financial implications

The attendance by Councillor at these external committees and other organisations may incur a travel cost to Council, provision for which is included in the budget and is subject to the relevant policy.

Budget Year	Operating Performance Ratio	Own Source Revenue	Building & Infrastructure Renewal
2017/18	✓ ✗ -	✓ ✗ -	✓ ✗ -
Future Years	✓ ✗ -	✓ ✗ -	✓ ✗ -

Associated Risks

Not applicable

SIMON JONES
DIRECTOR COMMUNITY

6 September 2017

Attachments: 1. Delegates to other External Committees and other organisations 2016-17.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

**DELEGATES TO OTHER EXTERNAL COMMITTEES AND OTHER ORGANISATIONS
2016/17**

Name of Organisation	Current Council Delegate
Bushfire Management Committee	Councillors Cavalier & Thompson
Rural Fire Service District Liaison Committee	Councillors Cavalier & O'Neill
Mudgee Region Tourism Inc	Councillor Kennedy
Ulan Coal Mine Community Consultative Committee	Councillors Kennedy & Martens
Wilpinjong Community Consultative Committee	Councillor Kennedy
Charbon Community Consultative Committee	Councillor Martens
Moolarben Community Consultative Committee	Councillors O'Neill & Cavalier
Inglenook Exploration Community Consultative Committee	Councillor Martens
Joint Regional Planning Panel	Councillors Holden & Cavalier
Murray Darling Association	Councillors Holden & Kennedy
Local Traffic Committee	Councillor Karavas
Bowdens Silver Mine Community Consultative Committee	Councillor O'Neill
Crudine Ridge Wind Farm Consultative Committee	Councillor Karavas
Orana Arts Inc	Councillor Paine

7.4 Broadview Estate Pump Station

REPORT BY THE GENERAL MANAGER
TO 20 SEPTEMBER 2017 ORDINARY MEETING
GOV400064, P2109711

RECOMMENDATION

That Council:

1. **receive the report by the General Manager on the Broadview Estate Pump Station; and**
2. **note the recommendation of staff to not pay for a water booster pump station for Broadview Estate.**

Executive summary

The developer of Broadview Estate addressed Council at Open Day on a number of occasions during Council's preparation of the 2017/18 Operational Plan. The developer requested Council to pay for a water booster pump station to service Stage 2 of the Broadview Estate development. The estimated cost of a water booster pump station is \$250,000.

At Council's June 2017 meeting, Council resolved that "Hugh Bateman – to be thanked for his submission and be advised that his request to install a water pump station for Broadview Estate be declined and that a further report be presented to Council".

The purpose of this report is to note the reasons for the recommendation by staff to not pay for a water booster pump station for Broadview Estate.

Disclosure of Interest

Nil.

Detailed report

Development Approval

Council approved DA0367/2013 in July 2013 (and MA0039/2015) for a 70 lot subdivision at Broadhead Road, Mudgee subject to conditions. These conditions included:

- Condition 5: Engineering plans of any mains extensions are to be lodged with Council and approved prior to the issue of a Construction Certificate. Note: Council will quote on connecting any sewer and water main extension to the existing "live" main on receipt and approval of engineering plans.
- Condition 7: All works are to be constructed at the full cost of the developer, in a manner consistent with Aus-Spec#1 and Council's standard drawings.
- Condition 23: The applicant is to provide separate water and sewer reticulation services to each lot.
- Condition 24: The developer is to extend and meet the full cost of water and sewerage reticulations to service the new lots plus the cost of connecting to existing services. All water and sewerage work is required to be carried out in accordance with the requirements of Mid-Western Regional Council (as the Water Supply Authority under the Local

Government Act 1993) and in accordance with the National Specification – Water & Sewerage Codes of Australia.

Development Status

Construction of the Broadview Estate development has been planned in 2 stages, with Stage 1 completed and Stage 2 at design stage (Construction Certificate undetermined).

One of the issues identified with the designs put forward for Stage 2 is that there are a number of lots above the RL520m line, above which maintaining adequate water pressure becomes a design consideration.

The proposed solution is to install a water booster pump station within the subdivision to ensure that these additional lots can achieve adequate water pressure.

Developer Request

As part of Council's preparation of the 2017/18 Operational Plan, the developer requested Council to pay for a water booster pump station to service Stage 2 of the Broadview Estate development. The estimated cost of a water booster pump station is \$250,000.

At Council's June 2017 meeting, Council resolved that "Hugh Bateman – to be thanked for his submission and be advised that his request to install a water pump station for Broadview Estate be declined and that a further report be presented to Council".

Council's Development Servicing Plan

In line with Council's Development Servicing Plan, Council is responsible for the cost of distribution works only for a development. Reticulation works within a subdivision are the full responsibility of the developer (ie. design and construction cost). This is specified in the conditions of consent imposed in June 2013 when the development for Broadview Estate was originally approved.

The position of staff is that the water booster pump station is considered to be reticulation works and therefore, Council has no responsibility to provide the booster pump station. The staff recommendation is that Council should not pay for this.

Community Plan implications

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

Strategic implications

Council's Development Servicing Plan informs this decision. In line with the Development Servicing Plan, Council is responsible for the cost of distribution works only for a development. Reticulation works within a subdivision are the full responsibility of the developer.

Financial implications

The estimated cost of a water booster pump station is \$250,000. As the report does not recommend that Council pay for this, there are no financial implications.

However, if Council wishes to pay for a water booster pump station it would need to amend the 2017/18 Operation Plan by this amount to be paid for out of water fund. This would negatively impact Council's Operating Performance Ratio in 2017/18.

In this case, Council would also be advised to place its intention to pay for the water booster pump station on public exhibition for a period of 28 days, as it may be considered as the provision of financial assistance to a person/organisation for private benefit.

Associated Risks

If the developer is not satisfied with Council's decision on this matter, legal action may be considered.

BRAD CAM
GENERAL MANAGER

7 September 2017

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Item 8: Development

8.1 Planning Proposal Lot 4 DP 1043986 25B Dewhurst Drive, Mudgee - Post Exhibition Report

REPORT BY THE MANAGER, STRATEGIC PLANNING
TO 20 SEPTEMBER 2017 ORDINARY MEETING
GOV400064, LAN900076

RECOMMENDATION

That Council:

- 1. receive the report by the Manager, Strategic Planning on the Planning Proposal Lot 4 DP 1043986 25B Dewhurst Drive, Mudgee - Post Exhibition Report; and**
- 2. exercise the delegation in relation to the preparation of the amendment to the Mid-Western Regional Local Environmental Plan 2012 to reduce the minimum lot size in respect to Lot 4 DP 1043986 25B Dewhurst Drive, Mudgee subject to the Opinion issued by Parliamentary Counsel.**

Executive summary

On 21 June 2017, Council resolved to support the Planning Proposal in relation to Lot 4 DP 1043986, 25B Dewhurst Drive Mudgee to enable a future two lot subdivision and forward the Planning Proposal to the Department of Planning and Environment Gateway for determination.

The proposal was forwarded to the Department of Planning and Environment for a Gateway Determination which was received on 1 August 2017. The amendment was placed on public exhibition for a period of 14 days consistent with the condition of the Gateway Determination. There being no public submissions, it is now proposed that the amendment to the Mid-Western Regional Local Environmental Plan 2012 (LEP) be made.

Disclosure of Interest

Nil.

Detailed report

At the Ordinary Council meeting on 21 June 2017, Council resolved to:

- 1. receive the report by the Manager Strategic Planning on the Planning Proposal Lot 4 DP 1043986 25B Dewhurst Drive, Mudgee for a two lot subdivision;*
- 2. support the Planning Proposal in relation to Lot 4 DP 1043986, 25B Dewhurst Drive Mudgee to enable a future two lot subdivision; and*

3. forward the Planning Proposal to the Department of Planning and Environment Gateway for determination.

The Planning Proposal seeks to amend the LEP Minimum Lot Size Map to include Lot 4 DP 1043986 within 'Area A' with a minimum lot size of 2,000m² as referred to in Clause 4.1 (3A) of the LEP. The amendment will facilitate the subdivision of the subject site into two lots. A concept subdivision plan has been provided with the Planning Proposal. Two lots are detailed on the concept plan measuring 2,838m² (to accommodate the existing dwelling) and 4,529m² (which includes the battle axe handle and future dwelling). A copy of the Planning Proposal has been provided as Attachment 1.

A copy of the Gateway Determination has been provided as Attachment 2. The determination includes a written Authorisation to Exercise Delegation of the Minister's functions under Section 59 of the *Environmental Planning and Assessment Act 1979*. The documentation will be forwarded to the Office of Parliamentary Counsel to draft the amendment to the LEP and seek an Opinion that the plan may be made. A copy of the request will be forwarded to the Department of Planning and Environment – Western Region. Following the receipt of the Opinion the amendment will be sent to the Minister to be published.

In accordance with Gateway Determination Condition 2, the Planning Proposal was placed on public exhibition commencing Friday 11 August 2017 inviting written submissions by Friday 25 August 2017. Adjoining or potentially affected landowners were notified of the exhibition period. No submissions were received.

Community Plan implications

Theme	Looking After Our Community
Goal	Vibrant towns and villages
Strategy	Make available diverse, sustainable, adaptable and affordable housing options through effective land use planning

Strategic implications

Council Strategies

The Planning Proposal is consistent with the Mid-Western Regional Comprehensive Land Use Strategy Part C – Strategy, August 2010.

Council Policies

Not Applicable.

Legislation

The Planning Proposal has been considered in accordance with Division 4 Local Environmental Plans of the *Environmental Planning and Assessment Act 1979* and the Mid-Western Regional Local Environmental Plan 2012.

Financial implications

Not Applicable

Associated Risks

Not Applicable

SARAH ARMSTRONG
MANAGER, STRATEGIC PLANNING

JULIE ROBERTSON
DIRECTOR DEVELOPMENT

22 August 2017

Attachments: 1. Planning Proposal. (separately attached)
2. Gateway Determination. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

8.2 DA0305/2017 - Extension to Winning Post Motel & Change of Use of Dwelling to Serviced Apartment - 101 - 105 Church Street & 58 Denison Street , Mudgee

REPORT BY THE SENIOR TOWN PLANNER
TO 20 SEPTEMBER 2017 ORDINARY MEETING
GOV400064, da0305/2017

RECOMMENDATION

That Council:

1. receive the report by the Senior Town Planner on the DA0305/2017 - Extension to Winning Post Motel & Change of use of dwelling to serviced apartment - 101 - 105 Church Street & 58 Denison Street , Mudgee ; and
2. approve DA0305/2017 - Extension to Winning Post Motel & Change of use of dwelling to serviced apartment - 101 - 105 Church Street & 58 Denison Street , Mudgee subject to the following conditions:

APPROVED PLANS

1. The development is to be carried out in accordance with the following plans endorsed with Council's Stamp as well as the documentation listed below, except as varied by the conditions listed herein and/or any plan notations.

Title / Name:	Drawing No / Document Ref	Revision / Issue:	Date:	Prepared by:
Site Plan	Project 101.16 Dwg 1	C	04/08/2017	Preferred Design & Drafting
Landscape Plan	Project 101.16 Dwg 3	C	04/08/2017	Preferred Design & Drafting
Ground Floor Plan	Project 101.16 Dwg 5	C	04/08/2017	Preferred Design & Drafting
First Floor Plan	Project 101.16 Dwg 7	C	04/08/2017	Preferred Design & Drafting
Elevations	Project 101.16 Dwg 8	C	04/08/2017	Preferred Design & Drafting
Sections	Project 101.16 Dwg 9	C	04/08/2017	Preferred Design & Drafting
Floor Plan (Serviced Apartment)	Project 101.16 Dwg 11	B	09/05/2017	Preferred Design & Drafting

PRIOR TO ISSUE OF THE CONSTRUCTION CERTIFICATE BUILDING

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

2. A detailed landscape plan prepared by a suitably qualified landscape architect, prepared generally in accordance with the approved Landscaping Plan, is to be

prepared and lodged with Council for approval prior to the issue of a Construction Certificate. The landscape plan is to further detail planting within the development site and confirm suitability of each species for the climate and their intended purpose.

The landscape plan is to include a 5 year maintenance schedule to ensure optimum growth and survival. The landscaping is to be established prior to the issue of an interim Occupation Certificate for any of the buildings and is to be maintained in perpetuity.

3. Acoustic fencing must be provided between the new car park area and any adjacent residential boundary. Details of the acoustic fencing is to be lodged with Council for approval prior to the issue of a Construction Certificate. The fencing is to be certified by a suitably qualified acoustic engineer demonstrating that vehicle noise is minimised to an appropriate level.

The fencing is to be erected at the full cost of the developer and prior to the issue of an interim Occupation 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.
6. A site supervisor is to be nominated by the applicant prior to issue of the Construction Certificate.
7. Prior to release of the Construction Certificate, approval pursuant to Section 68 of the *Local Government Act 1993* to carry out water supply, stormwater and sewerage works is to be obtained from Mid-Western Regional Council.
8. The applicant is to submit a Drainage Report to address Stormwater Management on the site in accordance with Section 5.3 of the Development Control Plan to the Principal Certifying Authority for approval prior to the release of the Construction Certificate. The report must demonstrate that stormwater runoff from the site is not increased beyond the existing undeveloped state and that post development pollution reduction targets are met up to and including a 10% Annual Exceedance Probability (AEP). All storm water detention details including analysis shall be included with the drainage report.

Note: this report only needs to address the increase hardstand area provided within Lot B DP70326.

9. An application for a Compliance Certificate under the *Water Management Act 2000* is to be submitted to Council as the Water Supply Authority and approved prior to the issue of construction certificate.

Note: This will include the payment of Section 64 developer contributions.

10. All earthworks, filling, building, driveways or other works, are to be designed and constructed (including stormwater drainage if necessary) so that at no time will any ponding of stormwater occur on adjoining land as a result of this development.

PRIOR TO THE COMMENCEMENT OF WORKS – BUILDING

11. No work shall commence until a Construction Certificate has been issued and the
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applicant has notified Council of:

- the appointment of a Principal Certifying Authority; and
- the date on which work will commence.

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

12. A sign must be erected in a prominent position on any work site on which the erection or demolition of a building is carried out:
 - a. stating that unauthorised entry to the work site is prohibited;
 - 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; and
 - d. The sign shall be removed when the erection or demolition of the building has been completed.

13. The development site is to be managed for the entirety of work in the following manner:
 - 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;
 - Appropriate dust control measures;
 - Construction equipment and materials shall be contained wholly within the site unless approval to use the road reserve has been obtained; and
 - 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.

14. Prior to the commencement of works on site, the applicant shall advise Council's Operations Department, in writing, of any existing damage to Council property.

BUILDING CONSTRUCTION

15. 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.

 16. All plumbing and drainage work must be carried out by a licensed plumber and drainer and must comply with the Plumbing Code of Australia.

 17. 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.

 18. All mandatory inspections required by the *Environmental Planning & Assessment Act 1979* and any other inspections deemed necessary by the Principal Certifying Authority being carried out during the relevant stage of construction.

 19. Structural members subject to attack by subterranean termites shall be protected by
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one of the methods outlined in AS 3660.1 and a durable notice must be permanently fixed to the building in a prominent location, such as a meter box or the like, indicating:

- a. the method of protection; and
- b. the date of installation of the system; and
- c. where a chemical barrier is used, its life expectancy as listed on the National Registration Authority label; and
- d. the need to maintain and inspect the system on a regular basis.

20. The strength of the concrete used for the reinforced concrete floor slab must be 25Mpa.
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*.
22. 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

PRIOR TO ISSUE OF THE OCCUPATION CERTIFICATE

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

23. 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.
24. 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.
25. Smoke alarms and evacuation lighting are to be installed throughout the serviced apartment in accordance with the provisions of Clause 3.7.2.4 and 3.7.2.5 of Volume 2 of Building Code Australia 2017, and AS 3786.
26. A total of 64 car parking spaces are to be provided within the site of the development and comply with AS 2890.1: 2004 and the following requirements:
 - (a) Each parking space is to have minimum dimensions of 5.5m x 2.4m;
 - (b) Each disabled car parking space is to be in accordance with the provisions of AS 2890.6: 2009.
 - (c) All car parking spaces are to be line-marked and provided with a hard standing, all weather compacted gravel surface and must be maintained in a satisfactory condition at all times;
 - (d) Off street parking is to be encouraged by the placement of prominent signs

indicating the availability of parking.

27. The aisle widths, internal circulation, ramp widths and grades of the car park are to generally conform to the Roads and Maritime Services (RMS) guidelines and Australian Standard AS 2890.1 – 1993. Details of compliance are to be shown on the relevant plans and specifications.
28. Lot 1 DP 804483 and Lot B DP 70326 are to be consolidated prior to the issue of an Occupation Certificate.

GENERAL

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

29. 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 an Annual Fire Safety Statement Certifying that each specified fire safety measure is capable of performing to its specification.
30. 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.
31. 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”.
32. A separate development application for any proposed signs must be submitted for the approval of Council, prior to the erection or display of any such signs. This does not apply to signs which are classified as being “Exempt Development”.
33. In accordance with the provisions of Section 94A of the *Environmental Planning and Assessment Act 1979* and the Mid-Western Regional Council Section 94A Development Contributions Plan (the Section 94A Plan), a levy based on the value of works shall be paid to Council in accordance with this condition for the purpose of public facilities, prior to issue of a Construction Certificate.

The value of works is to be calculated in accordance with Section 9.0 and the procedure outlined in Appendix 1 of the Section 94A Plan. A report regarding value of works and any necessary certification is to be submitted to Council. Council will calculate and advise of the final levy amount following submission of the documents.

Note – the levy amount will be adjusted by the Consumer Price Index, if not paid in the same financial year it was calculated. An indicative contribution amount, based on a construction value of \$1.4m, and a 1% developer levy is \$14,000.

34. Access to the self-contained cottage within 58 Denison Street is to be restricted to one way traffic with entry being from Denison Street.
 35. The domestic air conditioning unit/s must be operated in accordance with the requirements of the *Protection of the Environmental Operations Act (Noise Control)*
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Regulations 2000.

36. All loading and unloading in connection with the premises shall be carried out wholly within the site.
37. Garbage areas are to be adequately screened from public view with an opaque fence and / or adequate landscaping.

Executive summary

OWNER/S	Onslow Dowker Pty Ltd
APPLICANT:	Gregory Dowker
PROPERTY DESCRIPTION	Lot 1 DP 804483 & Lot B DP70326
PROPOSED DEVELOPMENT	Motel Extension and change of use (dwelling to serviced apartment)
ESTIMATED COST OF DEVELOPMENT:	\$1,397,000
REASON FOR REPORTING TO COUNCIL:	Number of submissions >6
PUBLIC SUBMISSIONS:	12

Council has received a development application for a two storey extension to the Winning Post Motel (101 – 105 Church Street, Mudgee) and a change of use for the existing dwelling (a heritage listed item) at 58 Denison Street, Mudgee to a serviced apartment.

The proposal includes a two storey building located in the north-eastern portion of the site accommodating an extra 16 motel rooms, re-configured parking in the north-eastern portion of the site, demolition of several ancillary shed structures and trees and use of the heritage cottage for the purposes of a serviced apartment in conjunction with the rest of the motel.

The application was advertised and notified to adjoining neighbours in accordance with Council DCP, with a total of 12 submissions received during the advertising period, ending 7 July 2017. The submissions are addressed further in this report.

The application has been amended since the original proposal with the location of the eastern stairwell relocated slightly to the west and the relocation of a proposed parking space to behind the Denison Street Cottage. The changes were not considered to generate any further significant impacts upon surrounding properties and re-notification of the proposal was not considered necessary.

The application is fully compliant with Council's controls and accordingly is recommended for approval subject to conditions.

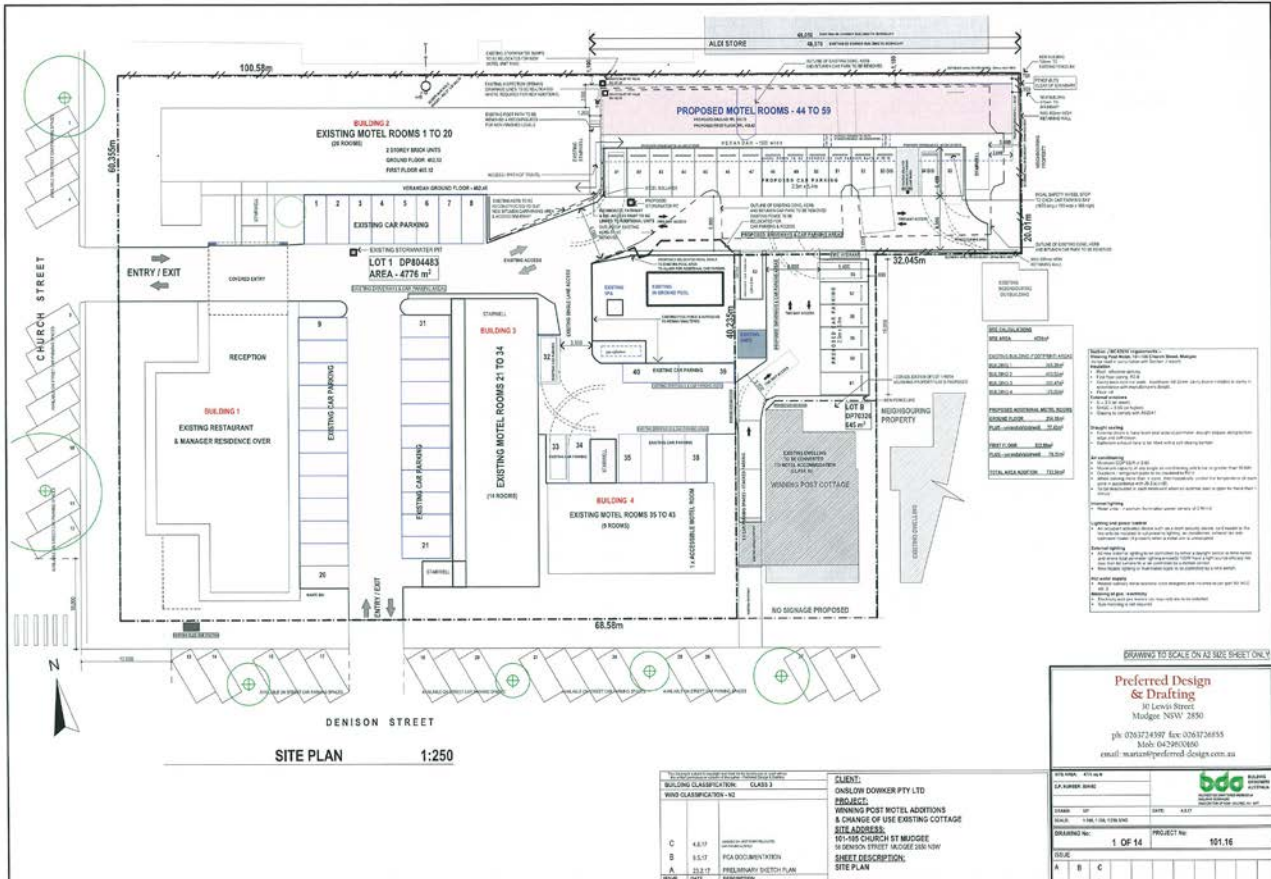


Figure 1: Site Plan

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.

S79C(1)(a) REQUIREMENTS OF REGULATIONS AND POLICIES

(i) Do any environmental planning instruments (SEPP, REP or LEP) apply to the land to which the Development Application relates?

State Environmental Planning Policy No 55- Remediation of Land

A site inspection and a search of Council’s records did not reveal any potentially contaminating activities upon the site. Accordingly, no further consideration is necessary.

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

This Policy was gazetted 25 August 2017 and has been considered in the assessment of the subject application.

Authority to clear vegetation under this Policy is not required. The vegetation to be removed is not declared by a Development Control Plan to be vegetation that Part 3 applies, and the vegetation to be removed does not exceed the biodiversity offsets scheme thresholds.

Mid-Western Regional Local Environmental Plan 2012 (MWRLEP 2012)

Clause 1.4 Definitions

The proposal is defined in accordance with the MWRLEP 2012 as:

hotel or motel accommodation means a building or place (whether or not licensed premises under the [Liquor Act 2007](#)) that provides temporary or short-term accommodation on a commercial basis and that:

- (a) comprises rooms or self-contained suites, and
- (b) may provide meals to guests or the general public and facilities for the parking of guests' vehicles,

but does not include backpackers' accommodation, a boarding house, bed and breakfast accommodation or farm stay accommodation.

And:

serviced apartment means a building (or part of a building) providing self-contained accommodation to tourists or visitors on a commercial basis and that is regularly serviced or cleaned by the owner or manager of the building or part of the building or the owner's or manager's agents.

Clause Part 2.3 Zone objectives and Land Use Table

The land is zoned B3 Commercial Core pursuant to MWRLEP 2012. The proposal being a *hotel or motel accommodation* and *serviced apartment* is permissible with consent in the zone. The objectives of the zone and how the proposal satisfies the objectives is addressed below:

B3 Commercial Core

- To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.

Comment: The proposal contributes to the range of land uses available within the downtown area.

- To encourage appropriate employment opportunities in accessible locations.

Comment: The proposal will provide for additional employment opportunities in the downtown area.

- To maximise public transport patronage and encourage walking and cycling.

Comment: The proposal adds to the consolidation of commercial enterprises in the downtown area, which is expected to encourage walking and cycling and the use of public transport to a central location.

- To promote the central business district of Mudgee as the major focus for retail and commercial activity in Mid-Western Regional.

Comment: The proposal will not detract in the promotion of the central business district of Mudgee being the major focus of commercial activity.

- To consolidate business development in the Mudgee town centre and avoid unnecessary or inappropriate expansion of business-related land uses into surrounding residential neighbourhoods.

Comment: The development proposes the expansion of an existing Motel development, and accordingly will not impact business development in the Mudgee town centre, nor result in expansion of business-related land-uses into surrounding residential neighbourhoods.

- To ensure that new development is compatible with the historic architectural character and streetscapes of the Mudgee commercial core area.

Comment: The proposed works are inoffensive with regards to the heritage streetscape in the immediate vicinity. Refer to comments under clause 5.10 below.

- To ensure that the form and layout of new development is designed to encourage free pedestrian movement and connectivity within the commercial core.

Comment: The proposal provides for the continued free pedestrian movement throughout the CBD.

Clause 2.7 Demolition requires development consent

The proposal involves demolition of ancillary sheds, which has been considered as part of the application.

Clause 4.3 Height of buildings

The subject site is mapped for a maximum height limit of 8.5m above existing ground level. The development is proposed at a height of 7.25 m and therefore complies.

Clause 4.6 Exceptions to development standards

No development standards contained within the MWRLEP 2012 are proposed to be varied.

Clause 5.3 Development near zone boundaries

The proposed serviced apartment is reliant upon this clause as it would otherwise not be allowed due to the restrictions imposed by the Active Street Frontage clause (6.7) – which requires the ground floor of a building facing the street to be used for the purposes of a *business or retail premises*. This clause is further discussed below.

The objective of clause 5.3 is to provide flexibility where the investigation of a site and its surroundings reveals that a use allowed on the other side of a zone boundary would enable a more logical and appropriate development of the site and be compatible with the planning objectives and land uses for the adjoining zone.

The serviced apartment sits entirely within the relevant distance (50m) of the zone boundary between the B3 Commercial Core and R3 Medium Density Residential zones. Accordingly, Council may consent to a use other than those restricted uses imposed by the Active Street Frontage clause (business and retail premises), but only if it is satisfied that:

- (a) The development is not inconsistent with the objectives for development in both zones,

Comment: A serviced apartment is permissible with consent in both zones and is a use that satisfies the objectives of both zones.

- (b) The carrying out of the development is desirable due to compatible land use planning, infrastructure capacity and other planning principles relating to the efficient and timely development of the land.

Comment: The use of this clause is being utilised to waive the need to comply with the Active Street Frontage clause. The location of the site is not generally considered to be a suitable location for enforcing purely a retail or business premises as defined under the MWRLEP 2012. Accordingly, the proposal is considered desirable given the surrounding compatible land uses and the context of the land use zones out on the fringe of the B3 Commercial zone.

Clause 5.9 Preservation of trees or vegetation & Clause 5.9AA Trees or vegetation not prescribed by Development Control Plan (DCP)

Clause 5.9 and 5.9AA were repealed 25 August 2017 – by the State Government. Notwithstanding this, as the application was lodged prior to this date the transitional provisions apply, and the proposal has been considered under these clauses.

Clause 5.9 only applies to species or kinds of trees or other vegetation that are prescribed for the purpose of this clause by a DCP made by Council. As the trees to be removed are not prescribed in Council's DCP, this clause is not applicable. Furthermore, pursuant to Clause 5.9AA (2) as the trees or vegetation are not prescribed by Council's DCP, they can be removed without development consent.

Clause 5.10 Heritage Conservation

As the proposal includes the removal of trees, and works involving a heritage item, within a Heritage Conservation Area, consideration must be given to the relevant heritage significance in accordance with clause 5.10(4).

Council's Heritage Consultant has reviewed the proposal and provided the following relevant comments:

Impact on the Conservation Area and nearby heritage items

The design of the new block sensibly imitates the existing inoffensive buildings. It will be well back from the street alignment. It will have a negligible impact on the streetscape, and therefore on the significance of the Conservation Area. It will similarly have no impact on the significance of the nearby heritage items. The shed proposed to be demolished is modern and its demolition is acceptable.

Impact on the listed cottage

No changes are proposed to the cottage itself. It is understood that no fire or access issues will arise at CC stage. Therefore there will be no impact. The demolition of the back fence and the new paving are acceptable.

The removal of several trees and shrubs at the rear of the site is also considered acceptable in the context of Clause 5.10(4). Council's Heritage Advisor has not raised any objection to the removal of the vegetation, the trees are not explicitly protected/prescribed as significant trees under Council's DCP, the trees are not within a dominant street frontage area, and the trees are generally located in a footprint area where development is reasonably expected to occur.

Based on the above the proposal is considered to satisfy the provisions of this clause and is an acceptable inoffensive development in the context of the location.

Clause 6.1 Salinity

The proposal only involves minimal earthworks and is not expected to significantly affect the process of salinisation.

Additionally, as the proposal involves a concrete slab, a **condition** of consent has been included requiring the slab to be designed appropriately to minimise the impacts of salts in the ground on the building.

Clause 6.2 Flood planning

The subject site is not identified as being within the flood planning area in accordance with Council's maps and the Floodplain Study and Management Plan. No further consideration is necessary.

Clause 6.3 Earthworks

The proposal involves only minor earthworks to prepare the site for the development. The works are not expected to generate any significant impacts as listed in clause 6.3(3). **Conditions** of consent have been included to ensure any earthworks related activities are carried out appropriately and minimise impacts upon neighbouring properties.

Clause 6.4 Groundwater vulnerability

The site is identified as groundwater vulnerable in accordance with Council's mapping. The proposed development does not involve extensive earthworks and is not expected to result in any significant impact upon groundwater dependable ecosystems.

Clause 6.5 Terrestrial biodiversity

The proposal is not located in any area identified as 'Moderate or High Biodiversity Sensitivity'.

Clause 6.7 Active street frontages

The subject site is located within the area mapped as 'Active street frontage' pursuant to the MWRLEP 2012. As addressed above, the use of the cottage for a serviced apartment does not satisfy the provisions of this clause as a serviced apartment is not a *business* or *retail premises* as defined within the LEP. However, the use of Clause 5.3 allows development that *would otherwise not be allowed* subject to satisfying the provisions of that clause - discussed above.

The two storey motel addition does not involve the erection of a building that faces the street. Accordingly, the extension does not require consideration under this clause.

Clause 6.8 Airspace operations – Mudgee Airport

The proposal does not penetrate the Airport OLS.

Clause 6.9 Essential Services

All essential services are available. That is, the site is already connected to water, electricity, sewer, stormwater and benefits from a suitable road access.

Clause 6.10 Visually sensitive land near Mudgee

The land is not located within the area identified within the visually sensitive land map.

(ii) Draft environmental planning instruments (EPI)

No draft environmental planning instruments apply to the land to which the Development Application relates.

*(iii) Any development control plans,***Mid-Western Regional Development Control Plan 2013 (MWRDCP 2013)**

An assessment is made of the relevant chapters and sections of this DCP. Those chapters or sections not discussed here were considered not specifically applicable to this application or are discussed elsewhere in this report.

Part 4.5 Commercial Development

BUILDING SETBACKS	COMMENT / COMPLIES
Building setback from the street <ul style="list-style-type: none"> o No minimum 	Yes
Side and rear setbacks must comply with BCA	To be conditioned.
SIGNAGE	
Signage complies with relevant provisions in section 4.4 DCP 2013	N/A – no signage proposed.
DESIGN	
Buildings interact with the street	N/A. Proposed building works are located at the rear of the site. The interaction of the proposed serviced apartment with the street will remain virtually unaltered – relative to the existing residence.
On active street frontages ground level of building used for business or retail premises.	N/A as discussed above.
Building facades are articulated by <ul style="list-style-type: none"> o use of colour o arrangement of elements or o varying materials 	The building is not located within a primary street frontage area. However, those parts of the building that face towards the residential area have been provided with articulation through steps in the façade, windows and balconies.
Heritage inclusions	As discussed earlier in this report.
External plant to be screened from public road	The plant is located along the northern façade, which is considerably setback from view from Church Street.
Development on a corner <ul style="list-style-type: none"> o Includes architectural features to address both streets. 	N/A
Landscape buffers to other zones	The proposal was amended during assessment to allow for more landscaping in the eastern portion of the site where the development adjoins the R3 residential zone. A condition has been recommended requiring the lodgement of a

	landscape plan prior to issue of construction certificate with the inclusion of suitable species and a maintenance schedule.
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SCALE FORM AND HEIGHT

Complies with LEP height controls <ul style="list-style-type: none"> o 8.5m maximum height 	Yes.
Consistent with existing heritage character of the town centres of Gulgong, Mudgee and Rylstone	Yes. Refer to Heritage Consultant comments above.

MORTIMER & CHURCH STREET MUDGEE

Maintain the streetscape established in Church Street between Market and Mortimer Streets <ul style="list-style-type: none"> o Zero front and side setbacks o Double storey pattern 	N/A
Provides variance particularly on upper floor levels, every 20-25m.	N/A

ARTICULATION AND FACADE COMPOSITION

Breaks visual bulk with fenestration or change in materials etc.	Those elements of the proposal facing towards Denison Street and adjoining residential area have been provided with sufficient articulation as discussed previously in this report.
No excessive blank walls in front facade	Yes.
Where blank walls are proposed (side or rear) minimise impacts with <ul style="list-style-type: none"> o Landscaping o Patterning of facade o Signage o Public art 	Landscaping is proposed to the eastern facade whilst a rendered finish will provide texture to the northern facade sufficient for the distance of the setback of this facade to Church Street.

RESIDENTIAL-COMMERCIAL INTERFACE

Landscape buffer to residential boundaries	As discussed the proposal includes sufficient landscaping along the residential boundaries where necessary.
Ground and first floor do not overlook residential properties	The first floor of the proposal has the potential for overlooking of properties to the south and east. However, several design features have been incorporated to reduce these impacts including landscaping, privacy screens and the minimal balcony width to ensure the area is used primarily for access to the rooms and not for gathering.
Maintain acoustic privacy through the use of acoustic fencing where vehicles movements adjoin property boundaries	The proposal includes parking/manoeuvring areas adjoining 56 Denison Street – to the north and east. Accordingly, a condition has been recommended requiring the erection of a new acoustic fence where the new

	parking and manoeuvring areas adjoin residential land – to be certified by a qualified acoustic engineer.
Reduce visual bulk by locating buildings and structures away from residential boundaries, or where buildings are located along residential boundaries ensure sufficient landscaping is provided.	Sufficient landscaping provided as discussed above.
Development does not reduce sunlight available to north facing windows of living areas, private open space or clothes drying areas of adjoining properties to less than 3 hours between 9am and 3pm at winter solstice.	Yes. Shadow diagrams indicate minimal overshadowing.
UTILITIES AND SERVICES	
Building and structures located clear of infrastructure	Yes
Able to be serviced by <ul style="list-style-type: none"> o Water o Sewer o Waste disposal 	Yes
Trade waste application required?	N/A
TRAFFIC AND ACCESS	
All vehicles must be able to enter and exit the site in a forward direction	Yes
All vehicle movement paths are sealed	Yes. Condition recommended.
Driveways comply with Australian Standard AS 2890.1	Yes. Condition recommended.
Parking Facilities	
All loading facilities located within the site	Yes
All loading facilities designed to comply with Australian Standards	Ongoing deliveries only generally required for smaller vehicles. Sufficient area within carpark for temporary loading activities. A condition has been recommended restricting loading and unloading to within the site only.
Application addresses traffic flow and safety issues e.g. pedestrian, car and truck movements.	Yes. Council's Development Engineer has reviewed the proposal and raised no objection.
PEDESTRIAN ACCESS	
Maintain existing covered pedestrian access within town centres	N/A
Convenient and safe access through parking areas	Yes. Access to site from on-street parking areas available.
Convenient and safe disabled access through parking areas, focus on improving links with existing retail.	Links to other sites not altered.
PARKING	
Specific Parking Provisions addressed below – Part 5.1	Complies.
LANDSCAPING	
Landscaped areas in car parks should be provided incorporating the use of canopy trees and buffer planting to residential boundaries.	Landscaping provided. Residential boundaries will utilise fencing in this instance as all parking is located at rear of site.
Landscaping to comprise low maintenance, drought and frost resistant species.	Yes. Condition of consent.

4.7 Tree Preservation Order

Not Applicable - No trees on site are of a species or kind of trees or other vegetation covered by Part 4.7.

5.1 Car Parking

The applicant has provided a review of parking for the overall site to determine compliance of the development as a whole. The following table provides a breakdown of the proposal and the number of spaces required:

Use	Car parking demand
Managers residence	2
Motel Units – 60 in total	60
2 spaces per 3 employees	4
50 seat restaurant	17
Total	83

A total of 64 parking spaces are provided on site.

The applicant is also relying upon frontage credits, being those spaces directly located out the front of the property. This allowance is provided for in the DCP for commercial development. The frontage credits available to the development is 29 spaces. Accordingly, the proposal has access to 93 spaces, which exceeds the demand by 10 spaces.

The provision of parking is considered adequate and complying.

5.3 Stormwater Management

Council's Development Engineer has provided comments and conditions concerning adequate disposal of stormwater. The extended hard stand area within the rear area of the serviced apartment will be required to address the detention provisions of the DCP. A **condition** of consent has been recommended to this effect.

5.4 Environmental Controls

All the relevant considerations have been discussed elsewhere in this report or dealt with through conditions of consent.

Mid-Western Regional Development Contributions Plan 2005 - 2021

Pursuant to Council's Section 94A Development Contributions Plan 2005 – 2021, the site is located within Catchment 1 , and with a proposed cost of development totalling \$1,400,000 (approximate) a levy of 1.0% is payable to Council (\$14,000). An appropriate condition has been imposed requiring payment of the contribution.

(iv) Any Matters Prescribed by the Regulations

Clauses 93(2) & (3) of the *Environmental Planning and Assessment Regulation 2000* requires Council to consider fire safety measures and structural capacity when assessing a development application for change of use where no alterations or extensions to the building are proposed. The proposal is seeking a change of use with no alterations or extensions to the building, accordingly, Council's Health & Building Surveyor has recommended that the existing premises must have smoke alarms and evacuation lighting installed as required by the provision of clause 3.7.2.4 and 3.7.2.5 Volume 2 of the BCA.

Appropriate conditions have been imposed.

S79C(1)(b) LIKELY IMPACTS OF THE DEVELOPMENT, INCLUDING ENVIRONMENTAL IMPACTS ON BOTH THE NATURAL AND BUILT ENVIRONMENTS, AND SOCIAL AND ECONOMIC IMPACTS IN THE LOCALITY

Context and Setting

As discussed throughout this report the proposal is suitable with regards to the commercial context and has provided for additional components to also minimise impacts upon the adjacent residential setting.

Access, transport and traffic

Compliant as discussed throughout the report.

Public domain

The impacts of the proposal on the streetscape with regards to heritage have been discussed elsewhere and considered suitable.

Utilities

Available.

Heritage

Previously discussed elsewhere in this report – and addressed by Council's Heritage Advisor.

Other land resources

N/A

Water

Stormwater to be discharged in accordance with MWRDCP 2013.

Soils

Nil impact expected.

Air and Microclimate

Nil impact expected.

Flora & fauna

Minimal impact expected.

Waste

No change in waste services.

Energy

Part J assessment to be undertaken with the preparation of Construction Certificate documentation.

Noise & vibration

Minimal impact expected subject to compliance with recommended conditions.

Natural Hazards

Nil

Technological hazards

Nil

Safety, security and crime prevention

Increased passive surveillance as a result of the proposed development.

Social impact in the locality

Generally positive.

Economic impact in the locality

Generally positive given the shortage of tourist accommodation available particularly during peak tourism months and for major event weekends.

Site design and internal design

Suitable as discussed throughout the report.

Construction

To comply with the BCA.

Cumulative Impacts

No significant cumulative impact expected.

S79C(1)(C) SUITABILITY OF SITE FOR DEVELOPMENT

Does the proposal fit in the locality

Yes. There are no hazardous land uses or activities nearby, there are no constraints posed by adjacent developments and there are adequate utilities and transport facilities in the area available for the development. The proposal complies with the expectations of the commercial zone whilst addressing the adjacent residential locality.

Are the site attributes conducive to development

Yes. The site is not subjected to any natural hazards, and the project will not impact any critical habitat, threatened species, populations, ecological communities or endangered habitats on the site.

S79C(1)(d) SUBMISSIONS MADE IN ACCORDANCE WITH ACT OR REGULATIONS

Public Submissions

The application was notified and advertised in accordance with MWRDCP 2013. During the notification period, ending 7 July 2017 a total of 12 submissions were received. The general concerns raised and how the proposal relates to those concerns is discussed below:

Heritage impacts

Concerns were raised regarding the impact of the proposal, in particular the motel extension, upon the heritage dwellings within the locality and the Heritage Conservation Area.

Comment: Council's Heritage Consultant has reviewed the proposal and not raised any concerns. The view of the proposal from the streetscape is of importance with regards to the Heritage Conservation Area. The building is setback approximately 45m from the Denison Street frontage and is not expected to significantly dominant the streetscape.

Privacy

Concerns were raised regarding privacy between the first floor of the motel extension and dwellings in the adjacent area.

Comment: The proposal includes a combination of privacy screens (refer to southern elevation plan) and a minimal balcony width to assist in ensuring it is used for access to units only and not for gathering. This is considered adequate in reducing privacy impacts to a minimal level.

Traffic

Concerns were raised regarding the extra traffic.

Comment: The increased traffic as a result of the proposal is generally acceptable for the B3 Commercial Core zone. It should be noted that the driveway for the serviced apartment is to also act as stacked parking ensuring vehicles continue to exit the site at the existing motel driveway on Church and Denison Streets.

Noise

Concerns were raised regarding the extra noise from the vehicles and also the motel in general.

Comment: With regards to traffic noise a **condition** of consent has been recommended requiring the erection of an acoustic fence between the carpark and any adjoining residential properties in accordance with MWRDCP 2013. The fence is to be fully paid for by the developer. Any concerns around the fence colour etc. must be dealt with through the *Dividing Fences Act 1991*.

With regards to general noise, there is expected to be minimal increase in noise for what is expected from development within the B3 Commercial Core zone. However, measures have been proposed as discussed above to minimise the use of any external first floor areas.

Landscaping

Concerns were raised regarding the lack of landscaping incorporated into the design.

Comment: During assessment of the application the applicant was requested to further investigate the potential for more landscaping. Subsequently, amended plans were lodged shifting the eastern stairwell to provide for more landscaping in a critical part of the site. Furthermore, appropriate landscaping has been proposed along the eastern boundary and other parts of the site as required in the MWRDPC 2013 controls.

Damage to fencing from carpark area

Concerns were raised that boundary fencing could be damaged from vehicle movements associated with the motel.

Comment: Wheel stops have been proposed to assist drivers with parking. Furthermore, a negligent act resulting in fence damage and costs is to be resolved under the *Dividing Fences Act 1991*, which does not require consideration under this Development Application.

Stormwater

Concerns were raised regarding the potential for stormwater discharge onto adjoining properties.

Comment: Standard **conditions** of consent have been recommended requiring that all stormwater is discharged appropriately to Council's stormwater network and not adjoining land.

Overshadowing

Concerns were raised over the level of overshadowing as a result of the two storey development.

Comment: Shadow diagrams were lodged with the application demonstrating minimal overshadowing, compliant with MWRDCP 2013. Refer to Drawing 12 of 14 - Shadow Diagram – Mid Summer Mid-Winter.

LPG tank

Concerns were raised regarding the indicative location of a second LPG tank on the site.

Comment: The application has been amended removing reference to the LPG tank and the area has been converted to landscaped area. Any future proposal for a LPG tank will require the lodgement of a Development Application for consideration.

Lighting

Concerns were raised about the potential for obtrusive lighting.

Comment: A standard **condition** has been recommended ensuring that any lighting comply with AS4282 "Control of the Obtrusive Effects of Outdoor Lighting".

Construction noise

Concerns were raised regarding the effects of noise from construction.

Comment: A standard **condition** has been recommended controlling the construction hours and days in accordance with standard practice. Compliance is the responsibility of the Principal Certifying Authority.

Signage

Concerns were raised about future signage.

Comment: Any signage will be the subject of a separate Development Application unless otherwise exempt.

Driveway width of the existing Denison Street cottage driveway

Concern was raised that the proposed driveway does not comply.

Comment: Council's Development Engineer has given support to the proposal indicating that the driveway is compliant.

Submissions from public authorities

No submissions were sought or received from public authorities.

S79C (1)(e) THE PUBLIC INTEREST

Federal, State and local government interests and community interests

No significant issues, outside of what has already been discussed, are expected as a result of the proposed development.

CONSULTATIONS

Health & Building

No objection raised. Conditions have been recommended and imposed.

Development Engineer

No objection raised. Conditions have been recommended and imposed.

Heritage Advisor

No objection raised. Refer to previous comments.

Community Plan implications

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

Strategic implications

Council Strategies & Plans

Mid-Western Regional Local Environmental Plan 2012
Mid-Western Regional Development Control Plan 2013
Mid-Western Regional Development Contributions Plan 2005 – 2021
Mid-Western Regional Development Servicing Plan

Council Policies

Not applicable

Legislation

Environmental Planning & Assessment Act 1979

Financial implications

The applicant will be required to pay Section 64 and Section 94A developer contributions.

Associated Risks

The recommendation of staff is to approve the development subject to conditions provided above. Should Council refuse the Development Application, the applicant may seek a further review of this decision or appeal through the Land and Environment Court.

DREW ROBERTS
SENIOR TOWNPLANNER

JULIE ROBERTSON
DIRECTOR DEVELOPMENT

BRAD CAM
GENERAL MANAGER

24 August 2017

Attachments: 1. Plans. (separately attached)
2. Submissions. (separately attached)
3. Statement of Environmental Effects. (separately attached)

APPROVED FOR SUBMISSION:

LINDSAY DUNSTAN
MANAGER, STATUTORY PLANNING

8.3 Tesla Destination Charger

REPORT BY THE MANAGER ECONOMIC DEVELOPMENT
TO 20 SEPTEMBER 2017 ORDINARY MEETING
GOV400064, ECO800023

RECOMMENDATION

That Council:

1. **receive the report by the Manager Economic Development on the Tesla Destination Charger;**
2. **approve the installation of a Tesla Destination Charger at Market Street carpark next to The Stables building; and**
3. **amend the 2017/18 Operational Plan by a net \$1,500, funded from unrestricted cash, as follows:**
 - 3.1 **increase the economic development expenditure budget by \$3,000 for the installation costs; and**
 - 3.2 **increase the economic development income budget by \$1,500 for a rebate from Tesla towards installation.**

Executive summary

Council's 4 Year Delivery Program 2017/21 includes an action to 'Identify opportunities to invest in infrastructure which attracts new business investors to the region'. Tesla has advised that they are willing to support the installation of a Destination Charger in Mudgee, including the provision of charging equipment free-of-charge and a \$1,500 contribution towards installation expenses.

Following a review of potential locations, the recommendation by staff is to install a Tesla Destination Charger in the Market Street Carpark next to the Stables Building, as this meets requirements specified by Tesla and would provide additional traffic to support Mudgee Regional Tourism Inc.

Disclosure of Interest

Nil

Detailed report

Tesla has begun to roll-out Supercharger stations across Australia with 12 currently strategically located across the Eastern Seaboard linking Sydney to Melbourne, also reaching Byron Bay. They are placed approximately 2 hours apart.

Tesla currently plans to roll-out a Supercharger in the Central West in 2017 in Bathurst, following the Great Western Highway. There are currently no plans to roll-out a Supercharger in Mudgee in 2017, however it will possibly be considered in late 2019 or 2020. Supercharger stations fully charge a Tesla vehicle in 2-3 minutes.

Tesla has an alternative charging strategy in place to support current owners in addition to the Supercharger roll-out program. This includes the implementation of Destination Charger Stations. For Destination Charger Stations, Tesla partners with hotels, restaurants, shopping centres and resorts to provide charging when owners arrive at their destination as simple as charging at home. Drivers simply pull up and plug into a Tesla Wall Connector to charge their vehicle while they shop, dine, or during an overnight stay. Charging at these stations takes approximately 2 hours.

There are currently numerous Destination Charger Stations across Australia including two in the Mid-Western Region (at The Zin House and Petersons Winery). Both of these locations advertise the charging stations are available for patrons only.

Tesla has indicated its support for the installation of a Destination Charger Station in Mudgee CBD and will support this through providing the Charging Equipment Free-of-Charge and providing a rebate of up to \$1,500 towards the cost of installation.

The recommended location for a Destination Charger in Mudgee is in the Market Street carpark next to the Stables building as this best meets Tesla's criteria. This criteria includes: vehicle can be parked for minimum 2 hours; sufficient lighting near the charging station; toilet facilities are available; close to amenities to occupy drivers whilst car is charging.

The estimated cost to install and establish the Destination Charger at this location is \$3,000. This includes electrical works, line marking, covering of tap, screening around garbage bins at the rear of the Stables building. As Tesla provide a rebate of \$1,500, the out-of-pocket cost to Council is \$1,500.

The Destination Charger would also involve ongoing costs for Council for the cost of electricity utilised by vehicles charging. It is estimated that the cost would be approximately \$2,000 per annum, based on 50% of all estimated Australian Tesla vehicle owners visiting the Mid-Western Region each year.

There is no requirement for Council to commit to having the Destination Charger in place for a certain period or number of years. Therefore, the recommendation by staff is to trial the Destination Charger for a maximum two year period at which point Council can consider whether it wishes to continue to provide this facility or not.

Community Plan implications

Theme	Building a Strong Local Economy
Goal	A prosperous and diversified economy
Strategy	Support the attraction and retention of a diverse range of businesses and industries

Strategic implications

Council Strategies

The Delivery Program 2016/17 included an action to investigate the opportunity to establish a Tesla Supercharger Station in the Mid-Western Region. This action item has since been rolled into the more broad action of 'identifying opportunities to invest in infrastructure which attracts new business investors to the region'. This project is linked to attracting visitors (ie. Tesla vehicle owners) to the Region and will support Building a Strong Local Economy as a key theme in the Community Plan.

If an additional 500 visitors come to the Mid-Western Region due to the accessibility of a Tesla Destination Charger Station, an additional \$212,000 would be spent in the local economy.

Council Policies

Not Applicable

Legislation

Not Applicable

Financial implications

If Council approves the installation of a Destination Charger in Mudgee, an amendment to the 2017/18 Operational Plan is required to support this decision. The proposed amendment to the 2017/18 Operational Plan is to increase the Economic Development budget by a net amount of \$1,500 for the installation of a Destination Charger to be funded from unrestricted cash.

Council will also be responsible for the cost of the electricity utilised by vehicles charging. It is expected that this amount will be minimal in the first year (ie. 2017/18) due to it being a new location not yet on the radar of Tesla owners. The 2018/19 budget will be increased by \$2,000.

Budget Year	Operating Performance Ratio	Own Source Revenue	Building & Infrastructure Renewal
2017/18	X	-	-
Future Years	X	-	-

Associated Risks

There are minimal risks associated with this project due to the low establishment costs. Council has the ability to stop this service at any point in time, if it is no longer considered appropriate. The recommendation of staff is to review the service in two years.

ALINA AZAR
MANAGER ECONOMIC DEVELOPMENT

JULIE ROBERTSON
DIRECTOR DEVELOPMENT

28 August 2017

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

8.4 Events Assistance Funding Requests

REPORT BY THE EVENTS COORDINATOR
TO 20 SEPTEMBER 2017 ORDINARY MEETING
GOV400064, ECO800009; FIN300052

RECOMMENDATION

That Council:

1. **receive the report by the Events Coordinator on the Events Assistance Funding Requests;**
2. **provide \$2,500 of in-kind events assistance to Mudgee Gulgong Wolves FC for the hire of Glen Willow Regional Sporting Complex; and**
3. **provide \$875 of in-kind events assistance to Mudgee Junior Rugby League for the hire of Glen Willow Regional Sports Stadium.**

Executive summary

This report considers two applications for events assistance. These applications were not received as part of the second round of events assistance which was open earlier this year, but relate to events held in September 2017.

The first is from Mudgee Gulgong Wolves FC for the Football NSW U12 Boys & Girls, U14 Girls and U16 Girls State Titles at Glen Willow Regional Sporting Complex from 25 to 29 September 2017.

The second is from Mudgee Junior Rugby League for the annual Mudgee Junior Rugby League v Rouse Hill Rhinos fixture which was held on 16 September 2017.

Disclosure of Interest

Nil.

Detailed report

Council's Events Assistance Program is designed to assist local community events which benefit the local economy and attract visitors to the Mid-Western Region. A maximum of \$2,500 per event per year is recommended. Under this program, the highest priority should be for events which:

- Attract the largest number of visitors to the Region
- Extend the duration of visitation to the Region (i.e. occur over a number of days)

Football NSW State Titles

The Football NSW U12 Boys & Girls, U14 Girls and U16 Girls State Titles is a five day event attracting approximately 2,500 people from across the state, injecting over \$1 million to the local economy.

Mudgee Gulgong Wolves FC has requested the waiving of ground hire fees for the exclusive use of the Glen Willow Regional Sports Complex for this event, including:

- Fields 2 to 6 for 9 x days at a cost of \$5,645.46 excluding GST.
- Field 1 Main Stadium for 5 x days at a cost of \$4,375.00 excluding GST.

The total ground hire fee for the exclusive use of all Glen Willow fields based on the above is \$10,020.46 excluding GST.

It is recommended that Council provides \$2,500.00 in-kind under the Events Assistance Program towards the hire fees. The outstanding balance (\$7,520.46), including a bond if applicable, will still be required to be paid by Mudgee Gulgong Wolves FC prior to the event.

Mudgee Junior Rugby League v Rouse Hill Rhinos

Mudgee Junior Rugby League has requested the waiving of ground hire fees for the hire of the Glen Willow Regional Sports Stadium to cover their booking on 16 September 2017 for the annual Mudgee Junior Rugby League v Rouse Hill Rhinos fixture. The annual fixture attracts players, support staff and families from Sydney to the Mid-Western Region. This provides an economic boost to the Region and an opportunity to expose Glen Willow to a new audience.

The 1 day hire fee of Glen Willow Stadium is \$875.00, excluding GST. Mudgee Junior Rugby League has been invoiced for this amount as the booking fell prior to the September Council Meeting. If Council approve the waiver of the hire fee, the fee paid would be reimbursed.

It is noted that the request by the Mudgee Junior Rugby League was to transfer the funds previously allocated to an event that was planned to occur in May 2017, but was subsequently cancelled. However, as this request relates to a new financial year, the funds must be allocated from the 2017/18 Operational Plan.

Community Plan implications

Theme	Building a Strong Local Economy
Goal	An attractive business and economic environment
Strategy	Promote the region as a great place to live, work, invest and visit

Strategic implications

Council Strategies

Applications for events assistance are required to have clear linkages to the Community Plan Towards 2030 outcomes. Council has identified sports tourism as an opportunity to diversify visitation to the region. This includes supporting events taking place at Glen Willow Regional Sports Complex.

Council Policies

Events Assistance Policy – applicants are required to meet the eligibility criteria of the policy including attracting visitors the region.

Legislation

The Local Government Act 1993, Section 356, states: (1) A council may, in accordance with a resolution of the council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.

Financial implications

Funding of \$60,000 is provided in the 2017/18 Operational Plan for Events Assistance. \$45,937 has already been allocated, leaving a balance of \$14,063. Should Council approve the recommendations in this report, a balance of \$10,688 will remain.

Events occurring between January and June 2018 have not yet been allocated funds as applications close on 1 October and will be considered by Council in November.

If Council wishes to allocate more than the recommended \$2,500 to the Mudgee Gulgong Wolves FC, there will be insufficient funds available to support the next round of events assistance for January to June 2018 events. It would therefore, be recommended that the events assistance budget be increased by an appropriate amount. Based on previous years, approximately \$15,000 is provided for January to June events.

The outcome of this report will not impact sustainability ratios, as the events assistance program is already included in the Operational Plan 2017/18. If Council increases the events assistance budget, this would negatively impact on the operating performance ratio.

Associated Risks

If Council does not support these events, there is a risk that they may not go ahead in the future or that they are held at another location and therefore, there is the potential of lost economic benefits to the Mid-Western Region.

There is also a risk that an applicant provides false or fraudulent information in order to benefit from the program. This risk is minimised by the clear and transparent policy, process for approval, and feedback requirements of the program.

ALAYNA GLEESON
EVENTS COORDINATOR

JULIE ROBERTSON
DIRECTOR DEVELOPMENT

29 August 2017

Attachments: 1. Events Assistance Application - Football NSW State Titles.
2. Events Assistance Application - MJRL v Rouse Hill Rhinos.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Event Assistance Funding Application - 1 July 2017 to 1 December 2017

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Tuesday, August 08, 2017 1:27:05 PM
Last Modified: Tuesday, August 08, 2017 2:05:22 PM
Time Spent: 00:38:16
IP Address: 203.45.121.86

Page 2: CONTACT DETAILS

Q1

Please enter your contact details below:

Name: Peter Mitchell
Organisation: Mudgee Gulgong Wolves FC
Address 1: P O Box 251
Suburb: Mudgee
State: NSW
Post Code: 2850
Email Address: admin@mcdonaldlawson.com.au
Phone Number: 0406792599

Page 3: EVENT INFORMATION

Q2

Name of event:

NSW Football State Titles U12 Boys & Girls, U/14 Girls and U/16 Girls

Q3

Event Date/s:

25,26,27,28,and 29th Sept 2017

Q4

Number of days event is held:

5

Q5

Event location:

Glen Willow Regional Sporting Centre

Q6

Year the event was established:

2014

Q7

How often is the event held?

Annual

Event Assistance Funding Application - 1 July 2017 to 1 December 2017

Q8**Event description (including aims, objectives and desired outcomes):**

The State Titles is bringing the best players from 9 regions across NSW for the u/12B, u/12G, U14G and U/16G. Each team consists of 15 players, coach, manager and support staff. It is estimated that this event will bring over 2600 people to Mudgee for the week event. We have been informed by Football NSW that they have already rung Accommodation providers across the district to confirm the area would cope with the addition of the Under 12s, as previous years it has only been 14 and 16 girls. The community will benefit financially and it will once again showcase our area for its ability to provide, conduct and conclude state carnivals of this size.

Q9**Expected attendance:**

Locals	120
Visitors	2480
Total	2600

Q10**Target audience:**

The target audience are those who support and play football in the age groups and also their parents and grandparents

Q11**Local community involvement (including local businesses and volunteers):**

There will be approx. 20-30 people from the area involved in the event via administration, refereeing etc. Football NSW has already rung all accommodation providers in the district to see if we could cope with the additional age groups for this year.

Q12**Other sponsorship or income received for this event:**

Only other income will be that which earned via the Canteen for the event, which expect to be somewhere between 2500 to 5000

Q13**Economic benefits of the event:**

The economic benefits of the event are that we have over 2600 people attending this event. Obviously we don't know how these people will spend their money here but we can confirm that Football NSW has rang all accommodation providers in the district to confirm that we can cope with the numbers and we also know that team team in which there are 33 all up have a team dinner during one of the evenings.

Q14**Community and social benefits of the event:**

The community and social benefits of the titles is that it showcases the area to our visitors and our business will benefit through the additional traffic this will provide during the Sept school holidays as well.

Event Assistance Funding Application - 1 July 2017 to 1 December 2017

Q15

How will Council's support of the event be recognised?

We will be placing MWRC logo on the programs for the event and we are more than happy to have a flag or banner at the entrance to Glen Willow.

Q16

How do you plan to market and promote the event?

The marketing and promotion of this event is done via Football NSW and the relevant regions who are attending.

Q17

How do you plan to ensure the event continues and develops in the future?

At this stage we expect the state titles to stay in Mudgee, however with the funding now available via state government grants we need to provide and prove to our visitors that our facilities are second to none and more than accommodating to our visitors. Being the home away from their homes.

Q18

No

Have you received funding from Council for this event previously?

Q19

Yes

Does the event have current Public Liability Insurance? Events MUST have insurance to be eligible to receive funding. A copy of your Certificate of Currency must be provided.

Page 4: FUNDING REQUESTED

Q20

Please provide details of in-kind support requested AND dollar amounts:(e.g. Council venue hire fee - \$200)

1. Council Hire Fee \$9,000 (Glen Willow)

Q21

Please provide details of cash support requested AND dollar amounts:(e.g. TV advertising - \$500)

1. Cash Support \$0

Q22

Total support requested:(must not exceed \$2,500)

In-kind support: \$9000

Cash support: \$0

Event Assistance Funding Application - 1 July 2017 to 1 December 2017

Q23

Respondent skipped this question

Any other information you wish to add?



16th August 2017

Mid-Western Regional Council
Market Street
Mudgee NSW 2850

To Whom it may concern,

On Saturday 16th September 2017, Mudgee Junior Rugby League (MJRL) are hosting Rouse Hill Junior Rugby League in a post season game. For the past number of seasons, the two U13 sides have played each other, in a bid to build a relationship between the clubs.

The focus of the game is to provide kids (families) an opportunity to travel outside of metropolitan Sydney and enjoy what is west of the Blue Mountains. There are 22 players participating in the game, along with coaching staff and families. The Rouse Hill side have already booked accommodation in Mudgee at parklands resort and are going to take advantage of the weekend.

Mudgee Junior Rugby League have been lucky enough to secure the booking of Glen Willow Stadium for the game, however we are seeking funding assistance for the hire cost. This is a great occasion for not only our local kids, but also players from Western Sydney to play on a premier ground.

MJRL are aware that funding was granted to the club to utilise the facilities at Glen Willow for a ladies League Tag Carnival, which was relocated to Dubbo in early August. With this funding not being utilised, could council support MJRL and provide funding for the hire of the stadium for this upcoming match.

If you could advise us at your earliest convenience, it would be greatly appreciated.
I look forward to hearing from you.

Regards,

Adam Sutherland
MJRL Committee Member

MUDGEE JUNIOR RUGBY
LEAGUE
PO BOX 304
MUDGEE NSW 2850
mudgeejrl@gmail.com

8.5 2017-18 Local Heritage Grant Allocation

REPORT BY THE MANAGER, STRATEGIC PLANNING
TO 20 SEPTEMBER 2017 ORDINARY MEETING
GOV400064, GRA600032

RECOMMENDATION

That Council:

1. **receive the report by the Manager, Strategic Planning on the 2017-18 Local Heritage Grant Allocation ; and**
2. **provide a Local Heritage Grant to the following projects:**
 - a) **\$4,000 for re-stumping at 152 Mortimer Street, Mudgee;**
 - b) **\$1,500 for external painting and sympathetic guttering at 24 Perry Street, Mudgee;**
 - c) **\$1,250 for fence and window restoration at 56 Denison Street, Mudgee;**
 - d) **\$1,000 for external painting at 499 Lue Road, Milroy;**
 - e) **\$4,000 for external conservation works at St Stephen's Anglican Church, Bylong Valley Way, Bylong;**
 - f) **\$1,000 for external painting at 114 Mortimer Street, Mudgee;**
 - g) **\$1,125 for a new front fence at 69 Gladstone Street, Mudgee;**
 - h) **\$1,000 for external painting at 33 Mudgee Street, Mudgee;**
 - i) **\$1,125 for a new front fence at 156 Gladstone Street, Mudgee.**

Executive summary

NSW Councils enter into Local Heritage Grant programs with The Heritage Division of the Office of Environment and Heritage. The funding for the Local Heritage Grants is on the basis that Council provides \$1 for every \$1 provided by the Heritage Division. This year's total budget is \$16,000.

Council's Local Heritage Grants Policy provides criteria and funding priorities for consideration in the allocation of the grant funding.

Disclosure of Interest

Nil.

Detailed report

Applications for funding under the Local Heritage Grants Program closed on 25 August 2017. Eighteen applications were received, however only fourteen of those applications were complete and can be considered. Nine of those applications are recommended for funding. The fourteen completed applications have been summarised in the table provided as Attachment 1. Projects have been ordered from the highest to lowest total project cost.

Council's Local Heritage Grants Policy identifies the following funding priorities:

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

All of the projects put forward have met the above criteria.

Taking into account the \$16,000 budget available, Council's Local Heritage Grants Policy, and project costs, Attachment 1 provides the recommended amount to be allocated to each project.

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

Strategic implications

Council Strategies

Council conducting a Local Heritage Grants program is consistent with Item 5. of the Mid-Western Heritage Strategy to Introduce a Local Heritage Incentives fund to provide a small grants program to encourage local heritage projects.

Council Policies

The recommended allocation of funding is consistent with Council's Local Heritage Grants Policy.

Legislation

Any building works associated with a local heritage grant will need to consider and satisfy permissibility under the Mid-Western Regional Local Environmental Plan 2012.

Financial implications

The 2017/18 Operational Plan has an approved budget of \$16,000 for Local Heritage Grants, funded partially by the Heritage Division of the Office of Environment and Heritage at \$1 for every \$1 of Council contributed funding. The total budget for this financial year of \$16,000 has been

allocated and therefore Council will receive \$8,000 from the Heritage Division towards these grants.

Associated Risks

No known risk.

SARAH ARMSTRONG
MANAGER, STRATEGIC PLANNING

JULIE ROBERTSON
DIRECTOR DEVELOPMENT





4 September 2017

Attachments: 1. Local Heritage Grants summary of applications and allocations.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

AMOUNT RECOMMENDED & COMMENT	TOTAL PROJECT COST?	PROJECT ADDRESS	PROPOSED WORKS	HERITAGE ITEM?	WITHIN A HERITAGE CONSERVATION AREA?	URGENT MAINTENANCE WORKS TO AVERT MANAGEMENT RISKS	RECEIVED FUNDING IN LAST 5 YEARS?	ACCESSIBLE BY THE PUBLIC?	PHOTO OF SUBJECT SITE
\$4,000 (urgent maintenance works to avert demolition by neglect)	\$26,642	152 Mortimer Street, Mudgee	restumping	Y	Y	Y	N	N	
\$1,500 (works to various aspects of the site all visible from the public domain)	\$9,779	24 Perry Street, Mudgee	External painting and sympathetic guttering	Y	Y	N	N	N	
\$1,250 (works to various aspects of the site, including rear of site not visible from the public domain)	\$9,552	56 Denison Street, Mudgee	Fence and window restoration	Y	Y	N	N	N	
\$1,000 (painting is considered a method of maintenance)	\$9,031	499 Lue Road, Milroy	External painting	Y	N	N	N	N	
\$4,000 (accessible by the public)	\$9,005	Stephen's Anglican Church Bylong Valley Way	External conservation works	Y (legal description in Schedule 5 of LEP to be corrected)	N	Y	N	Y	
\$1,000 (painting is considered a method of maintenance)	\$6,630	114 Mortimer Street, Mudgee	External painting	Y	Y	N	N	N	

AMOUNT RECOMMENDED & COMMENT	TOTAL PROJECT COST?	PROJECT ADDRESS	PROPOSED WORKS	HERITAGE ITEM?	WITHIN A HERITAGE CONSERVATION AREA?	URGENT MAINTENANCE WORKS TO AVERT MANAGEMENT RISKS	RECEIVED FUNDING IN LAST 5 YEARS?	ACCESSIBLE BY THE PUBLIC?	PHOTO OF SUBJECT SITE
\$1,125 (erecting a front fence, Heritage Inventory Sheet states a front fence is suggested)	\$5,100	69 Gladstone Street, Mudgee	New front fence	Y	Y	N	N	N	
\$1,000 (painting is considered a method of maintenance)	\$5,000	33 Mudgee Street, Rylstone	External painting	N	Y	N	N	N	
\$1,125 (replacing existing fence with replica of original)	\$4,590	156 Gladstone Street, Mudgee	New front fence	Y	N	N	N	N	
\$0 (funding provided for the site above)	\$22,333	152 Mortimer Street, Mudgee	Roof and guttering replacement	Y	Y	Y	N	N	Note: Photo provided above
\$0 (funding provided for the site above)	\$6,900	152 Mortimer Street, Mudgee	New front fence	Y	Y	Y	N	N	Note: Photo provided above
\$0 (funding provided for the site above)	\$3,850	152 Mortimer Street, Mudgee	Chimney, brickwork, fireplace & lime mortar	Y	Y	Y	N	N	Note: Photo provided above
\$0 (funding provided for the site above)	\$3,000	152 Mortimer Street, Mudgee	Window restoration	Y	Y	Y	N	N	Note: Photo provided above
\$0 (received funding in the last 5 years)	\$1,662	103 - 105 Mortimer Street, Mudgee	Internal timber restoration works	Y	Y	N	Y	Y	

8.6 Temporary Suspension of Alcohol Free Zones for Sections of Cudgegong and Louee Streets, Rylstone

REPORT BY THE MANAGER, HEALTH AND BUILDING
TO 20 SEPTEMBER 2017 ORDINARY MEETING
GOV400064, GOV400043,A0100009

RECOMMENDATION

That Council:

1. **receive the report by the Manager, Health and Building on the Temporary Suspension of Alcohol Free Zones for Sections of Cudgegong and Louee Streets, Rylstone; and**
2. **suspend the alcohol free zones located in Cudgegong and Louee Streets, Rylstone between the hours of 10am to 5pm on Saturday 28 October 2017 for the purposes of Rylstone StreetFeast 2017.**

Executive summary

The purpose of this report is to seek the temporary suspension of the Alcohol Free Zone in the nominated sections of Cudgegong and Louee Streets Rylstone in order to host the annual Rylstone StreetFeast (refer to attachment - Event road closure for Rylstone StreetFeast 2017).

It is proposed that this temporary suspension will occur on Saturday 28 October 2017 between the hours of 10am to 5pm. These hours are within the requested street closure times of 8am to 6pm which allow for setup and removal of street stalls.

Disclosure of Interest

Nil.

Detailed report

Rylstone StreetFeast is one of Rylstone-Kandos District's premier annual events allowing patrons to enjoy the scenic beauty of the district and sample the diverse range of local foods, produce, wines, art and craftwork.

Mid-Western Regional Council will be closing sections of Cudgegong and Louee Streets between the hours of 7am to 6pm on 28 October 2017. The area will be closed to vehicles only, with pedestrian access not affected. The event will commence at 10am and run until approximately 4pm. It is expected that Cudgegong and Louee Streets will be re-opened by 6pm.

In order for this event to occur, the Alcohol Free Zones located in the nominated pedestrian areas (see attachment 1) are required to be temporarily suspended, between 10am and 5pm.

The Rylstone StreetFeast committee have been in consultation with the Local Police regarding the event. As in previous years, it is proposed to provide security staff to entry points to ensure that the consumption of alcohol is restricted to within the nominated areas identified in this report.

Community Plan implications

Theme	Building a Strong Local Economy
Goal	An attractive business and economic environment
Strategy	Promote the region as a great place to live, work, invest and visit

Strategic implications

Council Strategies

The Rylstone StreetFeast is recognised as a major event for the Mid-Western Region, which encourages increased visitation.

Council Policies

Not applicable

Legislation

Not applicable

Financial implications

Not applicable

Associated Risks

If Council does not approve the temporary suspension of the Alcohol Free Zone for this event, the event will not be able to proceed as planned.

JOSH BAKER
MANAGER, HEALTH AND BUILDING

JULIE ROBERTSON
DIRECTOR DEVELOPMENT

6 September 2017

Attachments: 1. Event road closure for the Rylstone StreetFeast 2017.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



Rylstone StreetFeast
Saturday 28th October 2017

Rylstone StreetFeast Inc.

ABN 40 014 882 917

Enquiries:

President: Roslyn Jeffrey
Vice President: Peter Monaghan
Treasurer: Emma Barrott
Secretary: Julie O'Brien

Enquiries: Roslyn:- 0421 212 144

Postal address:

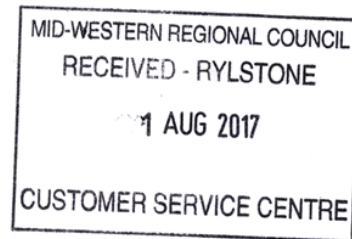
PO Box 122 Rylstone NSW 2849

26th July 2017

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

Dear Sir,

RE: EVENT ROAD CLOSURE




The Rylstone StreetFeast committee members wish to thank Council for their ongoing sponsorship for the annual StreetFeast. As part of that sponsorship, we advise that complimentary tickets to the long lunch will be forwarded to Council in the coming months.

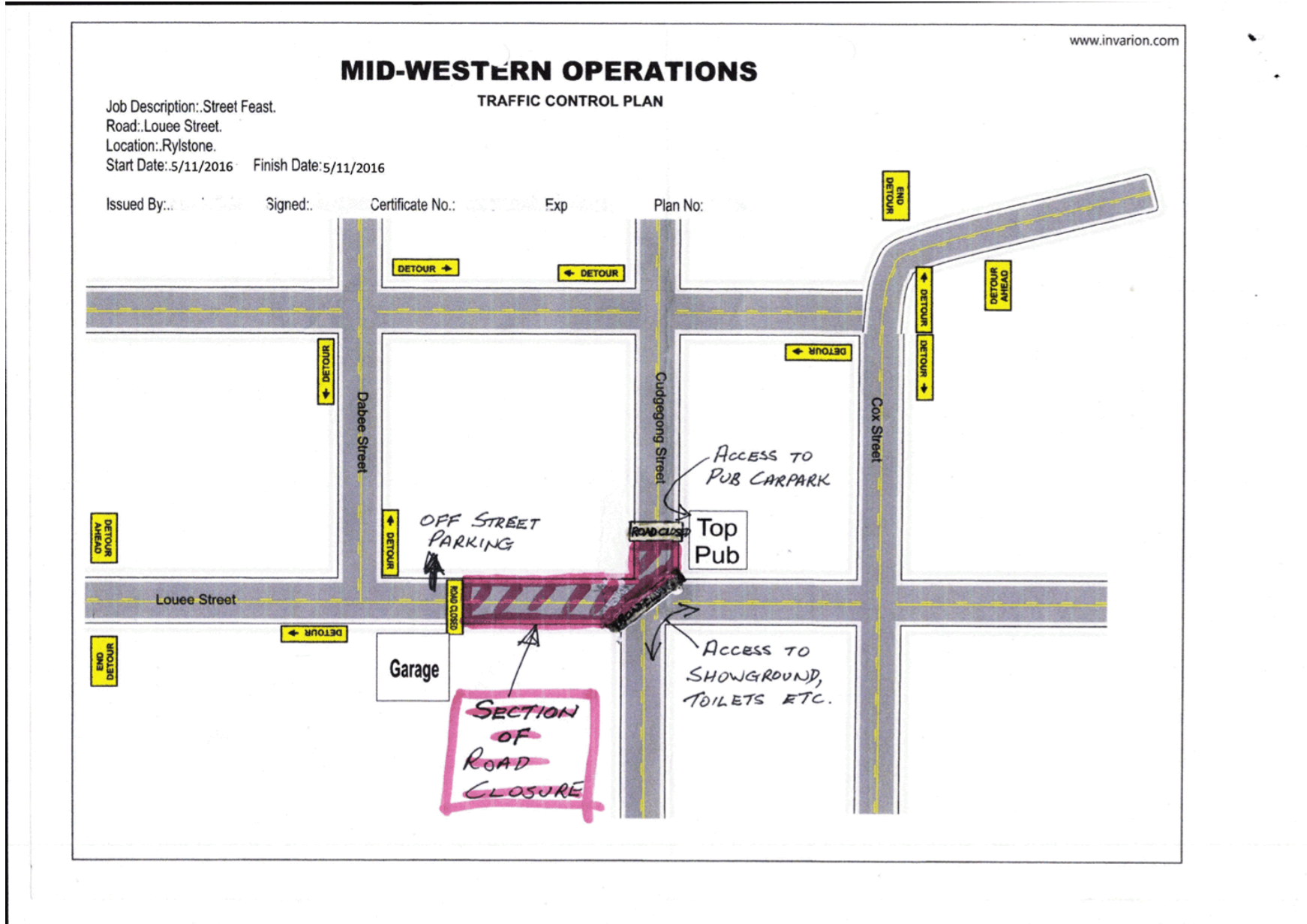
In the meantime, we advise that to enable the event to proceed, we require the following assistance from Council:-

1. Permission for the section of Louee Street (see attached diagram) to be closed to traffic on the day of the event (28th October 2017) between the hours of 8am and 6pm.
2. Grant dispensation on the day for alcohol to be served and consumed within the designated area.
3. The supply of a large recycling bin for the disposal of cardboard and paper, and the provision of additional garbage bins.
4. The supply of any equipment that may be deemed necessary for the safe closure of the road on the day.

A separate Risk Assessment accompanies this letter, and we thank you again for your continued support and look forward to advice in relation to matters raised.

Regards


JULIE O'BRIEN *President*
Secretary *Roslyn Jeffrey.*
roslynjeffrey@gmail.com
Rylstone StreetFeast Inc.
PO BOX 122, Rylstone NSW 2849
Email: rylstonestreetfeastsecretary@gmail.com



8.7 Monthly Development Applications Processing and Determined

REPORT BY THE DIRECTOR DEVELOPMENT
TO 20 SEPTEMBER 2017 ORDINARY MEETING
GOV400064, 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 31 August 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
Goal	Vibrant towns and villages
Strategy	Maintain and promote the aesthetic appeal of the towns and villages within the Region

Strategic implications

Council Strategies

Not Applicable

Council Policies

Not Applicable

Legislation

Not Applicable

Financial implications

Not Applicable

Associated Risks

Not Applicable

JULIE ROBERTSON
DIRECTOR DEVELOPMENT

5 September 2017

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

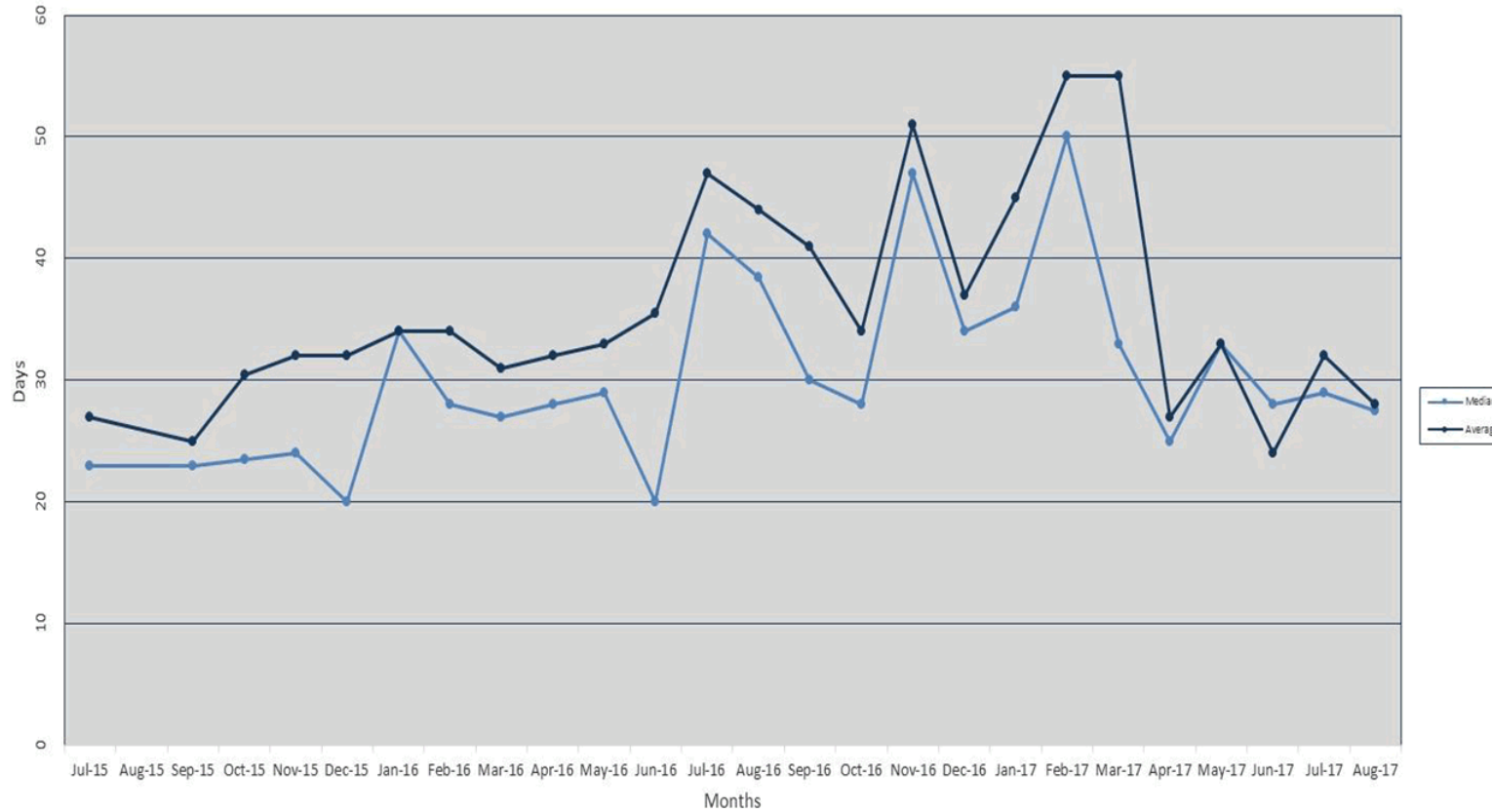
APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Monthly Development Application Processing Report – August 2017

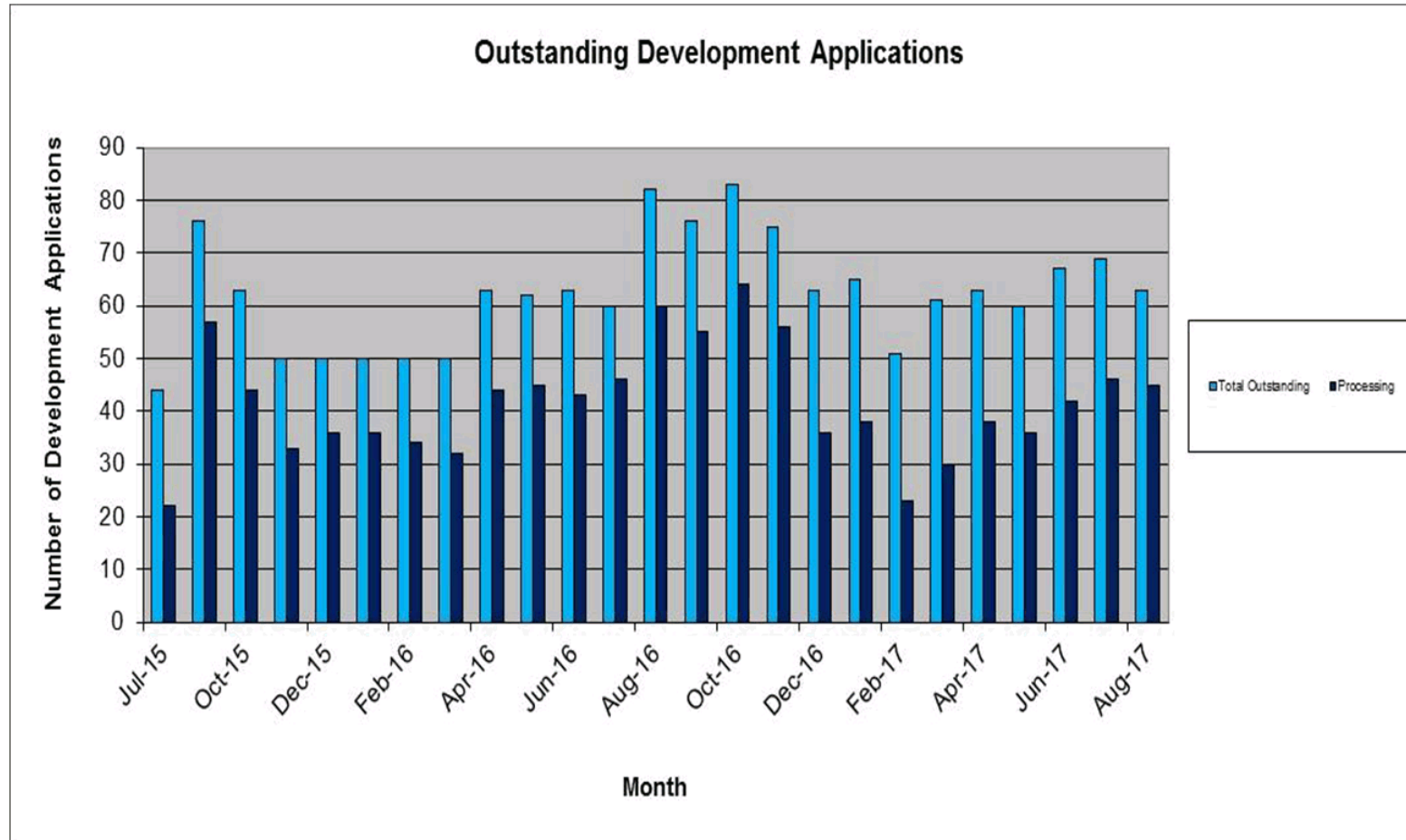
This report covers the period for the month of August 2017. Graph 1 indicates the processing times up to 31, August 2017 with the month of August having an average of 28 days and a median time of 27.5 days.

Median and Average Processing Time Development Applications



Monthly Development Application Processing Report – August 2017

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



Monthly Development Application Processing Report – August 2017

The Planning and Development Department determined 28 Development Applications either by Council or under delegation during August 2017.

Development Applications Determined – August, 2017

Appl/Proc ID	Description	House No	Street Name	Locality
DA0256/2017	Dual Occupancy	125	Market Street	MUDGEE
DA0261/2017	Dwelling House	103	Wollar Road	BUDGEE BUDGE
DA0276/2017	Commercial Alterations/Additions	106	Ulan Road	BOMBIRA
DA0278/2017	Commercial Premises	54	Sydney Road	MUDGEE
DA0297/2017	Change of use – to smoothie bar	95	Market Street	MUDGEE
DA0300/2017	Alterations & Additions	6	Church Street	MUDGEE
DA0301/2017	Dwelling House	130	Edgell Lane	BUCKAROO
DA0302/2017	Commercial Alterations/Additions	42	Market Street	MUDGEE
DA0308/2017	Alterations & Additions	24	Peppercorn Lane	BUCKAROO
DA0309/2017	Alterations & Additions	190	Lower Piambong Road	MENAH
DA0319/2017	Dwelling House	167	Horatio Street	MUDGEE
DA0323/2017	Dwelling House	8	Costigan Court	MUDGEE
DA0325/2017	Secondary Dwelling	18	Melton Road	MUDGEE
DA0326/2017	Alterations & Additions	56	Denison Street	MUDGEE
DA0001/2018	Dual Occupancy	2	Rowe Street	MUDGEE
DA0002/2018	Alterations & Additions	30	Cox Street	RYLSTONE
DA0005/2018	Demolition	84	Cox Street	MUDGEE
DA0006/2018	Residential Shed	24	Belmore Street	GULGONG
DA0007/2018	Secondary Dwelling	698	Castlereagh Highway	MENAH
DA0011/2018	Bed and Breakfast Accommodation	1062	Wollar Road	STONY CREEK
DA0012/2018	Residential Shed	17	Court Street	MUDGEE
DA0015/2018	Residential Shed	3	Fitzgerald Street	RYLSTONE
DA0024/2018	Business Premises	13	Lewis Street	MUDGEE
DA0029/2018	Residential Shed	1018	Castlereagh Highway	BERYL
DA0030/2018	Moveable Dwelling	5	Lloyd Avenue	KANDOS
DA0033/2018	Dwelling House	132	Mortimer Street	MUDGEE
DA0034/2018	Residential Shed	16	Sturt Street	KANDOS
DA0046/2018	Alterations & Additions	6	Constantia Road	MUDGEE

Monthly Development Application Processing Report – August 2017

Development Applications currently being processed – August, 2017.

Appl/Proc ID	Description	House No	Street Name	Locality
DA0214/2011	Dwelling House	663	Castlereagh Highway	BURRUNDULLA
DA0327/2011	Shed >150m2	23	Horatio Street	MUDGEES
DA0191/2015	Subdivision - Torrens Title	196	Robertson Road	MUDGEES
DA0046/2016	Alterations & Additions	1581	Yarrabin Road	YARRABIN
DA0102/2016	Dwelling House	705	Windeyer Road	GRATTAI
DA0315/2016	Tourist and Visitor Accommodation	345	Bylong Valley Way	ILFORD
DA0325/2016	Change of use – Garage to Bedroom	179	Denison Street	MUDGEES
DA0343/2016	Commercial Alterations/Additions	137	Ulan Road	PUTTA BUCCA
DA0344/2016	Residential Shed	23	Ferris Street	CLANDULLA
DA0034/2017	Subdivision - Torrens Title	38	Hill End Road	CAERLEON
DA0221/2017	Function Centre	141	Black Springs Road	EURUNDEREE
DA0228/2017	Subdivision - Torrens Title	158	Robertson Street	MUDGEES
DA0266/2017	Residential Shed	3	Cudgegong Street	RYLSTONE
DA0280/2017	Warehouse	23	Industrial Avenue	MUDGEES
DA0285/2017	Dwelling House	488	Cooper Drive	CLANDULLA
DA0287/2017	Child Care Centre	272	Church Street	MUDGEES
DA0292/2017	Secondary Dwelling	28	Rocky Waterhole Road	MILROY
DA0303/2017	Change of use – Vehicle Repair Station	1	Inglis Street	MUDGEES
DA0305/2017	Commercial Alterations/Additions	101	Church Street	MUDGEES
DA0315/2017	Subdivision - Torrens Title	1	Clifton Avenue	MUDGEES
DA0321/2017	Community Facility	45	Rouse Street	GULGONG
DA0004/2018	Multi Dwelling Housing	66	Dangar Street	KANDOS
DA0008/2018	Subdivision - Torrens Title	215	Putta Bucca Road	PUTTA BUCCA
DA0009/2018	Subdivision - Torrens Title	15	Wiradjuri Close	PUTTA BUCCA
DA0010/2018	Residential Shed	9	Strikes Lane	EURUNDEREE
DA0017/2018	Residential Shed	19	Browne Street	WINDEYER
DA0018/2018	Change of use – Detached Garage to Dwelling	20	Macquarie Drive	MUDGEES
DA0020/2018	Residential Shed	6	Lynwood Avenue	MUDGEES
DA0021/2018	Dwelling House	14	Roy Cross Place	GULGONG
DA0022/2018	Dwelling House	5	Barrington Court	MUDGEES
DA0025/2018	Residential Shed	174	Broadhead Road	SPRING FLAT

Monthly Development Application Processing Report – August 2017

DA0027/2018	Alterations & Additions	60	Hassall Lane	TWO MILE FLAT
DA0028/2018	Dual Occupancy	18	Alexander Dawson Court	MUDGEES
DA0031/2018	Residential Shed	1	Caerleon Court	MUDGEES
DA0032/2018	Residential Shed	88	Bellevue Road	MUDGEES
DA0035/2018	Shed >150m2	32	Aerodrome Road	RYLSTONE
DA0036/2018	Moveable Dwelling	1429	Hill End Road	GRATTAI
DA0037/2018	Camping Ground – Kandos Street Machine	62	Cooper Drive	KANDOS
DA0042/2018	Change of use - Gym	20	Sydney Road	MUDGEES
DA0044/2018	Residential Shed	77	Tinja Lane	PUTTA BUCCA
DA0045/2018	Farm Building	77	Tinja Lane	PUTTA BUCCA
DA0048/2018	Dwelling House	643	Campbells Creek Road	WINDEYER
DA0050/2018	Dwelling House	75	Henry Bayly Drive	MUDGEES
DA0051/2018	Residential Shed	1	Jaques Street	KANDOS

Monthly Development Application Processing Report – August 2017

Heritage Development Applications currently being processed – August 2017.

Appl/Proc ID	Description	House No	Street Name	Locality
DA0271/2011	Alterations & Additions	87	Short Street	MUDGEE
DA0091/2017	Residential Shed	42	Louee Street	RYLSTONE
DA0122/2017	Dual Occupancy	1	Lewis Street	MUDGEE
DA0241/2017	Dwelling House	11	Loy Avenue	MUDGEE
DA0247/2017	Change of use – Beauty Salon	79	Market Street	MUDGEE
DA0252/2017	Secondary Dwelling	111	Horatio Street	MUDGEE
DA0295/2017	Alterations & Additions	28	Herbert Street	GULGONG
DA0306/2017	Commercial Alterations/Additions	17	Church Street	MUDGEE
DA0314/2017	Commercial Alterations/Additions	0	Byron Place	MUDGEE
DA0324/2017	Commercial Alterations/Additions	97	Market Street	MUDGEE
DA0023/2018	Alterations & Additions	49	Court Street	MUDGEE
DA0026/2018	Subdivision - Torrens Title	30	Robertson Street	MUDGEE
DA0038/2018	Residential Shed	51	Inglis Street	MUDGEE
DA0039/2018	Demolition – Grandstand Mudgee Showground	11	Nicholson Street	MUDGEE
DA0040/2018	Change of use – Health Consulting Rooms	203	Market Street	MUDGEE
DA0041/2018	Bed and Breakfast Accommodation	4	Smith Street	MUDGEE
DA0043/2018	Depot	10	Nicholson Street	MUDGEE
DA0047/2018	Alterations & Additions	101	Lawson Street	MUDGEE
DA0049/2018	Garage	47	Herbert Street	GULGONG

Item 9: Finance

9.1 Monthly Budget Review July 2017

REPORT BY THE MANAGER, FINANCIAL PLANNING
TO 20 SEPTEMBER 2017 ORDINARY MEETING
GOV400064, FIN300117

RECOMMENDATION

That Council:

1. receive the report by the Manager, Financial Planning on the Monthly Budget Review July 2017; and
 2. amend the 2017/18 Operational Plan in accordance with the variations as listed in the Monthly Budget Review attachment to this report
-

Executive summary

This report provides Council with information on the progress of the 2017/18 capital works program as at 31 July 2017. The report also recommends budget variations as shown in the attachment to this report.

Disclosure of Interest

Nil

Detailed report

Over the period of the financial year, Council has an opportunity to review and approve variances to the original budget. Variations recommended within a monthly budget review have no net impact on Council's cash position. The attachment to this report provides the detailed information of recommended variations.

Community Plan implications

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

Strategic implications

Council Strategies

The recommendation if approved will amend the 2017/18 Operational Plan.

Council Policies

Not applicable.

Legislation

Clause 202 of the Local Government (General) Regulation 2005 states that the responsible accounting officer of a council must:

- a) establish and maintain a system of budgetary control that will enable the council's actual income and expenditure to be monitored each month and to be compared with the estimate of council's income and expenditure, and
- b) if any instance arises where the actual income or expenditure of the council is materially different from its estimated income or expenditure, report the instance to the next meeting of council.

Financial implications

Whilst the proposed budget variations do not impact on Council's net cash position they do impact on the proposed 2017/18 financial result.

Operating Performance Ratio – The primary reason for a negative impact is the reduction in Financial Assistance Grant income expected in 2017/18. This is due to the payment of 50% of this grant in advance. It should be noted that the advance payment, received in June 2017, impacted the 2016/17 result positively.

Own Source Revenue – The net decrease in grant income results in a small positive impact to this ratio.

Building & Infrastructure Renewal – An increase to budgeted capital expenditure for regional road renewal in 2017/18 results in an increase to this ratio.

Budget Year	Operating Performance Ratio	Own Source Revenue	Building & Infrastructure Renewal
2017/18	✘	✔	✔

Associated Risks

Not applicable.

NEIL BUNGATE
MANAGER, FINANCIAL PLANNING

LEONIE JOHNSON
CHIEF FINANCIAL OFFICER

31 August 2017

Attachments: 1. Monthly Budget Review - July 2017.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



MONTHLY BUDGET REVIEW
JULY 2017
Mid-Western Regional Council



MID-WESTERN REGIONAL COUNCIL

Address	86 Market St, Mudgee, NSW 2850
Email	council@midwestern.nsw.gov.au
Telephone	02 6378 2850
Fax	02 6378 2815
Mayor	Des Kennedy
General Manager	Brad Cam
Date of Publication	31 August 2017



TABLE OF CONTENTS

Proposed Variations.....

Capital Works Program.....



PROPOSED VARIATIONS

<i>Proposed Variations</i>			
COMMUNITY PLAN THEME	VARIATION	FUNDING SOURCE	AMOUNT
GENERAL FUND			
Contra Variations			
Looking after our Community	Allocate Drainage Capital budget to the following projects: - Drainage Capital Mudgee Racecourse and Sportsground \$26,000 - Drainage Capital Rifle Range Road Culvert Upgrade \$22,130	Asset Replacement Reserve	(48,130) C
Looking after our Community	Transfer Stormwater Drainage Capital Budget out to projects	Asset Replacement Reserve	48,130 C
Looking after our Community	Increase to Pool Filter Replacement budget to replace all three remaining filters	Asset Replacement Reserve	(16,000) C
Looking after our Community	Transfer Pool Cleaner Replacement budget to Pool Filter Replacement	Asset Replacement Reserve	16,000 C
Looking after our Community	Increase to Streetscape Tree Planting Rylstone/Kandos budget	Grant	(3,000) C
Looking after our Community	Grant funding approved from Kepco for additional streetscape tree planting in Rylstone and Kandos	Grant	3,000 C
Looking after our Community	Avisford Reserve Swainsona Recta Project funded from Central Tablelands Local Lands Service	Unspent Grants	3,250 C
Looking after our Community	Transfer from unspent grants Avisford Reserve funding received in 2016/17	Unspent Grants	(3,250) C
Connecting our Region	Allocate unspent 2017/18 Financial Assistance Grant received in advance to projects: - Drainage \$59,364 - Local Urban Roads \$117,782 - Local Rural Sealed Roads \$444,954 - Local Unsealed Roads \$496,334 - Local Bridges \$26,174 - General Purpose Revenue \$1,860,678	Unspent Grants	3,005,286 C
Connecting our Region	Reduce Financial Assistance Grant income by the above amounts received in advance	Unspent Grants	(3,005,286) C
Connecting our Region	Allocate unspent Regional Road Block Grant to projects continuing in July 2017: - Bylong Valley Way Reseal \$9,928 - Blackspot Hill End Road \$192,557	Unspent Grants	(202,485) C
Connecting our Region	Transfer from unspent grants Regional Road Block funding for 2016/17	Unspent Grants	202,485 C
Connecting our Region	Regional Sealed Roads remaining flood restoration works	Grant	(266,115) C
Connecting our Region	RMS grant for Regional Sealed Roads flood damage	Grant	266,115 C
Connecting our Region	Local Sealed Roads remaining flood restoration works	Grant	(135,669) C
Connecting our Region	RMS grant for Local Sealed Roads flood damage	Grant	135,669 C
Connecting our Region	Local Unsealed Roads remaining flood restoration works	Grant	(952,000) C

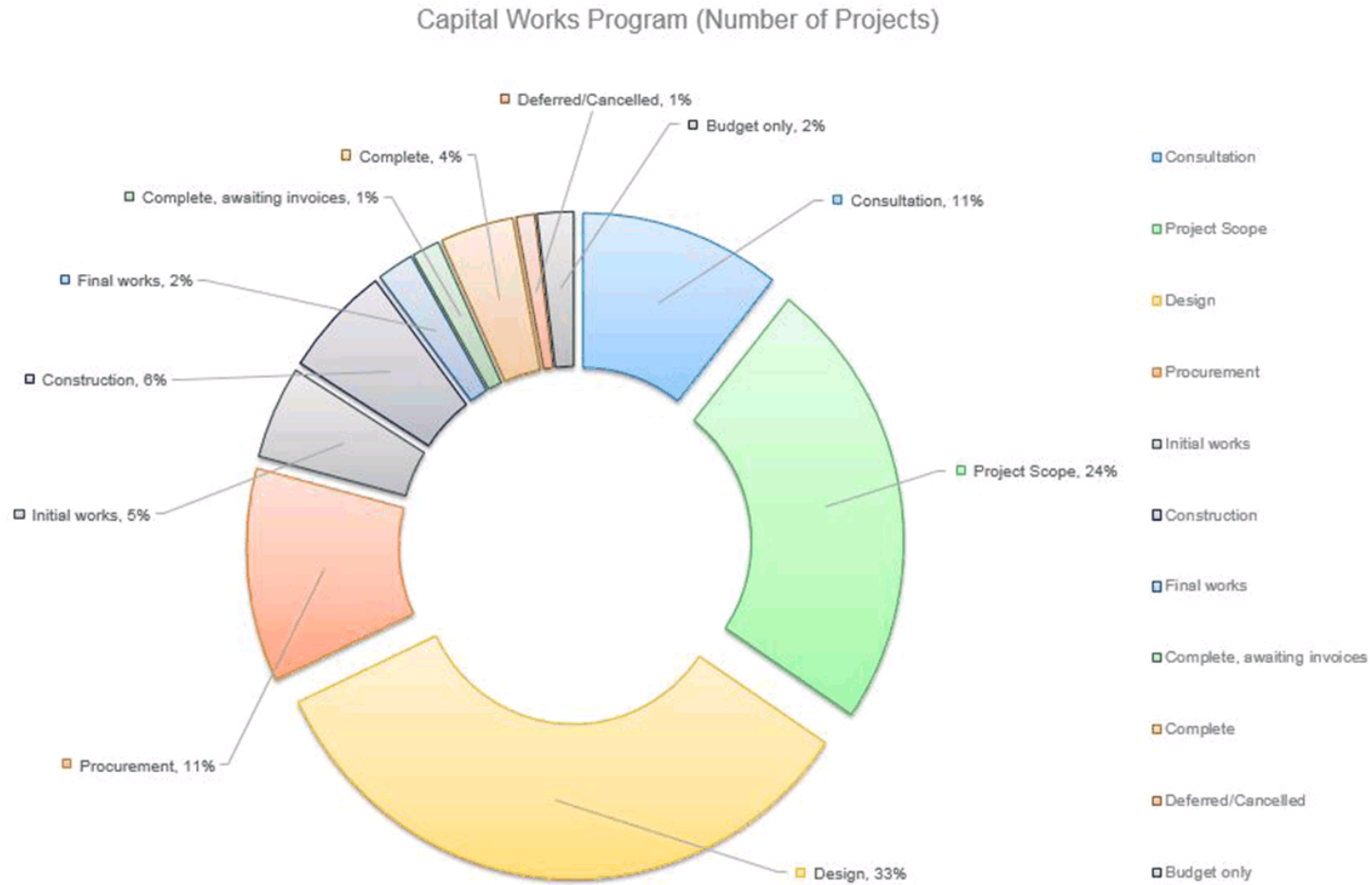
PROPOSED VARIATIONS

<i>Proposed Variations</i>			
<i>Connecting our Region</i>	RMS grant for Local Unsealed Roads flood damage	Grant	952,000 C
Total Contra Variations			0
TOTAL GENERAL FUND			0
			<i>Non-cash variations</i>
			0
			<i>Unrestricted cash variations</i>
			0

PROPOSED VARIATIONS

<i>Proposed Variations</i>			
COMMUNITY PLAN THEME	VARIATION	FUNDING SOURCE	AMOUNT
WATER FUND			
Contra Variations			
	Allocate water mains replacement budgets to the following projects:		
	- Mortimer Street \$72,000		
	- Medley Street \$70,000		
	- Belmore Street \$54,000		
	- Third Street \$40,000		
	- Station Street \$50,000		
Looking after our Community	- Court Street \$60,000	Water Fund Reserves	(683,000) C
	- Lynne Street \$50,000		
	- Denison Street \$57,000		
	- Calderwood Road \$19,000		
	- White Street \$32,000		
	- Mayne Street \$145,000		
	- Oporto Street \$34,000		
Looking after our Community	Transfer Water Mains Capital Budget out to projects	Water Fund Reserves	683,000 C
Total Contra Variations			0
TOTAL WATER FUND			0
		<i>Non-cash variations</i>	0
		<i>Unrestricted cash variations</i>	0

OVERVIEW OF CAPITAL WORKS PROGRAM



STATUS DESCRIPTION

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.

CAPITAL WORKS PROGRAM

	ORIGINAL ANNUAL BUDGET	APPROVED VARIATIONS	CURRENT ANNUAL BUDGET	PROPOSED VARIATIONS	PROPOSED ANNUAL BUDGET	ACTUAL YTD	ACTUAL YTD/ PROPOSED ANNUAL BUDGET	COMMITMENTS	COMMENT
\$'000									
Looking after our Community									
IMPOUNDING FACILITY	0	8	8	0	8	0	0%	0	Final works
COMM. TRANSPORT- VEHICLE PURCHASE	46	0	46	0	46	0	0%	0	Consultation
AGED CARE UNITS - CAP -COOYAL/ANDERSON ST GULGONG	20	0	20	0	20	0	1%	8	Procurement
AGED CARE UNITS - CAP -LOUEE ST UNITS	10	0	10	0	10	0	1%	6	Procurement
WOLLAR PROGRESS ASSOCIATION COMMUNITY INFRASTRUCTURE	0	15	15	0	15	0	0%	8	Procurement
CAPITAL -DENISON STREET UNITS	12	0	12	0	12	0	1%	0	Procurement
MUDGEES CEMETERY CAP IMPV	0	61	61	0	61	0	0%	0	Project Scope
GPS CEMETERY SITES	40	0	40	0	40	0	0%	33	Procurement
CEMETERY CAPITAL PROGRAM	15	0	15	0	15	0	0%	9	Project Scope
GULGONG LAWN CEMETERY EXTENSION	25	0	25	0	25	0	0%	0	Procurement
PUBLIC TOILETS - CAPITAL UPGRADES - BUDGET ONLY	59	9	68	0	68	2	3%	0	Project Scope
REDHILL PUBLIC TOILETS - CAP UPGRADE	55	0	55	0	55	0	0%	0	Consultation
LIBRARY MUDGEES CAPITAL UPGRADES	45	0	45	0	45	1	1%	0	Project Scope
LIBRARY BOOKS	68	0	68	0	68	16	23%	0	Initial works
RYLSTONE LIBRARY BRANCH	30	0	30	0	30	0	0%	0	Project Scope
CAPITAL UPGRADE - RYLSTONE HALL	80	0	80	0	80	1	1%	0	Project Scope
CAPITAL UPGRADE - KANDOS HALL	25	0	25	0	25	0	1%	0	Design
CAPITAL UPGRADE - KANDOS PRESCHOOL	0	5	5	0	5	0	0%	0	Project Scope
CAP UPGRD-COMMUNITY BLD-BUDGET ONLY	23	0	23	0	23	0	1%	0	Project Scope
CAPITAL UPGRADE - RYLSTONE GUIDE HALL	50	0	50	0	50	1	1%	0	Consultation
CAPITAL UPGRADE - MUDGEES TOWN HALL STAGE LIGHTING	0	8	8	0	8	8	95%	0	Complete

CAPITAL WORKS PROGRAM

\$'000	ORIGINAL ANNUAL BUDGET	APPROVED VARIATIONS	CURRENT ANNUAL BUDGET	PROPOSED VARIATIONS	PROPOSED ANNUAL BUDGET	ACTUAL YTD	ACTUAL YTD/ PROPOSED ANNUAL BUDGET	COMMITMENTS	COMMENT
POOL CLEANER REPLACEMENT	16	0	16	(16)	0	0	0%	0	Procurement
POOL FILTER REPLACEMENT	20	0	20	16	36	0	0%	32	Procurement
MUDGEES SHOWGROUND GRANDSTAND DEMOLITION	60	0	60	0	60	0	0%	0	Consultation
WALKERS FIELD AMENITIES REPAIRS	10	0	10	0	10	0	0%	6	Procurement
GLENWILLOW SPORTS GROUND UPGRADES	3,000	0	3,000	0	3,000	0	0%	0	Initial works
GLEN WILLOW CRICKET WICKET	139	0	139	0	139	0	0%	3	Project Scope
GLEN WILLOW NETBALL COURTS	110	0	110	0	110	0	0%	0	Project Scope
GULGONG NETBALL COURT UPGRADE	35	0	35	0	35	0	0%	0	Project Scope
GLEN WILLOW NETBALL BBQ AREA	10	0	10	0	10	0	0%	0	Design
MUDGEES SKATE PARK	250	0	250	0	250	0	0%	0	Project Scope
CAPITAL UPGRADE - KANDOS SPORTSGROUND CANTEEN	0	30	30	0	30	0	0%	0	Project Scope
GULGONG TENNIS COURTS	0	14	14	0	14	(21)	-152%	35	Final works
BILLY DUNN SYNTHETIC WICKET	7	0	7	0	7	0	0%	6	Complete
VICTORIA PARK GULGONG - DISABLED AMENITIES	52	0	52	0	52	0	0%	0	Project Scope
MUDGEES TENNIS COURTS - CAPITAL UPGRADE	20	0	20	0	20	0	0%	0	Complete, awaiting invoices
PASSIVE PARKS - LANDSCAPING IMPROVEMENTS	5	0	5	0	5	0	0%	0	Design
PLAYGROUND UPGRADE - ANZAC PARK GULGONG	8	0	8	0	8	0	0%	11	Initial works
SCULPTURES ACROSS THE REGION	31	0	31	0	31	1	3%	0	Consultation
AVISFORD RESERVE - CAPITAL	0	0	0	3	3	0	0%	0	Project Scope
PARK BIN REPLACEMENT	11	0	11	0	11	0	0%	0	consultation
YOUTH INFRASTRUCTURE	500	0	500	0	500	0	0%	0	Project Scope
IRRIGATION RENEWAL PROGRAM	60	0	60	0	60	0	0%	0	Procurement

CAPITAL WORKS PROGRAM

\$'000	ORIGINAL ANNUAL BUDGET	APPROVED VARIATIONS	CURRENT ANNUAL BUDGET	PROPOSED VARIATIONS	PROPOSED ANNUAL BUDGET	ACTUAL YTD	ACTUAL YTD/ PROPOSED ANNUAL BUDGET	COMMITMENTS	COMMENT
VICTORIA PARK GULGONG CAPITAL UPGRADES	15	0	15	0	15	0	0%	15	Procurement
ROBERTSON PARK MUDGEE CAPITAL UPGRADES	15	0	15	0	15	0	0%	0	Procurement
WARATAH PARK PLAYGROUND UPGRADE	28	0	28	0	28	0	0%	0	Design
ART GALLERY FACILITY	0	38	38	0	38	0	0%	0	Project Scope
STREETSCAPE - CBD INFRASTRUCTURE	13	9	22	0	22	0	0%	0	consultation
STREETSCAPE - TREE PLANTING RYLSTONE/KANDOS	5	0	5	3	8	0	0%	3	Initial works
Total	5,023	198	5,221	6	5,228	8	0%	176	

Protecting our Natural Environment

RURAL WASTE DEPOT UPGRADES	150	0	150	0	150	0	0%	0	Design
MUDGEE WASTE DEPOT UPGRADES	34	0	34	0	34	0	0%	0	Design
NEW TIP CONSTRUCTION	2,000	0	2,000	0	2,000	0	0%	0	Design
WASTE SITES REHABILITATION	135	0	135	0	135	0	0%	0	Design
REMOTE SECURITY CAMERAS AT WTS	43	0	43	0	43	0	0%	0	Design
WTS - HARGRAVES UPGRADE	50	0	50	0	50	0	0%	0	Design
WTS - BYLONG UPGRADE	30	0	30	0	30	0	0%	0	Design
LEACHATE POND ENLARGEMENT	250	0	250	0	250	0	0%	0	project scope
WEIGHBRIDGE SOFTWARE UPGRADE	35	0	35	0	35	0	0%	0	procurement
CARDBOARD COLLECTION CONTAINERS	30	0	30	0	30	0	0%	0	Design
WTS FRONT LIFT BINS	50	0	50	0	50	0	0%	0	procurement
HOOKLIFT BINS	115	0	115	0	115	0	0%	0	procurement
DRAINAGE CAPITAL IMPROVEMENTS	48	0	48	(48)	(0)	0	0%	0	Project Scope

CAPITAL WORKS PROGRAM

\$'000	ORIGINAL ANNUAL BUDGET	APPROVED VARIATIONS	CURRENT ANNUAL BUDGET	PROPOSED VARIATIONS	PROPOSED ANNUAL BUDGET	ACTUAL YTD	ACTUAL YTD/ PROPOSED ANNUAL BUDGET	COMMITMENTS	COMMENT
CAUSEWAY IMPROVEMENTS	62	0	62	0	62	1	2%	0	Budget only
RIFLE RANGE ROAD CULVERT UPGRADE	0	0	0	22	22	30	136%	2	Complete
CAUSEWAY IMPROVEMENT - CAMBELLS CREEK ROAD	0	0	0	0	0	4	0%	0	Complete
MUDGEES RACECOURSE DRAINAGE UPGRADE	0	0	0	26	26	0	0%	0	Project Scope
BENT STREET DRAINAGE IMPROVEMENTS	80	0	80	0	80	0	0%	0	Project Scope
LAWSON PARK WEST PIPE EXTENSION	52	0	52	0	52	0	0%	0	Procurement
MUDGEES FLOOD STUDY & FLOODPLAIN MANAGEMENT PLAN	82	0	82	0	82	0	0%	0	Project Scope
BOMBIRA AVE DRAINAGE IMPROVEMENTS	35	0	35	0	35	0	0%	0	Design
DUNN STREET KANDOS DRAINAGE IMPROVEMENTS	10	0	10	0	10	0	0%	0	Design
COURT STREET DRAINAGE IMPROVEMENTS	10	0	10	0	10	0	0%	0	Design
PUTTA BUCCA WETLANDS CAPITAL	16	0	16	0	16	0	0%	0	Design
WATER NEW CONNECTIONS	76	0	76	0	76	2	2%	0	Construction
WATER AUGMENTATION - MUDGEES HEADWORKS	1,332	0	1,332	0	1,332	0	0%	0	Consultation
WATER AUGMENTATION - ULAN RD EXTENSION	1,574	10	1,584	0	1,584	0	0%	38	Initial works
WATER RYLSTONE DAM UPGRADE	5,800	52	5,852	0	5,852	0	0%	32	Consultation
WATER TELEMETRY	20	0	20	0	20	0	0%	0	Consultation
WATER MAINS - CAPITAL BUDGET ONLY	850	0	850	(683)	167	0	0%	0	Budget only
WATER MAINS - LYNNE ST GULGONG	0	5	5	0	5	7	140%	0	Complete
WATER MAINS - ANGUS AVE KANDOS	0	5	5	0	5	10	214%	0	Final works
WATER MAINS - MEDLEY STREET	0	0	0	70	70	28	39%	1	Construction
WATER MAINS - MORTIMER STREET	0	0	0	72	72	43	60%	1	Construction
WATER MAINS - BELMORE STREET	0	0	0	54	54	0	0%	0	Project Scope

CAPITAL WORKS PROGRAM

\$'000	ORIGINAL ANNUAL BUDGET	APPROVED VARIATIONS	CURRENT ANNUAL BUDGET	PROPOSED VARIATIONS	PROPOSED ANNUAL BUDGET	ACTUAL YTD	ACTUAL YTD/ PROPOSED ANNUAL BUDGET	COMMITMENTS	COMMENT
WATER MAINS - THIRD STREET	0	0	0	40	40	0	0%	0	Project Scope
WATER MAINS - STATION STREET	0	0	0	50	50	0	0%	0	Project Scope
WATER MAINS - COURT STREET	0	0	0	60	60	0	0%	0	Project Scope
WATER MAINS - LYNNE STREET	0	0	0	50	50	0	0%	0	Project Scope
WATER MAINS - DENISON STREET	0	0	0	57	57	0	0%	0	Project Scope
WATER MAINS - CALDERWOOD ROAD	0	0	0	19	19	0	0%	0	Project Scope
WATER MAINS - WHITE STREET	0	0	0	32	32	0	0%	0	Project Scope
WATER MAINS - MAYNE STREET	0	0	0	145	145	0	0%	49	Procurement
WATER MAINS - OPORTO STREET	0	0	0	34	34	0	0%	0	Project Scope
WATER PUMP STATION - CAPITAL RENEWALS	207	0	207	0	207	0	0%	0	Consultation
RESERVOIRS - RYLSTONE, KANDOS, CHARBON, CLANDULLA	80	0	80	0	80	0	0%	0	Consultation
RAW WATER SYSTEMS RENEWALS	16	0	16	0	16	0	0%	0	Consultation
WATER TREATMENT PLANT - RENEWALS	98	0	98	0	98	0	0%	6	Procurement
WATER METER REPLACEMENT	415	0	415	0	415	0	0%	0	Project Scope
NEW WATER CONNECTIONS SPS	0	9	9	0	9	0	2%	0	Project Scope
SEWER NEW CONNECTIONS	24	0	24	0	24	0	1%	0	Construction
SEWER AUGMENTATION - RYLSTONE & KANDOS	1,295	15	1,310	0	1,310	1	0%	29	Consultation
SEWER TELEMETRY	21	0	21	0	21	0	0%	0	Consultation
SEWER MAINS - CAPITAL BUDGET ONLY	230	0	230	0	230	0	0%	0	Budget only
SEWER MAINS RELINING	600	527	1,127	0	1,127	0	0%	703	Construction
SEWER MAINS - BELLEVUE TO RIFLE RANGE ROAD	0	47	47	0	47	0	0%	0	Project Scope
SEWER PUMP STATION - CAPITAL RENEWALS	69	20	89	0	89	0	0%	0	Consultation

CAPITAL WORKS PROGRAM

\$'000	ORIGINAL ANNUAL BUDGET	APPROVED VARIATIONS	CURRENT ANNUAL BUDGET	PROPOSED VARIATIONS	PROPOSED ANNUAL BUDGET	ACTUAL YTD	ACTUAL YTD/ PROPOSED ANNUAL BUDGET	COMMITMENTS	COMMENT
SEWER PUMP STATION - CAERLEON	30	0	30	0	30	0	0%	0	Final works
SEWER TREATMENT WORKS - RENEWALS	46	0	46	0	46	0	0%	0	Design
Total	16,100	689	16,789	0	16,789	127	1%	860	

Building a Strong Local Economy

CUDGEGONG WATERS CARAVAN PARK PLAYGROUND UPGRADE	124	0	124	0	124	0	0%	0	Design
CUDGEGONG WATERS CARAVAN PARK	210	0	210	0	210	0	0%	146	Procurement
SALEYARDS - POST AND RAIL REPLACEMENT	10	0	10	0	10	0	0%	0	Consultation
PROPERTY - EX SALEYARDS STAGE I	390	0	390	0	390	0	0%	0	Deferred/Cancelled
PROPERTY - MORTIMER ST PRECINCT	0	18	18	0	18	0	0%	0	Project Scope
PROPERTY - DEVELOPMENT MORTIMER ST	4,820	0	4,820	0	4,820	0	0%	56	Project Scope
RYLSTONE KANDOS PRESCHOOL EXTENSION	160	0	160	0	160	0	0%	0	Design
Total	5,714	18	5,732	0	5,732	0	0%	202	

Connecting our Region

URBAN RESEAL - COURT STREET SEG 30 TO 40	12	0	12	0	12	0	0%	0	Design
URBAN RESEAL - DEWHURST DRIVE SEG 30 TO 60	27	0	27	0	27	0	0%	0	Design
URBAN RESEAL - FLEMING STREET SEG 10 TO 50	45	0	45	0	45	0	0%	0	Design
URBAN RESEAL - LLOYD AVENUE SEG 10 TO 20	6	0	6	0	6	0	0%	0	Design
URBAN RESEAL - LOVEJOY STREET SEG 10	22	0	22	0	22	0	0%	0	Design
URBAN RESEAL - LOWANA CLOSE SEG 10	7	0	7	0	7	0	0%	0	Design
URBAN RESEAL - LYNNE STREET SEG 30 TO 80	24	0	24	0	24	0	0%	0	Design
URBAN RESEAL - LYNWOOD AVENUE SEG 10 TO 20	7	0	7	0	7	0	0%	0	Design
URBAN RESEAL - MADEIRA ROAD SEG 45 TO 50	10	0	10	0	10	0	0%	0	Design

CAPITAL WORKS PROGRAM

\$'000	ORIGINAL ANNUAL BUDGET	APPROVED VARIATIONS	CURRENT ANNUAL BUDGET	PROPOSED VARIATIONS	PROPOSED ANNUAL BUDGET	ACTUAL YTD	ACTUAL YTD/ PROPOSED ANNUAL BUDGET	COMMITMENTS	COMMENT
URBAN RESEAL - MCDONALD STREET SEG 60	3	0	3	0	3	0	0%	0	Design
URBAN RESEAL - MEDLEY STREET SEG 20 TO 70, 110 TO 140	26	0	26	0	26	0	0%	0	Design
URBAN RESEAL - MORTIMER STREET SEG 130 TO 140	26	0	26	0	26	0	0%	0	Design
URBAN RESEAL - PERRY STREET SEG 70	6	0	6	0	6	0	0%	0	Design
URBAN RESEAL - RIFLE RANGE ROAD SEG 10 TO 20	15	0	15	0	15	0	0%	0	Design
URBAN RESEAL - STATION STREET SEG 10 TO 20	12	0	12	0	12	0	0%	0	Design
URBAN RESEAL - THIRD STREET SEG 10 TO 40	9	0	9	0	9	0	0%	0	Design
URBAN RESEAL - WHITE CRESCENT SEG 10 TO 20	8	0	8	0	8	0	0%	0	Design
URBAN RESEAL - MASON STREET SEG 10 TO 30	8	0	8	0	8	0	0%	0	Design
URBAN RESEAL - BELMORE STREET SEG 30 TO 40	13	0	13	0	13	0	0%	0	Design
URBAN RESEAL - DENISON STREET SEG 140 TO 190	20	0	20	0	20	0	0%	0	Design
URBAN RESEAL - MELTON ROAD SEG 10 TO 20	8	0	8	0	8	0	0%	0	Design
URBAN RESEAL - COX STREET SEG 30 TO 70	59	0	59	0	59	0	0%	0	Design
URBAN ROADS KERB & GUTTER CAPITAL	24	0	24	0	24	2	8%	0	Construction
URBAN REHAB - ANGUS AVENUE KANDOS	453	0	453	0	453	0	0%	0	Design
URBAN REHAB - CAIRO STREET SEG 10	60	0	60	0	60	0	0%	0	Design
URBAN HEAVY PATCHING	142	0	142	0	142	0	0%	0	Project Scope
URBAN REHAB - LEWIS STREET SEG 50 TO 60	94	0	94	0	94	0	0%	0	Design
URBAN REHAB - INGLIS STREET SEG 20 TO 30	135	0	135	0	135	0	0%	0	Design
URBAN REHAB - WHITE STREET SEG 30 TO 40	49	0	49	0	49	0	0%	0	Design
URBAN REHAB - LIONS DRIVE SEG 10 TO 20	251	0	251	0	251	0	0%	0	Design
RESHEETING - URBAN ROADS	15	0	15	0	15	0	0%	0	Project Scope

CAPITAL WORKS PROGRAM

\$'000	ORIGINAL ANNUAL BUDGET	APPROVED VARIATIONS	CURRENT ANNUAL BUDGET	PROPOSED VARIATIONS	PROPOSED ANNUAL BUDGET	ACTUAL YTD	ACTUAL YTD/ PROPOSED ANNUAL BUDGET	COMMITMENTS	COMMENT
URBAN ROADS LAND MATTERS CAPITAL	22	0	22	0	22	0	0%	0	Initial works
RURAL RESEAL - YARRABIN RD SEG 20, 30, 40	43	0	43	0	43	0	0%	0	Design
RURAL RESEAL - LAHEYS CREEK RD SEG 40, 50	70	0	70	0	70	0	0%	0	Design
RURAL RESEAL - LUE ROAD SEG 260, 345, 110	110	0	110	0	110	0	0%	0	Design
RURAL RESEAL - WILBERTREE ROAD SEG 10 TO 80	165	0	165	0	165	0	0%	0	Design
RURAL RESEAL - NARRANGO ROAD SEG 60	29	0	29	0	29	0	0%	0	Design
RURAL RESEAL - HENRY LAWSON DRIVE SEG 170	18	0	18	0	18	0	0%	0	Design
RURAL RESEAL - TINJA LANE SEG 50 TO 60	25	0	25	0	25	0	0%	0	Design
RURAL RESEAL - YARRABIN ROAD SEG 100 TO 160	252	0	252	0	252	0	0%	0	Design
RURAL RESEAL - GOREE LANE SEG 1	54	0	54	0	54	0	0%	0	Design
RURAL RESEAL - ILFORD HALL ROAD SEG 10	35	0	35	0	35	0	0%	0	Design
RURAL RESEAL - SPRING RIDGE RD SEG 130 - 160	218	0	218	0	218	0	0%	0	Design
RURAL REHAB - CUDGEGONG RD SEG 60 TO 70	597	0	597	0	597	0	0%	0	Design
RURAL REHAB - LUE ROAD SEG 170	280	0	280	0	280	0	0%	0	Design
HEAVY PATCHING	109	0	109	0	109	0	0%	0	Project Scope
CUDGEGONG ROAD GUARDRAIL	100	0	100	0	100	0	0%	0	Project Scope
FUTURE YRS REFS - BUDGET ONLY	6	0	6	0	6	0	0%	0	Budget only
RURAL SEALED ROAD LAND MATTERS	27	0	27	0	27	0	0%	0	Initial works
RURAL SEALED REGIONAL ROAD REPAIR PROGRAM	0	17	17	0	17	18	102%	0	Complete
BLACKSPOT HILL END ROAD	0	0	0	193	193	112	58%	113	Complete, awaiting invoices
REHAB HILL END ROAD SEG 2080	215	0	215	0	215	0	0%	0	Project Scope
RESEAL HILL END ROAD SEG 2260 TO 2300	210	0	210	0	210	0	0%	0	Project Scope

CAPITAL WORKS PROGRAM

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						ACTUAL YTD	BUDGET		
REHAB BYLONG VALLEY WAY SEG 1040 TO 1045	518	0	518	0	518	0	0%	0	Design
REG RESEALS - BYLONG VALLEY WAY RESEAL SEG 1095	0	80	80	10	90	88	98%	0	Complete
RURAL SEALED REGIONAL ROAD LAND MATTERS CAPITAL	5	0	5	0	5	0	0%	0	Initial works
TRIANGLE ROAD ACCESS	435	15	450	0	450	1	0%	51	Construction
SEAL EXTENSION - QUARRY LANE	90	0	90	0	90	0	0%	0	Project Scope
RESHEETING	1,039	0	1,039	0	1,039	33	3%	0	Construction
REALIGNMENT MALONEYS ROAD	60	0	60	0	60	0	0%	0	Project Scope
UNSEALED ROADS LAND MATTERS CAPITAL	16	0	16	0	16	0	0%	0	Initial works
SEAL EXTENSION - WOLLAR ROAD	9,480	579	10,060	0	10,060	6	0%	3,094	Construction
CURRANS CUTTING - WOLLAR RD SEAL EXTENSION	0	493	493	0	493	89	18%	125	Construction
HENRY LAWSON DRIVE BRIDGE	970	0	970	0	970	0	0%	0	Design
GOODIMAN CREEK BRIDGE REPLACEMENT	0	0	0	0	0	3	0%	0	Consultation
REGIONAL ROAD BRIDGE CAPITAL	56	0	56	0	56	0	0%	0	Project Scope
ULAN ROAD - CHURCH LN TO OVERTAKING LN 14.5	870	316	1,186	0	1,186	53	4%	36	Complete, awaiting invoices
ULAN ROAD - COPE RD TO UCML MINE ENTRANCE	122	0	122	0	122	0	0%	0	Design
ULAN ROAD - WATTLEGROVE LN TO MIDBLOCK 19.999	2,058	208	2,266	0	2,266	193	9%	233	Design
ULAN ROAD - WYALDRA LN TO QUARRY ENTRANCE 27.783	2,721	0	2,721	0	2,721	6	0%	0	Design
FOOTWAYS - CAPITAL WORKS	127	0	127	0	127	0	0%	10	Initial works
PEDESTRIAN - GLEN WILLOW WALKWAY	32	0	32	0	32	0	0%	1	Deferred/Cancelled
CYCLEWAY LINK LAWSON PARK TO PITTS LANE	300	120	420	0	420	0	0%	375	Design
PEDESTRIAN BRIDGE RYLSTONE	400	0	400	0	400	0	0%	0	Project Scope
AIRPORT - RELOCATION OF FENCING	50	0	50	0	50	0	0%	0	Procurement

CAPITAL WORKS PROGRAM

\$'000	ORIGINAL ANNUAL BUDGET	APPROVED VARIATIONS	CURRENT ANNUAL BUDGET	PROPOSED VARIATIONS	PROPOSED ANNUAL BUDGET	ACTUAL YTD	ACTUAL YTD/ PROPOSED ANNUAL BUDGET	COMMITMENTS	COMMENT
AIRPORT - EXTENSION OF WATER & SEWER SERVICES	171	0	171	0	171	0	0%	138	Construction
AIRPORT - SAFETY MARKERS	25	0	25	0	25	0	0%	22	Consultation
Total	23,725	1,829	25,554	202	25,756	604	2%	4,197	
Good Government									
MUDGEES ADMINISTRATION BUILDING UPGRADE	100	0	100	0	100	0	0%	0	Consultation
RYLSTONE COUNCIL BUILDING	30	0	30	0	30	0	1%	0	Design
CAPITAL UPGRADE - MWRC DEPOT	100	0	100	0	100	0	0%	0	Consultation
MUDGEES TOWN HALL	0	7	7	0	7	5	73%	0	Complete
CAPITAL UPGRADE - RYLSTONE DEPOT	52	0	52	0	52	1	1%	0	Procurement
IT SPECIAL PROJECTS	45	0	45	0	45	0	0%	0	Project Scope
IT NETWORK UPGRADES	60	0	60	0	60	2	3%	0	Design
IT CORPORATE SOFTWARE	161	33	194	0	194	0	0%	40	Project Scope
SERVER ROOM MUDGEES CAPITAL UPGRADES	30	0	30	0	30	0	1%	0	Project Scope
PLANT PURCHASES	4,717	1,745	6,462	0	6,462	11	0%	1,991	Procurement
MUDGEES DEPOT CAPITAL WORKS	23	0	23	0	23	0	1%	0	Consultation
GULGONG DEPOT WASHBAY	100	40	140	0	140	0	0%	35	Construction
MUDGEES WORKSHOP TRUCK HOIST	40	0	40	0	40	0	0%	43	Procurement
MUDGEES DEPOT WASHBAY	40	0	40	0	40	0	0%	0	Design
Total	5,497	1,824	7,322	0	7,322	20	0%	2,108	
Total Capital Works Program	56,060	4,558	60,617	209	60,826	759	1%	7,542	



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9.2 New and Amended Fees and Charges 2017/18

REPORT BY THE MANAGER, FINANCIAL PLANNING
 TO 20 SEPTEMBER 2017 ORDINARY MEETING
 GOV400064, FIN300117

RECOMMENDATION

That Council:

1. receive the report by the Manager, Financial Planning on the New and Amended Fees and Charges 2017/18; and
2. add the following new fees, as written, and place on public exhibition for 28 days;

<i>Service Type</i>	<i>New Fee</i>	<i>Fee (\$ Inclusive of GST)</i>	<i>GST</i>	<i>Conditions</i>	<i>Price Policy</i>
Commercial Waste Disposal - Mudgee Waste Depot	Bio Solids (spade able)	125.00	Yes	Per tonne	FCR
Commercial Waste Disposal - Mudgee Waste Depot	Contaminated Soil (Complying with EPA Guidelines)	250.00	Yes	Per tonne	FCR
Commercial Waste Disposal - Mudgee Waste Depot	Commercial E Waste	45.00	Yes	Per tonne	FCR
Commercial Waste Disposal - Mudgee Waste Depot	Hydraulic Hoses	230.00	Yes	Per tonne	FCR
Commercial Waste Disposal - Mudgee Waste Depot	Clean Fill	Nil	Yes	Per tonne	FCR
Commercial Waste Disposal - Mudgee Waste Depot	Document Destruction Burial	150.00	Yes	Per tonne	FCR
Commercial Waste Disposal - Mudgee Waste Depot	Document Destruction Recycling	20.00	Yes	Per tonne	FCR
Commercial Waste Collection - Mudgee & Gulgong	Additional waste removal service - Level 1 (2 additional collections per week)	338.00	NA	Per quarter	FCR
Commercial Waste Collection - Mudgee & Gulgong	Additional waste removal service - Level 2 (1 additional collection per week)	169.00	NA	Per quarter	FCR
Commercial Waste Collection - Mudgee & Gulgong	Additional waste removal service - Level 3 (1 additional collection per fortnight)	85.00	NA	Per quarter	FCR

Commercial Waste Collection - Mudgee & Gulgong	Additional waste removal service - Level 4 (1 additional collection per month)	50.00	NA	Per quarter	FCR
Commercial Waste Disposal - Gulgong and Kandos	Green Waste - Single rear axle truck with 16" or smaller wheels	69.90	Yes	Per load	FCR
Other Public Health Fees	Fee for clean-up, prevention and noise control notices	535.00	NA		STAT
Ironed Out - Dry Cleaning Services	As Council acts as an agent, fees are determined by the external supplier. Pricing is available upon enquiry at Ironed Out	POA	Yes		EXT
Other Building Approvals – Swimming Pools	Notice of Public Swimming Pool	\$100.00	NA		STAT
Swimming Pools – Mudgee Pool Canteen Sales	Food and drink sales	POA	Yes	Prices as displayed	ROR

3. amend the following fee amount, as written and place on public exhibition for 28 days;

Service Type /Fee	Fee amount (\$)	Amended fee amount (\$)
Mudgee Showground – Fee 12.67 Caravan Sites - Unpowered	15.20	15.00

4. amend the following fee condition, as written and place on public exhibition for 28 days;

Service Type /Fee	Condition	Amended Condition
MWRC Parks & Gardens – Fee 12.1 Event booking of MWRC Parks & Gardens	Excludes annual athletics carnival for schools	Excludes annual athletics carnival for schools, markets and RSL functions

5. remove the following fees from 2017/18 Fees and Charges;

Service Type /Fee	Fee Amount	Condition
Commercial Waste Collection Mudgee & Gulgong Fee 20.17 Waste Removal Bin 240 Litres	13.00	Per service

Ironed Out - Dry Cleaning Clothing Fees 16.18 to 16.58	Various
Ironed Out - Dry Cleaning Clothing Police Uniforms only Fees 16.59 to 16.62	Various
Building Approvals and Certificates – Electronic Housing Code Complying Development Certificates Fees 4.16 to 4.27	Various

6. endorse the new fees following the 28 day public exhibition period if no submissions are received.

Executive summary

This report recommends the introduction of a number of new fees and charges for waste collection and disposal along with amendments to other existing fees approved in the 2017/18 Operational Plan. Any new fees are required to be placed on public exhibition to provide the public with opportunity for submission.

All recommended changes are shown below under the detailed report section.

Disclosure of Interest

Nil

Detailed report

New Fees

The following table provides information about the reason for introduction of new service fees.

<i>Service Type</i>	<i>Reason for new fee</i>
Commercial Waste Disposal - Mudgee Waste Depot	New service offered
Commercial Waste Collection - Mudgee & Gulgong	In-line with business recycling collection, customers are being offered four different service level options with a quarterly fee. This results in clear and consistent levels of service with streamlined administration.
Commercial Waste Disposal - Gulgong and Kandos	Gives the ability for customers to dispose of a larger quantity of green waste at Gulgong and Kandos waste transfer stations.
Other Public Health Fees	Prescribed fee payable under Protection of the Environment Operations (General) Regulation 2009.
Ironed Out - Dry Cleaning Services	Fees are determined by the external supplier not Council and are therefore subject to change without notice. Pricing will be available upon enquiry at Ironed Out

Other Building Approvals – Swimming Pools

Council is required to commence a public swimming pool register under the Public Health Act 2010 and Regulations 2012. Occupiers of premises with a swimming pool are to notify Council per s35 of the Act and pay fees not exceeding \$100 under cl.19(1) of the Regulations. The comprehensive public swimming pool program will commence during the summer period.

Swimming Pools – Mudgee Pool Canteen Sales

It is proposed that Council operate the canteen at Mudgee pool and new fee type created, This will allow sales of various food and drink under the pricing policy rate of return.

Amended Fees

The following table provides information about the reason for amendments proposed to existing fees.

the following fee is proposed to be amended;**Service Type**

Mudgee Showground
Fee 12.67 Caravan Sites - Unpowered

Reason for change

There was an error in setting this fee for 2017/18. The intention was for the fee to remain at \$15.00 for ease of cash handling

the following fee condition is proposed to be amended as written;**Service Type**

MWRC Parks & Gardens
Fee 12.1 Event booking of MWRC Parks & Gardens

Reason for Change

To provide clarity on excluding markets and RSL functions from the payment of this fee

the following fees are proposed to be removed;**Service Type**

Commercial Waste Collection Mudgee & Gulgong
Fee 20.17 Waste Removal Bin 240 Litres

Reason for change

In-line with business recycling collection, customers are being offered four different service level options with a quarterly fee. This results in clear and consistent levels of service with streamlined administration.

Ironed Out - Dry Cleaning Clothing
Fees 16.18 to 16.58

Fees are determined by the external supplier not Council. Pricing is available upon enquiry at Ironed Out.

Ironed Out - Dry Cleaning Clothing Police
Uniforms only
Fees 16.59 to 16.62

Fees are determined by the external supplier not Council. Pricing is available upon enquiry at Ironed Out.

Building Approvals and Certificates – Electronic
Housing Code Complying Development
Certificates
Fees 4.16 to 4.27

The Electronic Housing Code was decommissioned by the NSW Department of Planning & Environment on 23 June 2017. These fees are no longer applicable.

Community Plan implications

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

Strategic implications

Council Strategies

If the recommendation is approved and no submissions are received the Operational Plan 2017/18 Fees and Charges will be amended.

Council Policies

Not applicable.

Legislation

In accordance with Section 608 of the Local Government Act, Council may charge and recover an approved fee for any service it provides other than an annual charge made under section 496 or 501.

Section 610F (1) of the Local Government Act states that A council must not determine the amount of a fee until it has given public notice of the fee in accordance with this section and has considered any submissions duly made to it during the period of public notice.

These fees must be set with the Operational Plan and can only be amended after the date, if:

- (1) a new service is provided, or the nature or extent of an existing service is changed, or
- (2) the regulations in accordance with which the fee is determined are amended

Financial implications

This report recommends that the fees and charges within the 2017/18 Operation Plan be amended. Revenue associated with these changes is not anticipated to have a material impact on the 2017/18 Operational Plan or future years.

Associated Risks

Not applicable.

NEIL BUNGATE
MANAGER, FINANCIAL PLANNING

LEONIE JOHNSON
CHIEF FINANCIAL OFFICER

1 September 2017

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

9.3 Quarterly Budget Review June 2017

REPORT BY THE MANAGER, FINANCIAL PLANNING
TO 20 SEPTEMBER 2017 ORDINARY MEETING
GOV400064, FIN300064

RECOMMENDATION

That Council:

1. **receive the report by the Manager, Financial Planning on the Quarterly Budget Review June 2017; and**
2. **note the opinion by the Responsible Accounting Officer regarding the satisfactory financial position of Council.**

Executive summary

This is the final budget review for the 2016/17 Operational Plan. The attachment to this report provides commentary on the unaudited financial position and performance against budget, as at 30 June 2017.

Disclosure of Interest

Nil

Detailed report

Whilst the Local Government Regulation 2005 does not require a budget review statement for the June quarter it is managements' determination that a review of the 2016/17 actual performance to approved budget is provided to Council. As the 2016/17 financial statements are currently in draft format the review has been performed against the unaudited balances. Some sections of the mid-year Quarterly Budget Review Statement such as Income Statement, Balance Sheet and Key Financial Indicators have been removed as final reporting will be provided in the audited financial statements.

Once audited financial statements are presented to Council the actual variances to the original budgets can be found on the Income Statement, Statement of Cash Flows. Note 19 Material budget variations also provides commentary on material variations.

Community Plan implications

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

Strategic implications

Council Strategies

Not applicable

Council Policies

Not applicable

Legislation

The Local Government (General) Regulation 2005 section 203(2) requires a budget review statement must include or be accompanied by:

- (a) a report as to whether or not the responsible accounting officer believes that the statement indicates that the financial position of the council is satisfactory, having regards to the original estimate of income and expenditure, and
- (b) if that position is unsatisfactory, recommendations for remedial action.

Financial implications

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulation 2005:

It is my opinion as the Responsible Accounting Officer, that the financial position of Mid-Western Regional Council as at 30 June 2017 is satisfactory, having regard to the original estimates of income and expenditure, and actuals, for the 2016/17 financial year.

Associated Risks

Not applicable

NEIL BUNGATE
MANAGER, FINANCIAL PLANNING

LEONIE JOHNSON
CHIEF FINANCIAL OFFICER

4 September 2017

Attachments: 1. Quarterly Budget Review June 2017. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

9.4 Monthly Statement of Investment and Bank Balances as at 31 August 2017

REPORT BY THE MANAGER, FINANCIAL PLANNING
TO 20 SEPTEMBER 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 31 August 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

The attachment to this report provides information on the performance of the portfolio and provides a register of all investments held as at 31 August 2017. It is important to note the majority of the increase in portfolio balance from the end of July can be found in the at call funds account. This is primarily due to first quarterly rates instalment payments received into Council's account on the 31st of August.

Due to the Standard and Poor's ratings downgrade on 22 May an immediate freeze was imposed on the acquisition of new investments rated BBB+ to BBB-. Through the redemption of two Bank of Queensland term deposits that matured during August the investment portfolio is now within policy limits.

Community Plan implications

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

Strategic implications

Council Strategies

Not applicable.

Council Policies

Council's Investments Policy requires a written report each month setting out the entire investment portfolio

Legislation

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.

Financial implications

Not applicable.

Associated Risks

There are inherent risks in investing funds across different platforms, which have the possibility of impacting Council investments. However, the parameters of the Investment Policy have been developed to reduce risk, as much as possible, and are designed to heavily protect capital investment. The higher risk items are that return on investment will not be as high as anticipated, or in very bad economic environments (e.g. Global Financial Crisis) there may be no return on investment – this risk is unlikely, and monthly reporting to Council helps to mitigate investment risk by providing a probity process.

NEIL BUNGATE
MANAGER, FINANCIAL PLANNING

LEONIE JOHNSON
CHIEF FINANCIAL OFFICER

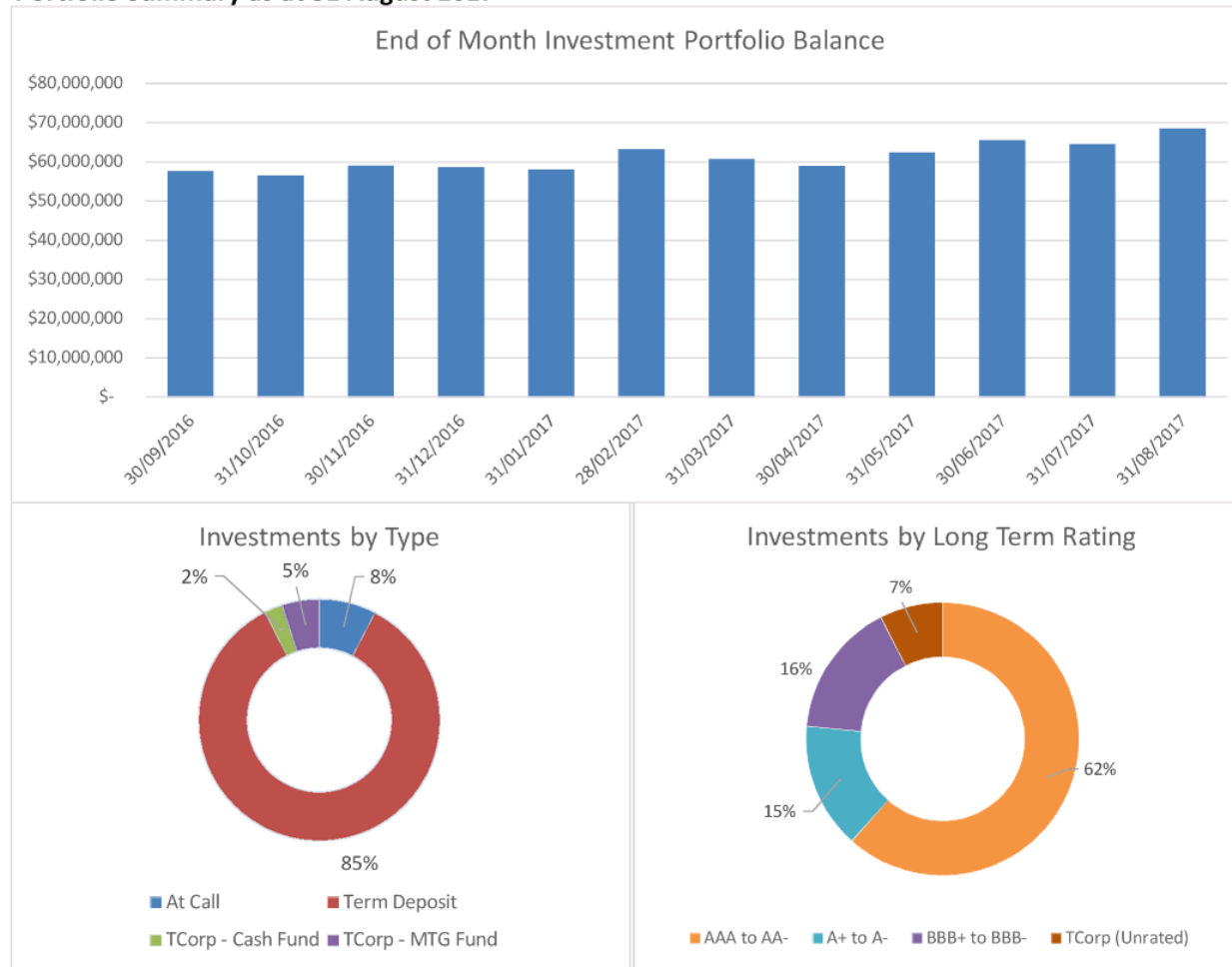
6 September 2017

Attachments: 1. Investment Balances as at 31 August 2017.

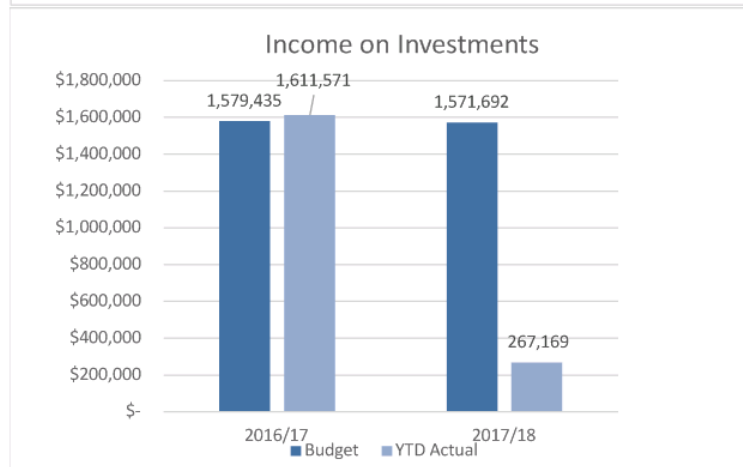
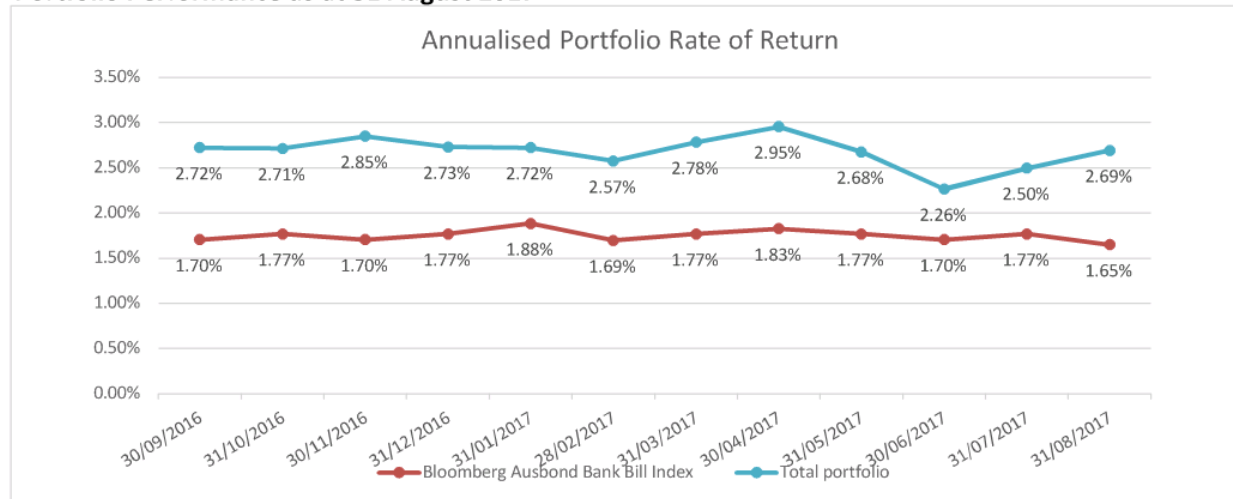
APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Portfolio Summary as at 31 August 2017



Portfolio Performance as at 31 August 2017



Investment Register as at 31 August 2017

Bank Account	Opening Balance	Receipts	Payments	Closing Balance	Overdraft Limit
NAB (Cheque Account)	139,011	22,328,679	22,161,233	306,457	700,000

The bank balances have been reconciled to the General Ledger as at 31/08/2017

Investments	Type	Amount \$'000	Yield %	Maturity Date	Term	Long Term Rating
National Australia Bank	At Call	5,232	1.90%	NA	At Call	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	1,600	2.55%	21/03/2018	259	AA-
St George Bank	Term Deposit	1,300	2.65%	15/11/2017	217	AA-
St George Bank	Term Deposit	1,800	2.65%	13/12/2017	238	AA-
St George Bank	Term Deposit	2,500	2.60%	24/01/2018	238	AA-
St George Bank	Term Deposit	1,000	2.65%	30/05/2018	364	AA-
St George Bank	Term Deposit	2,500	2.60%	21/02/2018	259	AA-
St George Bank	Term Deposit	2,500	2.60%	28/03/2018	292	AA-
St George Bank	Term Deposit	1,500	2.60%	7/02/2018	238	AA-
St George Bank	Term Deposit	1,500	2.55%	7/03/2018	252	AA-
St George Bank	Term Deposit	1,000	2.61%	11/07/2018	364	AA-
St George Bank	Term Deposit	1,600	2.60%	18/04/2018	259	AA-
St George Bank	Term Deposit	1,000	2.61%	2/05/2018	259	AA-
Bankwest	Term Deposit	1,500	2.55%	20/12/2017	217	AA-
Bankwest	Term Deposit	1,700	2.55%	10/01/2018	238	AA-
ANZ	Term Deposit	1,200	2.65%	27/09/2017	217	AA-
CBA	Term Deposit	2,000	2.55%	24/04/2018	300	AA-
CBA	Term Deposit	1,500	2.55%	4/04/2018	247	AA-
CBA	Term Deposit	2,000	2.58%	25/07/2018	359	AA-

Investments	Type	Amount \$'000	Yield %	Maturity Date	Term	Long Term Rating
CBA	Term Deposit	1,500	2.57%	16/05/2018	266	AA-
CBA	Term Deposit	1,500	2.65%	16/05/2018	259	AA-
CBA	Term Deposit	1,700	2.65%	13/06/2018	287	AA-
AMP	Term Deposit	1,000	2.75%	20/12/2017	280	A
AMP	Term Deposit	1,000	2.75%	29/11/2017	238	A
AMP	Term Deposit	1,000	2.60%	26/04/2018	269	A
AMP	Term Deposit	1,000	2.60%	2/05/2018	266	A
ING Bank	Term Deposit	2,000	2.65%	18/10/2017	231	A
ING Bank	Term Deposit	2,000	2.64%	25/10/2017	231	A
ING Bank	Term Deposit	1,200	2.68%	1/11/2017	182	A
ING Bank	Term Deposit	1,000	2.65%	30/05/2018	357	A
Bank of Queensland	Term Deposit	1,300	2.65%	11/10/2017	226	BBB+
Bank of Queensland	Term Deposit	1,500	2.65%	27/09/2017	210	BBB+
Bendigo & Adelaide Bank	Term Deposit	1,000	2.80%	1/11/2017	364	BBB+
Beyond Bank	Term Deposit	1,500	2.70%	20/09/2017	210	BBB
Beyond Bank	Term Deposit	1,200	2.70%	29/11/2017	203	BBB
Members Equity Bank	Term Deposit	2,000	2.65%	22/11/2017	210	BBB
Defence Bank	Term Deposit	1,000	2.88%	13/09/2017	280	BBB
Peoples Choice Credit Union	Term Deposit	1,500	2.73%	6/09/2017	210	BBB
TCorp - Medium Term Growth Fund	Managed Fund	3,428				TCorp (Unrated)
TCorp - Cash Fund	Managed Fund	1,664				TCorp (Unrated)
Total Investments		68,424				

Limit Compliance as at 31 August 2017

Investments by Institution	Long Term Rating	Amount \$'000	% of Portfolio	
			Actual	Policy Limit
National Australia Bank	AA-	9,332	14%	30%
Bankwest	AA-	3,200	5%	30%
St George Bank	AA-	18,200	27%	30%
ANZ	AA-	1,200	2%	30%
CBA	AA-	10,200	15%	30%
AMP	A	4,000	6%	15%
ING Bank	A	6,200	9%	15%
Bank of Queensland	BBB+	2,800	4%	5%
Bendigo & Adelaide Bank	BBB+	1,000	1%	5%
Beyond Bank	BBB	2,700	4%	5%
Members Equity Bank	BBB	2,000	3%	5%
Defence Bank	BBB	1,000	1%	5%
Peoples Choice Credit Union	BBB	1,500	2%	5%
TCorp - Medium Term Growth Fund	TCorp (Unrated)	3,428	5%	15%
TCorp - Cash Fund	TCorp (Unrated)	1,664	2%	15%
		68,424	100%	

Investments by S&P Rating	Long Term Rating	Amount \$'000	% of Portfolio	
			Actual	Policy Limit
	AAA to AA-	42,132	62%	100%
	A+ to A-	10,200	15%	40%
	BBB+ to BBB-	11,000	16%	20%
	TCorp (Unrated)	5,092	7%	15%
	Unrated	-	0%	\$ 250,000
		68,424	100%	

Term to Maturity	Amount \$'000	Actual	% of Portfolio	
			Cumulative Actual	Cumulative Minimum
Less than 3 months	32,524	48%	48%	20%
Between 3 months and 1 year	35,900	52%	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%
	68,424	100%		

Monthly Investment Portfolio Activity

The below table shows 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
NAB (At call account)	1,697		5,232			
TCorp - Cash Fund	1,661		1,664			
TCorp - Medium Term Growth Fund	3,415		3,428			
Bank of Queensland	1,500	1,500		Redeemed		
St George Bank			1,600	New Deposit		2.60%
AMP	2,000	1,000	1,000	-0.15%	84	2.60%
Bank of Queensland	1,000	1,000		Redeemed		
St George Bank			1,000	New Deposit		2.61%
ANZ	2,500	2,500		Redeemed		
CBA			1,500	New Deposit		2.57%
People's Choice Credit Union	1,000	1,000		Redeemed		
CBA			1,500	New Deposit		2.65%
CBA			1,700	New Deposit		2.65%
	14,773		18,624			
Investment Portfolio Movement			3,851	Addition		

9.5 Draft Financial Statements 2016/17

REPORT BY THE CHIEF FINANCIAL OFFICER
TO 20 SEPTEMBER 2017 ORDINARY MEETING
GOV400064, FIN300134

RECOMMENDATION

That Council:

1. **receive the report by the Chief Financial Officer on the Draft 2016/17 Financial Statements;**
2. **authorise a change in the declared business activities of Council, reported in the Special Purpose Financial Statements, to be Category 1 activities:**
 - 2.1 **Water Supply;**
 - 2.2 **Sewerage; and**
 - 2.3 **Waste**
3. **authorise the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer to sign the Statement by Councillors and Management on its opinion of the General Purpose Financial Report 2016/17 and Special Purpose Financial Report 2016/17;**
4. **authorise the General Manager to issue the 2016/17 Financial Reports immediately upon receipt of the Auditors Report, subject to there being no material audit adjustments or audit issues; and**
5. **authorise the General Manager to finalise the date at which the Auditors Report and Financial Statements for 2016/17 are to be presented to the public.**

Executive summary

Council is required to prepare financial reports for each year and refer them to audit as soon as practicable. The preparation and audit of financial reports must be completed within four months after the end of the financial year.

Disclosure of Interest

Nil

Detailed report

The attached draft financial reports have been prepared in accordance with the legislated requirements included in this report.

It is recommended to change the declared business activities as follows:

Business Activity Type	Current	Proposed
Category 1:	Water Supply, Sewer	Water Supply, Sewer, Waste
Category 2:	Saleyards, Private Works	-

The reason for this change is that Saleyards and Private Works are not considered material enough for inclusion in the Financial Reports, and advice from the external auditors in 2016 was to consider removing these activities from the financial statements. The 2015/16 operating result for each was:

Saleyards	\$92,000 surplus from operations after capital amounts included, with a turnover of less than \$500,000.
Private Works	(\$226,000) deficit from operations after capital amounts included, with a turnover of less than \$500,000.

It is therefore recommended to exclude these 2 activities, and include the Waste Fund which is a material business function of Council (\$6m turnover).

The attached draft financial statements are not available to the public until after Council's auditor has provided an independent audit report. It is recommended that Council authorise the General Manager to issue the financial reports immediately upon receipt of the auditors' report, subject to there being no material audit changes or audit issues.

It is recommended that Council authorise the General Manager to finalise the date at which the auditors' report and financial statements are to be presented to the public. It is anticipated that this presentation will occur at the Council meeting of 18 October 2017.

This year is the first year that the Financial Statements will be audited by the Audit Office NSW. There is no major changes anticipated, except to timing and process of the audit.

Community Plan implications

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

Strategic implications

Council Strategies

Not applicable.

Council Policies

Not applicable.

Legislation

Section 413(2)(a) – (c) of the Local Government Act 1993 requires that Council's financial reports must include the following:

- a) a general purpose financial report;
- b) any special purpose financial reports or schedules prescribed by the regulations; and
- c) a statement in the approved form by the Council as to its opinion on the general purpose financial report and any such special purpose financial reports.

Council's financial reports must be prepared in accordance with the requirements of:

- a) the Australian Accounting Standards and professional pronouncements; and
- b) the Local Government Code of Accounting Practice and Financial Reporting; and
- c) the Local Government Act 1993 and the Regulations.

Section 215(1) of the Local Government (General) Regulation 2005 requires that the statement by Council as to its opinion on the financial reports must be made by resolution of the Council and be signed by the Mayor, at least one other member of Council, the General Manager and the Responsible Accounting Officer. The statement must indicate:

- a) whether or not Council's annual financial reports have been drawn up in accordance with the required Standards and Regulations;
- b) whether or not those reports present fairly Council's financial position and operating result for the year;
- c) whether or not those reports accord with the Council's accounting and other records;
- d) whether or not the signatories know of anything that would make those reports false or misleading in any way; and
- e) include such information and explanations as will prevent those reports from being misleading because of any qualification that is included in the statement.

Financial implications

The cost of auditing the Financial Statements is already included in the Operational Plan, no budgetary changes are anticipated at this stage.

Associated Risks

There is a risk of material misstatement in the Financial Reports, which is mitigated by the following:

- Completion by qualified professionals;
- Fraud controls;
- Financial compliance procedures; and
- External audit.

Should a material change be required before sign off, the 2016/17 Financial Statements will be required to come back to Council for confirmation before sign off. It is not anticipated that a material change will occur, however the Audit Office NSW is still reviewing their stance on appropriate accounting principles for:

- Land Under Roads; and
- Rural Fire Service assets

Should the AONSW make a decision to amend the treatment of these assets, the figures will be restated accordingly in Note 9. These changes are also not anticipated to be material, should they occur.

LEONIE JOHNSON
CHIEF FINANCIAL OFFICER

6 September 2017

- Attachments:*
1. DRAFT 2016/2017 General Purpose Financial Statements. (Confidential - separately attached)
 2. DRAFT 2016/2017 Special Purpose Financial Statements. (Confidential - separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

9.6 2017-18 Federal Government Financial Assistance Grants

REPORT BY THE CHIEF FINANCIAL OFFICER
TO 20 SEPTEMBER 2017 ORDINARY MEETING
GOV400064, A0180064

RECOMMENDATION

That Council:

1. **receive the report by the Chief Financial Officer on the 2017-18 Financial Assistance Grants;**
2. **note that the Federal Government Financial Assistance has resumed indexation at 3.4%, after freezing indexing for 3 years;**
3. **note the Disability Factors impacting Councils Financial Assistance Grant amount; and**
4. **note that no submission to the Local Government Grants Commission is recommended.**

Executive summary

The Local Government Grants Commission has a policy of providing information to Councils about the way it calculates financial assistance grants. The details of the 2017-18 grant calculation are attached for Councils information and discussion.

Disclosure of Interest

Nil

Detailed report

The Local Government Grants Commission has requested that the attached information be tabled at the next Council meeting for consideration. Special submissions are invited from Council in relation to the distribution of financial assistance grants for 2018-19. However, Council is not required to make a submission. The purpose of a submission is to give Council the opportunity to present information on the financial impact of inherent expenditure disabilities beyond its control that are not generally recognised in the current methodology (attached). This allows the Commission to adequately consider all legitimate factors that affect Council's capacity to deliver services. Guidelines for Special Submissions (attachment 3), contains guidelines for preparing submissions. The cut off date for Submissions is the 30 November 2017. Council officers have not identified any additional disability factors outside the current methodology, and therefore it is not recommended to complete a submission.

Community Plan implications

Theme	Good Governance
Goal	An effective and efficient organisation
Strategy	Pursue excellence in service delivery

Strategic implications

Council Strategies

Not applicable.

Council Policies

Not applicable.

Legislation

Not applicable.

Financial implications

Financial Assistance Grants make up about 10% of Councils annual income. The Federal Governments decision to freeze this funding over the last 3 years has contributed to inflation strain on Councils operating result. The decision to remove the freeze and reinstate inflation increases, with this years increase of the fund being equivalent to about 3.4%, is welcomed by Council officers.

The second decision by the Federal Government in regards to the Financial Assistance Grants program, is that they chose to bring forward 50% of the payment of the 2017/18 FAG to 2016/17. This has resulted in an improved Operating Performance Ratio, and the opposite effect is expected in this financial year.

The impact to budgeted Financial Assistance Grants for the 2017/18 year is:

Financial Assistance Grants '\$'s	Recommended 2017/18 Entitlement	2017/18 Advance Payment	2017/18 Payments	Current unapproved 2017/18 budget after July Monthly	Actual impact to budgeted income after prepayment added back
General Purpose	3,763,851	1,860,678	1,903,173	1,739,028	164,145
Local Roads	2,322,732	1,144,608	1,178,124	1,085,679	92,445
Total	6,086,583	3,005,286	3,081,297	2,824,707	256,590 favourable

The July Monthly Budget Review recommends a reduction to Financial Assistance Grants received, by the 2017/18 Advance Payment amounts.

The September Quarterly Budget Review will recommend an increase to budgeted Financial Assistance Grants by "Actual impact to budgeted income" above. This is so the Local Roads component can be allocated to a budget, and the cash impact of the General component can be modelled with other changes.

Associated Risks

Not applicable.

LEONIE JOHNSON
CHIEF FINANCIAL OFFICER

6 September 2017

- Attachments:*
1. Local Government Grants Commission letter to MWRC. (separately attached)
 2. Local Government Grants Commission Disability Calculation Summary 2017/18. (separately attached)
 3. Local Government Grants Commission Guidelines for special submissions 2017/18. (separately attached)
 4. Local Government Grants Commission Details of Disability Factors 2017/18. (separately attached)
 5. Local Government Grants Commission explanation of calculation summaries 2017/18. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

9.7 Holtermann Museum Mortgage Deed

REPORT BY THE CHIEF FINANCIAL OFFICER
TO 20 SEPTEMBER 2017 ORDINARY MEETING
GOV400064, REC800024

RECOMMENDATION

That Council:

1. **receive the report by the Chief Financial Officer on the Holtermann Museum Mortgage Deed;**
2. **endorse financial assistance to Gulgong Holtermann Museum Incorporated in the form of a reduced rate loan for the principal amount of \$150,000, secured by mortgage over Lot 1 DP 400599, Folio Identifier 1/400599, 123-125 Mayne Street, Gulgong;**
3. **note the draft Mortgage Deed, as attached, with recommended terms;**
4. **authorise the General Manager to negotiate final terms of the Mortgage Deed;**
5. **authorise the General Manager and Mayor to sign the Mortgage Deed and all related documentation, as required;**
6. **authorise the use of Councils seal on the Mortgage Deed and all related documents, as required; and**
7. **authorise the General Manager to complete all other actions required to implement the Mortgage Deed, carry out principal drawdown of the loan, discharge the existing mortgage on the certificate of title to the loan security property, and register the mortgage over the loan security property.**

Executive summary

During preparation of the 2017/18 Operational Plan, a request was made to provide assistance to the Gulgong Holtermann Museum Inc. to refinance their mortgage of 123-125 Mayne St, Gulgong. This request was endorsed in June 2017, when the 2017/18 Operational Plan was adopted.

Disclosure of Interest

Nil

Detailed report

Council endorsed the granting of financial assistance to Gulgong Holtermann Museum Incorporated (GHMI), in the form of a reduced interest rate loan, in order for GHMI to refinance the existing mortgage over the museum property. The discussed terms with GHMI, have so far included:

Principal:	\$150,000
Security:	Address: 123-125 Mayne St GULGONG NSW 2852
Drawdown:	Required before 17 th December 2017, in order to repay existing mortgage – say 1 st October 2017
Interest Rate:	3.00%
Repayment Term:	10 years
Repayment:	Annual

GHMI have, in principal, agreed to the proposed terms of the loan, so Council now needs to provide a draft Mortgage Deed to GHMI for their review. Councils solicitors have drafted the agreement, and provided advice on appropriate inclusions in the draft Mortgage Deed (attached).

It should be noted that the loan is being provided to assist in driving the tourism industry within the township of Gulgong, and the Mid-Western Region, as noted during preparation of the 2017/18 Operational Plan.

Community Plan implications

Theme Looking After Our Community

Goal	Meet the diverse needs of the community and create a sense of belonging
Strategy	Support arts and cultural development across the Region

Strategic implications

Council Strategies

Not applicable.

Council Policies

Not applicable.

Legislation

Section 356 of the Local Government Act 1993, provides for Councils contributing financial assistance:

- (1) A council may, in accordance with a resolution of the council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.
- (2) A proposed recipient who acts for private gain is not ineligible to be granted financial assistance but must not receive any benefit under this section until at least 28 days' public notice of the council's proposal to pass the necessary resolution has been given.

It is noted the Gulgong Holtermann Museum Incorporated is a not-for-profit entity and as such, financial assistance does not require public notice.

Financial implications

This loan is included in the Operational Plan 2017/18, and all corresponding repayments and interest income have been included in the Delivery Program 2017/21.

Associated Risks

There is a risk that the Gulgong Holtermann Museum Inc, will not be able to raise sufficient funds to repay the principal and interest as they fall due. This has been mitigated by the inclusion of a mortgage over the Museum property.

LEONIE JOHNSON
CHIEF FINANCIAL OFFICER

6 September 2017

Attachments: 1. Draft Mortgage Holtermann Museum.
2. Draft Annexure to Mortgage Deed of Agreement.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Form: 05M
Release: 4.2

MORTGAGE

New South Wales
Real Property Act 1900

Leave this space clear. Affix additional pages to the top left-hand corner.

PRIVACY NOTE: Section 31B of the Real Property Act 1900 (RP Act) authorises the Registrar General to collect the information required by this form for the establishment and maintenance of the Real Property Act Register. Section 96B RP Act requires that the Register is made available to any person for search upon payment of a fee, if any.

STAMP DUTY

Revenue NSW use only

PLEASE NOTE!!!
Where stamp duty is to be assessed this form MUST be presented to Revenue NSW BEFORE lodgment at LPI.
[This notice will not appear on the printed form]

(A) **TORRENS TITLE**

1/400599

(B) **LODGED BY**

Document Collection Box	Name, Address or DX, Telephone, and Customer Account Number if any Lindsay Taylor Lawyers Suite 3, Level 9, 420 George Street SYDNEY NSW 2000 (02) 8235 9700	CODE M
	Reference: LTL: [MWRC17011]	

(C) **MORTGAGOR**

Gulgong Holtermann Museum Incorporated

mortgages to the mortgagee all the mortgagor's estate and interest in the abovementioned land and covenants with the mortgagee that the provisions set out in the annexure and/or memorandum specified below are incorporated in this mortgage:

(D)

- annexure A _____ hereto
- memorandum No. N.A. _____ filed pursuant to section 80A Real Property Act 1900

(E)

Encumbrances (if applicable): N.A.

(F) **MORTGAGEE**

Mid-Western Regional Council

TENANCY: CLICK & PICK

(G)

DATE _____

(H) I certify that I am an eligible witness and that an authorised officer of the mortgagor signed this dealing in my presence. [See note* below].

Certified correct for the purposes of the Real Property Act 1900 by the authorised officer named below.

Signature of witness: _____

Signature of authorised officer: _____

Name of witness: _____
Address of witness: See page 16 of Annexure A

Authorised officer's name: _____
Authority of officer: _____
Signing on behalf of: See page 16 of Annexure A

I certify that I am an eligible witness and that an authorised officer of the mortgagee signed this dealing in my presence. [See note* below].

Certified correct for the purposes of the Real Property Act 1900 by the authorised officer named below.

Signature of witness: _____

Signature of authorised officer: _____

Name of witness: _____
Address of witness: See page 16 of Annexure A

Authorised officer's name: _____
Authority of officer: _____
Signing on behalf of: See page 16 of Annexure A

* s117 RP Act requires that you must have known the signatory for more than 12 months or have sighted identifying documentation.
ALL HANDWRITING MUST BE IN BLOCK CAPITALS Page 1 of 16 1708

**Annexure A to Mortgage between Mid-Western Regional Council
(Mortgagee) and Gulgong Holtermann Museum Incorporated (Mortgagor)**

Deed of Mortgage

Mid-Western Regional Council

Gulgong Holtermann Museum Incorporated

Date:

**Annexure A to Mortgage between Mid-Western Regional Council
(Mortgagee) and Gulgong Holtermann Museum Incorporated (Mortgagor)**

Deed of Mortgage

Parties

Mid-Western Regional Council ABN 96 149 391 332 of 86 Market Street,
Mudgee NSW 2850 (**'Mortgagee'**)

and

Gulgong Holtermann Museum Incorporated (INC1401165) ABN 54 479
691 318 of 42 Reef Road, Gulgong NSW 2852 (**'Mortgagor'**)

Background

- A The Mortgagor is an incorporated association pursuant to the *Associations Incorporation Act 2009* (NSW).
- B The Mortgagee is a council constituted under the Local Government Act 1993 (NSW).
- C The Mortgagor has requested the Mortgagee to provide financial assistance for the Loan Purpose.
- D The Mortgagee agrees to provide the financial assistance to the Mortgagor on the terms and conditions set out in this Deed.

Operative provisions

1 Definitions & Interpretation

1.1 In this Deed the following definitions apply:

Insolvency Event means:

- (a) an order is made or a resolution is passed or proposed in a notice of meeting for:
 - (i) the winding up, bankruptcy or administration of the Mortgagor or any similar process, or
 - (ii) an arrangement with the Mortgagor, its creditors, or a class of creditors,
- (b) an application is made for any of the above,
- (c) a receiver and manager, or receiver, trustee in bankruptcy, administrator, or similar officer, is appointed over the Mortgagor or any of its assets,
- (d) the Mortgagor is insolvent, or is deemed or assumed to be insolvent under any applicable law,
- (e) an application is made under the *Associations Incorporation Act 2009* for the cancellation of the Mortgagor's registration, or

**Annexure A to Mortgage between Mid-Western Regional Council
(Mortgagee) and Gulgong Holtermann Museum Incorporated (Mortgagor)**

- (f) the Mortgagee, acting reasonably, forms the view that the Mortgagor is unable to repay its debts when they fall due.

Loan Amortisation Schedule means the Schedule referred to in Item 8 of the Reference Schedule.

Loan Amount means the dollar amount specified in Item 1 of the Reference Schedule.

Loan Draw Down Date means the date specified in Item 3 of the Reference Schedule.

Loan Draw Down Notice means a written notice given by the Mortgagor to the Mortgagee not less than 5 days before the Mortgagor receives payment of the Loan Amount from the Mortgagee:

- (a) specifying the date, being not later than the Loan Draw Down Date, on which the Loan Amount is to be paid by the Mortgagee to the Mortgagor, and
- (b) containing a direction to pay relating to the payment of the Loan Amount by the Mortgagee to the Mortgagor, and
- (c) accompanied by a discharge of mortgage AJ278340 to Graham Allan Bennett referred to in the Second Schedule of the title to the Loan Security Property, which is duly executed by the Mortgagor and in registrable form.

Loan Establishment Fee means the amount specified in Item 9 of the Reference Schedule.

Loan Interest Rate means the interest rate specified in Item 4 in the Reference Schedule.

Loan Purpose means the purpose specified in Item 2 of the Reference Schedule.

Loan Repayment Date means the date specified in Item 7 of the Reference Schedule.

Loan Security means the form of security specified in Item 5 of the Reference Schedule.

Loan Security Property means the real property specified in Item 6 in the Reference Schedule.

Mortgagee Account means an account held by the Mortgagee with an Australian financial institution and nominated in writing by the Mortgagee to the Mortgagor for the purposes of this Deed.

Mortgagor Account means an account held by the Mortgagor with an Australian financial institution and nominated in writing by the Mortgagor to the Mortgagee for the purposes of this Deed.

National Credit Code means the National Credit Code contained in Schedule 1 to the *National Consumer Credit Protection Act 2009* (Cth).

Reference Schedule means Schedule 1 to this Deed.

Security Interest means any mortgage, pledge, lien, charge or other security or any arrangement which gives a creditor any right, directly or indirectly, in relation to the Loan Security Property.

- 1.2 In this Deed, unless the context or subject-matter otherwise indicates or requires:

**Annexure A to Mortgage between Mid-Western Regional Council
(Mortgagee) and Gulgong Holtermann Museum Incorporated (Mortgagor)**

- 1.2.1 a reference to this Deed or another instrument includes any variation or replacement of any of them,
- 1.2.2 a reference to a statute, ordinance, code or other law includes regulations and other instruments under it and consolidations, amendments, re-enactments or replacements of any of them,
- 1.2.3 the singular includes the plural and vice versa,
- 1.2.4 the word "person" includes a firm, a body corporate, an unincorporated association or an authority,
- 1.2.5 a reference to a Party includes a reference to the Party's servants, agents, contractors, successors and assigns,
- 1.2.6 an agreement, representation or warranty in favour of two or more persons is for the benefit of them jointly and severally,
- 1.2.7 an agreement, representation or warranty on the part of two or more persons binds them jointly and severally,
- 1.2.8 a reference to any thing (including, without limitation, any amount) is a reference to the whole and each part of it and a reference to a group of persons is a reference to all of them collectively, to any two or more of them collectively and to each of them individually,
- 1.2.9 "include" or "including" when introducing a list of items does not limit the meaning of the words to which the list relates to those items or to items of a similar kind,
- 1.2.10 if a Party is prohibited from doing anything, it is also prohibited from:
 - (a) allowing or causing it to be done; and
 - (b) doing or omitting to do anything which results in it happening,
- 1.2.11 a reference to a statute, ordinance, code or law includes a statute, ordinance, code or law of the Commonwealth of Australia,
- 1.2.12 a reference to a body, whether statutory or not which ceases to exist or whose powers or functions are transferred to another body is a reference to the body which replaces it or which substantially succeeds to its powers or functions,
- 1.2.13 no rule of construction applies to the disadvantage of a Party because that Party was responsible for the preparation of this Deed,
- 1.2.14 any capitalised term used, but not defined in this Deed, will have the meaning ascribed to it under, and by virtue of, the Act.

2 Loan

- 2.1 The Mortgagee agrees to lend the Loan Amount to the Mortgagor for the Loan Purpose and no other purpose on the terms and conditions contained in this Deed.
- 2.2 The Mortgagor agrees to borrow the Loan Amount from the Mortgagee for the Loan Purpose and no other purpose, and repay the Loan Amount to the Mortgagee, on the terms and conditions contained in this Deed.

**Annexure A to Mortgage between Mid-Western Regional Council
(Mortgagee) and Gulgong Holtermann Museum Incorporated (Mortgagor)**

3 National Credit Code

- 3.1 The National Credit Code does not apply to this Deed.

4 Payment of Loan Amount

- 4.1 The Mortgagor is to draw down the Loan Amount by not later than the Loan Draw Down Date.
- 4.2 The Mortgagor is to give the Mortgagee the Loan Draw Down Notice not less than 5 business days before receiving payment of the Loan Amount from the Mortgagee.
- 4.3 The Mortgagee is to pay the Loan Amount to the Mortgagor in accordance with the Loan Draw Down Notice.

5 Repayment of Loan Amount

- 5.1 The Parties acknowledge and agree on the content of the Loan Amortisation Schedule.
- 5.2 The Loan Amount and interest on the Loan Amount calculated at the Loan Interest Rate are to be repaid by the Mortgagor to the Mortgagee by not later than the Loan Repayment Date:
- 5.2.1 in accordance with the Loan Amortisation Schedule, subject to clause 5.3,
- 5.2.2 by electronic funds transfer from the Mortgagor Account to the Mortgagee Account in accordance with a direct debit arrangement in favour of the Mortgagee entered into between the Parties.
- 5.3 If the Mortgagor is not in breach or default of this Deed, it will be entitled to repay to the Mortgagee at any time before the Loan Repayment Date the whole of the Loan Amount with interest to the date of repayment. **[Drafting Note. Instructions required whether an additional amount is payable upon early pay out of the Loan]**
- 5.4 Any amount that is required to be paid by the Mortgagor to the Mortgagee in accordance with this Deed but which is overdue:
- 5.4.1 accrues interest from the date on which the payment was due until the date on which it is paid at the Loan Interest Rate plus **[Drafting Note. Specify additional rate of interest for late payment]**,
- 5.4.2 is monies owing by the Mortgagor to the Mortgagee under this Deed that is the subject of the Loan Security.

6 Loan Security

- 6.1 The Mortgagor is to give the Loan Security to the Mortgagee as security for the repayment of monies payable by the Mortgagor to the Mortgagee under this Deed.

**Annexure A to Mortgage between Mid-Western Regional Council
(Mortgagee) and Gulgong Holtermann Museum Incorporated (Mortgagor)****7 Loan Security Property**

- 7.1 Pursuant to s81 of, and Schedule 4 to, the *Conveyancing Act 1919* (NSW), the Mortgagor covenants with the Mortgagee to:
- 7.1.1 keep all buildings and other improvements comprising the Security Property in repair, and
 - 7.1.2 insure all such buildings and improvements in the name of the Mortgagee.
- 7.2 The Mortgagor is to allow the Mortgagee, upon the giving of reasonable prior written notice by the Mortgagee to the Mortgagor (except in the case of an emergency), to enter and inspect the Loan Security Property and carry out any work at the Mortgagor's expense that the Mortgagee considers is reasonably necessary to ensure that the Mortgagor has complied with its obligation under this Deed to keep all buildings and other improvements comprising the Security Property in repair.
- 7.3 The Mortgagor is to promptly provide written evidence to the Mortgagee of each renewal of all insurances in respect of all buildings and other improvements comprising the Loan Security Property.

8 Documents relating to Loan Security Property

- 8.1 The Mortgagor is to give to the Mortgagee the Certificate of Title to the Loan Security Property and all plans, surveys, reports and certificates, and other documents requested by the Mortgagee, relating to the Loan Security Property.

9 Rates, Taxes, etc.

- 9.1 The Mortgagor is to punctually pay all rates, taxes, charges, levies, duties, assessments, contributions and the like charged or chargeable relating to the Loan Security Property.

10 Compliance with Laws

- 10.1 The Mortgagor is to fully comply with all laws applying to the Loan Security Property including but not limited to the use of the Loan Security Property.

11 Maintenance of Value

- 11.1 The Mortgagor is not to do anything that may lower the value of the Loan Security Property.

12 Encroachments

- 12.1 The Mortgagor, if required by notice in writing from the Mortgagee, is to rectify any encroachment on the Loan Security Property.

**Annexure A to Mortgage between Mid-Western Regional Council
(Mortgagee) and Gulgong Holtermann Museum Incorporated (Mortgagor)**

13 Security Interests & Dealings

- 13.1 Until the Mortgagor has fully complied with all of its obligations under this Deed, it may not, without the prior written consent of the Mortgagee (which consent may be withheld in its absolute discretion), grant or agree to grant any Security Interest or any legal or equitable estate or interest in the Loan Security Property to any person.

14 Insolvency Event

- 14.1 The Mortgagor is not to do, or cause to be done, anything that gives rise, or may give rise, to an Insolvency Event.

15 Assignment

- 15.1 The Mortgagor may not, without the prior written consent of the Mortgagee (which consent may be withheld in its absolute discretion), assign this Deed or any right, benefit or obligation under this Deed to any person.

16 Execution of Documents

- 16.1 The Mortgagor is to promptly execute all documents and do all such things as is requested by the Mortgagee or is otherwise necessary to enable registration of the Loan Security on the title to the Loan Security Property and otherwise to perfect the Loan Security in favour of the Mortgagee.

17 Power of Attorney

- 17.1 The Mortgagor irrevocably appoints the Mortgagee the attorney of the Mortgagor immediately on or at any time after any breach or default of this Deed by the Mortgagor to exercise in the name of the Mortgagee all rights, powers and remedies of the Mortgagee expressed or implied in this Deed and to receive any money payable to the Mortgagor in respect of the Loan Security Property whether in respect of the insurance, compensation or otherwise and to do all things required to be done by the Mortgagor and to execute all documents and to do all things necessary in regard to such matters.

18 Loan Establishment Fee

- 18.1 Upon the execution of this Deed, the Mortgagor is to pay the Loan Establishment Fee to the Mortgagee.

19 Mortgagor's Warranties

- 19.1 The Mortgagor warrants to the Mortgagee that at the date of this Deed:
19.1.1 it has the power to enter into this Deed,

**Annexure A to Mortgage between Mid-Western Regional Council
(Mortgagee) and Gulgong Holtermann Museum Incorporated (Mortgagor)**

- 19.1.2 it has the legal and beneficial interests in the Loan Security Property subject to interests disclosed on the Certificate of Title to the Loan Security Property,
- 19.1.3 it has not created, nor allowed to be created, any Security Interest, and warrants that it will not, without the consent in writing of the Mortgagee create, or allow to be created, any Security Interest,
- 19.1.4 no Insolvency Event has occurred and it has not done or caused to be done anything that could give rise to an Insolvency Event.

20 Default by Mortgagor

- 20.1 If the Mortgagor is in default under this Deed, all monies owing by the Mortgagor to the Mortgagee under this Deed become immediately due and payable.
- 20.2 If the Mortgagor is in default under this Deed, the Mortgagee may in addition to any powers conferred by law:
 - 20.2.1 do all things and pay all monies necessary or expedient to remedy the default,
 - 20.2.2 enter and take possession of the Loan Security Property and receive all income relating to the Loan Security Property with all the powers of an absolute owner,
 - 20.2.3 make and effect repairs, insurances and do all other things that are necessary or desirable for the protection or improvement of the Loan Security Property or for obtaining income or returns from the Loan Security Property,
 - 20.2.4 convert, liquidate or reduce the whole or any part of the Loan Security Property into money,
 - 20.2.5 sell the Loan Security Property in such manner and on such terms and conditions as the Mortgagee thinks fit,
 - 20.2.6 do all such things as are necessary or desirable to make the Loan Security Property more saleable or valuable,
 - 20.2.7 exercise all voting rights or other rights or powers of the Mortgagor,
 - 20.2.8 make any arrangement or compromise that the Mortgagee considers appropriate,
 - 20.2.9 perform and enforce all contracts relating to the Loan Security Property entered into by the Mortgagor,
 - 20.2.10 take proceedings at law or in equity or in bankruptcy in the name of the Mortgagor for any purpose relating to this Deed,
 - 20.2.11 perfect the title of the Mortgagor to the Loan Security Property,
 - 20.2.12 do all such other things in respect of the Loan Security Property as the Mortgagee considers necessary or desirable for any purpose relating to this Deed.

21 Costs

**Annexure A to Mortgage between Mid-Western Regional Council
(Mortgagee) and Gulgong Holtermann Museum Incorporated (Mortgagor)**

- 21.1 The Parties are to pay their own costs of preparing, negotiating, executing and stamping this Deed and any document related to this Deed.

22 Indemnity

- 22.1 The Mortgagor indemnifies the Mortgagee from and against any liability, loss, cost or expense, including legal costs on a full indemnity basis, incurred by the Mortgagee, as a result of, or arising from or in connection with any default by the Mortgagor or the enforcement of this Deed.
- 22.2 Any costs incurred or monies expended by the Mortgagee to remedy any default by the Mortgagor under this Deed are repayable by the Mortgagor to the Mortgagee upon demand by the Mortgagee and are monies the subject of the Loan Security and carry interest until repayment at the Loan Interest Rate plus **[Drafting Note. Specify additional rate of interest]**.

23 Mortgagee's Liability for Loss

- 23.1 The Mortgagee is not liable for any loss arising directly or indirectly from the exercise of its rights or powers under this Deed.

24 Notices

- 24.1 Any notice, consent, request given or made by a Party under this Deed is only valid if it is in writing and sent in one of the following ways:
- 24.1.1 delivered or posted to that Party at its address set out in Item 10 of the Reference Schedule, or
- 24.1.2 faxed to that Party at its fax number set out in Item 10 of the Reference Schedule, or
- 24.1.3 emailed to that Party at its email address set out in Item 10 of the Reference Schedule.
- 24.2 Any notice, consent, information, application or request is to be treated as given or made if it is:
- 24.2.1 delivered, when it is left at the relevant address,
- 24.2.2 sent by post, 2 business days after it is posted, or
- 24.2.3 sent by fax, as soon as the sender receives from the sender's fax machine a report of an error free transmission to the correct fax number, or
- 24.2.4 sent by email and the sender does not receive a delivery failure message from the sender's internet service provider within a period of 24 hours of the email being sent.
- 24.3 If any notice, consent, information, application or request is delivered, or an error free transmission report in relation to it is received, on a day that is not a business day, or if on a business day, after 5pm on that day in the place of the Party to whom it is sent, it is to be treated as having been given or made at the beginning of the next business day.

**Annexure A to Mortgage between Mid-Western Regional Council
(Mortgagee) and Gulgong Holtermann Museum Incorporated (Mortgagor)****25 Governing Law and Jurisdiction**

- 25.1 This Deed is governed by the law of New South Wales.
- 25.2 The Parties submit to the non-exclusive jurisdiction of its courts and courts of appeal from them.
- 25.3 The Parties are not to object to the exercise of jurisdiction by those courts on any basis.

26 Representations and warranties

- 26.1 The Parties represent and warrant that they have power to enter into this Deed and comply with their obligations under the Deed and that entry into this Deed will not result in the breach of any Law.

27 Severability

- 27.1 The Parties agree that to the extent permitted by law, this Deed prevails to the extent it is inconsistent with any law.
- 27.2 If a clause or part of a clause of this Deed can be read in a way that makes it illegal, unenforceable or invalid, but can also be read in a way that makes it legal, enforceable and valid, it must be read in the latter way.
- 27.3 If any clause or part of a clause is illegal, unenforceable or invalid, that clause or part of a clause is to be treated as removed from this Deed, but the rest of this Deed is not affected.

28 Entire Agreement

- 28.1 This Deed contains everything to which the Parties have agreed in relation to the matters it deals with.
- 28.2 No Party can rely on an earlier document, or anything said or done by another Party, or by a director, officer, agent or employee of that Party, before this Deed was executed, except as permitted by law.

29 Further Acts

- 29.1 Each Party must promptly execute all documents and do all things that another Party from time to time reasonably requests to effect, perfect or complete this Deed and all transactions incidental to it.

30 Modification

- 30.1 No modification of this Deed will be of any force or effect unless it is in writing and signed by the Parties to this Deed.

**Annexure A to Mortgage between Mid-Western Regional Council
(Mortgagee) and Gulgong Holtermann Museum Incorporated (Mortgagor)**

31 Waiver

- 31.1 The fact that a Party fails to do, or delays in doing, something the Party is entitled to do under this Deed, does not amount to a waiver of any obligation of, or breach of obligation by, another Party.
- 31.2 A waiver by a Party is only effective if it:
- 31.2.1 is in writing,
 - 31.2.2 is addressed to the Party whose obligation or breach of obligation is the subject of the waiver,
 - 31.2.3 specifies the obligation or breach of obligation the subject of the waiver and the conditions, if any, of the waiver,
 - 31.2.4 is signed and dated by the Party giving the waiver.
- 31.3 Without limitation, a waiver may be expressed to be conditional on the happening of an event, including the doing of a thing by the Party to whom the waiver is given.
- 31.4 A waiver by a Party is only effective in relation to the particular obligation or breach in respect of which it is given, and is not to be taken as an implied waiver of any other obligation or breach or as an implied waiver of that obligation or breach in relation to any other occasion.
- 31.5 For the purposes of this Deed, an obligation or breach of obligation the subject of a waiver that has been given by one Party to the other under this Deed is taken not to have been imposed on, or required to be complied with by, the other Party.

32 GST

- 32.1 In this clause:
- Adjustment Note, Consideration, GST, GST Group, Margin Scheme, Money, Supply and Tax Invoice** have the meaning given by the GST Law.
- GST Amount** means in relation to a Taxable Supply the amount of GST payable in respect of the Taxable Supply.
- GST Law** has the meaning given by the *A New Tax System (Goods and Services Tax) Act 1999* (Cth).
- Input Tax Credit** has the meaning given by the GST Law and a reference to an Input Tax Credit entitlement of a party includes an Input Tax Credit for an acquisition made by that party but to which another member of the same GST Group is entitled under the GST Law.
- Taxable Supply** has the meaning given by the GST Law excluding (except where expressly agreed otherwise) a supply in respect of which the supplier chooses to apply the Margin Scheme in working out the amount of GST on that supply.
- 32.2 Subject to clause 32.4, if GST is payable on a Taxable Supply made under, by reference to or in connection with this Deed, the Party providing the

**Annexure A to Mortgage between Mid-Western Regional Council
(Mortgagee) and Gulgong Holtermann Museum Incorporated (Mortgagor)**

Consideration for that Taxable Supply must also pay the GST Amount as additional Consideration.

- 32.3 Clause 32.2 does not apply to the extent that the Consideration for the Taxable Supply is expressly stated in this Deed to be GST inclusive.
- 32.4 No additional amount shall be payable by the Mortgagee under clause 32.2 unless, and only to the extent that, the Mortgagee (acting reasonably and in accordance with the GST Law) determines that it is entitled to an Input Tax Credit for its acquisition of the Taxable Supply giving rise to the liability to pay GST.
- 32.5 No payment of any amount pursuant to this clause 32, and no payment of the GST Amount where the Consideration for the Taxable Supply is expressly agreed to be GST inclusive, is required until the supplier has provided a Tax Invoice or Adjustment Note as the case may be to the recipient.
- 32.6 Any reference in the calculation of Consideration or of any indemnity, reimbursement or similar amount to a cost, expense or other liability incurred by a party, must exclude the amount of any Input Tax Credit entitlement of that party in relation to the relevant cost, expense or other liability.
- 32.7 This clause continues to apply after expiration or termination of this Deed.

**Annexure A to Mortgage between Mid-Western Regional Council
 (Mortgagee) and Gulgong Holtermann Museum Incorporated (Mortgagor)**

**Schedule 1
 Reference Schedule**

Item 1	Loan Amount	\$150,000.00
Item 2	Loan Purpose	Re-finance Security Property
Item 3	Loan Draw Down Date	1 October 2017
Item 4	Loan Interest Rate	3% Per Annum
Item 5	Loan Security	First registered mortgage in favour of the Mortgagee over Security Property
Item 6	Loan Security Property	Lot 1 DP 400599, Folio Identifier 1/400599, 123-125 Mayne Street GULGONG NSW 2852
Item 7	Loan Repayment Date	1 October 2027
Item 8	Loan Amortisation Schedule	Annually in accordance with the Loan Amortisation Schedule
Item 9	Loan Establishment Fee	[Drafting Note. Specify Amount]
Item 10	<p>Mortgagee Contact Details for Notices</p> <p>Mortgagor Contact Details for Notices</p>	<p>Name: Mid-Western Regional Council Address: 86 Market Street MUDGEE NSW 2850 Telephone: (02) ## Facsimile: (02) ## Email: ## Representative: ##</p> <p>Name: Gulgong Holtermann Museum Incorporated Address: 42 Reef Road GULGONG NSW 2852 Telephone: ## Facsimile: ## Email: ## Representative: William Larnar</p>

Annexure A to Mortgage between Mid-Western Regional Council (Mortgagee) and Gulgong Holtermann Museum Incorporated (Mortgagor)

**Schedule 2
Loan Amortisation Schedule**

Enter values	
Loan amount	\$ 150,000.00
Annual interest rate	3.00 %
Loan period in years	10
Number of payments per year	1
Start date of loan	1/10/2017
Optional extra payments	\$ -

Loan summary	
Scheduled payment	\$ 17,584.58
Scheduled number of payments	10
Actual number of payments	10
Total early payments	\$ -
Total interest	\$ 25,845.76

Lender name:

Pmt No.	Payment Date	Beginning Balance	Scheduled Payment	Extra Payment	Total Payment	Principal	Interest	Ending Balance	Cumulative Interest
1	1/10/2018	\$ 150,000.00	\$ 17,584.58	\$ -	\$ 17,584.58	\$ 13,084.58	\$ 4,500.00	\$ 136,915.42	\$ 4,500.00
2	1/10/2019	136,915.42	17,584.58	-	17,584.58	13,477.11	4,107.46	123,438.31	8,607.46
3	1/10/2020	123,438.31	17,584.58	-	17,584.58	13,881.43	3,703.15	109,556.88	12,310.61
4	1/10/2021	109,556.88	17,584.58	-	17,584.58	14,297.87	3,286.71	95,259.01	15,597.32
5	1/10/2022	95,259.01	17,584.58	-	17,584.58	14,726.81	2,857.77	80,532.21	18,455.09
6	1/10/2023	80,532.21	17,584.58	-	17,584.58	15,168.61	2,415.97	65,363.60	20,871.06
7	1/10/2024	65,363.60	17,584.58	-	17,584.58	15,623.67	1,960.91	49,739.93	22,831.96
8	1/10/2025	49,739.93	17,584.58	-	17,584.58	16,092.38	1,492.20	33,647.55	24,324.16
9	1/10/2026	33,647.55	17,584.58	-	17,584.58	16,575.15	1,009.43	17,072.40	25,333.59
10	1/10/2027	17,072.40	17,584.58	-	17,072.40	16,560.23	512.17	0.00	25,845.76

**Annexure A to Mortgage between Mid-Western Regional Council
(Mortgagee) and Gulgong Holtermann Museum Incorporated (Mortgagor)**

Execution

Executed as a Deed

Dated:

Executed on behalf of the Mortgagee in accordance with a resolution passed at a duly convened meeting held on [Drafting Note. Insert Date] in the presence of:

General Manager

Mayor

Executed on behalf of the Mortgagor [Drafting Note. Insert Execution Clause] in the presence of:

Authorised Signatory

Witness

Authorised Signatory

Witness

9.8 Option to Renew Lease - Rylstone Kandos Preschool Incorporated

REPORT BY THE REVENUE AND PROPERTY MANAGER AND DIRECTOR COMMUNITY
TO 20 SEPTEMBER 2017 ORDINARY MEETING
GOV400064, P1577611

RECOMMENDATION

That Council:

1. **receive the report by the Revenue and Property Manager and Director Community on the Option to Renew Lease - Rylstone Kandos Preschool Incorporated; and**
2. **delegate authority to the General Manager to negotiate with Rylstone Kandos Preschool Incorporated to determine the basis for calculating rent, the amount of the initial rent and subsequent years rent to be paid for the lease of the premises at 27 Fleming Street, Kandos for the period 1 December 2017 to 30 November 2022, due to Council's capital investment in the premises.**

Executive summary

The purpose of this Report is to seek Council's authority for the General Manager to negotiate the basis for calculating rent, the amount of the initial rent and subsequent years rent be paid by Rylstone Kandos Preschool Incorporated (the Preschool) for the lease of Council's property at 27 Fleming Street, Kandos for the period 1 December 2017 to 30 November 2022.

Disclosure of Interest

Nil

Detailed report

Council entered into a lease agreement with the Preschool to occupy Council's premises at 27 Fleming Street, Kandos for a term of 5 years commencing on 1/12/2012 with 2 options to renew, each for a period of 5 years.

The initial term terminates on 30/11/2017 and the Preschool has exercised its option to renew the agreement for the 1st option to renew period from 1/12/2017 to 30/11/2022.

The initial rent amount was set at \$284.60 (excl. GST) p.a. at the commencement of the agreement on 1/12/2012. This amount has been increased annually by CPI since this time, with the 2016/2017 rent amount payable being \$305.69 (excl. GST).

The current Lease agreement allows for the opportunity for the rent to be reviewed upon exercising the option to review.

Given that the Lease allows for the rent to be reviewed at this point in time and in the context of Council's recent commitment to capital investment at the Preschool premises, it is an opportunity

for Council to discuss and negotiate the basis for calculating the rent, the amount of the initial rent and subsequent years rent to be set for the next 5 year period with the Preschool.

The current Operational and Delivery Plan has approved a \$260,000 capital investment for the Preschool through a building extension that would provide for an improved layout. \$170,000 of this budget is coming from Council funds. This would also provide the opportunity for increases to numbers at the school, perhaps increasing the licence from 30 to 50 children.

It is not possible to view any rental review for the Preschool in the context of a straightforward valuation. This is because the Preschool is providing a vital community service to lower socio-economic groups and some of the places are licenced and funded on the basis that there is a low cap on the amount that the families can be charged. This makes it difficult for the Preschool to provide the service if rental costs are too high.

A confidential attachment has been provided with this report that sets out some ideas for Council for the rental negotiation. At this point these matters are confidential as the public release of this information may prejudice this or other negotiations over rental.

It is therefore recommended that Council delegates authority to the General Manager to commence discussions and subsequent negotiations with the Preschool executive to determine a basis for calculating rent, the amount of the initial rent and subsequent years rent for the period 1/12/2017 to 30/11/2022.

Community Plan implications

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

Strategic implications

Council Strategies

Community Plan

Council Policies

Leasing and Licencing of Council Property

Legislation

Not Applicable

Financial implications

Council has approved the significant expenditure of the Preschool. This provision of this funding may provide Council with the argument to charge a higher rent for the Preschool premises in future years compared to the regular CPI increase.

Budget Year	Operating Performance Ratio	Own Source Revenue	Building & Infrastructure Renewal
2017/18	-	-	-
Future Years	✓	-	✓

Associated Risks

Nil. The current Lease agreement allows for the opportunity for the rent to be reviewed upon exercising the option to review.

DIANE SAWYERS
REVENUE AND PROPERTY MANAGER

LEONIE JOHNSON
CHIEF FINANCIAL OFFICER

7 September 2017

Attachments: 1. Lease Agreement Rylstone Kandos Pre-School. (Confidential - separately attached)
2. Rylstone Kandos Pre-School - Request to renew Lease.
3. Rylstone Kandos Preschool Rental Review. (Confidential - separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



Rylstone Kandos Preschool



PO Box 7 Kandos NSW 2848 Phone/Fax 02 6379 4273

Email – prekids@hwy.com.au

15 August 2017

Kelly Barnes
Property Officer
Mid Western Regional Council
PO Box 156
MUDGEES NSW 2850

Dear Kelly

RE: LEASE OF PROPERTY FOR THE RYLSTONE KANDOS PRESCHOOL

I forward this letter on behalf of the Management Committee regarding the lease of the property for Rylstone Kandos Preschool, which is due to expire 30 November 2017.

I would like to seek Council's renewal of our lease through this correspondence, which would renew our lease for a further 5 years.

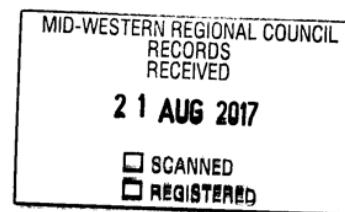
I would like to thank the Council for their continued support of our Preschool and with the extensions underway this year to the building we continue to grow. The number of children enrolled are increasing as well with limited spaces now available.

Hoping you receive this request favourably and we look forward to your reply.

Yours faithfully

A handwritten signature in cursive script.

Lisa Waterton
President



Item 10: Operations

10.1 Organics Collection Service Tender

REPORT BY THE MANAGER ENVIRONMENTAL SERVICES
TO 20 SEPTEMBER 2017 ORDINARY MEETING
GOV400064, WAS400033

RECOMMENDATION

That Council:

1. receive the report by the Manager Environmental Services on the Organics Collection Service Tender;
2. note the details provided in the attached confidential report and accept the tendered price as offered by J.R Richards Pty Ltd \$_____;
3. deliver all Food Organics and Garden Organics to the Dubbo Regional Organics Processing Plant (DROPP) at the rates detailed in the JR Richards schedule tendered for the estimated amount of \$_____;
4. amend the 2017/2021 Delivery Program to include:
 - 4.1 the organics collection contract costs for years 2018/19-2020/21 of \$_____ per annum
 - 4.2 the estimated income from additional domestic waste charges for years 2018/19-2020/21 of \$_____ per annum; and
5. commence an ongoing community engagement and education program detailing the new collection regime, its community and environmental benefits, and how it will operate for ratepayers.

Executive summary

Council resolved in February 2015, to join with Dubbo Regional Council (DRC) and Narromine Council (NC) in going to tender for the provision of a kerbside green waste collection service targeting both food organics and garden organics (FOGO).

A detailed report on the tender process is attached for Councillors information.

This report is presented to allow council to consider the tenders received and resolve an outcome to the process. This attachment contains **commercial in confidence** information and is for consideration in closed council.

Disclosure of Interest

Nil

Detailed report

Mid-Western Regional Council (MWRC), in conjunction with Dubbo Regional Council (DRC) and Narromine Council (NC), recently tendered a joint 4-part tender for the collection services and processing of organics from three council areas.

The first part was a mixture of different collection services over the three council areas as both Dubbo and Narromine were coming to the end of waste and recycling collection tenders, as well as looking for a new organics collection service. Mid-Western Regional Council joined this process with a request for tenders to collect kerbside organic material from all existing kerbside customers in the council area.

The second part of the tender was for a receipt/processing facility for recyclables specifically aimed at Dubbo and Narromine Councils as their current tender arrangement is due to expire. The third included the construction of an organics processing facility in Dubbo which Dubbo Regional Council had already secured grant funding for, which represented 50% of the construction cost of the facility. This facility was to process organics collected kerbside from all 3 council areas.

The fourth part of the tender was directly related to Narromine only who were looking for a contractor to run their landfill facility at Narromine.

A detailed report on their tender process, including the tenders received, pricing, scoring of the tenders and recommendations from the evaluation committee is attached to this report, however, contains **commercial in confidence** information and a recommendation on acceptance of various tender prices. The section that is for Mid-Western Regional Council's consideration relates to the collection of the FOGO kerbside in the Mid-Western Regional Council area.

The report was prepared by Impact Environmental Consulting who ran and coordinated the tender process on behalf of the three council's. Mid-Western Regional Council had two members on the evaluation committee and as can be seen in the report and had active involvement on behalf of Mid-Western Regional Council during the whole process.

Impact Environmental have had considerable experience in the area of council joint tenders and organics collection and provided detailed professional advice during the entire process.

Process

It is clear that part 3 of the tender, being the construction of a receipt and processing facility at Dubbo is integral to Mid-Western Regional Council's consideration of a collection service. In this regard Dubbo Regional Council have at their July meeting considered the parts of the tender relevant to the facility. They have now resolved to accept the tender for the construction of the Dubbo Regional Organics Processing Plant (DROPP) and tenders for various collection services and recycling processing in accordance with the recommendations of the attached tender report.

It was necessary for Dubbo Regional Council to resolve acceptance first, as neither Mid-Western Regional Council nor Narromine Council, could not accept a tender prior to knowing the resolved outcome of the processing facility the Food Organics and Garden Organics is to be processed at.

Mid-Western Regional Council's considerations therefore, do not run to which tender to accept but whether to accept the recommended tender in the report.

Council's considerations therefore, need to be threefold.

- a) Whether to commence a new collection stream being FOGO kerbside collection;
- b) The tender price submitted and recommended in the attached report; or
- c) The provision of a FOGO collection service by council day labour or contractor.

FOGO – THE KEY BENEFITS

There are a number reasons Mid-Western Regional Council originally agreed to be involved in the tender process for a new separate collection service. Many of these are unchanged and include;

1. Meeting the EPA Strategic Plan and NSW WARR (Waste Avoidance Resource Recovery) strategy targets. These dictate a recycling target of 70% by 2021. Mid-Western Regional Council currently achieves approximately 25%.
2. Reduction in the use of landfill airspace. Council's current landfill site has approximately 20 years remaining life based on current disposal levels before a new landfill site has to be established. Construction of new landfills is not only extremely expensive (10 million plus), but also very difficult when trying to establish a new site due to government regulation and community opposition. Maximising the life of the existing landfill is imperative.
3. Reduction in greenhouse gas emissions. Organic material produces methane gas which is 2 times more potent than CO2 emissions.
4. Future proofing against the possible introduction of a Landfill Levy (NSW State Government imposed tax on every tonne of waste buried in landfill), currently \$78 per tonne in extended regional area. Although MWRC is currently not in the "Levy Area" this may change with adjoining councils already paying the levy.
5. Minimising exposure to any future reintroduction of a carbon tax based on methane emissions.
6. Helps forecasting and minimising ongoing operational costs. The cost of disposal to landfill is constantly increasing due to regulation whereas the FOGO processing cost is fixed by the tender/contract price for 10 years.
7. Re-using instead of disposing of valuable organic resources into a high grade compost for domestic and commercial use.

New Additional benefits include:

- a) Utilising existing grant funding. Mid-Western Regional Council has been successful in being awarded grant funding totalling \$570,000 for the purchase and "roll out" of FOGO collection bins. This grant covers the cost of purchasing 240ltr organics mobile garden bins (MGB), kitchen caddies for food scraps and their delivery to all kerbside customers. These funds have to be returned if Council does not resolve to commence a new service.
- b) Access/processing costs of the DROPP. MWRC has as part of the tender process, been offered a processing per tonne rate that is very competitive. It is based on 50% of the construction costs of the facility being a grant procured by DRC instead of a direct commercial cost rate per tonne. This opportunity is available only as part

of the current tender process. DRC has also offered a further 10% discount on processing if MWRC delivers material to the plant.

- c) Waste disposal minimisation targets. A recent audit of council's waste bins found 64% on average consisted of organic material, 16% was recyclables and only 20% actual residual waste. Due to ever increasing costs associated with landfilling and the limited life left in the current Mudgee facility reducing what goes to landfill is imperative. Redirecting organics from landfill through introducing a FOGO service is identified as one of the more achievable "low hanging fruit" options available to reduce waste to landfill.
- d) Community Expectations. The general communities interest in and desire for recycling service has grown considerably over the past 3 to 4 years. This is due to both shows like the ABC "War on Waste", which high-lightened community awareness and the spread through NSW of services such as organic collection services. EPA figures indicate that in 2015 approximately 50% of NSW households had access to a green bin collection service. In 2017 this figure is currently 70%.

FOGO – THE COST

In the report submitted to council in early 2015, it was estimated that the additional cost to residents of providing a FOGO collection service in MWRC would be between \$80 - \$110 per annum. The contract price offered to council is under \$100 per service per annum, within the original estimated cost. This cost includes bin provision and roll out (grant funded) weekly kerbside collection, transport to Dubbo and processing gate fee at the DROPP.

The price is fixed with normal rise and fall by formula for the length of the contract. The contract term is 10 years, providing security for some time into the future.

As a direct comparison to landfilling costs, which are currently approximately \$140 per tonne, FOGO processing costs at Dubbo are considerably less, however, with transport from Mudgee to the facility at Dubbo factored in, comparable.

The advantages however, are in the cost of FOGO being fixed under contract while the cost off landfilling is ever increasing.

FOGO – THE ISSUES

In the majority of council areas, the introduction of FOGO services means going from a 2 bin service (red lidded waste and yellow lidded co-mingled recycling) to a 3 bin service with the addition of the third green FOGO bin.

IN MWRC however, we currently utilise a 2 bin recycling service, yellow for recyclable containers and blue for paper and cardboard. Council's current Material Recycling Recovery Facility (MRRF) is configured to sort, separate and process these materials as two distinct streams, meaning that in its current configuration there is no opportunity to combine the yellow and blue bins into one container. Investigations to date, indicate that the plant would require a complete rebuild to process a fully comingled stream and it is likely the existing building would not be big enough to house this new facility.

Due to the exorbitant cost of building a new facility (a recent similar facility in North Western NSW cost 3.5 million to construct) the best option for MWRC is to run a 4 bin collection system. This would be best achieved by the following configuration.

Colour Bin	Type of Waste	Occurring
Green	Organics	Weekly
Red	Residual	Fortnightly
Yellow	Recycling	Fortnightly
Blue	Paper/Cardboard	Fortnightly

An example of this working would be:

Week 1	Green Bin Red Bin
Week 2	Green Bin Yellow Bin Blue BIN

There are however, several inherent issues with public perception of such a system that are addressed as follows:

A) WE DON'T NEED A NEW SERVICE WE COMPOST.

There are indeed a percentage of the community who compost, however EPA statistics have shown that even in areas where it is heavily promoted, only 10% of the community participate. This new system is designed to capture the whole community and better suits the other 90% who will not or cannot compost at home.

B) IT WILL MAKE A MESS/SMELL.

Kitchen scraps are collected in the kitchen in the 7 litre kitchen tidy supplied with the green bin. Corn starch bags are also supplied to line the kitchen tidy and keep it clean. With the lid closed, 3 to 4 days of kitchen waste can easily be accommodated without affect. With the main green lid MGB emptied weekly, there is generally no odour or capacity issues. Even during summer months with greater lawn and garden vegetation, a weekly collection is generally adequate.

C) NOT ENOUGH ROOM FOR RUBBISH WITH FORTNIGHTLY COLLECTIONS.

As highlighted by the recent bin audit across the council area, on average existing waste bins are 78% full when presented for collection and contain 64% organics which can go into the green bin, and 16% recyclable which can go in the blue or yellow bin. This leaves 20% (by weight) residual waste for the fortnightly red bin. With proper separation therefore, there is more than adequate capacity in the red bin for a fortnightly collection. This is born out in areas where the same system has been introduced with little adverse impact.

The advantage however, of fortnightly waste collection is that it ensures people, more adequately separate and recycle, therefore achieving council's aim of reduction of waste to the landfill.

D) I HAVE YOUNG CHILDREN AND NAPPIES.

People often perceive an issue with dirty nappies either taking up too much space in the bin or causing odour/fly issues. This issue is readily resolved by ensuring dirty nappies are adequately sealed and tied in a plastic disposal bag. Many proprietary products are now available for this use including perfumed bags if desired.

E) I DON'T HAVE ROOM FOR 4 BINS.

Space can be an issue in some circumstances particularly on smaller lots. This, however, only affects a small percentage of the total system users. Unfortunately, the need for

council to design and provide systems for the whole community for the community's best interest will not always meet the needs of every user.

A solution to many of the concerns raised can be the provision of additional services being either a weekly red bin service or 2 red bins once per fortnight. This option would come at a cost, which is similar to other areas, and has generally been \$50 - \$70 per annum, extra. Consideration can be given to this level of service and provision.

In other council areas where this has been provided, very few, if any residents actually take it up. It is also important to note that this type of service has now been introduced in approximately 40 other council areas in NSW, many of them rural or regional councils such as Lismore, Casino, Narrabri and Moree.

Although at the time of introduction there is always some community concern and question, inevitably within 6 months of commencement the collection system it has become the accepted norm.

ALTERNATE COLLECTION SERVICE

As Councillor's are aware, MWRC currently carries out its own collection service with day labour for waste and recycling streams.

An alternate model allows for the same collection service for FOGO however with council plant and staff providing the kerbside collection service and bulk transport to the DROPP. This would entail additional council "side lift" collection trucks, a "bulking up" facility being built at the Mudgee Waste Facility for storage of collected products prior to transport and the purchase of a bulk waste haulage trailer (walking floor or similar) and prime mover.

The provision of these facilities along with the appropriate staffing has been costed out based on assumed tonnages of product collected. A conservative approach was utilised to provide some confidence. This modelling has resulted in an annual service cost per household of approximately \$35 per annum higher than the recommended annual tender price in the attached report.

Although Council does have a solid record of service delivery in the waste area with existing expertise, it is considered that as Councils day labour costs for providing the service are approximately 33% more than those of the contract price offered that the most prudent of action is to accept the tender.

The cost comparison does however show that the price as tendered is very competitive and very good value to council.

The preferred tender J.R Richards also have advantages in the scale of its operation as it has been appointed the successful tender contractor for waste collection in Narromine and Dubbo and also operator for the DROPP green waste processing facility.

Council will continue to provide the existing day labour service for waste and recycling bins.

Community Plan implications

Theme	Protecting Our Natural Environment
Goal	Live in a clean and environmentally sustainable way
Strategy	Educate, promote and support the community in implementing waste minimisation strategies

Strategic implications

Council Strategies

The introduction of a FOGO service would help meet the goals and strategies below.

- a) **Councils 2014 – 2024 Waste Strategy** identified two key outcomes with regards to organics management.

Key Outcomes 1 – To investigate providing kerbside organic collection to eligible properties in a way which secures best value for the community.

Key Outcome 2 – To secure organics processing capabilities benefitting the tonnes collected.

b) **Asset Management**

The diversion of waste from landfill extends the life of council's asset being the Mudgee Waste Facility increasing the time period until replacement asset is required

c) **Delivery Plan**

Goal 2.3 Live in a clean and environmentally sustainable way

Strategy 2.3.1 Educate, promote and support the community in implementing waste minimisation strategies.

Action:

- Promote a philosophy of reduce, reuse and recycle.

Strategy 2.3.2 Work regionally to implement strategies that will enhance environmental outcome in regards to waste management and minimisation.

Action:

- Participate in regional procurement contracts for waste services that provided added value.
- Participate in regional investigations for collaborative solutions to problem waste types
- Apply for available grants under the NSW Government "Waste Less Recycle More" packages.

Council Policies

Not Applicable.

Legislation

WARR Strategy – this EPA strategy sets a target for local government in NSW to divert 70% of domestic waste from landfill by 2021. MWRC currently diverts approximately 25%. This action will help council meet this strategy target.

Financial implications

The introduction of this service is proposed to be self-funding, and will require an additional organics waste service charge from 1 July 2018. Fees and Charges for the 2018/19 year will go to public consultation for 28 days in April/May 2018.

The addition of this service would improve Councils own source revenue, and extend the life of the tip cells (reducing infrastructure renewal).

Currently, the service operating costs and income from waste service charges is not included in the Delivery Program, therefore a recommendation has been included to add this budget, in order to accept the tender and sign the contract.

Budget Year	Operating Performance Ratio	Own Source Revenue	Building & Infrastructure Renewal
2017/18	-	-	-
Future Years	-	✓	✓

Associated Risks

It should be noted that the contract term is 10 years, and Council is locked into this organics collection and processing contract for that time period. This also protects Council from the impact of the other councils within the group tender, exiting the agreement.

PETER COTTERILL
MANAGER ENVIRONMENTAL SERVICES

1 August 2017

Attachments: 1. Waste Service Tender Evaluation Report. (Confidential - separately attached)

APPROVED FOR SUBMISSION:

GARRY HEMSWORTH
DIRECTOR OPERATIONS

10.2 Glen Willow Pedestrian Bridge

REPORT BY THE DIRECTOR OPERATIONS
TO 20 SEPTEMBER 2017 ORDINARY MEETING
GOV400064, COR400047

RECOMMENDATION

That Council:

1. **receive the report by the Director Operations on the Update - Glen Willow Pedestrian Bridge;**
2. **request a further report be brought back to Council when the scope and cost of rectification works are known; and**
3. **amend the Operational Plan 2017/18 to include \$37,500 in Glen Willow Pedestrian Bridge investigation and design rectifications, funded from unrestricted cash.**

Executive summary

The amount of movement experienced by the Glen Willow Pedestrian Bridge under crowd loading is of concern. Specialist bridge consultants have been engaged to investigate and advise. This report provides an update on findings to date.

The consultants have confirmed the movement under crowd loading is excessive. They have also found the towers are under designed and the ability of the bridge to withstand lateral loads is insufficient.

This is a disappointing result and Council are pursuing rectification costs.

The design of rectification works are currently underway therefore the extent and cost of rectification works are not known at this time. A further report will be brought back to Council when the scope and cost of rectification works are known.

Disclosure of Interest

Nil

Detailed report

The Glen Willow pedestrian bridge over the Cudgegong River in Mudgee is dynamically sensitive under crowd loading. This was demonstrated most recently following the City vs Country match in May 2017. The amount of movement under crowd loading made it difficult for some pedestrians to comfortably maintain their balance while crossing the bridge.

Specialist bridge consultants Pitt & Sherry were engaged to analyse the bridge and make recommendations for rectification. The engagement was broken into two stages;

Stage 1 involved a site inspection, load assessment and dynamic analysis of the existing bridge plus reporting.

Stage 2 involves the design of remediation works.

Stage 1 is now complete. The consultant's findings:

- Confirms the bridge has unacceptable acceleration and deflection under crowd loading. That is the amount of movement experienced under crowd loading exceeds that recommended in the Australian Standard (AS5100-2004/2017 Bridge Design).
- The towers of the bridge can carry a 3kPa load which is under the design capacity of 5kPa.
- The bridge does not cater for the bridge design codes 200 kN minimum lateral restraint requirements. That is a load coming in from the side of the bridge.

The consultant has recommended that Council prevents the bridge from being used for crowd loading and that interim signs be installed warning cyclists to dismount until the top handrail sections are reinstated.

The bridge remains safe for use under these restrictions.

Stage 2. Works involve the design of rectification works which are currently underway. The findings are scheduled to be available in mid-September 2017. The cost of rectification works will not be known until the scope of stage 2 works are determined and quotations received.

The construction of the bridge was performed during 2014 under a design and construct tender conducted in 2013. Council has begun discussions with legal counsel to recover costs associated with rectification works through the contractors professional indemnity insurance and/or Council's own insurance cover.

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

Strategic implications

Council Strategies

Council's Asset Management Plan, Section 1.5 Managing the Risk states - We will endeavour to manage these risks within funding by; Undertaking assessment on all bridges to ensure they are able to meet current loading requirements.

Council Policies

Council's Community Plan under the theme of Connecting our Region has a goal to provide a high quality road network that is safe and efficient.

Legislation

Council has obligations under the Local Government Act and Work Health and Safety Act to provide safe and effectively managed assets.

Financial implications

The construction of the bridge was performed under a design and construct contract in 2014. Council has commenced proceedings to recover costs associated with rectification works through the contractor's professional indemnity insurance. The commitment to date includes the Bridge Consultants fees; Stage 1 - \$16,820 and Stage 2. \$20,000 (excluding GST).

There is currently no approved budget for these works, so it is recommended that an expenditure budget be included, allowing for oncosts, funded from unrestricted cash until it is known whether any costs can be recovered.

Budget Year	Operating Performance Ratio	Own Source Revenue	Building & Infrastructure Renewal
2017/18	✘	-	-

Associated Risks

Council is currently not approving any events which may result in crowd loading on the bridge. This is seen as a reasonable mitigation measure. Also signs will be installed to advise cyclists to dismount to cross the bridge due to the possibility of injury on the exposed vertical elements of the handrail.

It is recommended that rectification works proceed as soon as possible to remove these risks.

GARRY HEMSWORTH
DIRECTOR OPERATIONS

30 August 2017

Attachments: Waste Service Tender Evaluation Report - (Confidential - Separately Attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

10.3 Exemption from Tender - Rylstone Dam Geotechnical Investigation Works

REPORT BY THE SENIOR WATER ENGINEER
TO 20 SEPTEMBER 2017 ORDINARY MEETING
GOV400064, WAT50007

RECOMMENDATION

That Council:

1. **receive the report by the Senior Water Engineer on the Exemption from Tender - Rylstone Dam Geotechnical Investigation Works;**
2. **approve an exemption from tender, in accordance with section 55(3)(i) of the Local Government Act 1993, for the additional geotechnical investigation works for the Rylstone Dam Safety Review, noting that due to extenuating circumstances, a satisfactory result would not be achieved by inviting tenders; and**
3. **note the reasons why a satisfactory outcome would not be achieved by inviting tenders are:**
 - (i) **a consultant has already been appointed for the original scope of works for the Rylstone Dam Safety Review in accordance with Council's procurement processes; and**
 - (ii) **the additional time and costs required to establish another consultant and conduct the initial assessments is not considered value for money.**

Executive summary

To ensure the performance and future integrity of Rylstone Dam and appurtenant works, AECOM have been engaged to undertake surveillance of the dam's physical and behavioural performance. AECOM submitted a proposal for \$124,868.00 for the additional investigation works.

This report seeks an exemption from tender for the additional works required to complete the Rylstone Dam Safety Report.

Disclosure of Interest

Nil

Detailed report

Rylstone Dam is owned and operated by Mid-Western Regional Council and was designed and constructed by the NSW Public Works Department and completed in 1954 as the regional water supply serving the townships of Rylstone, Kandos, Charbon, and Clandulla.

The dam, which is located on Cudgegong River approximately 1 km north-east of Rylstone, has a total storage capacity of approximately 3,320 ML and a catchment area of 535km².

Rylstone Dam is prescribed under the Dams Safety Act and in terms of the NSW Dams Safety Committee's definition, *the Sunny Day Failure and Flood Consequence Category* are High C according to the Australian National Committee on Large Dams Guidelines.

To ensure the performance and future integrity of Rylstone Dam and appurtenant works, AECOM have been engaged to methodically undertake close and careful surveillance of the dam's physical and behavioural performance to ensure early detection of any unsafe trends or changes that may develop.

On 8 July 2016, AECOM submitted a proposal for the original scope of works for the Rylstone Dam Safety Review. The following works have been completed by AECOM under the original scope of works:

- a. Dam Inspection
- b. Initial Geological Assessment
- c. Seismic Hazard Assessment
- d. Structural Analysis

In order to complete the Rylstone Dam Safety Review, additional site investigation works are required to perform geological investigations of the site to improve understanding of the foundation parameters and any sub-surface foundation defects.

The proposed scope of investigations will target the downstream toe of the dam and the abutments where the embankments have been removed. The works proposed will include 5 boreholes drilled to depths of approximately 5m below the dam foundation, concrete coring, and test pitting in each abutment.

AECOM submitted a proposal for \$124,868.00 for the additional investigation works. This report seeks an exemption from tender for the additional works required to complete the Rylstone Dam Safety Review.

Community Plan implications

Theme	Protecting Our Natural Environment
Goal	Provide total water cycle management
Strategy	Protect and improve catchments across the Region by supporting Catchment Management Authorities

Strategic implications

Council Strategies

Not Applicable

Council Policies

Procurement Policy

Legislation

Dams Safety Act 1978

Local Government Act 1993

Financial implications

There are no financial implications. Budget has been allocated under the Rylstone Dam Upgrade-G40431.

Associated Risks

The additional geotechnical investigation works will mitigate any associated risk.

ENRIQUE CASTILLO
SENIOR WATER ENGINEER

GARRY HEMSWORTH
DIRECTOR OPERATIONS

4 September 2017

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

10.4 Snelsons Lane

REPORT BY THE SENIOR WORKS ENGINEER
TO 20 SEPTEMBER 2017 ORDINARY MEETING
GOV400064, R0108001

RECOMMENDATION

That Council:

1. **receive the report by the Senior Works Engineer on Snelsons Lane;**
2. **resheet 650m of Snelsons Lane from the 2017/18 resheeting budget; and**
3. **complete minor tree pruning/removal work on Snelsons Lane under the unsealed local roads minor maintenance budget to accommodate 4.3m high rigid trucks;**

Executive summary

This report details the work required and costs associated with completing works to the last 650m of the maintained section of Snelsons Lane Gulgong to allow access by large vehicles, resulting from a motion to Council and corresponding resolution of Council from the July 2017 meeting.

Disclosure of Interest

Nil

Detailed report

Following a notice of motion in July 2017 "That Snelsons lane be made accessible to larger vehicles" and the resultant resolution of Council "Snelsons Lane be made accessible to larger vehicles following a report detailing the cost to bring the road reserve up to Council's standard being presented to the next Council meeting for a decision and budget allocation", Council staff have inspected the last 650m of Snelsons lane to determine the required works and present the costs detailed below.

The first 2km of Snelsons Lane is considered accessible to large vehicles up to and including a 4.6m high standard 2 deck cattle semitrailer. The remaining 650m of the maintained section is accessible to Councils grader, roller and water truck, hence many similar sized trucks. However, it is heavily timbered and any larger trucks are not able to access this section. It also would benefit from resheeting.

It is considered appropriate to complete 650m of resheeting on Snelsons Lane utilising the resheeting budget for this financial year. It is considered reasonable to carry out works associated with accommodating a larger truck along the road including a 4.3m high rigid truck (including single deck cattle trucks), consisting of minor tree pruning and removal work.

Part of the site is the subject of a Council tree preservation order which reads – Roadside vegetation along Whitehouse Rd between Spring Creek Rd and Henry Lawson Dr (including 200m of Snelsons Lane from Whitehouse) to form "T" shaped area of bush - Various Eucalyptus species (roadside vegetation).

Prior to any significant tree pruning and removal work a development application is required to be lodged with Council for that 200m section. The application requires a REF including a Fauna and Flora assessment and Aboriginal due diligence.

It is outside Council general maintenance work to complete significant tree pruning and removal works to accommodate 4.6m high two deck cattle semi-trailers. It is recognised that not all of Councils roads can accommodate a 4.6m high stock truck. The legal height of any vehicle is 4.3m, vehicles over 4.3m up to 4.6 metres high operate on a network of approved routes, including the following types of vehicles:

- multi-deck livestock crates;
- loaded car carriers;
- vehicles carrying wool, hay and other primary produce; and
- vehicles carrying shipping containers;
- purpose built vehicles carrying general freight.

Mid-Western Regional Council roads are endorsed for 4.6m use under the following condition;

- The driver is to undertake a route assessment of the road prior to travelling the route to satisfy themselves that the proposed route is suitable for use of 4.6m vehicles, in particular in regard overhanging tree branches and utility services

Hence it is not considered appropriate at this point to complete significant works to accommodate a 4.6m semi-trailer that would involve a significant additional budget as detailed in the financial section of this report and would require;

- a Review of Environmental Factors (REF) including a Fauna and Flora assessment and Aboriginal due diligence
- a development application
- significant tree removal work
- minor realignment work

Should Council wish to pursue this option, it should be considered in the 2018/2019 budget process.

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

Strategic implications

Council Strategies

Councils Roads Asset Management Plan (RAMP) indicates Snelsons Lane is maintained for a distance of 2.7km and includes the section being considered in this report.

Council Policies

Not Applicable

Legislation

Roads Act 1993 authorises Council to carry out works in road reserves.

Financial implications

Resheeting of 650m of Snelsons Lane can be carried out utilising the 17/18 resheeting budget at a cost of approximately \$14,500. Additionally, minor tree pruning and removal work can be accommodated under unsealed local roads minor maintenance budget for approximately \$2,000.

Significant tree pruning and removal work including minor realignment work incorporating a REF and Development application could be carried out for a cost of approximately \$24,200. Should Council wish to pursue this option, this amount should be considered in the 2018/2019 budget process.

Associated Risks

It is recognised that not all of Councils roads can accommodate a 4.6m high stock truck. The general legal height of any vehicle is 4.3m. Currently the road cannot accommodate a 4.3m high vehicle over the last 650m.

ANDREW KEARINS
SENIOR WORKS ENGINEER

GARRY HEMSWORTH
DIRECTOR OPERATIONS

6 September 2017

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Item 11: Community

11.1 Councillor Professional Development Program

REPORT BY THE MANAGER GOVERNANCE
TO 20 SEPTEMBER 2017 ORDINARY MEETING
GOV400064, GOV400013

RECOMMENDATION

That Council:

1. **receive the report by the Manager Governance on the Councillor Professional Development Program; and**
2. **endorse the Councillor Professional Development Program 2016 – 2020.**

Executive summary

Adopting a Councillor Professional Development Program will assist Councillors in meeting their statutory role that in part requires a councillor to make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a councillor.

Disclosure of Interest

Nil

Detailed report

The *Local Government Amendment (Governance and Planning) Act 2016 No 38* [NSW] Chapter 3 provides the Guiding Principles for Councils and redefines the roles of the governing body, the mayor and the role of a councillor.

The Professional Development Program for Councillors has been developed to assist the council in meeting these statutory changes. The program was drafted after consultation with the Australian Institute of Company Directors and provides prioritised opportunities for each Councillor to continuously develop their skills over the 4 year term of the council.

Councillors were provided with an induction program following the election conducted in September 2016. Some models within that program can be accessed at the convenience of councillors for refreshing knowledge across all facets of Councillors' governance requirements. These online modules are developed and managed by Local Government Professionals Australia under their e-connect program.

The Professional development program also provides opportunities for ongoing studies that Councillors may select to attain qualifications recognised across Australia provided by the Australian Institute of Company Directors. The program provides for councillors to achieve a

component of study requirements that will also require them to make personal commitment to attain these qualifications.

Finally the Program under the direction of the Mayor and by resolution of the Council provide networking opportunities for Councillors through the attendance of industry conferences and other seminars that are provided by Local Government NSW and other government and private sector agencies.

Community Plan implications

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

Strategic implications

Council Strategies

The adoption of the Program aligns with Councils;
Community Plan Goal for Strong Civic Leadership

Council Policies

The Professional development program aligns with Councils Payment of Expenses and Provision of Facilities to Councillors Policy

Legislation

NSW Local Government Act 1993

Financial implications

Councils operating plan allocates a training and development budget annually for Councillor training opportunities.

Associated Risks

Adoption of this report will assist Council in addressing risks associated with protecting the Council's reputation in the community by actively complying with the legislative requirements of being an elected official and continuously focusing on Councils strategic goal of Strong Civic Leadership.

TIM JOHNSTON
MANAGER GOVERNANCE

SIMON JONES
DIRECTOR COMMUNITY

29 August 2017

Attachments: 1. Councillor Professional Development Program 2016 - 2020.

APPROVED FOR SUBMISSION:

BRAD CAM

GENERAL MANAGER



COUNCILLOR PROFESSIONAL DEVELOPMENT PROGRAM 2016-2020

*A prosperous
and progressive
community*

DRAFT
COUNCIL MEETING MIN NO
date:

VERSION NO
REVIEW DATE
FILE NUMBER

Objective

The objective of the professional development program is to assist each Councillor in complying with their statutory role description:

LOCAL GOVERNMENT ACT 1993

S232 The role of a Councillor

The role of a Councillor is as follows:

- to be an active and contributing member of the governing body
- to make considered and well informed decisions as a member of the governing body
- to participate in the development of the integrated planning and reporting framework
- to represent the collective interests of residents, ratepayers and the local community
- to facilitate communication between the local community and the governing body
- to uphold and represent accurately the policies and decisions of the governing body
- to make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a Councillor

A Councillor is accountable to the local community for the performance of the Council.

s226 Role of Mayor

The role of the mayor is as follows:

- to be the leader of the council and a leader in the local community
- to advance community cohesion and promote civic awareness
- to be the principal member and spokesperson of the governing body, including representing the views of the council as to its local priorities
- to exercise, in cases of necessity, the policy-making functions of the governing body of the council between meetings of the council
- to preside at meetings of the council
- to ensure that meetings of the council are conducted efficiently, effectively and in accordance with this Act
- to ensure the timely development and adoption of the strategic plans, programs and policies of the council
- to promote the effective and consistent implementation of the strategic plans, programs and policies of the council
- to promote partnerships between the council and key stakeholders
- to advise, consult with and provide strategic direction to the general manager in relation to the implementation of the strategic plans and policies of the council
- in conjunction with the general manager, to ensure adequate opportunities and mechanisms for engagement between the council and the local community
- to carry out the civic and ceremonial functions of the mayoral office
- to represent the council on regional organisations and at inter-governmental forums at regional, State and Commonwealth level
- in consultation with the councillors, to lead performance appraisals of the general manager
- to exercise any other functions of the council that the council determines

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Induction

Councillor's Induction Program ran from September 2016 to December 2016 including the following training opportunities:

- 21st Sep 16** Meet & greet reception. Councillors were presented with a bound file of documents as an easy reference including the following documents:
- Code of Conduct
 - Code of Meeting Practice
 - Office of Local Government Councillor Handbook Contents pages
 - Interactions between Councillors & Staff Policy
 - Payment of Expenses and provision of Facilities to Councillors Policy
 - Office of Local Government Councillor Induction & Professional Development Guide
 - Councils policy review Schedule
- 5th Oct 16** Executive Presentations "Who they are and what they direct"
LG NSW "Elected Life" seminar presented by Marie Sheehan
- 7th Oct 16** LG Professionals Australia. Online induction program launched for Councillors
- 19th Oct 16** Integrated Planning & Reporting (IP&R) Presentation General Manager Brad Cam and Director Development Julie Robertson
- 2nd NOV 16** Lindsay Taylor Lawyers (Councils legal advisers) Presenting three topics:
- Overview of meeting procedures 2 hours
 - Defamation by / of Councillors 1 hour
 - Confidentiality obligations of Councillors 1 hour
- 16th Nov 16** Environmental Planning & Assessment (EP&A) Presentation by the Director Development Julie Robertson and Manager Statutory Planning Lindsay Dunstan
- 21st Nov 16** Operational Plan: Finance & Budgets Presentation General Manager Brad Cam and Chief Finance Officer Leonie Johnson

Strategy

The new Council has adopted the following strategic plans:

- Community Engagement Strategy: Feb 2017 – June 2017
- Workforce Strategy: April 2017
- Community Plan: June 2017
- Delivery Program, Operational Plan: June 2017
- Long Term Financial Plan: June 2017
- Asset Management Plan: July 2017

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Policy Framework

Governance Policies considered by the new council have to date included:

- Code of Conduct: Induction
- Procurement Policy October 2016
- Investments Policy November 2016
- Code of Meeting Practice April 2017
- Delegations of the General Manager April 2017
- Community Grants Program Policy June 2017
- Payment of Expenses and Provision of Facilities to Councillors Policy June 2017
- Borrowing Policy July 2017
- Interactions between Councillors & Staff Policy August 2017

Governance Review

The Australian Institute of Company Directors conducted a Governance review of Midwestern Regional Council during June 2017, the report was finalised early August 2017. Year 1 of the Councillor Professional Development Program shall be directly aligned with the Australian Institute of Company Directors (AICD) reports Focus Areas:

- Duties and responsibilities of Council members
- Council culture and dynamics

Conferences for Councillors

Council will resolve the Councillors who attend conferences. Conferences can provide excellent opportunities for learning through networking and specialist presentations.

Conferences also provide opportunities to clarify and test the strategic and Operational plan objectives that the Council is pursuing.

Council's Operational plan allocates a total annual budget of \$10,500 to accommodate Councillor conference registration and attendance.

The General Managers office will keep Councillors informed of conferencing options available to Councillors. Councillors will make requests for conferences to the Mayor.

Councillor Development Program Priority Opportunities

2017/2018

Council's Operational Plan allocates a total annual budget of \$20,000 to accommodate professional development registration and attendance by Councillors.

Examples of professional development opportunities include:

- LG Professionals Institute of Learning and Leadership e-connect induction modules
 - Introduction to Federal government
 - Introduction to State Government
 - Introduction to Local Government
 - Roles responsibilities and relationships
 - Council operations

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- Community engagement
- Planning and reporting
- Financial management
- Governance
- Human resources
- Work health & safety
- Council Meetings
- LG NSW Elected Life one day workshop
- LG NSW Mayors Weekend
- LG NSW Effective and Fair Meeting Procedures
- LG NSW Chairing Effective Meeting Procedures
- LG NSW Planning Legislation Skills and Knowledge
- LG NSW Good Governance
- LG NSW Strategic Management
- MWRC Procurement Manager – Procurement Policy and Procedure
- LG NSW Speed reading for Councillors
- LG NSW Handling Difficult People

2018/2019

Council's Operational Plan will allocate an annual budget to accommodate professional development registration and attendance by Councillors.

- LG NSW Financial Issues in Local Government
- LG NSW Media Skills
- LG NSW Community & Stakeholder Engagement
- LG NSW Executive Certificate for Elected Members Block 1 - 3 days
- LG NSW Executive Certificate for Elected Members Block 2 - 2 days
- AICD Foundations of Directorships Course, including units:
 - Finance for Directors
 - Governance for Directors
 - Strategy and Risk for Directors

2019/2020

Council's Operational Plan will allocate an annual budget to accommodate professional development registration and attendance by Councillors.

- LG NSW Executive Certificate for Elected Members Block 1 - 3 days
 - LG NSW Executive Certificate for Elected Members Block 2 - 2 days
 - AICD Foundations of Directorships Course, including units:
 - Finance for Directors
 - Governance for Directors
 - Strategy and Risk for Directors
-

11.2 Memorandum of Understanding - Twin Town Players

REPORT BY THE DIRECTOR COMMUNITY
TO 20 SEPTEMBER 2017 ORDINARY MEETING
GOV400064, P1633211

RECOMMENDATION

That Council:

1. **receive the report by the Director Community on the Memorandum of Understanding - Twin Town Players; and**
2. **endorse the proposed Memorandum of Understanding with the Twin Town Players for the use of the Rylstone Memorial Hall;**
3. **place on public exhibition for 28 days seeking community feedback the proposal for a new fee to be listed in Council's Fees and Charges that there be no charge to the Twin Town Players for the use of the Rylstone Memorial Hall when used for rehearsals; and**
4. **adopt this new fee that there be no charge to the Twin Town Players for the use of the Rylstone Memorial Hall when used for rehearsals if no submissions are received as a result of the public exhibition process.**

Executive summary

This report seeks Council's endorsement for the proposed Memorandum of Understanding with the Twin Town Players for the use of the Rylstone Memorial Hall.

Disclosure of Interest

Nil.

Detailed report

The Twin Town Players are a well-established group involved in the performing arts who for many years of staged plays and performances at the Rylstone Memorial Hall. They play a vital role in the fabric of the Rylstone and Kandos communities, enhancing social cohesion and providing local opportunities for performance and community entertainment.

The Twin Town Players have approached Council with a view to developing a Memorandum of Understanding to facilitate use of the Rylstone Memorial Hall for the purposes of rehearsals and auditions. The MOU does not cover rehearsals in the week prior to a performance or the performance itself which will be charged in accordance with Council's adopted Fees and Charges. Under the MOU, the Twin Town Players will pay for a minimum of one performance period each year.

Under this proposal, a new fee will be listed in Council's Fees and Charges that there be no charge to the Twin Town Players for the use of the Rylstone Memorial Hall when used for rehearsals. This pro

posed new fee will need to be placed on public exhibition for 28 days seeking any community feedback.

It is important to also note that the stage and lighting equipment that is owned by the Twin Town Players has been stored at the Hall for many years. The MOU also provides an agreement for Council to use this equipment when required.

The benefit to Council is the greater oversight of the Hall that will be provided as well as the support and appreciation that is given to this local community group. Greater access to the Hall may assist to improve the quality of performances even further. The MOU is based on a similar long standing agreement that the Mudgee Performing Arts Society have for the use of the Mudgee Town Hall.

Community Plan implications

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

Strategic implications

Council Strategies

Not applicable.

Council Policies

This MOU was developed in accordance with Council's Terms and Conditions for hire of Council Facilities.

Legislation

Not applicable.

Financial implications

It is unlikely that Council will be denied any significant income from this Memorandum of Understanding. Previously ad hoc arrangements were made or the group would hold rehearsals elsewhere. The MOU secures some guaranteed income for Council and provides for greater oversight of the Hall which is beneficial. It also allows for Council to use the sound and lighting equipment that is owned by the Twin Town Players when required which may save funds into the future. There is no impact on operational budgets.

Associated Risks

The MOU is likely to lead to greater oversight of the Rylstone Memorial Hall which is of benefit in terms of protecting the assets. The requirement for the Twin Town Players to hold all relevant and appropriate insurances mitigates the majority of risk to Council.

SIMON JONES
DIRECTOR COMMUNITY

21 August 2017

Attachments: 1. Memorandum of Understanding - Twin Town Players.
2. Terms and Conditions for hire of Council Facilities.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



MID-WESTERN REGIONAL COUNCIL
PO Box 156, MUDGEES NSW 2850
86 Market Street, Mudgee | 109 Herbert Street, Gulgong | 77 Louee Street, Rylstone
T 1300 765 002 or 02 6378 2850 | F 02 6378 2815
E council@midwestern.nsw.gov.au

Memorandum of Understanding Mid-Western Regional Council and Twin Town Players for the Rylstone Memorial Hall 2017

1. Purpose

The purpose of this MOU is to facilitate use of the Rylstone Memorial Hall by the Twin Town Players (TTP) for the purposes of rehearsals and auditions. The MOU does not cover rehearsals in the week prior to a performance or the performance itself which will be charged in accordance with Council's adopted Fees and Charges. TTP will pay for a minimum of one performance period each year.

2. Terms and Conditions of Use

2.1 The Rylstone Memorial Hall must still be booked (via Council Customer Service) and a record of when TTP will be using the Hall for rehearsal bookings will be recorded in the booking system.

2.2 Two sets of keys will be provided to TTP on permanent loan.

2.3 The attached Information for Hirers should be followed, including the relevant checklists.

2.4 TTP are responsible for the cleanliness of the Hall during their bookings and for the removal of any rubbish.

2.5 TTP are responsible for the correct use of fire doors and evacuation procedures during their bookings.

2.6 If a paid booking is taken, the rehearsal booking will be cancelled. Council will endeavour to provide TTP with one week's notice if this happens.

2.7 TTP are to ensure that any equipment and air conditioners are turned off and all doors are locked on exiting the building.

2.8 Sound and lighting equipment:

- a. Council acknowledges the Twin Town Players' ownership of the lighting and sound equipment in the Hall.
- b. TTP ensure that all equipment is insured and meets the relevant safety standards and is tagged and tested.
- c. Council agrees to include the equipment in its regular tagging and testing program.

- d. Council allow TTP to store this equipment at the Hall.
- e. TTP agree to provide and keep up to date an equipment inventory.
- f. TTP allow Council to use this lighting and sound equipment free of charge.
- g. TTP agree to provide assistance with this equipment to other users of the Hall. No hall hirers should use the equipment without the assistance of the TTP.

2.9 This MOU extends until 31 December 2018 but can continue beyond that time until either party requests a further MOU to be negotiated. Alternatively, either party can terminate this MOU with a month's notice at any time after 31 December 2018.

BRAD CAM
GENERAL MANAGER
MID-WESTERN REGIONAL COUNCIL

Date:

JOSH MESALINE
PRESIDENT
TWIN TOWN PLAYERS

Date:



TERMS & CONDITIONS FOR HIRE OF COUNCIL FACILITIES

CONDITIONS OF HIRE

1. Applications for the hire of Council facilities must be made by the person who will be responsible for payment of fees and any other charges arising from the function, and who will be in attendance for the duration of the function. Under no circumstances shall the hirer assign or sublet the Council facility.
2. The promoters of public functions are required to provide at least one adult attendant per 100 persons attending.
3. Bookings are only accepted with a completed application form and receipt of payment for the bond plus hire fee unless the following applies:
 - The hirer has Council financial assistance approval (written notification is required prior to Customer Service accepting the booking)Tentative bookings are only taken if an application for financial assistance to waive hiring fees is currently with Council awaiting a decision. Those bodies recognised as Regular Hirers by Council, may make forward bookings and invoice arrangements for payment with Council.
4. Business/Commercial or Incorporated body hirers are required to submit a certificate of currency for Public Liability Insurance - The hirer shall hold a public liability policy for a minimum limit of indemnity to \$20 million. The policy shall note Mid-Western Regional Council as an interested party.
5. Persons/organisations must have read and understood the emergency procedures pertaining to the venue including their responsibilities in the event of an emergency evacuation of the venue.

REFUSED OR CANCELLED FUNCTIONS

1. Council expressly reserves the right of absolute discretion to refuse to accept any function or to cancel any function already made with one month's notice. However, immediate cancellation may be effected if deemed necessary by the General Manager.
2. The Council will not be liable for any loss or damage or otherwise in consequence of the exercise of this right. In these circumstances, Council may refund any portion of fees paid if such refund is considered warranted.

REVISION OF CHARGES

Council expressly reserves the right to revise fees and charges from time to time as may be necessary. Fees and charges increase 1 July each year and any increases will be charged to the hirer.

CANCELLATION OF USE

1. Where the hirer seeks to cancel the hire without giving notice, Council may, in its sole discretion, retain or agree to refund the whole or part of the hire fees.
2. All cancellations or transfers of bookings should be forwarded to Council in writing.

YOUTH EVENTS / PARTIES

Youth events / parties apply to 13 - 25 year olds.

- A parent / guardian must complete, sign the application form and take responsibility for the event if the hirer is under 18 years old.
- For Youth Dances, Discos, etc. there shall be one adult attendant per 50 persons, plus a Security Guard from a recognised security firm to be paid for by the hirer.
- The attendants must be capable of maintaining order at the functions, and are to be responsible to the Council.

CONDUCT

The hirer is responsible for the conduct of each and every person in attendance at the function and shall be deemed controllers of Council facility during the period of hire. The hirer shall be responsible for the health and safety of all patrons to the event and for the maintenance and preservation of good order generally. Should it become necessary during the occupation of the Council facility for the hirer to leave the premises, he/she must nominate a responsible person to act on his/her behalf. Council will not permit or suffer anything to be done in the Council facility, or its vicinity, which is disorderly, offensive or dangerous. Please be respectful of other users and neighbours.

LIABILITY FOR PERSONAL INJURY AND/OR DAMAGE TO PROPERTY

The hirer will indemnify and hold harmless Mid-Western Regional Council for all loss of, or damage to, property of the Council and from and against any claim, demand, action, suit or proceedings that may be made or brought against the Council or its employees in respect of personal injury to, or death of, any person or loss of, or damage to, property whatsoever arising out of, or as a consequence of, the hirer's use of the Council facility.

DECORATIONS

1. The erection of streamers, flags, bunting or other decorations or the erection or placing of structures in the Council facility is to be carried out only with the approval and under the supervision of the Council. The hirer must remove all decorations and structures and make good at their own expense any damage caused by the placement or removal.
2. Please note: If a hirer requires early access to the Council facility for the purpose of erecting decorations, etc, additional hire time will be charged.
3. Possession of keys does not entitle the hirer to enter the Council facility outside of the agreed hire period.

ADVERTISING ANY FUNCTION

The hirer or promoter shall not advertise any function within the Mid-Westerns Local Government Area in a manner which contravenes Council's Development Control Plan.

VENUE RULES

1. Council facilities are smoke free areas. Smoking is strictly prohibited.
2. It is expressly prohibited to bring onto the Council facility or use there in any volatile/ inflammable materials.
3. The hirer is not permitted to take into, or use, within the venue and grounds: any type of firework or flammable substances, any chemical substance deemed toxic or dangerous without prior consent from Council.
4. It shall be the responsibility of hirers to provide the required first aid equipment and trained first aid personnel suitable for the size and nature of the event

REMOVAL OF PROPERTY AND GARBAGE

The hirer must vacate the Council facility in a clean and orderly condition to the satisfaction of Council staff. If this cleaning cannot be completed on vacation of the facility, arrangements must be made with Council staff prior to the event commencing. All goods; etc brought in by the hirer must be removed from the Council facility no later than at the end of the booking. Any goods left on the Council facility after occupancy may be removed and disposed of at the discretion of Council, without compensation to the owner or person responsible. All tables and chairs must be stacked up and the rooms left clear for use by the next hirer.

Removal of garbage is included in the hiring fee (this does not apply to Mudgee Showground hire), providing the garbage is left in the garbage bins provided. No loose heaps of garbage are permitted to be left behind. Any costs associated with the removal of excess garbage will be deducted from the bond

LOSS OR DAMAGE

The hirer is responsible for the cost of making good any damage caused to the Council facility, floor, furniture, fittings or grounds arising out of, and in the course of, the function. (Reasonable wear and tear alone accepted). The hirer should report any broken or damaged equipment, fittings or furniture to Council.

Any damage caused to the Council facility or contents will be restored by the Council and the cost charged to the hirer. If the total cost exceeds that of the bond, the hirer will pay the shortfall. The Council retains the right to determine the cost of damage or cleaning and to retain this part of the bond. The bond, less any deduction shall be refunded within twenty-eight (28) days to the hirer, by way of a cheque. Where damage exceeds the amount of the deposit the hirer will pay the balance.

ELECTRICAL AND SOUND EQUIPMENT

No connection of or interference with the electrical installation, lighting effects, sound system or fittings or other properties will be allowed without the approval and under the supervision of the Council.

VACATION OF COUNCIL FACILITY

The hirer will be held responsible for seeing the Council facility is vacated and properly secured by the scheduled time. If the Council facility is not vacated by the scheduled time, a surcharge will apply based on the schedule of fees for the venue.

The hirer will be responsible for the proper behaviour of guests and their quiet departure from the venue.

DIRECTION FROM COUNCIL OFFICERS

The hirer agrees to act in accordance with Council Officers as directed. Council reserves the right to require its officers to be in attendance at functions. A fee will be charged accordingly.

ALCOHOL

The sale of spirits or other alcoholic liquor will not be permitted in the Council facility without the hirer providing proof of a liquor licence for the function/event. The sale and consumption of alcohol is subject to separate approval.

NOISE

The level of noise emissions from any band, orchestra, musical instrument or activity at the venue shall not exceed normal background noise level when measured at the nearest boundary of any residential property. After 11.00pm, the noise emission shall not exceed the background noise level at any point outside the Council facility.

A breach of this condition may result in an on-the-spot fine of \$200 or more under the Protection of the Environment Operations Act 1997.

VEHICLE MANAGEMENT

- Participant and spectator vehicles must not be parked on Council's parks or reserves or upon grass verges or footpaths.
- Do not block private or public driveways.
- All parking of equipment trucks must comply with the signage existing in the street.
- No items shall be placed in front of, or obstruct access to the fire exits.
- The hirer is requested to provide disabled parking at convenient locations

The hirer shall abide by all additional conditions of hire relating to each individual venue as outlined below.

VENUE	CONDIT
Mudgee Showground	<ul style="list-style-type: none"> Main Pavilion - With a large open area, great lighting and concrete flooring the Main Pavilion is ideal for exhibitions, social events, and can seat up to 400 people. Animal Stalls - Up to 100 seated If alcohol is to be served, the organiser is to provide a licensed security guard for every 50 people attending. Cancellations must be confirmed in writing The <u>acoustic panels</u> in the Showground's main pavilion are not to be touched in any way. The acoustic panels are made of specialised material and are somewhat fragile. Dirty hand prints will not come off easily, and pins and tape will injure the surface of the panels and could even put holes in them. Any damage caused to the acoustic panels will be at the cost of the hirer. No glass drink containers are permitted in the grassed areas. The hirer is responsible for cleaning the ground/hall and toilets after use, and is responsible for removal of their garbage. \$80.00 will be deducted from the bond if garbage is not removed from the premises within 24 hours.
The Stables Mudgee	<ul style="list-style-type: none"> Gallery - 3 tables, 25 chairs Meeting Room - 7 tables, 40 chairs All tables and chairs must be stacked neatly against the wall after use
Gulgong Memorial Hall	<ul style="list-style-type: none"> 55 tables, 400 chairs All tables and chairs must be stacked neatly against the wall after use
Rylstone Amenities Hall	<ul style="list-style-type: none"> 10 tables, 55 chairs All tables and chairs must be stacked neatly against the wall after use
Rylstone Memorial Hall	<ul style="list-style-type: none"> 18 tables, 350 chairs All tables and chairs must be stacked neatly against the wall after use
Kandos Community Hall	<ul style="list-style-type: none"> 13 tables, 200 chairs All tables and chairs must be stacked neatly against the wall after use

11.3 Offer of Donation of Art Works - Tatlow Collection

REPORT BY THE DIRECTOR COMMUNITY
TO 20 SEPTEMBER 2017 ORDINARY MEETING
GOV400064, REC800010, REC800003

RECOMMENDATION

That Council:

1. **receive the report by the Director Community on the Offer of Donation of Art Works - Tatlow Collection;**
2. **accept the offer of the donation of the 22 art works that form the Tatlow Collection;**
3. **authorise the General Manager to sign the Deed of Agreement between John Turnell & Alan Bingham and Mid-Western Regional Council on behalf of Council following any further negotiation if required; and**
4. **ensure that future offers of donations of art works conform to the Art Collection Policy recently endorsed by Council.**

Executive summary

This report seeks to inform Council of an offer of a donation of art works that has been made to Council. This donation is from the collection of the estate of the late William Tatlow, who passed away in 2015. The intent of the donation is that it would be a major boost to Council's art collection which would benefit a future regional gallery.

Disclosure of Interest

Nil

Detailed report

In 2016, an approach was made to Council in relation to the donation of 22 Aboriginal paintings that form the collection of William Tatlow. At the time of his death Mr Tatlow resided in the Mid-Western Regional area. Pursuant to Mr Tatlow's Last Will and Testament the trustees have decided to gift the Artworks to the Council upon the terms and conditions set out in the Deed of Agreement. Mr Tatlow was also a colleague of Gora Mann who has also been generous in his donation of a number of paintings to Council.

Pursuant to Clause 9 of the Will, Mr Tatlow gave to the Trustees the 22 Aboriginal paintings to gift at their sole discretion to Council for display and educational purposes. Council is required to keep the Artworks fully and properly insured and well maintained, and to continue its work seeking to establish an art gallery in the region. Under the Deed, Council would be required to provide appropriate recognition for the gift by Mr Tatlow at whatever location the Artworks are to be displayed.

Council is not permitted to sell, encumber, part with possession, assign or otherwise deal with the paintings other than as set out in this Deed.

The offer of the art works is a generous one. The value of the collection has been estimated at between \$50,000 and \$100,000 and the conditions set out in the Deed are not onerous. There may be certain circumstances where the paintings may need to be returned, for instance if Council made a definite decision that they would not pursue an art gallery in the region. If that were the case, further discussions with the Estate trustees would take place.

There are, however, some issues with accepting the donation. Council has an Art Collection policy that sets out the guidelines by which donations may be accepted. Conditional donations are not encouraged. Any items that are collected would ideally have some local significance or be by local artists. Our understanding is that the paintings are of Central Australian landscapes and that there is no specific local connection with the works or the artists.

The other major issue is that if Council were to proceed to develop a gallery, no strategy is yet in place as to what type of gallery it would be and what items would the gallery seek to acquire (if any). There are strong arguments that any acquisition focus would likely be on ceramics, building on the small collection that is already in place. Any gallery that is developed is likely to be small scale and the space for any permanent collection is likely to be small. It would not be the case that these 22 works would ever be on permanent display in a gallery, although there may well be a temporary exhibition of the collection from time to time.

The donation proposal was discussed by the Cultural Development Committee at its meeting in August. These problems were discussed, in particular the adherence to the Art Collection Policy that was adopted by Council in June and the need for the strategic direction of any future gallery to be determined. The recommendation of the Committee was that Council not accept the donation.

The recommendation of the Cultural Development Committee is respected and understood. However, in this case, the recommendation from staff to Council is that it accept this donation. Some flexibility has been negotiated with the Trustees of the Tatlow Estate in terms of where the paintings may be exhibited and it is also important to reference that the discussions over this donation pre-date the adoption of the Council policy. For this reason, an item has been added to the recommendation to re-focus any future offers of donations to the Art Collection Policy.

It is believed that this collection can be accepted without compromising or providing undue restrictions on the development of strategic direction for a future gallery collection.

Community Plan implications

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

Strategic implications

Council Strategies

Community Strategic Plan

Council Policies

Art Collection Policy

Legislation

Not applicable

Financial implications

There will be some cost to transport the art works to Mudgee and ongoing costs related to the hanging and care and maintenance of any art works in Council's possession. At this stage these items are covered by general operational budgets.

This report and the related Deed of Agreement does not commit Council to the development and operation of an art gallery or similar facility. However, it is worth noting the community interest in doing so and the reference to a gallery that arose through the consultation process as part of the development of the Community Strategic Plan.

Associated Risks

There is some risk in accepting this donation that it is setting a direction for future art collection that is in conflict with the Art Collection Policy. The risk mitigation strategy for this would be to ensure compliance with the Policy for any future similar situation. The acceptance of this donation may send a message to the community that Council has a strong commitment to the establishment of a gallery. Given the absence of any definite decision by Council to establish a gallery and the absence of any budget to do so, there is a risk that the acceptance would raise expectations in the community that cannot yet be met.

Council currently has no specific cultural development or gallery curatorial staff positions. There is some risk that we do not have the expertise on staff to manage a fully developed art collection.

SIMON JONES
DIRECTOR COMMUNITY

21 August 2017

- Attachments:*
1. LETTER Peninsula Law Re Deed of Agreement and Inventory 17 August 2017. (separately attached)
 2. Deed of Agreement between J Turnell A Bingham and Mid Western Regional Council. (separately attached)
 3. Schedule of Collection of 22 Aboriginal Indegenous works of art.. (separately attached)
 4. Photos of 22 Aboriginal Indigenous works of art. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

11.4 Graeme Morgan Memorial Plaque - Gulgong Swimming Pool

REPORT BY THE DIRECTOR COMMUNITY
TO 20 SEPTEMBER 2017 ORDINARY MEETING
GOV400064, F0640015

RECOMMENDATION

That Council:

1. receive the report by the Director Community on the Graeme Morgan Memorial Plaque - Gulgong Swimming Pool; and
2. endorse the proposal for a memorial plaque to be installed at the Gulgong Swimming Pool to acknowledge the community service provided by Graeme Morgan.

Executive summary

Discussions with members of the Gulgong community have identified an opportunity to remember the community service of Graeme Morgan, who sadly passed away recently. One such option would be the installation of a memorial plaque at the Gulgong Swimming Pool.

Disclosure of Interest

Nil

Detailed report

The news of the tragic passing of Graeme Morgan on July 25th has been received by members of the Mid-Western Regional Council community with sadness. As a long-time resident of Gulgong, "Morgo" was known by many, many people throughout the area. Graeme was a regular fixture at the Gulgong Pool and worked there for many years teaching children to swim. He gave so much to the community and it is fitting that a way of recognising this contribution is found.

One suggestion that has been made is to install a memorial plaque at the Gulgong Swimming Pool that recognises Graeme and the contribution he made to swimming, water safety and the Gulgong community. This report seeks Council's support for such a plaque to be installed at the Pool.

Community Plan implications

Theme	Looking After Our Community
Goal	Meet the diverse needs of the community and create a sense of belonging
Strategy	Support programs which strengthen the relationships between the range of community groups

Strategic implications

Council Strategies

Not applicable

Council Policies

Not applicable

Legislation

Not applicable

Financial implications

The cost of installing the plaque is to be covered by existing operational budget.

Associated Risks

Not applicable

SIMON JONES
DIRECTOR COMMUNITY

4 September 2017

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Item 12: Reports from Committees

12.1 Red Hill Committee Meeting Minutes July & August

REPORT BY THE DIRECTOR COMMUNITY
TO 20 SEPTEMBER 2017 ORDINARY MEETING
GOV400064, P0860011

RECOMMENDATION

That Council:

1. **receive the report by the Director Community on the Red Hill Committee Meeting Minutes July & August;**
2. **note the minutes of the Red Hill Committee meeting of 25 July, 2017 and 23 August, 2017; and**
3. **place the updated Red Hill Master Plan on public exhibition for 28 days to seek comment from the community.**

Executive summary

This report seeks to inform Council on further progress on the Red Hill site.

Disclosure of Interest

Nil.

Detailed report

The Red Hill Committee support the draft Red Hill Master Plan and endorse this Plan to be sent to Council for consideration. The Plan seeks to provide information on future ideas for the site, given the changes that have taken place since the construction of the Gulgong Gold Experience.

Some of the Stage 1 (higher priority) works that the Committee would like to see take place into the future including the construction of toilet facilities, the development of a bus and car parking area, development of the cottage for mining displays and information and further landscaping works.

Future proposed works beyond these items include excavation of the walk-in mine shaft area and the development of a tourism kiosk on the site.

The updated draft plan has been amended for consideration by Council and has been endorsed by the Committee. It is recommended that Council now place the updated Master Plan on public exhibition seeking community feedback.

Another issue that the Committee has been discussing is the operation of the Gulgong Gold Experience on the Red Hill site. The Gulgong Gold Experience is currently operated by the Gulgong Holtermann Museum group via a Memorandum of Understanding with Council. This MOU finishes in December 2017, although it can continue without change beyond this if agreed to by both parties. The future of this MOU is likely to come to Council for consideration at the October Council meeting.

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

Strategic implications

Council Strategies

Red Hill Master Plan
Memorandum of Understanding with Gulgong Holtermann Museum.

Council Policies

Not applicable.

Legislation

Not applicable.

Financial implications

Further works at the Red Hill site will require budget. If the Red Hill Master Plan is approved then a staged approach to the seeking of funding of items in the Master Plan will take place through Community Plan Proposals that are incorporated into the development of the Operational Plan.

The Master Plan provides no timetable for the completion of works so any items to be completed will be subject to funding available by Council or other grant applications.

Associated Risks

Significant funds have been invested in the Red Hill site over the past few years. It may be appropriate for a more targeted and coordinated approach to tourism development be pursued by the Gulgong Chamber of Commerce and Mudgee Region Tourism Inc to ensure that any further funds that are invested are focused on maximising the benefits for tourism for the town. The construction of more assets on the site will require further funds for ongoing maintenance and so it is important that Council consider the impact of further capital expenditure.

SIMON JONES
DIRECTOR COMMUNITY

28 August 2017

Attachments: 1. MINUTES - Red Hill Meeting 25 July 2017.
2. MINUTES - Red Hill Committee 23 August 2017.
3. Red Hill Master Plan 2017.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



MID-WESTERN REGIONAL COUNCIL
PO Box 156, MUDGEE NSW 2850
86 Market Street, Mudgee | 109 Herbert Street, Gulgong | 77 Louee Street, Rylstone
T 1300 765 002 or 02 6378 2850 | F 02 6378 2815
E council@midwestern.nsw.gov.au

SJ | P0860011

**MINUTES OF MEETING FOR THE RED HILL COMMITTEE HELD ON 25 JULY 2017
COMMENCING AT 3.35PM**

Present: Maurice Gaudry, Chris Pearson, Alan Rickwood, Michele McFarlane, Bill Murphy,
Cr Percy Thompson, Paul Blackwell (staff), Simon Jones (staff)

1. Apologies

David Warner, Tony Harrison **Apologies Accepted**

2. Red Hill MasterPlan

Items 1-5 all agreed.

Item 6 -amphitheatre - suggest deleting this item and leaving the amphitheatre. Some discussion about whether the focus should be Red Hill as a representative historical site (with puddling machine and whip pole) or becoming a park.

Alan Rickwood left the meeting and resigned from the Committee at 3.52pm.

Action: A further draft to be redrawn and sent back to Red Hill meeting in August.

3. Maintenance Issues/Works Requests

- Can we check the poppet head to make sure it is structurally sound - Works Request to be entered.
- New pathways installed by volunteers need to be fixed, including the colour.

4. General Business

- Planning department would like to see some more information in relation to the metal signage cutouts proposal.
- MOU with Holtermann Museum to be on the agenda for the next meeting.

Meeting closed at 4.25pm.

Next meeting: Wednesday 23rd August at 3.30pm.



SJ | P0860011

MID-WESTERN REGIONAL COUNCIL
PO Box 156, MUDGEE NSW 2850
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**MINUTES OF MEETING FOR THE RED HILL COMMITTEE HELD ON
23 AUGUST 2017 COMMENCING AT 3.35PM**

Present: Chris Pearson, Cr Paul Cavalier, Cr Percy Thompson, Paul Blackwell (staff), Simon Jones (staff)

1. Apologies

David Warner, Maurice Gaudry

Apologies Accepted

2. Correspondence

From Gulgong Holtermann Museum regarding the Memorandum of Understanding the gravel required for the pathways.

Action: Paul Blackwell to arrange for gravel to be taken to site for placement on the pathways.

3. Memorandum of Understanding with Gulgong Holtermann Museum

Gulgong Holtermann Museum have put the view that the coordination of the Gulgong Gold Experience requires a paid position to cover volunteer management and promotion. Discussion centred around the amount of time involved (average of 2-3 hours per week) so perhaps \$100 per week would be needed.

The MOU allows for money collected from the Gulgong Gold Experience entry fees to be used for the operation of the facility so there are no problems with GHM paying someone for coordination.

There is a GHM meeting on 12th September. Simon Jones to attend this discussion to allow for the MOU to be put to Council again prior to the potential end of the MOU in December.

4. Red Hill MasterPlan

That the Red Hill Committee support the draft Red Hill MasterPlan and endorse this Plan to be sent to Council for consideration.

Moved: Paul Cavalier

Seconded: Chris Pearson

Motion Carried

Motion: That the Red Hill Committee write to Alan Rickwood thanking him for his years of service to the Committee

Moved: Paul Cavalier Seconded: Chris Pearson **Motion Carried**

Motion: That the Red Hill Committee write to Adelle Minihan thanking her for her assistance in putting the draft Red Hill MasterPlan together.

Moved: Paul Cavalier Seconded: Chris Pearson **Motion Carried**

5. Maintenance Issues/Works Requests/General Business

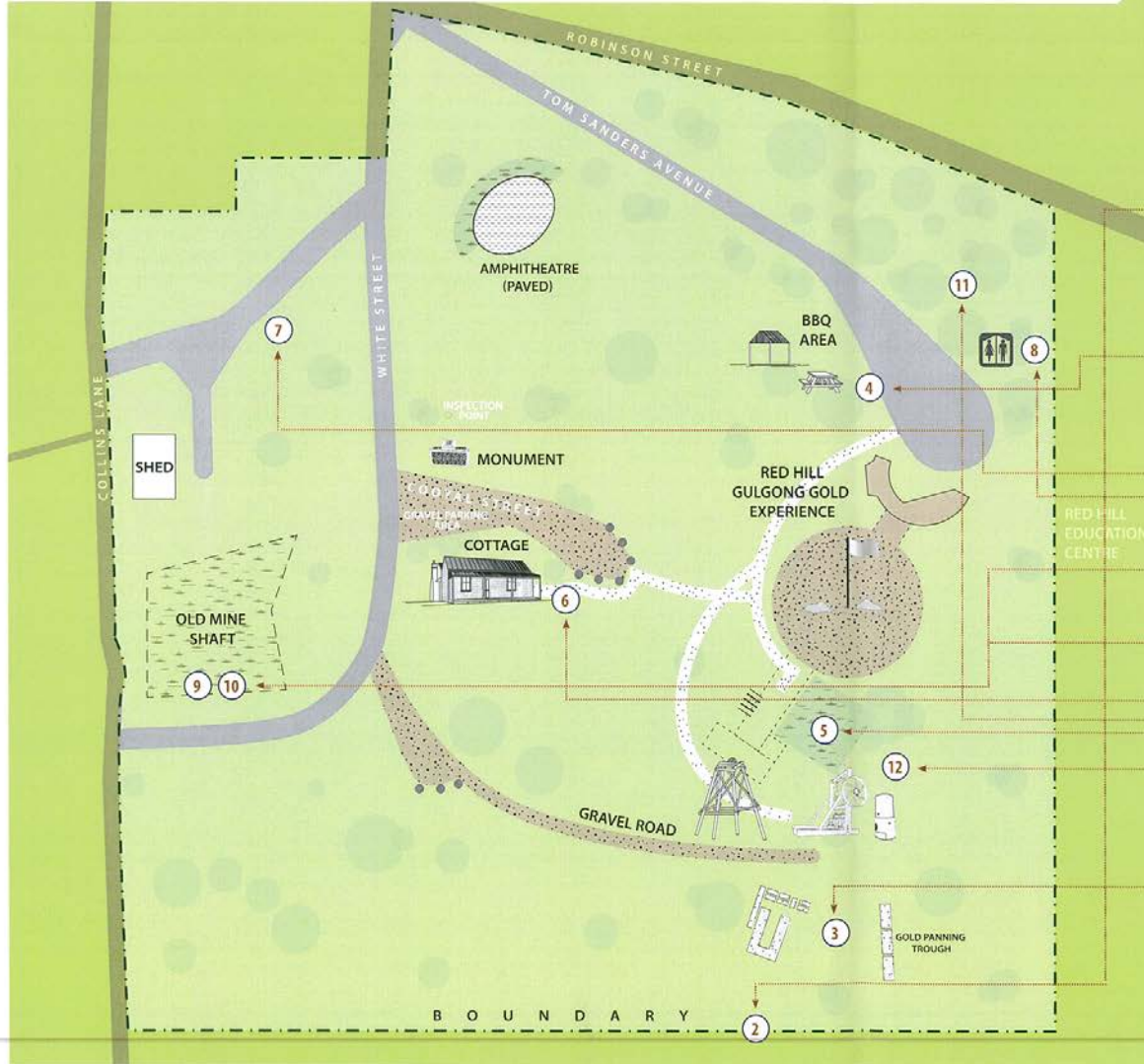
- Nil

Meeting closed at 4.25pm.

Next meeting: To be advised



2017 RED HILL MASTERPLAN



STAGE 1

- 1 Professionally developed overall design plan for trees, seats, signage, child friendly activities, static displays etc.
- 2 Investigate the prohibition of all urban development on the southern side of the site to preserve Red Hill's integrity and the view from the road driving from Mudgee.
- 3 Research, work progress, inventory of equipment and maintenance schedule to be developed and recorded so it can be maintained for future generations.
- 4 A limited number of discrete picnic areas in a colonial heritage style to be provided.
- 5 Fill in and turf this area
- 6 Existing cottage to be converted into display of mining activity and base for Gulgong Gold Experience
- 7 Provide paved bus and visitor parking
- 8 Public toilet block

PROPOSED FUTURE WORKS

- 9 Excavate mine shaft work area by careful assessment of historical evidence and clearing of soil away from original rock face exploration. Install safety rail.
- 10 Make access available to the mine shafts for visitors, subject to safety issues. Shaft locations to be identified through mining maps and site exploration.
- 11 New tourism kiosk on the perimeter to provide a panoramic view of Red Hill. The Red Hill Cottage could also be considered as a possible tourist site.
- 12 Install all equipment that could have been on site, such as the poppet head and other related items by either tracing original equipment or acquiring similar items from abandoned sites.



12.2 Local Traffic Committee Meeting - August

REPORT BY THE MANAGER DEVELOPMENT ENGINEERING
TO 20 SEPTEMBER 2017 ORDINARY MEETING
GOV400064, A0100009

RECOMMENDATION

That Council:

1. **receive the report by the Manager Development Engineering on the Local Traffic Committee Meeting;**
2. **Approve the event – *Rylstone Street Feast, 28 October 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 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. **Any person directing traffic on a public road is required to possess an appropriate traffic controller's certificate;**
 - h. **The event convener is to notify all affected businesses and residents adjacent to the proposed closure indicating the period during which their accesses will be affected. Such notification is to be in writing;**
 - i. **Maintain a four-metre wide emergency vehicle lane;**
 - j. **Advertise the proposed event in local newspapers with relevant information at least 2 weeks prior to the date;**
 - k. **The organiser is to have a debrief with Council and Police with all traffic control documentation and controls tabled for review; and**
 - l. **The organiser is to notify NSW Fire and Rescue and the NSW Ambulance Service of the event;**
 - m. **Council must be provided with a current copy of a Public Liability Insurance policy in the amount of at least \$20 million. Such a policy is to note Council, RMS and NSW Police Force as interested parties on the policy;**

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 18 August 2017, however due to the low number of agenda items the LTC reports were distributed via email.

There was one event tabled for consideration of the Committee and recommended for approval by Council:

- Rylstone Street Feast

The minutes and discussion notes for the LTC meeting held 18 August 2017 are attached.

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

Strategic implications

Council Strategies

Facilitating the Local Traffic Committee is covered in Council's Delivery Program, Strategy 4.1.1. Pedestrian Access Mobility Plan

Council Policies

Temporary Road Closure Policy.

Legislation

Roads Act 1993.
Roads Transport Act 2013
Road Rules 2014

Financial implications

Not Applicable

Associated Risks

Not applicable

DANIEL BUCKENS
MANAGER DEVELOPMENT ENGINEERING

GARRY HEMSWORTH
DIRECTOR OPERATIONS

29 August 2017

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

12.3 Mudgee Sports Council Meeting - August

REPORT BY THE DIRECTOR COMMUNITY
TO 20 SEPTEMBER 2017 ORDINARY MEETING
GOV400064, A0360013

RECOMMENDATION

That Council:

1. receive the report by the Director Community on the Mudgee Sports Council Meeting Minutes - August; and
2. note the minutes for the Mudgee Sports Council Meeting held on 29 August, 2017.

Executive summary

The purpose of this report is to advise Council of the considerations and recommendations of the Mudgee Sports Council meeting held on 29 August, 2017.

Disclosure of Interest

Nil

Detailed report

The Mudgee Sports Council receives an updates Works Request and Matters in Progress report together with updated financial details each month prior to their meeting.

There are no further matters arising that require consideration by Council at this time. Operational matters raised will be dealt with in due course when staff receive additional information.

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

Strategic implications

Council Strategies

Not Applicable.

Council Policies

Not Applicable.

Legislation

The Mudgee Sports Council is operating under Section 355 of the Local Government Act (1993), which allows it to exercise a function of Council.

Financial implications

Not Applicable.

Associated Risks

Nil.

SIMON JONES
DIRECTOR COMMUNITY

1 September 2017

Attachments: 1. Mudgee Sports Council Meeting Minutes - August 2017.
2. Glen Willow Economic Benefits Summary.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Mudgee Sports Council Meeting

29th August, 2017 – Mudgee Netball Clubhouse

Meeting opened at 6.02pm

Present: P. Mitchell, Cr J. O’Neill, A. Whale, B. Martin, R. Dowell, N. Cavanagh, G. Bartrim, K. Lang, N. Richards, K. Marshall, S. Jones (MWRC Staff)

Apologies: J. Johnson, G. Robinson Moved: Cr J. O’Neill Seconded: A. Whale

Minutes: endorsed as correct: Moved: Cr J. O’Neill Seconded: P. Mitchell

Business Arising from the Minutes – Nil

Treasurer’s Report

- Approx. \$75K in the Sports Council account.
- Winter Fees owing?

Moved: P. Mitchell Seconded: G. Bartrim **Motion Carried**

Update on current Works Requests

- Soccer – Glen Willow – a few sprinkler heads in a bad way – 2 on Field 4 and 1 on Field 5.
- Soccer Amenities - Hand dryers to be installed this week.

New Works Requests

- Hockey – there is a dent in the picnic table at West End
- Hockey – there is a drain cover broken near the canteen at West End
- Soccer – Glen Willow Field 2 – there is a light flickering on the light pole closest to the lightbox
- Soccer/Touch – Glen Willow - there are numerous globes out on fields 2, 3 and 4
- Soccer – Glen Willow Soccer/Touch Amenities - green exit signs keep falling down
- Soccer – Glen Willow Soccer/Touch Amenities – there is a light that needs replacing in the clubhouse
- Hockey – problems with irrigation at West End – wet patches and dry patches

General Business

Question from Cricket on applying for a ground improvement grant for the cricket. P. Mitchell to send the form. Council will need to send the quote through to cricket when a supplier has been chosen (currently out for quote for work to commence in October).

Question on budget for cricket wicket:

Council has a budget of \$80,000 for the installation of a turf cricket wicket at Glen Willow. This is made up of \$50,000 from Council and a \$30,000 contribution from the cricket associations.

(Answer provided by S. Jones after the meeting)

Active Kids Voucher Program

This program is due to commence for sporting groups and families from January 1st, 2018. It allows for a rebate to families for their kids participating in sporting activities. For more information go to:

<https://sport.nsw.gov.au/sectordevelopment/activekids>

This is something that Council could also promote through its communication channels.

Glen Willow – economic benefit

Cr J.O'Neill tabled at the meeting information on the benefits that have been generated for the community by Glen Willow over the past five years.

Request from funding support for junior athletes

Application from Ella-Rose Hawes who has been selected for the Football NSW Country Girls U14s State Team competing at the National Youth Championships in Coffs Harbour in July.

Application from Alex Sutherland who has been selected to take part as a referee in the NSW All Schools U15s Touch Football tournament at the 2017 School Sport Australia Pacific School Games to be held in Adelaide in December.

Motion: That the Mudgee Sports Council support the funding applications from Ella-Rose Hawes and Alex Sutherland and provide funding of \$450 each from the Sports Council account.

Moved: R. Dowell Seconded: A. Whale **Motion Carried**

Soccer Season

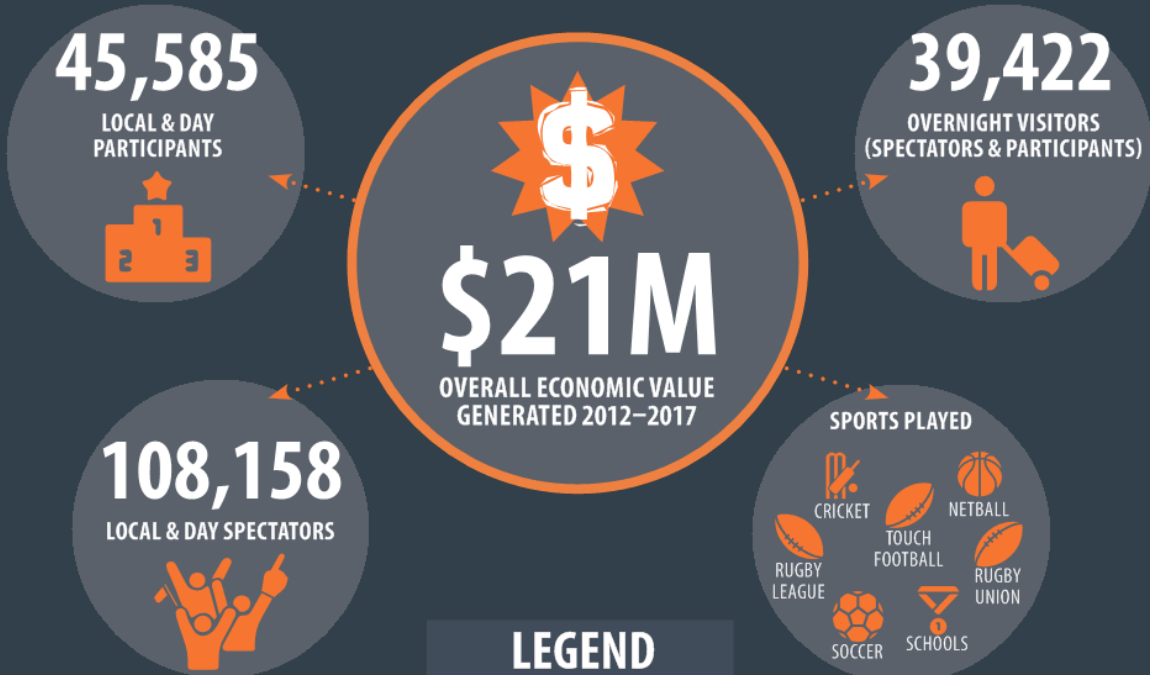
Soccer have agreed to delay the start of their season until the 2nd Saturday in May, 2018.

Meeting Closed: 6.36pm.

Next Meeting: Tuesday 26 September at 6pm at the Netball Clubhouse.



Usage & Profitability Statistics 2012 – 2017 AT A GLANCE

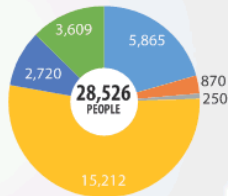


■ PLAYERS (Local) ■ PLAYERS (Day Visitors) ■ PLAYERS (Overnight Visitors) ■ SPECTATORS (Local) ■ SPECTATORS (Day Visitors) ■ SPECTATORS (Overnight Visitors)

2012 EVENTS GENERATED **\$2,160,625**

HIGHLIGHTS

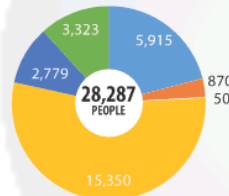
- Country V City Origin
- Trans Tasman Touch Football
- Test Series (Australia V New Zealand)



2013 EVENTS GENERATED **\$1,962,630**

HIGHLIGHTS

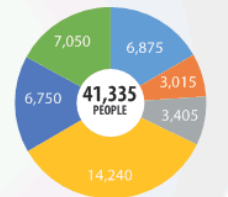
- Eels V Titans NRL Premiership Match



2014 EVENTS GENERATED **\$5,859,300**

HIGHLIGHTS

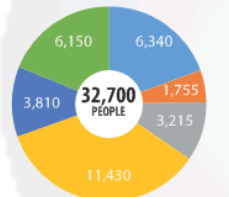
- Trans Tasman Touch Football (as above)
- CCM V Newcastle Jets A-League Trial
- Football NSW (Girls 12, 14, 16) State Titles
- NSW Country Rugby Championships
- Rugby Sevens



2015 EVENTS GENERATED **\$4,787,050**

HIGHLIGHTS

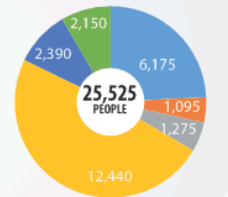
- Football NSW State Titles (July & September)
- U15 State & Country Championships
- CHS Touch Football
- NSW Polding Touch Football



2016 EVENTS GENERATED **\$1,960,950**

HIGHLIGHTS

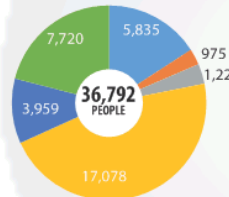
- Mudgee Rugby League 9's Tournament
- Rugby Sevens
- Football NSW State Titles
- PSSA



2017 EVENTS GENERATED **\$4,517,055**

HIGHLIGHTS

- Waratahs V Brumbies Super Rugby Trial
- Country V City Origin
- Mudgee Rugby League 9's Tournament
- Football NSW State Titles
- Rugby Sevens



12.4 Heritage Committee Minutes August 2017

REPORT BY THE MANAGER, STRATEGIC PLANNING
TO 20 SEPTEMBER 2017 ORDINARY MEETING
GOV400064, DEV700020

RECOMMENDATION

That Council:

1. **receive the report by the Manager, Strategic Planning on the Heritage Committee Minutes August 2017; and**
2. **note the minutes of the August 2017 Heritage Committee Meeting.**

Executive summary

The purpose of this report is to advise Council of the considerations of the Heritage Committee meeting held in August 2017.

Disclosure of Interest

Nil.

Detailed report

There were no recommendations from the Heritage Committee Meeting.

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

Strategic implications

Council Strategies

Conducting Heritage Committee Meetings in consistent with Council's Heritage Strategy.

Council Policies

Not Applicable.

Legislation

The Heritage Committee is operating under Section 355 of the Local Government Act (1993), which allows it to exercise a function of Council.

Financial implications

Not applicable.

Associated Risks

No known risk.

SARAH ARMSTRONG
MANAGER, STRATEGIC PLANNING

JULIE ROBERTSON
DIRECTOR DEVELOPMENT

5 September 2017

Attachments: 1. August Heritage Committee Minutes 2017.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

**HERITAGE COMMITTEE MEETING MINUTES
MUDGEY FOYER MEETING ROOM
31 August 2017 9.30am**

Present – John Bentley, Virginia Hollister, Peter Monaghan, David Mort, Chris Pearson,
Councillor Paine, Sarah Armstrong & Krystie Baker

Apologies - Barbara Hickson

An update of the Matters in Progress was not provided to allow time for consideration and discussion of the Local Heritage Grants.

1. Local Heritage Grants 2017/18

Discussion around the table of the applications received for the Local Heritage Grants 2017/18 period and the committee prioritised the following four applications:

152 Mortimer Street Mudgee - re stumping
33 Mudgee Street Rylstone - external painting
St Stephen's Anglican Church Bylong – external works
90 Belmore St Gulgong – external painting

Note: after further review of the Local Heritage Grant Applications, the application for 90 Belmore Street, Gulgong failed to provide any quotes for works proposed, therefore cannot be considered.

2. Development Application 0039/2018 11 Nicolson Street, Mudgee – demolition of the Mudgee grandstand

Cllr Thompson had approached committee member Chris Pearson for information and discussion of the proposed development application at the committee meeting. Chris Pearson then contacted Sarah Armstrong requesting the application be tabled and copies of the application be provided.

The application was discussed and a questions raised regarding the Development Application form item 12 on page 5 requiring a Heritage Impact Statement to be provided. A Heritage Impact Statement has not been provided.

3. Community news Heritage Conservation Area focus

The coming four issues of Community News will each feature a Heritage Conservation Area. Copies of these maps were presented to the Committee.

4. Review of the Rylstone Main Street Study

Virginia reported on the street review that her and Barbara did in Louee St Rylstone Sarah will email Heritage Near Me contact/link for grant applications to apply for funding.

5. DCP Review

John Bentley and Peter Monaghan were asked about DCP review going to - no action to date.

6. St Stephen's Anglican Church Bylong

Peter Monaghan raised the issue that St Stevens is listed however the legal description is incorrect in Schedule 5 of the LEP. To be corrected in the next amendment.

7. Gulgong Street Bins

Chris reported on the bins in Gulgong of what has been chosen, black tops, timber sides and photos relative to the area of the town.

Meet closed - 10.50am

Next meeting - Mudgee Foyer Meeting room – Tuesday 19 September 2017

12.5 Mudgee Showground Management Committee

REPORT BY THE MANAGER, PLANT AND FACILITIES
TO 20 SEPTEMBER 2017 ORDINARY MEETING
GOV400064, F0650007

RECOMMENDATION

That Council:

1. receive the report by the Manager, Plant and Facilities on the Mudgee Showground Management Committee; and
2. note the contents of the minutes of the Mudgee Showground Management Committee Meeting held on 8 August 2017

Executive summary

The purpose of this report is to advise Council of the considerations and recommendations of the Mudgee Showground Management Committee ordinary bi-monthly meeting held on 8 August 2017.

Disclosure of Interest

Nil

Detailed report

The Showground Management Committee receives an updated Works Request and Matters in Progress Report together with updated financial details bi-monthly. A copy of the Matters in Progress is attached for Council's information.

Community Plan implications

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

Strategic implications

Council Strategies

Mudgee Showground Business Plan

Council Policies

Not Applicable

Legislation

Section 355 Local Government Act (1993)

Financial implications

Not Applicable

Associated Risks

Not Applicable

ANDREW DRUMMOND
MANAGER, PLANT AND FACILITIES

GARRY HEMSWORTH
DIRECTOR OPERATIONS

5 September 2017

Attachments: 1. Mudgee Showground Management Committee Meeting Minutes - August 2017.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

**MUDGEES SHOWGROUND MANAGEMENT
COMMITTEE MEETING — 8 AUGUST 2017**



Meeting Opened: 5:30 pm

Present: Cr Russell Holden (Councillor), Andrew Drummond (Manager Plant & Facilities), Cr Alex Karavas (Councillor), Helen Chisholm (Mudgee Dressage Group), Bill Robinson (Poultry Group), Rick Field (Mid-Western Working Horse) and Malcolm Swords (Livestock & Other Animal Groups)

Lesley Burgess (Minute Secretary)

Absent: Dana Willmott (Mudgee Pony Club) and Barry Nott (Mudgee Show Society)

Minutes of June's Meeting – Accepted

Moved: Bill Robinson

2nd: Malcolm Swords

Motion Carried

Matters in Progress

1. As per attached list.

Financial Report

1. The financial report for last financial year was discussed

Moved: Bill Robinson

2nd: Malcolm Swords

Motion Carried

General Business

1. Bill advised that hand washing facilities are needed in the Animal Nursery so that children can wash their hands after touching the animals. Bill would like permission to install sinks, the Poultry Club would pay for this and a licensed plumber would be engaged.
2. Bill would like the open fuse box in the Animal Nursery enclosed. Bill to get quotes.
3. The roads in the showground are breaking up and are in need of repairs. Bill said the area near the Sheep Pavilion is particularly bad. Andrew to organise a quote to do patching.
4. Cr Holden has put a motion to Council to support the Cudgegong Cruisers Motor Feast event. He has asked Steve Mini to do a motor bike freestyle motocross demo on the main arena. Any damage done to the arena will be repaired and paid for by the Cudgegong Cruisers and A1 Earthworx.

Moved: Cr Alex Karavas

2nd: Bill Robinson

Motion Carried

5. The grandstand at the showground is to be demolished. The Mudgee Show Society have been advised that they need to vacate the grandstand by the end of this month.
6. The Moscow Circus is to be held at the showground this month. Andrew is meeting up with them to determine a suitable location for their tent.
7. Our new caretaker, Michael Byrne, started work at the showground on 1 August.
8. Andrew believes that the underground irrigation system on the main arena needs replacing as the arena has areas which get flooded and also dry patches, Andrew suggested a "travel irrigation system." It is felt that the existing underground watering system is no longer working

effectively and could be the cause of the high water bills. A travel irrigation system would be easier to monitor the amount of water the arena receives. The main arena could also then be used for more events as pegs etc into the ground on the arena would no longer be an issue.

Meeting closed at: 5:50 pm
Next meeting to be held 3 October at 5:30pm
AT THE OPERATIONS OFFICES

MATTERS ARISING

#	SUBJECT	MEETING DATE	ACTION	WHOM	PROGRESS
1.	Promote the Main Pavilion for Weddings	4/8/15		All	Marry Me Mudgee proposal has been approved and no submissions received.
2.	The Business Plan needs updating as we now have two Councilor's on our Committee.	8/11/2016		All	Plan updated and to go to next Council Meeting.
3.	Members to hand a copy of their building door keys to Council's Operations Offices	7/02/2017		All	Received to date - <ul style="list-style-type: none"> • Poultry Pavilion • Poultry Kiosk • Animal Nursery • Pony Club Shed • Woodworkers Shed • Mudgee Dressage Shed Still Needed - <ul style="list-style-type: none"> • Antique Machinery Shed • Grandstand / Old Bar • Wool Shed • Bridge Club
4.	The roads in the showground are breaking up and are in need of repairs.	8/8/17	Organise a quote	Andrew Drummond	

12.6 Cultural Development Committee

REPORT BY THE MANAGER, COMMUNITY SERVICES
TO 20 SEPTEMBER 2017 ORDINARY MEETING
GOV400064, REC800019

RECOMMENDATION**That Council:**

1. **receive the report by the Manager, Community Services on the Cultural Development Committee; and**
2. **note the minutes of the Cultural Development Committee meetings convened on 5 June and 21 August 2017.**

Executive summary

The Cultural Development Committee meets to discuss and provide advice to Council on matters of arts and culture across the region, including the commissioning, selection, maintenance, protection and de-accessioning of items of its art collection. The next meeting of the Committee will be convened on 9 October 2017 at 4.30pm.

Disclosure of Interest

Nil.

Detailed report

The main focus of the Cultural Development Committee is currently the establishment of a Regional Gallery and Cultural Centre. The Director, Community and Manager, Community Services have been providing the Committee with ongoing updates on progress towards the facility, including working towards Council securing an appropriate site and securing funding.

Council has lodged an application for grant funding from the Regional Cultural Fund to provide financial support for the development and construction of the proposed Regional Cultural Centre and Gallery. In the event that the application is successful, further budget deliberations will be necessary to consider ongoing operational costs for the facility.

Other matters discussed include the success of the recent Mudgee Readers' Festival, activities and events supported and promoted by Orana Arts and the negotiation of a proposed art collection bequest to Council.

Community Plan implications

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

Strategic implications

Council Strategies

Council's Community Plan notes a commitment by Council to support arts and cultural development across the Region.

Council's Public Art Plan assists Council in developing a public art program that will enrich public spaces, reveal new public spaces and inspire communal activities of all kinds.

Council Policies

Council's Art Collection Policy provides a set policy for Council's art collection, including works commissioned, purchased, acquired or gifted to Council.

Legislation

Not applicable.

Financial implications

Not applicable.

Budget Year	Operating Performance Ratio	Own Source Revenue	Building & Infrastructure Renewal
2017/18	✓ ✗ -	✓ ✗ -	✓ ✗ -
Future Years	✓ ✗ -	✓ ✗ -	✓ ✗ -

Associated Risks

Nil.

FIONA TURNER
MANAGER, COMMUNITY SERVICES

SIMON JONES
DIRECTOR COMMUNITY

1 September 2017

Attachments: 1. CDC Minutes - 5 June 2017.
 2. CDC Minutes - 21 August 2017.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



MID-WESTERN REGIONAL COUNCIL
PO Box 156, MUDGEES NSW 2850
86 Market Street, Mudgee | 109 Herbert Street, Gulgong | 77 Louee Street, Rylstone
T 1300 765 002 or 02 6378 2850 | F 02 6378 2815
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CULTURAL DEVELOPMENT COMMITTEE

MINUTES

5 JUNE 2017

Meeting commenced 4.30pm

1. PRESENT:

Councillor Sam Paine, Portia Lindsay, Lizzy Galloway, Virginia Handmer, Alicia Leggett, Simon Jones, Fiona Turner (Minutes)

2. APOLOGIES:

Scott Etherington, Denise Faulkner, Robyn Munro, Cameron Anderson, Kylie Yates, Melanie Trethowan

Motion of acceptance of apologies.

Moved: S Paine Seconded: A Leggett *Carried*

3. MINUTES - 8 MAY 2017

Motion of acceptance of Minutes of 8 May 2017 meeting.

Moved: V Handmer Seconded: S Paine *Carried*

4. REGIONAL GALLERY

Noted further discussions/developments:

- Conversations with Properties NSW and Local Member regarding a possible nominal rent solution.
- Discussions continue with MRTI regarding cohabitation giving rise to consideration of different funding options.
- Create NSW having indicated support regarding infrastructure options.

Now need to streamline concepts of what the gallery is intended for (eg, tourist trade versus art trade, merchandise versus artisan). Committee members to collate ideas for architectural concept design.

Addendum: Rather than wait until the 7 August meeting to discuss, please forward any concepts or ideas you have to F Turner as soon as possible, preferably before 30 June 2017.

5. PUBLIC ART INSTALLATIONS

A meeting is to be convened with Rosby on 9 June regarding Sculptures in the Garden acquisitions. Council concerned that unsuitable pieces are being selected for the outdoor environment. There are also concerns about Moolarben Coal's exposure relative to the funds it donates for its acquisition prize.

6. ORANA ARTS

A Leggett advised Orana Arts recently successfully coordinated a number of visits across Western NSW for Create NSW.

CASP (Country Arts Support Program) applications are now open, offering up to \$5,000 for collaborative projects.

RAF (Regional Arts Fund) will also be opening shortly.

The next meeting of OA will be in June in Gulgong.

7. RYLSTONE SCULPTURES INC SYMPOSIUM

V Handmer reported that RSI has received 22 international and 7 Australian applications for the event.

They have prepared a brochure to distribute seeking sponsorship and an application for grants assistance is to be lodged with Council.

The event will be held 19-28 October 2017.

8. MITCHELL CONSERVATORIUM

V Handmer reported a string quartet from the Conservatorium has planned a concert at the Kandos Museum. This event highlights the potential for bringing increased musical outreach programs to the region.

9. CREATE NSW YOUTH REGIONAL ARTISTS SCHOLARSHIP

Jayden Muir was successful with a Create NSW Youth Regional Artists Scholarship of \$10,000, supporting her production of an original work at Sydney Fringe. She is being mentored by Alan Flower who has worked with Orana Arts for the last few years on theatre skills development in the region. Jayden had taken part in the Mudgee Short&Sweet festival back in 2013(?) and knew Alan from that so it was a perfect match. Part of her grant, which A Leggett guided her through, was that she would present the work from the festival (in some form with workshops) to the region with performances in Mudgee, Dubbo and, tentatively, Nyngan (and possibly also Coonabarabran and Coolah).

Orana Arts has also invited Jayden to be part of its Theatre Camp as a "camp councillor" during the July holidays at the Burrendong Sport & Rec.

Question raised concerning the capacity of the Committee to promote awards, events, appointments, etc. The Committee's Terms of Reference note that the purpose of the Committee is to provide advice to Council on matters touching upon arts and culture. It is not intended as a promotional agency. Council can, however, promote events, appointments, etc, as appropriate via its own social media channels.

10. MUDGEEReaders' FESTIVAL

P Lindsay advised the program for the festival is out now and can be accessed at www.mudgeereaders.com

Meeting closed at 5.30pm

Next meeting: 4.30pm: 7 August 2017.



MID-WESTERN REGIONAL COUNCIL
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CULTURAL DEVELOPMENT COMMITTEE

MINUTES

21 AUGUST 2017

Meeting commenced 4.30pm

1. PRESENT:

Councillor Sam Paine, Portia Lindsay, Melanie Trethowan, Alicia Leggett, Virginia Handmer, Simon Jones, Fiona Turner (Minutes)

2. APOLOGIES:

Scott Etherington, Robyn Munro

3. REGIONAL GALLERY

Feedback of concept ideas have been received from Alicia Leggett and Melanie Trethowan. Other committee members are encouraged to submit their ideas to Fiona Turner.

Work has commenced on the Regional Cultural Fund grant application. Concept drawings and a business case which envisage new and existing buildings at the 90 Market Street site are being further developed.

Correspondence from Hamish Roth (see below) was discussed. As the focus of the application is the site at 90 Market Street now and the Committee did not deem the site proposed by Mr Roth as suitable for a gallery and it was proposed that his offer be declined.

Motion: Letter be sent to Hamish Roth declining to provide advice to Council that the former CBA Building be deemed suitable for purposes proposed.

Moved: Sam Paine Carried: Melanie Trethowan

4. TATLOW ART COLLECTION

Negotiations have continued with the executors of the Tatlow Estate. The Committee voiced its concern that the works being offered up to Council were predominantly by Central Desert artists and, as such, the Committee was concerned as to how the acceptance of the gift fit within Council's Public Art Policy (particularly with reference to works that are responsive to the regional's natural and cultural history). There was also comment that Council should be aware of, and responsive to, cultural sensitivities when considering acquisition and display of indigenous artworks.

Images of the works will be circulated amongst Committee members shortly.

Motion: The Committee provided advice to Council that highlights concerns in accepting the gift of a collection that does not fit within Council policy.

Moved: Unanimous

5. ORANA ARTS

Material on the Regional Cultural Fund was circulated. A Leggett also reported that the Minister's Personal Assistant will be conducting more regional visits shortly (dates and times TBA).

6. CORRESPONDENCE

- 6.1 Letter of resignation from Cameron Anderson dated 7 July 2017.
- 6.2 Letter from Council's General Manager regarding letter of support provided for Mudgee Regional Music Centre dated 25 July 2017.
- 6.3 Email from Hamish Roth dated 27 June 2017 – Discussed above.

Meeting closed at 5.15pm

Next meeting: 4.30pm on 9 October 2017 [Please note date change due to 2 October 2017 being a public holiday].