

\*\*PUBLIC COPY\*\*

# 2018

MID-WESTERN REGIONAL COUNCIL  
**COUNCIL BUSINESS PAPERS**

ORDINARY MEETING  
WEDNESDAY 21 MARCH 2018



*A prosperous and progressive community,  
we proudly call home*





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14 March 2018

Dear Councillor

MEETING NOTICE  
**Ordinary Meeting**  
21 MARCH 2018  
**Open Day at 5:30PM**

*Council Meeting commencing at conclusion of Open day*

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

Members of the public may address the Committee Meeting at Open Day. Speakers are given five minutes to outline any issue of relevance to the Council. If you wish to speak at Open Day please contact the Mayor's Office on 1300 765 002 or 02 6378 2850 by 3.00 pm on the day of the meeting. Alternatively, please make yourself known to the General Manager prior to the commencement of the meeting.

Yours faithfully

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

BRAD CAM  
GENERAL MANAGER



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Item 1: Apologies

Item 2: Disclosure of Interest

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

Item 3: Confirmation of Minutes

**3.1 Minutes of Ordinary Meeting held on 21 February 2018**

Council Decision:

That the Minutes of the Ordinary Meeting held on 21 February 2018 be taken as read and confirmed.

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The Minutes of the Ordinary Meeting are separately attached.

## Item 4: Matters in Progress

SUBJECT	RESOLUTION NO. & DATE	RESOLUTION	ACTION
Saleyards Subdivision	Res. 228/14 Ordinary Meeting 4/6/14	<p>That Council:</p> <ol style="list-style-type: none"> <li>2. Council advertise state-wide a tender to sell the former Saleyards site, known as Lot 2 DP534336, Lot 399 DP132580, and Lot 532 DP1132581 which has recently been approved for a 48 lot residential subdivision;</li> <li>3. all tenders be forwarded to Council for determination as to whether or not Council will sell the site;</li> <li>4. the tender process to last 60 days, and the tender notice clearly indicate that Council may not necessarily accept all or any tenders;</li> <li>5. Council demolish the old SES building prior to the public tender of this subdivision and remove all demolished waste from site.</li> </ol>	<p><b>Council has completed the demolition of the old SES building, and the survey of the subdivision is also complete.</b></p> <p><b>Further discussion with Council to decide the best timing to call for a tender of this subdivision.</b></p>
Solar Energy Options	Res. 129/17 Ordinary Meeting 17/05/17	<p>That:</p> <p>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.</p>	<p><b>To be reported to Council at a future meeting.</b></p>
Goolma Amenities	Res 348/17 Ordinary Meeting 15/11/17	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. receive the report by the Director Community on the Village Subsidies 2017-2018;</li> <li>2. note the village subsidies for 2017 – 2018; and</li> <li>3. request the General Manager take the concerns outlined by Councillors in the meeting regarding the amount the Goolma Amenities Committee are paid in comparison to other villages and report back to Council.</li> </ol>	<p><b>Report included in the February 2018 Business Paper.</b></p> <p><b>RECOMMENDED FOR COMPLETION</b></p>

SUBJECT	RESOLUTION NO. & DATE	RESOLUTION	ACTION
Weeds Advisory Committee	365/17 Ordinary Meeting 13/12/17	That Council, on a quarterly basis, conduct a weeds forum and invite the Farmer's Association and any other interested parties.	<p><b>The Weeds Advisory Committee held its first meeting on 12 March 2018.</b></p> <p><b>RECOMMENDED FOR COMPLETION</b></p>
Update on LEC Matter MA0030/2017	389/17 Ordinary Meeting 13/12/17	That Council staff review the current road standards for subdivisions and that a report be brought back to Council for considerations.	<p><b>To be reported to Council at a future meeting.</b></p>

## Item 5: Mayoral Minute

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### 5.1 Mayoral Minute: MWRC Relay for Life team

#### MAYORAL MINUTE

TO 21 MARCH 2018 ORDINARY MEETING  
GOV400066, GOV400066, FIN300138,

#### RECOMMENDATION

**That Council provide financial assistance of up to \$2,000 towards the MWRC Relay for Life team, in the form of a cash donation to Cancer Council.**

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Every year the staff of MWRC get behind a cause that benefits the local region. This year they have chosen to participate in the Mudgee Relay for Life which raises funds for Cancer Council. The Cancer Council supports research, treatment and education programs. They have supported local programs like:

- SunSmart, which is currently in 95% of our primary schools and childcare centres
- Sun Sound, which is played between 11am-3pm over the summer months at The Mudgee & Gulgong Pools.
- Eat it to Beat it, our flagship nutrition program which educates parents of primary school aged children on the benefits of getting the whole family to eat more fruit and veg in a budget friendly, practical way.
- Improve Your Long Game, which is a new campaign encouraging golfers to use sun protection and reduce their risk of skin cancer. Mudgee Golf Club is currently participating in this program where they receive free signage and sun screen to remind golfers to be sun smart

Staff have requested that Council consider matching every dollar they raise, up to a maximum of \$2,000. They would like to reach their donation goal of \$4,000. This is not only a great cause, but it assists team morale, as the staff volunteer and work together towards a common goal.



CR DES KENNEDY  
MAYOR  
8 March 2018

*Attachments:* Nil

## Item 6: Notices of Motion or Rescission

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### 6.1 Lue and Goolma tips

#### NOTICE OF MOTION LISTED BY CR JOHN O'NEILL

TO 21 MARCH 2018 ORDINARY MEETING

GOV400066, GOV400066, WAS400013

#### MOTION

**That Council implement a strategy to improve the efficiency and aesthetics of the Lue and Goolma tips by:**

- 1. installing security cameras in safe and secure locations on the tip sites;**
- 2. planning the sites to make more efficient use of tipping locations and waste categories; and**
- 3. installing some 'sight barriers' to improve the impact upon entry into these villages.**

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#### Background

Both sights are visually unappealing upon entry into the villages, based mainly on the dumping of bulky items such as car bodies, furniture, etc. It also is a location for the illegal dumping of items such as tyres, and potentially hazardous material such as asbestos.

#### Officer's comments

Council has a program going forward to improve all rural transfer stations. This includes the installation of security cameras and improving the efficiency of transfer stations by introducing larger bins which can be serviced by a hook lift truck.

Lue and Goolma transfer stations are included in this year's budget for the installation of security cameras.

The installation of hook lift facilities at all transfer stations will take several years. Lue and Goolma are not scheduled in the next two years however the layout and signage within these two facilities can be reviewed and improvements implemented in the short term.

The issue of screening or providing sight barriers to the transfer stations is not straight forward in that public surveillance provides an element of control and conformance with the rules of usage whereas a fully enclosed area can lead to higher levels of anti-social behaviour and uncontrolled dumping.

The longer term plan to introduce large bins will go a long way toward improving the aesthetics of the transfer stations. Therefore sight barriers are not supported at this time.

Item 7: Office of the General Manager

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Nil

## Item 8: Development

### 8.1 DA0185/2018 Change of Use - Residential Dwelling to Serviced Apartment and Associated Signage - 8 Lewis Street, Mudgee

REPORT BY THE TOWN PLANNER  
TO 21 MARCH 2018 ORDINARY MEETING  
GOV400066, DA0185/2018

#### RECOMMENDATION

##### That Council:

- A. receive the report by the Town Planner on DA0185/2018 Change of Use - Residential Dwelling to Serviced Apartment and Associated Signage - 8 Lewis Street, Mudgee;
- B. approve DA0185/2018 Change of Use - Residential Dwelling to Serviced Apartment and Associated Signage - 8 Lewis 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.

<b><i>Title / Name:</i></b>	<b><i>Doc Ref:</i></b>	<b><i>Rev:</i></b>	<b><i>Date:</i></b>	<b><i>Prepared by:</i></b>
Statement of Environmental Effects	28423-PR01_A	Final	11/1/18	Barnson
3D Perspective & Locality Plan	2843-A01	C	09.01.18	Barnson
Site Plan	2843-A02	C	09.01.18	Barnson
Floor Plan	2843-A03	C	09.01.18	Barnson
Elevations 1/2	2843-A04	C	09.01.18	Barnson
Elevations 2/2	2843-A05	C	09.01.18	Barnson

2. For clarity, this development consent provides approval for a change of use – residential dwelling to serviced apartment and associated signage, only. The dwelling is to be used for short stay visitor accommodation only.

#### GENERAL

3. Under Clause 93 of the *Environmental Planning & Assessment Regulation 2000*, the building is to be brought into conformity with respect to Category 1 fire safety provisions. In this regard the building shall comply with;

- Performance Requirement P2.3.2 'Fire Detection and early warning' of BCA, Volume 2.
  - Performance requirement EP2.2 of BCA Volume 1.
4. 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 Mid-Western Regional Council.
  5. This approval does not provide any indemnity to the owner or applicant under the *Disability Discrimination Act 1992* with respect to the provision of access and facilities for people with disabilities.
  6. The list of measures contained in the schedule attached to the development application 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*.
  7. 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.
  8. 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.
  9. There being no interference with the amenity of the neighbourhood by reason of the emission of any "offensive noise", vibration, smell, fumes, smoke, vapour, steam, soot, ash or dust, or otherwise as a result of the proposed development.

## **SIGNAGE**

10. The sign shall not be illuminated.
11. The approved signage and related components are to be maintained in a clean, tidy and structurally sound manner, at all times.
12. Any graffiti attacks on the approved signage and related components are to be removed and cleaned as soon as practicable, in order to deter future attacks.

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

13. Prior to occupation or the issue of the Occupation Certificate (or Interim Occupation Certificate) the owner of the building must cause the Council 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 & 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 NSW Fire Brigade and a copy is to be prominently displayed in the building.
-



## Executive summary

OWNER/S	Desmond and Carol Kennedy
APPLICANT:	Barnson Pty Ltd
PROPERTY DESCRIPTION	8 Lewis Street, Mudgee
PROPOSED DEVELOPMENT	Change of Use – Residential Dwelling to Serviced Apartment and Associated Signage
ESTIMATED COST OF DEVELOPMENT:	Nil
REASON FOR REPORTING TO COUNCIL:	Owner is a Councillor
PUBLIC SUBMISSIONS:	Nil

A Development Application seeking to convert a residential dwelling to a serviced apartment, with associated signage was received by Council on 6 February 2018.

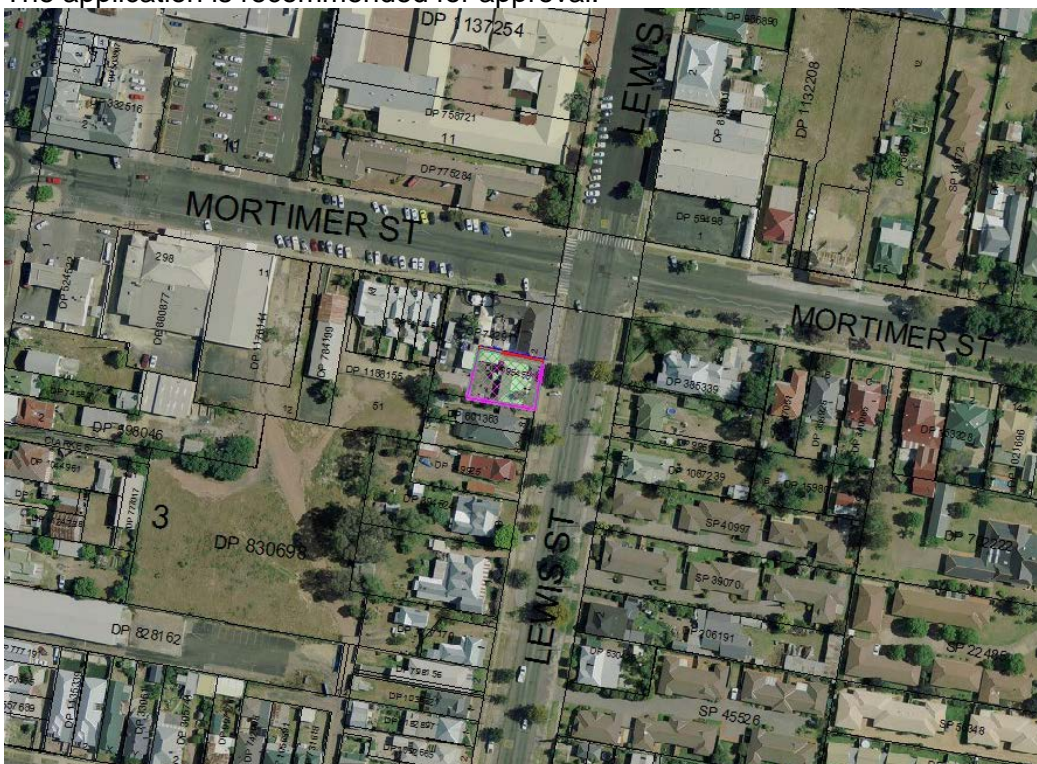
The application seeks to formalise the use of the land as a tourist and visitor accommodation premises – being a 3 bed serviced apartment. The proposed application also seeks approval for signage, being:

- 2m x 0.795m post supported sign;
- 0.23m timber finial extending above the sign on top of both posts;
- Text associated with the tourist and visitor accommodation use only. No advertising included.

No construction works are proposed and therefore the provisions of the *National Construction Code the Disability (Access to Premises – Building) Standards 2010* do not apply. Fire safety upgrades have been included in the recommended conditions of consent.

The application was placed on neighbour notification in accordance with Council Policy, ending on 2 March 2018. No submissions were received during the notification period.

The application is recommended for approval.



**Figure 1: Location plan**

## Disclosure of Interest

Nil.

## Detailed report

The site is located on the western side of Lewis Street, south of the Mortimer Street intersection, on the outer extremities of the Mudgee commercial core. The area is characterised by a mixture of commercial and residential uses, with residential development to the south and east, and commercial development to the north, including the immediately adjacent Oriental Hotel.

Situated on 474.3m<sup>2</sup>, the existing building is a three (3) bedroom residential dwelling, which has been operating as a serviced apartment in conjunction with the adjacent Oriental Hotel. The site is currently subject to a subdivision (DA0164/2015) that will result in the lot being reduced to 350m<sup>2</sup> upon registration. The proposed serviced apartment has the capacity to accommodate a maximum of six (6) people. No building works are proposed as part of the application.

The proposed signage details are as follows:

- 2m x 0.795m post supported sign;
- 0.23m timber finial extending above the sign on top of both posts;
- Text associated with the tourist and visitor accommodation use only. No advertising included.

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

### REQUIREMENTS OF REGULATIONS AND POLICIES

#### State Environmental Planning Policy No 64 – Advertising and Signage

(i) Clause 3: Aims and Objectives

The proposed signage does not conflict with the aims of the policy. In particular, the proposed signage:

- Is compatible with the desired amenity and character of the area;
- Provides effective communication in suitable locations – that is, providing the name of the serviced apartment and associated details; and
- Is of a high quality design and finish.

(ii) Clause 8: Granting Consent to Signage

Complies – the proposed signage:

- Is consistent with the objectives of the SEPP; and
- Complies with the relevant requirements of Schedule 1 – see below.

(iii) Part 3 – Advertisements

- As the sign is considered a Business Identification Sign – Part 3 of the SEPP does not apply, as Business Identification Signs are excluded by Clause 9.

(iv) Schedule 1 – Assessment Criteria

- *Character of the area* – Complies - the existing sign has minimal impact on the character of the area. The sign is located 4m from the Lewis Street boundary and visible to passing traffic. The size, colour and design are sympathetic to the area. It is considered that the scale of the signage is consistent with other identification signs typical of this type of development in residential areas of Mudgee. There is no evident adverse impact on the character of the area.
- *Special areas* – Complies - the proposed sign does not detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas.
- *Views and vistas* – Complies - the sign does not obscure important views, does not dominate the skyline, does not impact on any vistas or obscure the views of other signs in the vicinity.
- *Streetscape, setting or landscape* – Complies - the sign has minimal impact on the streetscape and setting as the sign is located within the boundary and only visible within close proximity of the site to passing traffic. The sign does not form a significant part of the streetscape.
- *Site and building* – Complies - the sign is compatible with the site and residential accommodation building.
- *Associated devices and logos with advertisements and advertising structures* – N/A.
- *Illumination* – N/A – no illumination proposed. A **condition** is applied that no illumination is permitted to protect the residential amenity.
- *Safety* – Complies – the proposed sign will not reduce the safety of the public road; is located wholly on private land and will not reduce the safety of pedestrians or bicyclists; and will not obscure sightlines from public areas that will have an impact on the safety of pedestrians.

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

The following clauses of Mid-Western Regional Local Environmental Plan 2012 have been assessed as being relevant and matters for consideration in assessment of the Development Application.

**Clause 1.4 Definitions**

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

***tourist and visitor accommodation*** means a building or place that provides temporary or short-term accommodation on a commercial basis, and includes any of the following:

- (a) *backpackers' accommodation,*
- (b) *bed and breakfast accommodation,*
- (c) *farm stay accommodation,*
- (d) *hotel or motel accommodation,*
- (e) ***serviced apartments,***  
*but does not include:*

- (f) *camping grounds, or*
- (g) *caravan parks, or*
- (h) *eco-tourist facilities.*

**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.

### Part 2.3 Zone objectives and Land Use Table

The land is zoned B3 Commercial Core pursuant to MWRLEP 2012. The proposal being a *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, servicing the accommodation needs of the wider community.

- 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 contribute to the central business district of Mudgee as the major focus for 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 proposal will contribute to the central business district of Mudgee as the major focus for commercial activity.

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

**Comment:** The proposed use does not involve any building additions or alterations and will not impact upon the heritage streetscape. 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 will not affect pedestrian movement throughout the CBD.

#### 4.3 Height of buildings

Buildings on the subject site are restricted to a maximum height of 8.5m. The existing building is under 8.5m and no increase in height is proposed.

#### 4.6 Exceptions to development standards

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

#### 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 has been applied for similar development in the active street frontage area including the recent Winning Post Motel extension (DA0305/2017), determined by Council at its Ordinary Meeting of 20 September 2017.

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.

#### 5.10 Heritage Conservation

The site is located within the heritage conservation area and adjacent to the heritage listed Oriental Hotel. The proposal is for short-term/temporary accommodation of tourists or visitors, which is consistent with the existing residential building and character of the area. No construction works or physical changes to the building are required and it is therefore considered that the development will not affect the heritage significance of the area, or adjacent item.

### Clause 6.1 Salinity

The proposal does not involve any earthworks and is not expected to significantly affect the process of salinisation.

### 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 is for a use only and does not involve any earthworks. Accordingly, no further consideration of this clause is necessary.

### 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 use of the single storey dwelling does not involve any construction works or changes to the façade addressing Lewis Street. The tourist accommodation is expected to increase foot traffic and interaction with the street in comparison with a typical residential dwelling. Accordingly, the use 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 that are relevant to the proposal are available.

### Clause 6.10 Visually sensitive land near Mudgee

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

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

4.4 Signs

Tourist Signage	Development Standard	Complies
Identification Signs	<p>These are post supported or wall structures located at the front of the site with the express purpose of identifying the business or facility to the travelling public.</p> <p>(a) Post supported structures max. height of 3m above ground level or an advertising area of more than 3m<sup>2</sup> with typical dimensions being 1.2m x 2.5m.</p> <p>(b) Identification signs must relate to a lawful or approved use of the land and be located on private land, not in the road reserve.</p> <p>(c) The size, colour and shape of the signs will generally be left to the discretion of the business but should not include the use of bright or fluorescent colours or highly reflective or illuminated materials.</p> <p>(d) Each property shall be allowed two Identification signs (which may be double sided).</p>	<p>Post supported structure within the front yard</p> <p>Complies. 2.23m max height. 0.48m<sup>2</sup> sign</p> <p>Yes. Serviced apartment is lawful in the B3 zone. Sign entirely within private property</p> <p>Complies. Neutral colours on a relatively small sign. Sign is not prominent in the streetscape</p> <p>Complies. 1 x single sided sign</p>

5.4 Environmental Controls

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

6.4 Tourist and Visitor Accommodation

The proposal generally satisfies the tourist accommodation provisions of DCP 2013, in that the property contains a residential component, and the number of accommodation units will not exceed 6. All services are connected to the site, and adequate parking is available, with space for 2 cars available in the driveway, parking in a stacked arrangement – in addition to on-street parking credits.

**Mid-Western Regional Development Contributions Plan 2005 - 2021**

Section 94 Contributions

Council's Section 94 Development Contributions Plan 2005-2021 is relevant to the proposed development. The proposed change of use – residential dwelling to serviced apartment and associated signage, does not increase the floor area of the building, and is not considered to place additional strain on community resources. Consequently, no Section 94 contribution is applicable.

Section 94A Contributions

Council's Section 94A Development Contributions Plan 2005-2021 is relevant to the proposed development. Section 94A contributions are applicable to tourism development where the cost of

works exceeds \$100,000. No works are required for the proposed change of use – residential dwelling to serviced apartment and associated signage. Consequently, no Section 94A contribution is applicable.

#### Section 64 Contributions

The proposal does not involve additional water or waste generation. Consequently, no Section 64 contribution is applicable.

### **Environmental Planning & Assessment Regulation 2000**

#### Clause 93 – Fire safety and other considerations

Council's Health & Building Department have provided the following:

*Clause 93 of the EP&A Regulation 2000 is applicable requiring the consent authority to take into consideration whether the fire protection and structural capacity of the building will be appropriate to the buildings proposed use.*

*Under Clause 93(3) of the EP&A Regulation 2000 the building is to be brought into conformity with respect to Category 1 fire safety provisions. In this regard the building will need to comply with Performance Requirement P2.3.2 of the BCA. Condition to be included.*

### *IMPACT OF DEVELOPMENT*

#### **Context and Setting**

No significant impact – the site is located on the commercial core zone boundary next to the medium density residential zone. The proposed short-term residential use is consistent with the residential surroundings and contributes to the Mudgee CBD by way of attracting tourists to the downtown area. The identification signage is not visually prominent in the residential streetscape due to its neutral colour and small size.

#### **Access, transport and traffic**

No significant impact – the proposed serviced apartment will provide sufficient parking and the existing access will be utilised. There is sufficient room within the driveway to allow two cars to park in a stacked arrangement. The traffic generation from the proposed Serviced Apartments will not exceed the capacity of the local road network.

#### **Public domain**

No impact upon public domain expected, owing to the nature and scale of the development.

#### **Utilities**

No impact. Owing to the scale of the development, no impact on utility supply or provisioning is expected.

#### **Heritage**

The site is located within a heritage conservation area and adjacent to a heritage item. As the proposal does not involve any alterations to the existing building, and maintains a residential use, no significant impact to heritage is expected.



***Other land resources***

No impact. Owing to the scale and nature of the development, no impact is expected upon conserving or use of valuable land resources.

***Water***

No impact, owing to the scale and nature of the development.

***Soils***

No impact. No works proposed.

***Air and Microclimate***

No impact, owing to the scale and nature of the development.

***Flora & fauna***

No impact. No works proposed.

***Waste***

Existing Council waste service available for domestic waste collection.

***Energy***

No significant impact – the proposed development will not use significantly more energy than any like development.

***Noise & vibration***

No impact, owing to the scale and nature of the development. Standard condition imposed to ensure development does not interfere with amenity of adjoining properties.

***Natural Hazards***

No natural hazards identified in the locality.

***Technological hazards***

No technological hazards identified in the locality.

***Safety, security and crime prevention***

Not applicable in the context of the proposed development, given the scale and nature of the use.

***Social impact in the locality***

No impact, owing to scale and nature of development.

***Economic impact in the locality***

No impact, owing to scale and nature of development.

***Site design and internal design***

No works proposed – change of use to an existing building.

**Construction**

No works proposed – change of use to an existing building.

**Cumulative Impacts**

Nil. There are no known impacts that have the potential to act in unison, in terms of space or time, or owing to their repetitive nature, that would produce an effect greater or different than the sum of the separate parts.

*SUITABILITY OF SITE FOR DEVELOPMENT***Does the proposal fit in the locality**

As discussed throughout this report the proposal is considered suitable, subject to compliance with the recommended conditions of consent.

**Are the site attributes conducive to development**

Yes. Minimal constraints identified – as expected for a residential property with a tourist and visitor accommodation use in the commercial core zone.

*SUBMISSIONS MADE IN ACCORDANCE WITH ACT OR REGULATIONS***Public Submissions**

The proposal was required to be notified to adjoining neighbours for a period of 14 days in accordance with MWRDCP 2013 and the regulations. The submission period ended on 2 March 2018 and no submissions were received.

**Submissions from public authorities**

No submissions were sought or received from public authorities.

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

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

*CONSULTATIONS***Health & Building**

Comments received 28 February 2018. Recommended conditions have been included in the consent.

**Development Engineer**

No consultation necessary

**Heritage Advisor**

No consultation necessary

## Community Plan implications

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

## Strategic implications

### Council Strategies

Mid-Western Regional Local Environmental Plan 2012

Mid-Western Regional Development Control Plan 2013

### Council Policies

Not applicable

### Legislation

Environmental Planning and Assessment Act 1979

## Financial implications

Not applicable

## Associated Risks

The recommendation of staff is to approve the development subject to the 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.

**CAMERON AMOS**  
**TOWN PLANNER**

**LINDSAY DUNSTAN**  
**MANAGER, STATUTORY PLANNING**

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

27 February 2018

- Attachments:*
1. Statement of Environmental Effects. (separately attached)
  2. Signage Details. (separately attached)
  3. Fire Safety Schedule. (separately attached)
  4. Response to Request for Further Information. (separately attached)

### **APPROVED FOR SUBMISSION:**

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

## 8.2 Planning Proposal Part Lot 4 DP 1206488 Broadhead Road, Mudgee - Post Exhibition Report

REPORT BY THE MANAGER, STRATEGIC PLANNING  
TO 21 MARCH 2018 ORDINARY MEETING  
GOV400066, LAN900054

### RECOMMENDATION

#### That Council:

1. **receive the report by the Manager, Strategic Planning on the Planning Proposal Part Lot 4 DP 1206488 Broadhead Road, Mudgee - Post Exhibition Report; and**
2. **exercise its 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 Part Lot 4 DP 1206488 subject to the Opinion issued by Parliamentary Counsel.**

---

### Executive summary

In 2015 Council received a Planning Proposal for Part Lot 4 DP 1206488 Broadhead Road Mudgee seeking an amendment to Mid-Western Regional Local Environmental Plan 2012 to facilitate the development of 21 unserviced 2 hectare rural residential lots. Water supply was proposed via roof catchment only.

At Council's 20 May 2015 meeting, Council resolved to support for the Planning Proposal and to forward to the NSW Department of Planning and Environment (DP&E) for Gateway Determination. A conditional Gateway Determination was granted in July 2015 (provided as Attachment 1).

An amended Planning Proposal was received in November 2017 to address Condition 1 of the Gateway Determination and provide details around the provision of a sustainable water supply via roof catchment and a supplementary supply from a community bore.

The amended Planning Proposal (provided as Attachment 2) was referred to NSW Department of Primary Industries – Water (DPI Water). DP&E advised in letter dated 16 November 2017 that DPI Water was satisfied with the amended Planning Proposal and confirmed that Gateway Determination Condition 1 had been satisfied.

The Planning Proposal was placed on public exhibition from Friday 1 December 2017 and concluded Friday 12 January 2018. No submissions were received.

The purpose of this report is to provide Council with a post exhibition report and to seek Council's approval to exercise its delegation in finalising the planning proposal.

### Disclosure of Interest

Nil.

## Detailed report

### BACKGROUND

#### **Planning Proposals**

Planning Proposal is a term used to describe the process of rezoning or making an amendment to a Local Environmental Plan. A Planning Proposal application is a document that explains the intended effect of the LEP amendment and provides a strategic justification for doing so. NSW Department of Planning & Environment (DP&E) has issued A Guide to Preparing Planning Proposals, to provide guidance and information on the process for preparing planning proposals.

#### **The Gateway Process**

DP&E is responsible for assessing Planning Proposals through the Gateway Process. Details of the Gateway Process are outlined in DP&E's A Guide to Preparing Local Environmental Plans.

#### **Gateway Timeline**

The following table summarises the key components of the Gateway Process and the progress of the current planning proposal through the various stages.

Stage	Completed	Comment
<b>Preparation of a Planning Proposal</b>		
Planning Proposal Lodged	✓	Received 24 April 2015.
Staff Undertake Initial Assessment	✓	April-May 2015.
Council Decision to Support Proposal	✓	Council resolved to support planning proposal at 20 May 2015 Council meeting.
<b>Issue of Gateway Determination</b>		
Council Requests Gateway Determination	✓	Requested 1 June 2015
DP&E Issues Gateway Determination	✓	A conditional Gateway Determination was issued by DP&E on 26 June 2015.
Gateway Conditions Satisfied	✓	DP&E confirmed Gateway Conditions satisfied on 16 November 2017.
<b>Consultation</b>		
Consultation with Relevant Agencies	✓	Consultation with DPI Water, RFS, OEH and NPWS.
Public Exhibition	✓	Proposal was exhibited from 1 December 2017 to 12 January 2018.
Post-Exhibition Report to Council	✓	Report to 21 March 2018 meeting.
<b>Finalisation of the Planning Proposal</b>		
Council Exercises Delegation to Prepare LEP		
Draft LEP by Parliamentary Council		
Opinion Issued and LEP Made		

### PLANNING PROPOSAL

In 2015 Council received a Planning Proposal for Part Lot 4 DP 1206488 Broadhead Road Mudgee seeking an amendment to Mid-Western Regional Local Environmental Plan 2012 to facilitate the development of 21 unserviced 2 hectare rural residential lots. Water supply was proposed via roof catchment only. At Council's 20 May 2015 meeting it was resolved to support the Planning Proposal unserviced. A Locality Map (provided as Attachment 3) identifies the subject site.

An amended Planning Proposal was received in November 2017 to address Condition 1 of the Gateway Determination and provide details around the provision of a sustainable water supply via roof catchment and a supplementary supply from a community bore. The amended Planning

Proposal was referred to both DP&E and DPI Water. DP&E advised Council on behalf of DPI Water that they are satisfied with the proposal (provided as Attachment 4)

The Planning Proposal remains unserviced by reticulated water or sewer.

A concept plan (Figure 1 below) was provided as part of the Planning Proposal documentation. It should be noted lot layouts are only concept at this stage and subject to detailed assessment during the development application stage. During the preparation and assessment of a development application the specific constraints of a site are considered in the preparation of the subdivision plan. It is reasonable to expect the lot layout will change to that submitted at Planning Proposal stage.

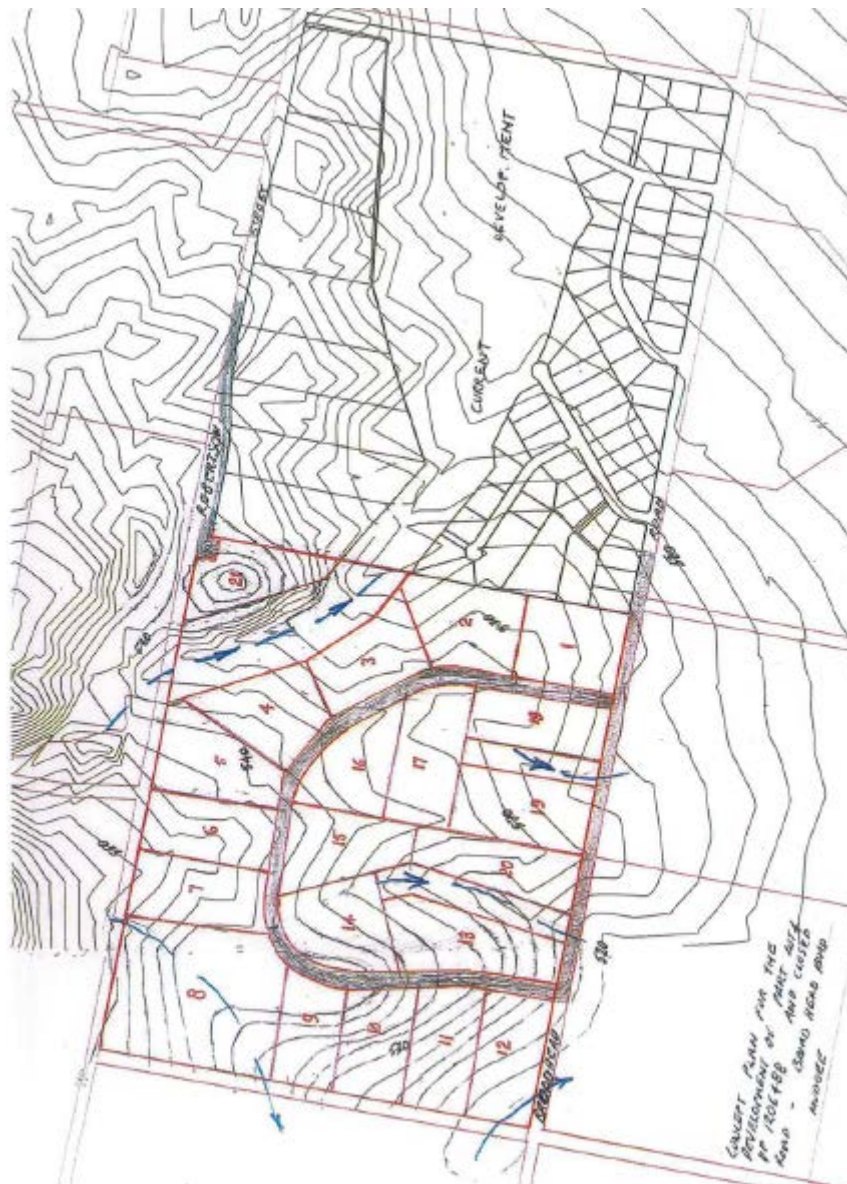


Figure 1: Concept plan provided with the Planning Proposal.

Both the original and amended Planning Proposals were prepared in accordance with DPE's A Guide to Preparing Planning Proposals, adequately addressing Parts 1 - 6 as outlined in the guide.

## GATEWAY DETERMINATION

A conditional Gateway Determination was issued on 26 June 2015 and included seven conditions. The gateway conditions are discussed below.

### **Water Supply**

Condition 1 of the Gateway Determination required Council to consult with DPI Water regarding the provision of a sustainable water supply of an adequate quantity. DPI Water needed to be satisfied that the Planning Proposal could achieve this.

In the original Planning Proposal, the 21 lots were proposed as unserviced (i.e. not connected to Council's reticulated water or sewer systems), with water supply proposed via roof catchment only. DPI Water did not support this approach and the proponent was required to undertake further investigation into satisfying this condition.

Accordingly, an amended Planning Proposal was lodged with Council on 3 November 2017. The key amendment to the Planning Proposal was demonstrating a sustainable water supply.

A water supply (as detailed from page 19 of the Planning Proposal under the heading 'Has access to a sustainable water supply') is now proposed to be supplied via roof catchment and a supplementary supply provided through a community bore. The proponent provided both water pressure and quality testing as part of the amended Planning Proposal.

### **Comprehensive Land Use Strategy Addendum – 2 Hectare Criteria**

Condition 3 of the Gateway Determination required Council to develop criteria for consideration of rural residential land with a minimum of 2ha. Revision E, Addendum – 2 Hectare Criteria to the Comprehensive Land Use Strategy was adopted by Council in February 2017.

The criteria included in Addendum – 2 Hectare Criteria of the CLUS, is essentially the same as that provided below, with the exception of an additional consideration of the provision of a 'sustainable water supply' and the criteria that addresses agricultural land suitability now refers to Biophysical Strategic Agricultural Land, not eSPADE. Accordingly the Planning Proposal remains consistent with the criteria.

When the Planning Proposal was reported to Council in May 2015 it was assessed against the draft 2ha criteria in place at the time. The below assessment table and comment was contained in Council report dated 20 May 2015:

<b>Criteria</b>	<b>Complies</b>	<b>Comment</b>
<i>Will not undermine future residential land opportunities.</i>	Yes	<i>Is outside both the north and south future urban investigation areas.</i>
<i>Can be managed to avoid land use conflict.</i>	Yes	<i>May need additional safeguards.</i>
<i>Is unconstrained by flooding.</i>	Yes	
<i>Can be connected to the existing road network by sealed road access.</i>	Yes	<i>Will require extension of Broadhead road seal.</i>
<i>Is not visually intrusive and does not impact on the visual amenity or sensitive corridors.</i>	Yes	
<i>Will not adversely impact on the groundwater system.</i>	Yes	<i>About 30% of the site is identified as within the high groundwater vulnerability area &amp; a combination of</i>

<b>Criteria</b>	<b>Complies</b>	<b>Comment</b>
		<i>design and on site waste water management should be sufficient safeguards. Further assessment should be undertaken at DA stage.</i>
<i>Can be justified in terms of supply and demand</i>	<i>Possible – need to consider the context of URS</i>	<i>Supply and demand will continue to be difficult to measure until such time as this form of development reaches the market and Council has the sales data however based on the URS; providing a 5 year supply and 5 year buffer the site can be justified.</i>
<i>Can be managed to reduce bushfire hazard</i>	<i>Yes</i>	<i>Outside the bushfire hazard area.</i>
<i>Land is not constrained by identified biodiversity sensitivity</i>	<i>No</i>	<i>Part of the site is identified as high biodiversity sensitivity along the watercourse which has been avoided in the layout, however, it is proposed to include this area within the rural residential zone. Further, the layout will need to be re-worked to include this site within proposed Lot 21 rather than as a reserve for drainage and subsequently a maintenance legacy for Council.</i>
<i>Avoid agricultural land capability assessment class I-II agricultural land</i>	<i>Yes</i>	<i>The site is identified in as class IV in the eSPADE Google Maps-based information system administered by the Office of Environment and Heritage.</i>

*This site is considered to generally meet the criteria as identified. The only inconsistencies are in relation to part of the site on the edge of the groundwater vulnerability map, a small area of biodiversity sensitivity and supply and demand as discussed above all of which can be adequately addressed as part of the development application and mitigated.*

## CONSULTATION

Condition 2 and Condition 4 of the Gateway Determination required consultation with the community and the following State Agencies:

- NSW Rural Fire Service (RFS)
- Department of Primary Industries – NSW Office of Water (DPI Water)
- Office of Environment and Heritage (OEH)
- National Parks and Wildlife Service (NPWS)

This consultation is discussed below.

### **Community Consultation**

The Planning Proposal and associated documentation was placed on public exhibition from Friday 1 December 2017 and concluded Friday 12 January 2018. The Community Consultation was



undertaken in accordance with DP&E's A Guide to Preparing Local Environmental Plans. No submissions were received during the exhibition period.

### ***Consultation with Public Authorities***

Council consulted the following agencies: NSW Rural Fire Service, NSW Department of Primary Industries Water, NSW Office of Environment and Heritage and the National Parks and Wildlife Service. Two submissions were received.

#### NSW Rural Fire Service

The submission from the NSW RFS (provided as Attachment 5) states that it raises no objection to the proposal subject to three requirements for the future subdivision.

#### DPI Water

As discussed above, a specific condition was included in the Gateway Determination regarding water supply and impacts on groundwater. DP&E facilitated extensive discussions between Council and DPI Water on these issues. This consultation resulted in an amended Planning Proposal being lodged by the proponent and provided to DPI Water.

DPE advised Council in a letter dated 16 November 2017 that Gateway Determination Condition 1 had been satisfied and Council could proceed to Community Consultation (public exhibition).

### ***Internal Consultation***

The Planning Proposal is for 21 unserviced 2ha lots (ie. not connected to Council's reticulated water and sewer systems), accordingly no formal comment from Council's Operations directorate was required.

It is important to note that during the course of the proponent demonstrating a sustainable water supply, feedback was sought from Council's Operations directorate regarding the potential of water reticulation for the site. The subject site is not identified to be serviced in Council's servicing plan. Further, there is concern regarding the ability to maintain adequate water quality and the additional costs involved for Council in operating, maintaining and renewing these assets on an ongoing basis.

## FINALISATION OF PLANNING PROPOSAL

The recommendation of staff is to proceed with the finalisation of the Planning Proposal. This will involve drafting LEP provisions and maps and preparing new DCP provisions as discussed below.

### ***Draft LEP***

Included as part of the Gateway Determination is a written Authorisation to Exercise Delegation of the Minister's functions under Section 3.36 (previously 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 DP&E – Western Region. Following the receipt of the Opinion and lodgement and approval of the amended maps on the Planning Portal, a request that the LEP amendment be notified will be made.

It should be noted that in most cases when the amendment is made the landowner or proponent is still required to lodge a development application with Council to facilitate the development.

***New provisions for the Mid-Western Regional Development Control Plan***

Rural residential subdivision with a minimum area of 2ha is not addressed in the current DCP. New clauses for the DCP (supporting the future clauses of the LEP) will be drafted and reported back to Council before being placed on public exhibition.

The future DCP clauses will amongst other matters outline how a sustainable water supply and the required volume will be demonstrated. The clause will outline the documentation that the applicant will be required to submit with the development application at the time of lodgement, including evidence that required water licences have been obtained under the relevant legislation and the necessary legal arrangements are in place. The future DCP clause will also stipulate setbacks for future buildings and no build zones to minimise future potential land conflict on zone boundaries. The no build zones will effectively create buffers between the future 2 hectare lots and adjoining agricultural pursuits.

## Community Plan implications

<b>Theme</b>	<b>Looking After Our Community</b>
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, Addendum – 2 hectare criteria.

**Council Policies**

The finalisation of the Planning Proposal will require an amendment to the Mid-Western Regional Development Control Plan to insert provisions for the subdivision of land with a minimum area of 2ha and the development of these future lots with dwellings.

**Legislation**

The Planning Proposal has been considered in accordance with Division 3.4 Environmental Planning Instruments - LEPs (previously Division 4) Local Environmental Plans of the *Environmental Planning and Assessment Act 1979* and the Mid-Western Regional Local Environmental Plan 2012.

## Financial implications

As the Planning Proposal is for unserviced 2ha lots, there are no financial implications for Council in providing water and sewer infrastructure or services.

## Associated Risks

If Council does not wish to proceed with finalisation of the Planning Proposal, it can withdraw its support at this stage in the Gateway Process. Council would be required to formally resolve not to proceed with the Planning Proposal and advise the proponent and DP&E accordingly.

The Planning Proposal has been supported by Council on the basis that the 21 lots are unserviced. The proponent has proposed a water supply via roof catchment and a supplementary supply from

a community bore. It is the responsibility of the proponent to obtain the relevant water licences and establish legal arrangements to achieve this outcome. Any costs or risks associated with this process are the responsibility of the proponent.

SARAH ARMSTRONG  
MANAGER, STRATEGIC PLANNING

JULIE ROBERTSON  
DIRECTOR DEVELOPMENT

30 November 2017

*Attachments:*

1. Gateway Determination. (separately attached)
2. Amended Planning Proposal. (separately attached)
3. Locality Map. (separately attached)
4. NSW Rural Fire Service submission. (separately attached)
5. D P & Environment letter proceed to community consultation. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER

## 8.3 Planning Proposal Lots 3 and 4 DP1069441 'Burrundulla' Spring Flat Road, Mudgee - Post Exhibition

REPORT BY THE MANAGER, STRATEGIC PLANNING AND MANAGER, STATUTORY PLANNING  
TO 21 MARCH 2018 ORDINARY MEETING  
GOV400066, LAN900043

### RECOMMENDATION

#### That Council:

1. **receive the report by the Manager, Strategic Planning and Manager, Statutory Planning on the Planning Proposal Lots 3 and 4 DP1069441 'Burrundulla' Spring Flat Road, Mudgee - Post Exhibition; 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 Lots 3 & 4 DP 1069441 subject to the Opinion issued by Parliamentary Counsel.**

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### Executive summary

In 2015 Council received a Planning Proposal for Lots 3 & 4 DP 1069441 'Burrundulla' Spring Flat Road Mudgee seeking an amendment to Mid-Western Regional Local Environmental Plan 2012 to facilitate the development of 25 unserviced 2 hectare rural residential lots.

The Planning Proposal was considered by Council at its 17 June 2015 meeting, Council provided initial support for the Planning Proposal and resolved to forward the Planning Proposal to the NSW Department of Planning and Environment (DP&E) for Gateway Determination (provided as Attachment 1).

An amended Planning Proposal was received in December 2017 to address Condition 1 of the Gateway Determination and provide details around the provision of a sustainable water supply via roof catchment and a supplementary supply from a community bore.

The amended Planning Proposal (provided as Attachment 2) was referred to NSW Department of Primary Industries – Water (DPI Water). DP&E advised in letter dated 19 January 2018 that DPI Water was satisfied with the amended Planning Proposal and confirmed that Gateway Determination Condition 1 had been satisfied.

The Planning Proposal was placed on public exhibition from Friday 2 February 2018 and concluded Friday 2 March 2018. Three submissions were received, issues raised in the submissions have been summarised and a staff comment provided below and a copy of these submissions provided as Attachment 3.

The purpose of this report is to provide Council with a post exhibition report and to seek Council's approval to exercise its delegation in finalising the planning proposal.

### Disclosure of Interest

Nil.

## Detailed report

### BACKGROUND

#### **Planning Proposals**

Planning Proposal is a term used to describe the process of rezoning or making an amendment to a Local Environmental Plan. A Planning Proposal application is a document that explains the intended effect of the LEP amendment and provides a strategic justification for doing so. NSW Department of Planning & Environment (DP&E) has issued A Guide to Preparing Planning Proposals, to provide guidance and information on the process for preparing planning proposals.

#### **The Gateway Process**

DP&E is responsible for assessing Planning Proposals through the Gateway Process. Details of the Gateway Process are outlined in DP&E's A Guide to Preparing Local Environmental Plans.

#### **Gateway Timeline**

The following table summarises the key components of the Gateway Process and the progress of the current planning proposal through the various stages.

Stage	Completed	Comment
<b>Preparation of a Planning Proposal</b>		
Planning Proposal Lodged	✓	Received 30 March 2015.
Staff Undertake Initial Assessment	✓	April May 2015.
Council Decision to Support Proposal	✓	Council resolved to support planning proposal at 17 June 2015 Council meeting.
<b>Issue of Gateway Determination</b>		
Council Requests Gateway Determination	✓	Requested 24 March 2016.
DP&E Issues Gateway Determination	✓	A conditional Gateway Determination was issued by DP&E 24 May 2016.
Gateway Conditions Satisfied	✓	DP&E confirmed Gateway Conditions satisfied on 19 January 2018.
<b>Consultation</b>		
Consultation with Relevant Agencies	✓	Consultation with DPI Water, NSW RFS, NSW E&H.
Public Exhibition	✓	2 February 2018 – 2 March 2018.
Council Receives Post-Exhibition Report	✓	21 March 2018.
<b>Finalisation of the Planning Proposal</b>		
Council Exercises Delegation to Prepare LEP		
Draft LEP by Parliamentary Council		
Opinion Issued and LEP Made		

### PLANNING PROPOSAL

In 2015 Council received a Planning Proposal for Lots 3 & 4 DP 1069441 Spring Flat Road seeking an amendment to Mid-Western Regional Local Environmental Plan 2012 to facilitate the development of 25 unserviced 2 hectare rural residential lots. Water supply was proposed via roof catchment only. At Council's 17 June 2015 meeting it was resolved to support the Planning Proposal unserviced. A Locality Map (provided as Attachment 4) identifies the subject site. Council resolved to support 25 lots at the southern end of the site.

The 17 June 2015 Council resolution required the rezoning to RE1 Public Reserve of a 20m wide corridor along the Castlereagh Highway to act as a visual buffer for future 2ha lots. The Council report states 'this requirement will ensure that a mature vegetation screen is already established

along Sydney Road if further release of land for this form of development is required in the future'. This part of the recommendation does not relate to the current Planning Proposal.

In December 2014 Council adopted the Mudgee and Gulgong Urban Release Strategy. The strategy details a demand of 7 lots / dwellings per year. Council has provided initial support and subsequent Gateway Determination has been granted by DP&E for 2ha development in three locations. These three locations equate to a maximum lot yield of 71, this lot yield represents a 10 year supply.

To ensure a 20 year land supply, it is Council's intention to strategically identify future opportunities for 2ha development. If the northern section of the subject site is strategically identified Council will ensure the visual impact on the entrance to town is addressed in the preparation and assessment of any future Planning Proposal. It is noted that any additional vegetation planted and established within this section is consistent with the Comprehensive Land Use Strategy and Mudgee Town Structure Plan, however without having certainty over the future land use recommending a continuous 20 metre wide corridor not associated with the current Planning Proposal to be vegetated is too onerous.

An amended Planning Proposal was received 21 December 2017 to address Condition 1 of the Gateway Determination and provide details around the provision of a sustainable water supply via roof catchment and a supplementary supply from a community bore. The amended Planning Proposal, including the Groundwater and Salinity Study prepared by Envirowest Consulting was referred to both DP&E and DPI Water. DP&E advised Council on behalf of DPI Water that they are satisfied with the proposal (provided as Attachment 5)

The Planning Proposal remains unserviced by reticulated water or sewer.

A concept plan (Figure 1 below) was provided as part of the Planning Proposal documentation. It should be noted lot layouts are only concept at this stage and subject to the assessment during the development application stage. During the preparation and assessment of a development application the specific constraints of a site are considered in the preparation of the subdivision plan. It is reasonable to expect the lot layout will change to that submitted at Planning Proposal stage.



Figure 1: Concept plan provided with the Planning Proposal

Both the original and amended Planning Proposals were prepared in accordance with DPE's A Guide to Preparing Planning Proposals, adequately addressing Parts 1 - 6 as outlined in the guide.

## GATEWAY DETERMINATION

A conditional Gateway Determination was issued on 24 May 2016 and included seven conditions. The gateway conditions are discussed below.

### **Water Supply**

Condition 1 of the Gateway Determination required Council to consult with DPI Water regarding the provision of a sustainable water supply of an adequate quantity. DPI Water needed to be satisfied that the Planning Proposal could achieve this.

In the original Planning Proposal, the 25 lots were proposed as unserviced (i.e. not connected to Council's reticulated water or sewer systems), with water supply proposed via roof catchment only. DPI Water did not support this approach and the proponent was required to undertake further investigation into satisfying this condition.

Accordingly, an amended Planning Proposal was lodged with Council on 21 December 2017. The key amendment to the Planning Proposal was demonstrating a sustainable water supply.

A sustainable water supply (as detailed in section 2.3.2 Water Supply) is now proposed to be supplied via roof catchment and a supplementary supply provided through a community well. The proponent provided both water pressure and quality testing as part of the amended Planning Proposal which DPI Water were also satisfied with.

### **Comprehensive Land Use Strategy Addendum – 2 Hectare Criteria**

Condition 2 of the Gateway Determination required Council to develop criteria for consideration of rural residential land with a minimum of 2ha. Revision E, Addendum – 2 Hectare Criteria to the Comprehensive Land Use Strategy was adopted by Council in February 2017.

The criteria including Addendum – 2 Hectare Criteria of the CLUS is essentially the same as that provided below. With the exception of an additional consideration on the provision of a 'sustainable water supply' and the criteria that addressed agricultural land suitability now refers to Biophysical Strategic Agricultural Land, not eSPADE. Accordingly the Planning Proposal remains consistent with the criteria.

It should be noted, that when the Planning Proposal was reported to Council June 2015 it was assessed against the draft 2ha criteria in place at the time. The below assessment table and comment was contained in the Council report:

<b>Criteria</b>	<b>Complies</b>	<b>Comment</b>
<i>Will not undermine future residential land opportunities</i>	Yes	<i>Is outside both the north and south future urban investigation areas</i>
<i>Can be managed to avoid land use conflict</i>	Yes	<i>May need additional safeguards</i>
<i>Is unconstrained by flooding</i>	Yes	<i>The site is not flood prone land and is above the 1:100 year flood level and probable maximum flood event.</i>
<i>Can be connected to the existing road network by sealed road access</i>	Yes	<i>The site has sealed road access with frontage to Sydney Road and Spring Flat Road. Access via Spring Flat Road may be achieved to avoid direct entry/egress from Sydney Road which is a classified State Main Road.</i>
<i>Is not visually intrusive and does</i>	No	<i>The proposal in its current form does not</i>



<b>Criteria</b>	<b>Complies</b>	<b>Comment</b>
<i>not impact on visual amenity or sensitive corridors</i>		<i>address the potential visual impact of urban subdivision of future lots with frontage to Sydney Road. However, as outlined above, Council's recommendation for 2 hectare lots only on the southern portion of the site mitigates potential impacts.</i>
<i>Will not adversely impact on the groundwater system</i>	No	<i>Is within the high groundwater vulnerability area. Proposal is not supported by a hydrological study. Site is up stream of the Mudgee town water supply catchment (See comments below).</i>
<i>Can be justified in terms of supply and demand</i>	Possible – need to consider the context of URS	<i>Supply and demand will continue to be difficult to measure until such time as this form of development reaches the market and Council has the sales data.</i>
<i>Can be managed to reduce bushfire hazard</i>	Yes	<i>Outside the bushfire hazard area.</i>
<i>Land is not constrained by identified biodiversity sensitivity</i>	Yes	<i>Part of the site is identified as high biodiversity sensitivity along the watercourse which has been avoided in the layout.</i>
<i>Avoid agricultural land capability assessment class I-II agricultural land</i>	Yes	<i>The site is identified in as class III in the eSPADE Google Maps-based information system administered by the Office of Environment and Heritage.</i>

Since Council resolved to provide initial support for the Planning Proposal in June 2015, the proponent submitted A Ground Water and Salinity Study (to address groundwater impacts). This study was referred to DPI Water for specialist consideration and advice. DPI Water has advised they are satisfied with the Planning Proposal.

## CONSULTATION

Condition 2 and Condition 4 of the Gateway Determination required consultation with the community and the following State Agencies:

- Department of Primary Industries – NSW Office of Water (DPI Water)
- Roads and Maritime (RMS)
- Office of Environment and Heritage (OEH)

This consultation is discussed below.

### **Community Consultation**

The Planning Proposal and associated documentation was placed on public exhibition from Friday 2 February 2018 and concluded Friday 2nd March 2018. The Community Consultation was undertaken in accordance with DP&E A Guide to Preparing Local Environmental Plans. Three submissions were received and have been provided as Attachment 4. Two submissions object and one submission supports the Planning Proposal. The issues raised have been summarised in the table below and a staff comment provided.

<b><i>Issue raised in the submission</i></b>	<b><i>Staff comment</i></b>
The width of Spring Flat Road is insufficient for the vehicular movements associated with the future subdivision.	The existing width of the Spring Flat Road reserve is sufficient to support the potential future upgrade of the road. The matter of the suitability of the existing Spring Flat Road will be further considered in the assessment of any future development application for subdivision.
Will the lots have garbage collection?	Council's kerbside service does not currently extend east of Broadhead Road.
Additional demand on the waste transfer station and Spring Flat Road.	The demand on the Queens Pinch Rural Waste Transfer Station is monitored daily and waste levels managed accordingly.
Detrimental impact on the water table / potential for future landowners to sink their own bores / impact on existing well on neighbouring property.	The Planning Proposal including the pressure and water quality testing of the existing well was referred to DPI Water who considered the suitability of the water source for the community water scheme. DP&E on behalf of DPI Water advised Council that they were satisfied with the Planning Proposal and specifically the method of demonstrating a sustainable water supply. Any future bores will require approval from DPI Water
Can the proposed development be supplied with reticulated water?	The Planning Proposal is for unserviced lots. The provision of reticulated water was raised as part of considering a sustainable water supply. This land is not identified to be serviced in Council's servicing plan. Further, there is concern regarding the ability to maintain adequate water quality and the additional costs involved for Council in operating, maintaining and renewing their assets on an ongoing basis.
Is this a blanket approach for the whole area?	Council has resolved to support 2ha development in three locations, the site subject to this Planning Proposal is one of them. Council has not identified any further areas for 2ha development.
The Planning Proposal will result in four additional neighbouring properties resulting in a detrimental impact on the visual amenity from the adjoining residence located 50 metres from the boundary.	The proximity of the neighbouring dwelling is noted. A lot measuring 2ha can accommodate sufficient building setbacks and 'no build zones'. Future DCP provisions will include 'no build zones' to accommodate a buffer between the RU4 Primary Production Small Lots zoned land and future 2ha development to minimise the potential for future land use conflict. This buffer will also provide a visual buffer.
Is there a demand for this type of development?	Council adopted the Urban Release Strategy in 2014. The strategy outlines a demand for this type of development.
Council's Comprehensive Land Use Strategy identifies Spring Flat Road as a hard edge between urban and rural uses.	The development of 2 ha lots was not considered when Council prepared the CLUS in 2010. The demand was identified and established in 2014 and articulated in the URS. The inclusion of 2ha criteria as required by a Gateway Condition was an interim measure to

	consider 2ha development and respond to this demand until Council could strategically identify these opportunities. Accordingly, to accommodate these opportunities, areas beyond the limits of the Town Structure Plan (that depicts the Spring Flat Road 'hard edge') were considered by Council.
The subject site is currently used for agricultural activities, the proposal would eliminate any agricultural activities.	Council's 2ha criteria requires agricultural land with a capability assessment of class I-II be avoided. The site is identified as class III.
Subject site is identified as Groundwater Vulnerable / potential contamination of Oakey Creek and Mudgee town water supply.	The Planning Proposal along with the Groundwater and Salinity Report was referred to DPI Water. DP&E advised Council that DPI Water is satisfied with the Planning Proposal.
Recommendations contained in the Environwest Report.	These recommendations will be further assessed with any future development application. The recommendations are likely to form future development consent conditions which would be the responsibility of the developer.
Impact of domestic dogs on adjoining agricultural practice.	The appropriate management of domestic animals is a matter for the future landowner.
Creation of land use conflict. Future neighbours will complain about the established adjoining agricultural activities.	A lot measuring 2ha can accommodate sufficient building setbacks and 'no build zones'. Future DCP provisions will include 'no build zones' to accommodate a buffer between the RU4 Primary Production Small Lots zoned land and future 2ha development to minimise the potential for future land use conflict.
Support of the Planning Proposal.	Noted.
Disappointment that only 25 of the 56 lots identified in the Urban Release Strategy are part of the Planning Proposal.	In 2015 Council resolved to support three Planning Proposal for 2 ha development. In 2015 Council approached this type of development in terms of providing market choice in a manner consistent with other forms of residential development. Accordingly, the lot yield for this site was reduced to 25 lots.
If the lots were located closer to the Castlereagh Highway they would sell quicker.	Council resolved to support the Planning Proposal in the current location.
Visual impact could be mitigated by covenants and landscaping.	Noted.
The residual land of the subject site should be considered for further development of 2ha lots.	In 2015 Council resolved to support a total of 25 lots on the subject site. Council also resolved to support 2ha development in two additional locations. The total lot yield of these three locations meets the demand outlined in the URS.
The lots with a minimum area of 2ha will provide a buffer between agricultural land uses and the residential and educational pursuits to the west of the subject site.	Noted.

### **Consultation with Public Authorities**

Council consulted the following agencies: NSW Roads and Maritime, NSW Department of Primary Industries Water and NSW Office of Environment and Heritage. Two submissions were received.

#### RMS

The submitted documentation was reviewed by RMS did not object in principle to the proposed amendments and noted it, will await submission of a future development application for review as required. Comments were provided for Council's considerations and will be provided to the proponent. A copy of the referral is provided as Attachment 6.

#### DPI Water

As discussed above, a specific condition was included in the Gateway Determination regarding water supply and impacts on groundwater. DP&E facilitated extensive discussions between Council and DPI Water on these issues. This consultation resulted in an amended Planning Proposal being lodged by the proponent and provided to DPI Water.

DPE advised Council in a letter dated 18 January 2018 that Gateway Determination Condition 1 had been satisfied and Council could proceed to Community Consultation (public exhibition).

### **Internal Consultation**

The Planning Proposal is for 25 unserviced 2ha lots (i.e. not connected to Council's reticulated water and sewer systems), accordingly no formal comment from Council's Operations directorate was required.

It is important to note that during the course of the proponent demonstrating a sustainable water supply, feedback was sought from Council's Operations directorate regarding the potential of water reticulation for the site. Through these discussions it was noted that the subject site is not identified to be serviced in Council's servicing plan. Further, there is concern regarding the ability to maintain adequate water quality and the additional costs involved for Council in operating, maintaining and renewing these assets on an ongoing basis.

## FINALISATION OF PLANNING PROPOSAL

The recommendation of staff is to proceed with the finalisation of the Planning Proposal. This will involve drafting LEP provisions and maps and preparing new DCP provisions as discussed below.

### **Draft LEP**

Included as part of the Gateway Determination is a written Authorisation to Exercise Delegation of the Minister's functions under Section 3.36 (previously 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 be made. A copy of the request will be forwarded to DP&E – Western Region. Following the receipt of the Opinion and lodgement and approval of the amended maps on the Planning Portal, a request that the LEP amendment be notified will be made.

It should be noted that when the amendment is made the landowner and or proponent is still required to lodge a development application with Council to facilitate the development.

### **New provisions for the Mid-Western Regional Development Control Plan**

Rural residential subdivision with a minimum area of 2ha is not addressed in the current DCP. New clauses for the DCP (supporting the future clauses of the LEP) will be drafted and reported back to Council before being placed on public exhibition.

The future DCP clauses will amongst other matters outline how a sustainable water supply and the required volume will be demonstrated. The clause will outline the documentation that the applicant will be required to submit with the development application at the time of lodgement, including evidence that required water licences have been obtained under the relevant legislation and the necessary legal arrangements are in place. The future DCP clause will also stipulate setbacks for future buildings and no build zones to minimise future potential land conflict on zone boundaries. The no build zones will effectively create buffers between the future 2 hectare lots and adjoining agricultural pursuits.

## 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, Addendum – 2 hectare criteria.

### Council Policies

The further support of the Planning Proposal will require an amendment to the Mid-Western Regional Development Control Plan to insert provisions for the subdivision of land with a minimum area of 2ha and the development of these future lots with dwellings.

### Legislation

The Planning Proposal has been considered in accordance with Division 3.4 Environmental Planning Instruments - LEPs (previously Division 4) Local Environmental Plans of the *Environmental Planning and Assessment Act 1979* and the Mid-Western Regional Local Environmental Plan 2012.

## Financial implications

As the Planning Proposal is for unserviced 2ha lots, there are no financial implications for Council in providing water and sewer infrastructure or services.

## Associated Risks

If Council does not wish to proceed with finalisation of the Planning Proposal, it can withdraw its support at this stage in the Gateway Process. Council would be required to formally resolve not to proceed with the Planning Proposal and advise the proponent and DP&E accordingly.

The Planning Proposal has been supported by Council on the basis that the 25 lots are unserviced. The proponent has proposed a water supply via roof catchment and a supplementary supply from a community bore. It is the responsibility of the proponent to obtain the relevant water licences and establish legal arrangements to achieve this outcome. Any costs or risks associated with this process are the responsibility of the proponent.

SARAH ARMSTRONG  
MANAGER, STRATEGIC PLANNING

LINDSAY DUNSTAN  
MANAGER, STATUTORY PLANNING

1 March 2018

*Attachments:*

1. Gateway Determination. (separately attached)
2. Amended Planning Proposal. (separately attached)
3. Submissions. (separately attached)
4. Locality Map. (separately attached)
5. DP&E letter proceed to Community Consultation. (separately attached)
6. RMS submission. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER

## 8.4 Stronger Country Communities Fund - Acceptance of Grant Funding

REPORT BY THE MANAGER ECONOMIC DEVELOPMENT  
TO 21 MARCH 2018 ORDINARY MEETING  
GOV400066, GRA600031

### RECOMMENDATION

#### That Council:

1. **receive the report by the Manager Economic Development on the Stronger Country Communities Fund - Acceptance of Grant Funding;**
2. **accept grant funding from the NSW State Government, if successful, for the Rylstone Kandos Preschool Extension, Gulgong Adventure Playground and Mudgee Outdoor Waterpark;**
3. **authorise the Mayor and General Manager to finalise and sign funding agreements with the NSW Government, if successful, for the Rylstone Kandos Preschool Extension, Gulgong Adventure Playground and Mudgee Outdoor Water Park;**
4. **amend the 2018/19 Operational Plan and 2017-2021 Delivery Program as follows:**
  - **in 2018/19, increase grant funding by \$100,000, increase project expenditure by \$40,000 and reduce unrestricted cash funding by \$60,000 for the Rylstone Kandos Preschool Extension;**
  - **in 2018/19 increase grant funding by \$240,000 for the Gulgong Adventure Playground, allocate an expenditure budget of \$480,000, with the balance \$240,000 to be funded from S94 developer contributions;**
  - **in 2019/20 remove the budget allocation of \$480,000 for the Gulgong Adventure Playground (now moved forward 1 year), remove funding of \$240,000 VPA and \$240,000 S94 developer contributions; and**
  - **in 2018/19 increase grant funding by \$550,000 for the Mudgee Outdoor Water Park, and increase project expenditure by \$550,000.**

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### Executive summary

The purpose of this report is to amend Council's Operational Plan and Delivery Program for the 2018-19 financial year, so that if Council is successful in obtaining grants for these projects, it has adequate budgets in place to accept the funding and sign the funding agreement and other relevant documentation.

### Disclosure of Interest

Nil

## Detailed report

Council applied for grant funding from the NSW Government's Stronger Country Communities Fund in October 2017. The applications for funding included Rylstone Kandos Preschool Extension, Gulgong Adventure Playground and Mudgee Outdoor Water Park. The amounts requested are provided in the following table.

Project	Amount of funding requested
Gulgong Adventure Playground	\$240,000
Kandos Preschool Extension	\$100,000
Mudgee Outdoor Waterpark	\$800,000

The NSW Government is expected to make announcements regarding the successful projects for applicants in Tranche C in March 2018. Successful applicants will be required to accept and sign funding agreements shortly after these announcements are made.

Each of the above projects are already identified in Council's 2017-2021 Operational Plan and Delivery Program for the 2018-19 financial year, but with alternate funding sources.

## 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 Towards 2030 Community Plan has a range of strategies supported by the projects proposed to be funded including providing infrastructure and services to cater for current and future needs of the community. All of the above projects were strongly supported by the community during community engagement activities undertaken during 2016 and 2017.

### Council Policies

Not Applicable

### Legislation

Not Applicable

## Financial implications

If Council is successful in obtaining grants and accepts grant funding from the NSW Government for the Rylstone Kandos Preschool Extension, Gulgong Adventure Playground and Mudgee Outdoor Water Park, the 2018-19 Operational Plan and Delivery Program will need to be amended as follows:

- Increase grant funding by \$100,000 and reduce unrestricted cash funding by \$100,000 for the Rylstone Kandos Preschool
- Increase grant funding by \$240,000 for the Gulgong Adventure Playground and reduce VPA funds by \$240,000



- Increase grant funding by \$550,000 for the Mudgee Outdoor Water Park

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

### Associated Risks

Not Applicable

ALINA AZAR  
MANAGER ECONOMIC DEVELOPMENT

JULIE ROBERTSON  
DIRECTOR DEVELOPMENT

6 March 2018

*Attachments:* Nil

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER

## 8.5 Monthly Development Applications Processing and Determined

### REPORT BY THE DIRECTOR DEVELOPMENT

TO 21 MARCH 2018 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 of February 2018 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

6 March 2018

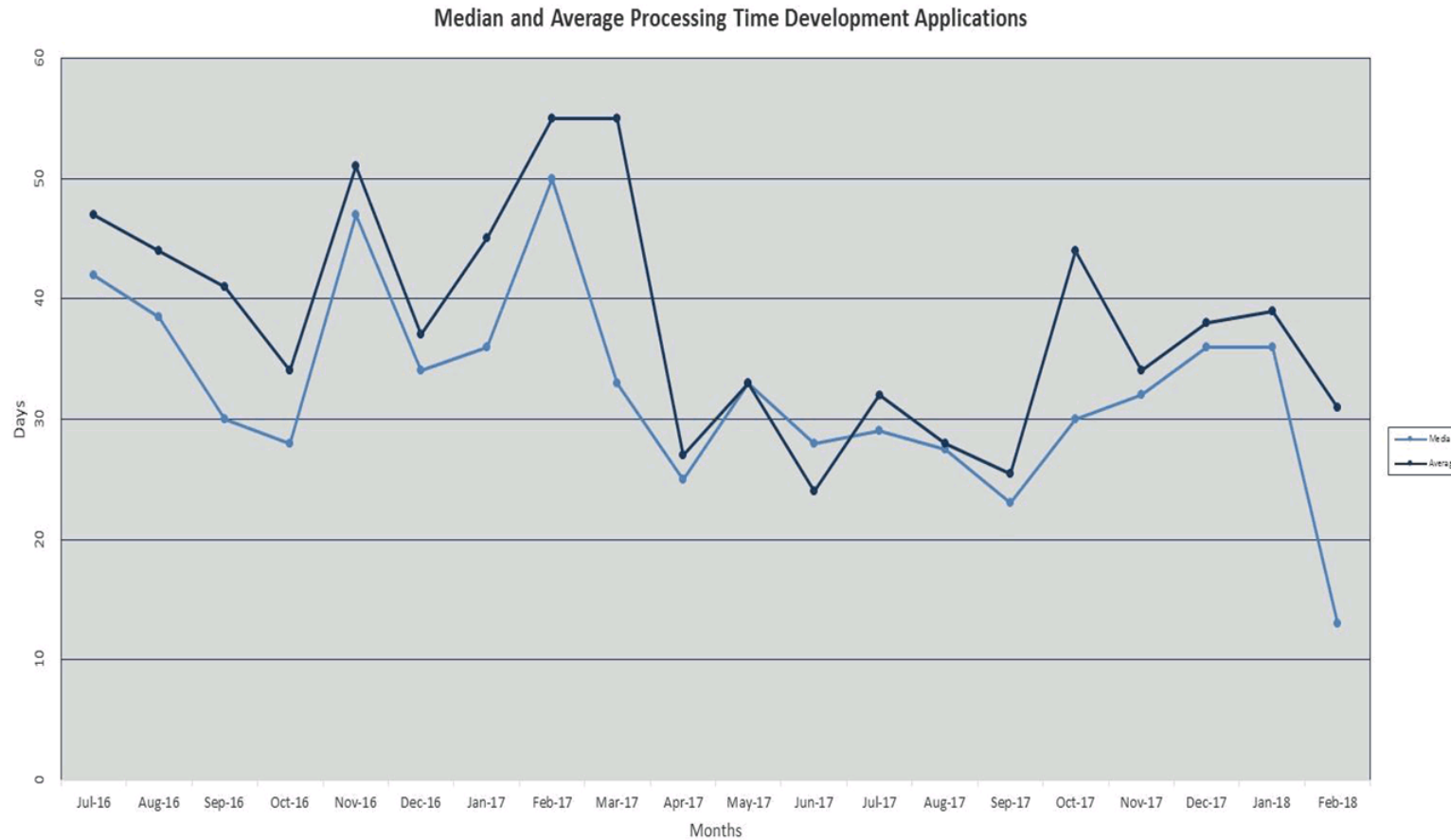
*Attachments:* 1. Monthly Development Applications Processing and Determined.

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER

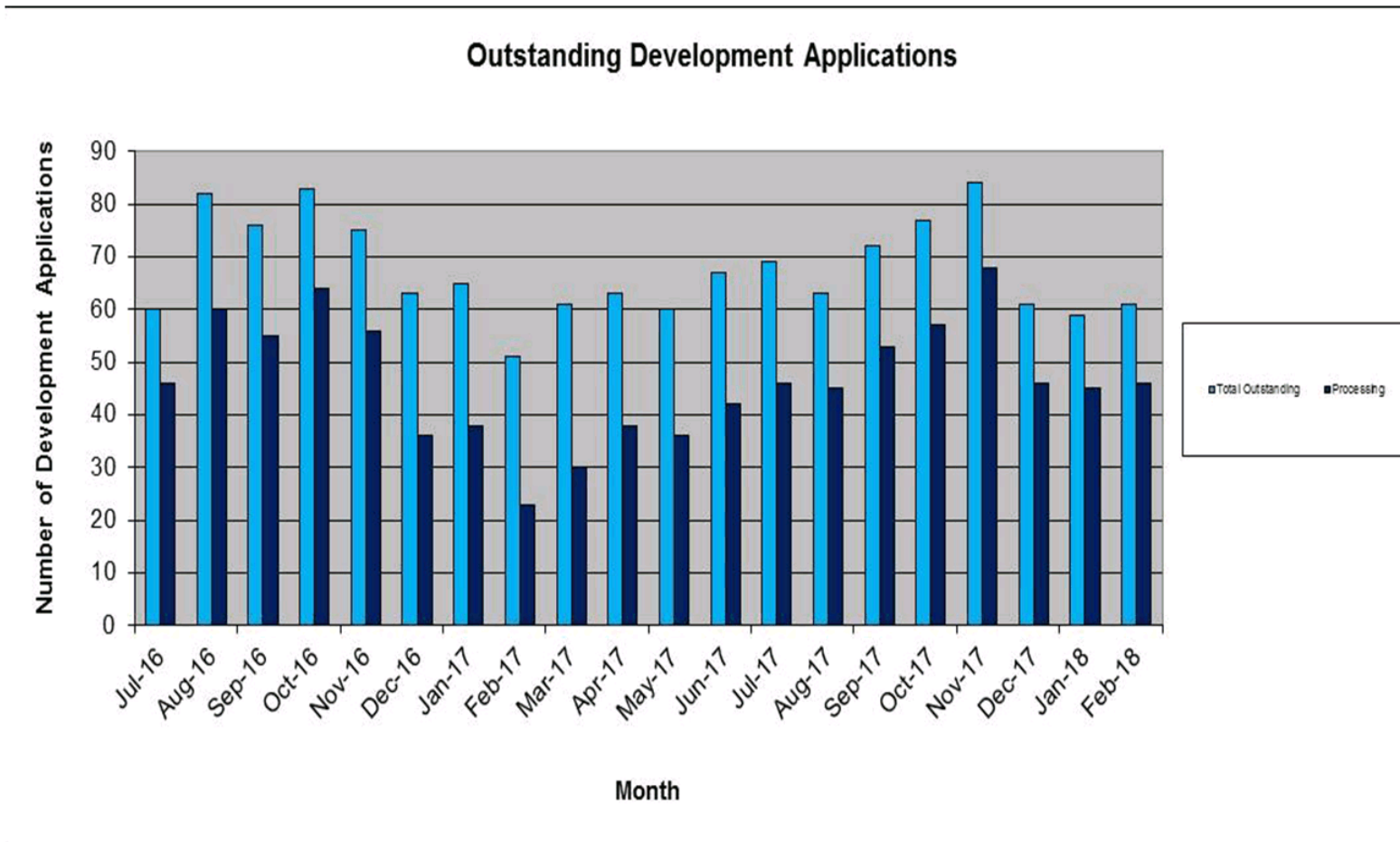
Monthly Development Application Processing Report – February 2018

This report covers the period for the month of February 2018. Graph 1 indicates the processing times up to 28, February 2018 with the month of February having an average of 31 days and a median time of 13 days.



Monthly Development Application Processing Report – February 2018

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 – February 2018

The Planning and Development Department determined 17 Development Applications either by Council or under delegation during February 2018.

### Development Applications Determined – February, 2018

Appl/Proc ID	Description	House No	Street Name	Locality
DA0034/2017	Subdivision - Torrens Title	38	Hill End Road	CAERLEON
DA0295/2017	Alterations & Additions	28	Herbert Street	GULGONG
DA0084/2018	Subdivision - Torrens Title	8	Loy Avenue	MUDGEE
DA0136/2018	Demolition	11	Nicholson Street	MUDGEE
DA0148/2018	Dwelling House	842	Lower Piambong Road	PIAMBONG
DA0152/2018	Dwelling House	2735	Hill End Road	AVISFORD
DA0153/2018	Subdivision - Torrens Title	10	Ftizroy Street	GULGONG
DA0163/2018	Commercial Premises	2	Eagle Road	RYLSTONE
DA0171/2018	Dwelling House	16	Bumberra Place	BOMBIRA
DA0180/2018	Dwelling House	640	Queens Pinch Road	MULLAMUDDY
DA0181/2018	Residential Shed	26	Kellett Drive	MUDGEE
DA0183/2018	Farm Building	1	Black Springs Road	EURUNDEREE
DA0184/2018	Business Premises	67	Market Street	MUDGEE
DA0186/2018	Business Identification Sign	112	Craigmoor Road	EURUNDEREE
DA0188/2018	Pergola	17	Marshfield Lane	MUDGEE
DA0190/2018	Residential Shed	73	Bellevue Road	MUDGEE
DA0196/2018	Dwelling House	1	Dewhurst Drive	MUDGEE

## Monthly Development Application Processing Report – February 2018

### Development Applications currently being processed – February, 2018.

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
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
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
DA0303/2017	Change of use - Vehicle Repair Station	1	Inglis Street	MUDGEES
DA0004/2018	Multi Dwelling Housing	66	Dangar Street	KANDOS
DA0009/2018	Subdivision - Torrens Title	15	Wiradjuri Street	PUTTA BUCCA
DA0063/2018	Shed >150m2	434	Melrose Road	MOUNT FROME
DA0072/2018	Earthworks	290	Rocky Waterhole Road	MOUNT FROME
DA0102/2018	Change of use - Studio/Storage Shed to Secondary Dwelling	111	Mount Pleasant Lane	BUCKAROO
DA0103/2018	Alterations & Additions	1581	Yarrabin Road	YARRABIN
DA0104/2018	Commercial Alterations/Additions	121	Ulan Road	PUTTA BUCCA
DA0119/2018	Secondary Dwelling	4	Dunn Street	KANDOS
DA0139/2018	Seniors Housing	153	Bruce Road	MUDGEES
DA0142/2018	Subdivision - Torrens Title	38	Rifle Range Road	MUDGEES
DA0146/2018	Tourist and Visitor Accommodation	196	Rocky Waterhole Road	MOUNT FROME
DA0157/2018	Dwelling House	20	Lewis Street	MUDGEES
DA0158/2018	Commercial Alterations/Additions	9	Sydney Road	MUDGEES
DA0164/2018	Industrial Building	49	George Street	MUDGEES
DA0165/2018	Liquid Fuel Depot	56	Sydney Road	MUDGEES
DA0167/2018	Liquid Fuel Depot	4	Industrial Avenue	GULGONG
DA0168/2018	Multi Dwelling Housing	31	Banjo Paterson Avenue	MUDGEES
DA0169/2018	Alterations & Additions	69	Gladstone Street	MUDGEES
DA0172/2018	Subdivision - Torrens Title	13	Caledonian Street	GULGONG

## Monthly Development Application Processing Report – February 2018

DA0173/2018	Dual Occupancy	29	Henry Bayly Drive	MUDGEE
DA0174/2018	Dwelling House	1678	Yarrabin Road	YARRABIN
DA0175/2018	Horticulture	60	Carara Road	EURUNDEREE
DA0176/2018	Commercial Alterations/Additions	93	Mortimer Street	MUDGEE
DA0178/2018	Commercial Premises	36	Sydney Road	MUDGEE
DA0179/2018	Change of use - Office	65	Church Street	MUDGEE
DA0187/2018	Carport	18	Dewhurst Drive	MUDGEE
DA0189/2018	Subdivision - Torrens Title	43	Rocky Waterhole Road	MOUNT FROME
DA0191/2018	Dwelling House	7	Denton Close	MUDGEE
DA0192/2018	Dwelling House	482	Windeyer Road	GRATTAI
DA0193/2018	Dwelling House	726	Gollan Road	GOOLMA
DA0197/2018	Electricity Generating Works	34	Inglis Street	MUDGEE
DA0198/2018	Commercial Alterations/Additions	22	Sydney Road	MUDGEE
DA0199/2018	Residential Shed	2018	Campbells Creek Road	CARCALGONG
DA0200/2018	Dwelling House	19	Waterworks Road	MUDGEE
DA0201/2018	Dwelling House	3	Costigan Court	MUDGEE
DA0202/2018	Dwelling House	2334	Castlereagh Highway	GALAMBINE
DA0203/2018	Alterations & Additions	41	Kellett Drive	MUDGEE
DA0204/2018	Residential Shed	22	Bumberra Place	BOMBIRA
DA0205/2018	Ancillary Residential Development	1307	Castlereagh Highway	APPLE TREE FLAT



## Monthly Development Application Processing Report – February 2018

### Heritage Development Applications currently being processed – February 2018.

Appl/Proc ID	Description	House No	Street Name	Locality
DA0271/2011	Alterations & Additions	87	Short Street	MUDGEES
DA0091/2017	Residential Shed	42	Louee Street	RYLSTONE
DA0247/2017	Change of use - Beauty Salon	79	Market Street	MUDGEES
DA0058/2018	Fence	1	Dunphy Crescent	MUDGEES
DA0081/2018	Commercial Alterations/Additions	5	Church Street	MUDGEES
DA0106/2018	Subdivision - Torrens Title	59	Bellevue Road	MUDGEES
DA0177/2018	Alterations & Additions	46	Lawson Street	MUDGEES
DA0182/2018	Boundary Adjustment	80	Rodgers Street	KANDOS
DA0185/2018	Change of use - Serviced Apartment	8	Lewis Street	MUDGEES
DA0195/2018	Signage	95	Church Street	MUDGEES

## Item 9: Finance

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### 9.1 Consideration of rate model to include in the draft Operational Plan 2018/19

REPORT BY THE CHIEF FINANCIAL OFFICER  
TO 21 MARCH 2018 ORDINARY MEETING  
GOV400066, FIN300179

#### RECOMMENDATION

##### That Council:

1. **receive the report by the Chief Financial Officer on the Consideration of rate model to include in the draft Operational Plan 2018/19; and**
2. **place the Rate Model 1 summarised data on public exhibition for a period of 14 days, as the preferred Revenue Policy for inclusion in the draft Operational Plan 2018/19: Business, Farmland, Residential & Mining rating categories all increase by 2.3%, distributed evenly; and**
3. **report all submissions received to the April Ordinary Council Meeting for consideration by Council before endorsing a Revenue Policy for inclusion in the draft 2018/19 Operational Plan.**

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#### Executive summary

This report seeks direction from Council regarding the preferred rate model to include in the draft Operational Plan 2018/19. The draft Operational Plan will be reported to Council at the April Ordinary Council Meeting, seeking endorsement for public exhibition at this time.

#### Disclosure of Interest

Nil.

#### Detailed report

Councils Operational Plan sets out the Revenue Policy for Council each year, including the proposed rating categories, minimum amounts and ad valorem cents in the dollar (of land value). Council is required to consider and debate the most suitable rate model, particularly in regards to take up of the IPART capped increase of 2.3%.

Council officers prepare rate models as requested by Council for consideration, and debate about which model to apply is withheld until an open council meeting. This year, Council officers are seeking direction early, in order to assist this discussion and debate at an earlier stage in the budget preparation process. This allows:

- the community to be aware of the proposed models to date;
- Council to consider public submissions received;
- Council to consider and discuss direct feedback they have received;
- Council to reach a consensus towards which rate model they would like to support and publicly exhibit to the community; and
- a longer period for community consultation, overall.

The following rate models have been requested for consideration:

- **Rate Model 1:** Business, Farmland Residential & Mining categories all increase by 2.3% overall.
- **Rate Model 2:** Zero increase for the Farmland category, Business, Residential & Mining categories all increase by 3.1% overall.
- **Rate Model 3:** This model reflects the recommendation made by the rate reference group in February 2016. 2% decrease in current revenue for the Farmland category with this revenue distributed evenly to the Business, Residential & Mining categories. The 2.3% rate pegging increase is then applied across all categories, including Farmland. This results in a 0.3% increase for Farmland, and 3% increase to Business, Residential & Mining.
- **Rate Model 4:** 1% increase for the Business and residential categories with the balance distributed evenly to the Farmland & Mining categories, being a 4.5% increase.

The full models (utilising preliminary rating data) are included as attachments to this report.

### Community Submissions

The following community submission regarding Council Revenue Policy for 2018/19, have been received to date:

Name	Proposal	Reason for Proposal
Mitchell Clapham	Last year Council took the first step in line with the Rate Review Committee's proposed strategy and did not increase the farmland rate. Council should continue with this strategy to bring Farmland rates in line with adjoining councils and deliver a more equitable rate distribution.	It is a matter of equity and fairness that this strategy continue. The two anomalies in MWRC Rating Structure is the abnormally high farmland rate and the abnormally low coal mining rate.

Any community submissions received between publication of this report and the March Ordinary Council Meeting will be provided at that meeting.

### 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**

Operational Plan 2018/19.

It is recommended by Council officers that a Rating Strategy for the Council term be considered, however at this stage Council have not supported development of a longer term Rating Strategy.

### **Council Policies**

Not Applicable

### **Legislation**

Local Government Act 1993, Part 4 – Making of Rates and Charges.

Local Government Regulations, Part 5 – Rates and Charges.

## Financial implications

The financial implications of the rate model include ensuring adequate revenue sources to continue to deliver Council services. No impact to the Operating Performance Ratio, Own Source Revenue Ratio or Building & Infrastructure Renewal is anticipated, as long as the IPART rate cap is taken up.

## Associated Risks

Should Council not take up the full IPART rate cap of 2.3%, there is a risk that the level of service currently maintained by Council would need to decline, in order to balance the budget.

There is also a risk of a high level of community dissatisfaction, should an unpopular rate model be applied. This may include a model where a single category feels that an unequitable share of the rates burden, or proposed rate increases, are unfairly applied against them. This may result in a legal challenge to the Revenue Policy or result in delayed rate revenue cash flow.

LEONIE JOHNSON  
CHIEF FINANCIAL OFFICER

7 March 2018

*Attachments:*

1. Rate Model 1. (separately attached)
2. Rate Model 2. (separately attached)
3. Rate Model 3. (separately attached)
4. Rate Model 4. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER

## 9.2 Land Acquisition and Disposal Policy Review

REPORT BY THE REVENUE AND PROPERTY MANAGER  
TO 21 MARCH 2018 ORDINARY MEETING  
GOV400066, A0010009

### RECOMMENDATION

#### That Council:

1. **receive the report by the Revenue and Property Manager on the Land Acquisition and Disposal Policy Review; and**
2. **endorse the Land Acquisition and Disposal Policy.**

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### Executive summary

The existing Land Acquisition and Disposal Policy (the Policy) has been reviewed as part of Council's ongoing policy review program and is being presented to Council for endorsement with minor changes as shown in the track changes in the copy of the Policy appended to this Report.

### Disclosure of Interest

Nil

### Detailed report

The Policy was executed in response to ensure that open and accountable processes were in place when considering the acquisition and disposal of all land assets and; to establish the criteria under which Council will consider acquisition and disposal of land ensuring that the best value is achieved in all land dealings.

Council last reviewed the Policy in September 2015. The current review has found that the Policy is still appropriate in its present form, with the proposed minor changes being consistent with the intent of the existing Policy.

### Community Plan implications

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

#### Council Strategies

Delivery Program 2017/2018 - 2020/2021 sets out the monitoring and review of Council's policies and strategies by identifying and resolving existing policy gaps.

**Council Policies**

Not Applicable

**Legislation**

Not Applicable

## Financial implications

N/A

## Associated Risks

Not Applicable

DIANE SAWYERS  
REVENUE AND PROPERTY MANAGERLEONIE JOHNSON  
CHIEF FINANCIAL OFFICER

1 March 2018

*Attachments:* 1. Current Land Acquisition and Disposal Policy - with track changes.APPROVED FOR SUBMISSION:BRAD CAM  
GENERAL MANAGER



## POLICY

### Land Acquisition and Disposal

*A prosperous  
and progressive  
community*

ADOPTED	VERSION NO	1
COUNCIL MEETING MIN NO 309/15	REVIEW DATE	SEPT 2017/MARCH 2021
DATE:16/9/2015	FILE NUMBER	A0010009

## Objective

Land owned by Mid-Western Regional Council (MWRC) on behalf of its ratepayers and local community is a valuable public asset. Council has the responsibility to maintain its land asset portfolio in the best interests of its ratepayers and local community, and to act consistently, fairly and transparently in accordance with its Community Plan objectives.

MWRC will from time to time acquire and dispose of its land assets, including interests in land such as an easement, right, charge, power or privilege over, or in connection with, the land.

The Policy aims to:

- ensure MWRC has open and accountable processes to consider the acquisition and disposal of all land assets; and
- establish the criteria under which Council will consider acquisition and disposal of land; and
- ensure best value is achieved in all Council land dealings; and
- ensure impartiality by addressing perceived or actual conflicts of interest.

## Legislative requirements

- Local Government Act 1993
- Valuation of Land Act 1916
- Real Property Act 1900
- Land Acquisition (Just Terms Compensation) Act 1991
- Roads Act 1993
- Environmental Planning and Assessment Act 1979
- Independent Commission Against Corruption, *Guidelines for managing risks in direct negotiation*, May 2006
- Office Local Government, *Land Acquisition Information Guide*, December 2014

## Scope

This policy applies to all acquisition and disposal of Council lands, including interests in land.

POLICY: ~~LAND ACQUISITION AND DISPOSAL LAND ACQUISITION AND DISPOSAL~~ | 14.ERROR! REFERENCE SOURCE NOT FOUND.

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## Policy

Applicable provisions of the Local Government Act 1993 (the Act)

Section 8(1) of the Act dictates Council's charter in that Council is the custodian and trustee of public assets and is required to effectively plan for, account for and manage the assets for which it is responsible.

Section 22(1)(d) of the Act vests authority in Council to enable it to exercise its functions, purchase, exchange, take on lease, hold, dispose of and otherwise deal with property.

Section 186 of the Act prescribes the purposes for which Council can acquire land.

Section 377(1)(h) of the Act dictates that the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property must be made by resolution of Council as these decisions cannot be delegated.

Section 45 of the Act prevents Council from selling, exchanging or otherwise disposing of Community Land other than to become or be added to a Crown Reserve or National Park.

### Land acquisition

#### PURPOSES AND ASSESSMENT CRITERIA

Land is to be identified for acquisition having due regard to the acquisition considerations as outlined, but not limited to circumstances described in the Table at Appendix 1.

Council may acquire land or interests in land for the purpose of carrying out its functions under the Act. Refer s186.

#### METHODS OF ACQUISITION

##### Acquisition by Agreement and Value

Council may acquire land that is available for public sale under the same terms as any other prospective purchaser without having to satisfy the requirements of the Land Acquisition (Just Terms Compensation) Act 1991.

Where land is listed for sale on the open market, the General Manager shall negotiate the terms of purchase with either the vendor or the vendor's agent.

If Council identifies land or interests in land that is required to facilitate functions of Council, but the land is not available for public sale, Council may approach the landowner and negotiate the purchase of the required land or interest in land. In this case, the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 apply irrespective of whether the acquisition is by agreement or by compulsory process. This Act requires Council to pay a fair compensation for the land or interest in land that is being acquired.

Where Council has identified land for acquisition which achieves specific strategic and policy goals and objectives of Council, consideration may be given to any land swap opportunities.

Where land or interests in land are not listed on the open market, the General Manager is to obtain at least one valuation of the land or interests in land to be provided by a Registered Valuer as the basis for negotiation and the valuation report shall be attached to the report submitted to Council.



POLICY: LAND ACQUISITION AND DISPOSAL | 14, ERROR! REFERENCE SOURCE NOT FOUND.

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In some cases there will be justified basis for Council acquiring land or interests in land at a price above the valuation benchmark in order to guarantee the successful securing of the property to achieve defined goals and objectives of Council; or to acquire the land with a view to adding value, or reducing risk to a larger scheme or development, future or current.

Any special value should be determined and quantified within the initial decision of Council and referenced to the achievement of specific goals and objectives of Council.

#### Acquisition by Compulsory Process

If agreement of the acquisition of land or an interest in land cannot be made with the landowner, Council has the right to compulsorily acquire land or an interest in land. A compulsory acquisition can only be pursued under the requirements of the Roads Act 1993 or the Local Government Act 1993, and in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991.

The compulsory process cannot be used to acquire land for the purposes of resale.

The process to be followed for compulsory acquisition is as set out in the Land Acquisition Information Guide (December 2014), as issued by Office of Local Government. It will be necessary for Council to satisfy the Office of Local Government that the acquisition is required for a public purpose.

Approval of the Minister for Local Government, and the Governor, is required to finalise the compulsory process.

#### Compensation for Acquisitions (other than land available for public sale)

In determining the amount of compensation to which a person is entitled, Part 3 Division 4 of the Land Acquisition (Just Terms Compensation) Act 1991 requires that regard must be given to the following matters only:

- a) the market value of the land on the date of its acquisition;
- b) any special value of the land to the person on the date of its acquisition;
- c) any loss attributable to severance;
- d) any loss attributable to disturbance;
- e) solatium (that is, compensation for non-financial disadvantage arising the need to relocate as a result of the acquisition); and
- f) any increase or decrease in the value of any other land of the person at the date Of acquisition which adjoins or is severed from the acquired land by reason of the carrying-out of, or the proposal to carry out, the public purpose for which the land was acquired.

#### Classification of Acquired Land

At the time of acquisition, Council must resolve the classification of the land to be either Operational or Community land in accordance with Sections 25-27 of the Act.

#### Land disposal

PURPOSES AND ASSESSMENT CRITERIA

POLICY: ~~LAND ACQUISITION AND DISPOSAL~~ ~~LAND ACQUISITION AND DISPOSAL~~ | 14, ERROR! REFERENCE SOURCE NOT FOUND.

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Land is to be identified for disposal having due regard to the disposal considerations as outlined, but not limited to circumstances described in the Table at Appendix 1.

Should a proposed disposal be detrimentally impacted by any circumstance identified in the Table at Appendix 1, or any other circumstance, unless it can be demonstrated that there is an overriding public and/or economic benefit in relation to the disposal, the proposed disposal should be reviewed.

#### METHODS OF DISPOSAL AND VALUE

##### Competitive Process and Value

Where land is capable of being disposed of on the open market and is able to be developed independently of any other property, the disposal shall be by competitive process involving public auction, private treaty, tender or expression of interest unless circumstances warrant disposal by direct negotiation.

The General Manager is to obtain at least one valuation of the land or interests in land to be provided by a Registered Valuer to establish the disposal value. The valuation/s shall be based on the valuation methodology most advantageous to Council. The General Manager is to then negotiate with Council's selling agent to ascertain an appropriate disposal value.

~~The disposal value is to be based on the highest and best use of the land and any conditions Council may place on the disposal, unless an alternative basis is considered more appropriate in the circumstances.~~

It is recognised that valuation advice is not an exact science and it is not unreasonable that a disposal value of up to 10% variation from that valuation may be achieved. Where the negotiated outcome results in a sale price more than 10% less than the assessed disposal value, it shall be acknowledged in the report to Council giving reason why that variation may be adopted.

##### Direct Negotiation and Value

Disposal of land by direct negotiation will have regard to, but will not be limited to, the following considerations; ~~but will not be limited to:~~

- Where the total cost of the public disposal process will exceed the expected community benefit (for example, where the disposal value of land is \$1,000 and the cost to market the land is \$5,000);
- Where there is only one identifiable purchaser (for example, an adjoining owner; or where a site is not large enough for development in its own right);
- Where Council is bound by a contractual obligation;
- Disposal of land to a government or utility authority for the purpose of infrastructure provision;
- Where a public marketing process which has been undertaken within the last 12 months in accordance with this Policy has failed to achieve the desired outcome;
- In response to a proposal which achieves specific strategic and policy goals and objectives of Council; for example, a land swap opportunity.

The report to Council will identify the reasons why the direct negotiation disposal process was chosen.

POLICY: ~~LAND ACQUISITION AND DISPOSAL~~ ~~LAND ACQUISITION AND DISPOSAL~~ | 11, ERROR! REFERENCE SOURCE NOT FOUND.

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The General Manager is to obtain at least one valuation of the land or interests in land to be provided by a Registered Valuer to establish the disposal value. The General Manager is to then negotiate with Council's selling agent (if applicable) to ascertain an appropriate disposal value.

Where land is to be disposed to an adjoining owner, the necessary valuation/s shall be ~~carried out on an added value basis and the disposal value shall be consistent with the difference in values on a before and after basis and any conditions Council may place on the disposal based on the valuation methodology which is most advantageous to Council.~~

#### Purchaser-Initiated Divestments

For purchaser-initiated divestments, all costs associated with the disposal of the land, including Council's reasonable legal costs, will be borne by the purchaser.

#### Classification of Land to be Disposed

Section 45 of the Act provides that only Operational Land can be sold, exchanged or otherwise disposed of.

Land classified as Community must be reclassified, in accordance with procedures prescribed by the Environmental Planning and Assessment Act 1979, as Operational prior to disposal proceeding.

#### Permanent Council Road Closures

A Council Public Road reserve (a Reserve) must be closed under the Roads Act 1993. The closure process is managed by Council and NSW Trade and Investment NSW Department of Industry – Crown Lands Division.

A resolution of Council is required to close a Reserve and where applicable, a further resolution is required to dispose of the land vested in Council upon the closure of a Reserve.

An application for the closure of a Reserve and where applicable, disposal of a Reserve, may be initiated by Council or by an individual.

An application from an individual must be accompanied with the ~~First Stage Application Fee, Road Closure Investigation Fee - Road Closure fee~~ as set out in Council's adopted Fees and Charges.

Consideration of an application will take into account, but will not be limited to:

- The likelihood of a Reserve being required as a through road; and
- Legal requirements of a Reserve to provide access to properties; and
- Access to public infrastructure or public waterway; and
- Whether the land upon closure of a Reserve will vest in Council (Section 38(2)(b) & (c) Roads Act 1993); and
- Disposal considerations as outlined in the Table at Appendix 1.

For land which vests in Council upon closure of a Reserve with the intent for its disposal, the General Manager is to obtain at least one valuation of the land to be provided by a Registered Valuer to establish the disposal value.

Where land is to be disposed to an adjoining owner, the necessary valuation/s shall be ~~carried out on an added value basis and the disposal value shall be consistent with the difference in values on~~

POLICY: ~~LAND ACQUISITION AND DISPOSAL~~ ~~LAND ACQUISITION AND DISPOSAL~~ | 14, ERROR! REFERENCE SOURCE NOT FOUND.

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~~a before and after basis and any conditions Council may place on the disposal based on the methodology which is most advantageous to Council.~~

For individual-initiated Reserve closures and disposals, all costs associated with the disposal of the land, including Council’s reasonable legal costs, will be borne by the purchaser.

Variation

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

POLICY: LAND ACQUISITION AND DISPOSAL | 14, ERROR! REFERENCE SOURCE NOT FOUND.

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## Appendix 1

### SUMMARY OF LAND ACQUISITION AND DISPOSAL CONSIDERATIONS

ACQUISITION	ACQUISITION
<p><b>Purposes</b></p> <ul style="list-style-type: none"> <li>• <b>Statutory</b> For public purposes by other public authorities such as RMS, etc.</li> <li>• <b>Conversion</b> from unused or underused properties to cash for acquisition or development of more useful community facilities</li> <li>• <b>Investment</b> For accumulation of property development and investment funds and subsequent acquisitions and/or investments for recurrent cash flows</li> </ul>	<p><b>Purposes</b></p> <ul style="list-style-type: none"> <li>• <b>Statutory</b> For public purposes by other public authorities such as RMS, etc.</li> <li>• <b>Conversion</b> from unused or underused properties to cash for acquisition or development of more useful community facilities</li> <li>• <b>Investment</b> For accumulation of property development and investment funds and subsequent acquisitions and/or investments for recurrent cash flows</li> </ul>
<p><b>Value</b></p> <ul style="list-style-type: none"> <li>• Fair market value</li> <li>• Provisions under the <i>Land Acquisition (Just Terms Compensation) Act 1991</i></li> <li>• Value to Council versus Value to the owner</li> <li>• Valuation – at least one by Registered Valuer</li> </ul>	<p><b>Value</b></p> <ul style="list-style-type: none"> <li>• Fair market value</li> <li>• Provisions under the <i>Land Acquisition (Just Terms Compensation) Act 1991</i></li> <li>• Value to Council versus Value to the owner</li> <li>• Valuation - at least one by Registered Valuer</li> </ul>
<p><b>Assessment Criteria</b></p> <ul style="list-style-type: none"> <li>• Identification in Council's Community Strategic Plan, Delivery Program, or Operational Plan</li> <li>• Identification in any other Council strategy</li> <li>• Land classification upon acquisition</li> <li>• Any land swap opportunities</li> <li>• Prospect for capital gain</li> <li>• Any redevelopment opportunity</li> <li>• Acquisition and ongoing management costs</li> <li>• Availability of funds or funding arrangements</li> <li>• Whole of life costing assessment</li> <li>• Current and future market conditions</li> </ul>	<p><b>Assessment Criteria</b></p> <ul style="list-style-type: none"> <li>• Identification in Council's Community Strategic Plan, Delivery Program, or Operational Plan</li> <li>• Identification in any other Council strategy</li> <li>• Land classification upon acquisition</li> <li>• Any land swap opportunities</li> <li>• Whole life costing assessment including any likely maintenance/capital works required</li> <li>• Any value added activities such as rezoning, DA approval to eliminate any uncertainties as possible</li> <li>• Current and future market conditions</li> <li>• Methods of sale having regard to current market conditions and consideration of sale versus long-term lease</li> </ul>

## 9.3 Water Usage Charges - Undetected Leaks Policy Review

REPORT BY THE REVENUE AND PROPERTY MANAGER

TO 21 MARCH 2018 ORDINARY MEETING

GOV400066, F0780062

### RECOMMENDATION

#### That Council:

1. **receive the report by the Revenue and Property Manager on the Water Usage Charges - Undetected Leaks Policy Review; and**
2. **endorse the Water Usage Charges – Undetected Leaks Policy.**

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### Executive summary

The existing Water Usage Charges – Undetected Leaks Policy (the Policy) has been reviewed as part of Council's ongoing policy review program and is being presented to Council for endorsement, unchanged, except for two minor referencing amendments as shown in the track changes in the copy of the Policy appended to this Report.

### Disclosure of Interest

Nil

### Detailed report

The Policy was executed in response to providing some financial relief in relation to the increasing cost of water and the financial impacts that can occur to both the Residential ratepayer and Council, when water usage is not routinely monitored.

The Policy also extends to provide some financial relief to the owners of Non-Residential properties regarding the payment of Sewer Usage Charges where the water leak is significant and undetectable.

Council last reviewed the Policy in December 2015. The current review has found that the Policy is still appropriate in its present form, with two minor referencing amendments being the only changes recommended in this review.

### 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**

Delivery Program 2017/18-2020/21. Monitoring and review of Council's policies and strategies by identifying and resolving existing policy gaps.

### **Council Policies**

Not Applicable

### **Legislation**

Not Applicable

## Financial implications

Not Applicable

## Associated Risks

Not Applicable

DIANE SAWYERS  
REVENUE AND PROPERTY MANAGER

LEONIE JOHNSON  
CHIEF FINANCIAL OFFICER

28 February 2018

*Attachments:* 1. POLICY - ADOPTED - water usage charges - undetected leaks 151216 with track changes.

### APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER



## POLICY

## WATER USAGE CHARGES – UNDETECTED LEAKS

ADOPTED 16/12/2015

COUNCIL MEETING MIN NO 439/15

DATE: 16 DECEMBER 2015

REFERENCE

REVIEW DATE [March 2021](#) [Dec-2017](#)

FILE NUMBER F0780062

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and progressive  
community*

## Objective

The purpose of this policy is to provide a framework for processing and assessing requests for a reduction in water usage charges due to an undetectable water leak.

The objectives of this policy are to:

1. Provide some financial relief to property owners when water is lost due to an undetectable leak, whilst demonstrating to property owners that they have a responsibility for maintaining their private water infrastructure and services.
2. Provide a standard approach in dealing with requests for financial relief when water is lost due to an undetectable leak.

## Legislative requirements

- Local Government Act 1993
- Local Government (General) Regulation 2005

## Related policies and plans

- |  Hardship Provision – [Rates and Charges Policy](#)
- |  Debt Recovery [Policy](#)

## Policy

### Water usage charges – (residential properties)

- a) A property owner is responsible for all water usage that is recorded on the water meter/s located on their property, notwithstanding there is a leak, which includes an undetectable leak.
- b) The determination of the application will be made by Manager Revenue & Property.
- c) The application is to be made on the appropriate form.
- d) The property for which the application applies must be land categorised as residential for rating purposes in accordance with section 516 Local Government Act.
- e) The applicant must be the owner/s of the property for which the application applies.
- f) The application must be received by Council within 60 days of the issue of the water usage account.
- g) The leakage must have been significant and undetectable. Significant leakage is determined if the water usage for the period in question is greater than 150 kilolitres and is 1.5 times greater than the previous 3 years daily average usage. Undetectable leakage is defined as



**POLICY:** | 16 DECEMBER 2015

occurring within pipeline breaks or connections in the ground, under slabs or within walls and is clearly not visible by the owner.

- h) The submission of a copy of the licensed plumber's invoice or account should accompany the application outlining the cost of the repairs that were necessary, stating the location of the leak, the nature of the repairs and supported by a Statutory Declaration, advising that the entire service is in good condition and does not need replacing.
- i) Where the application meets the criteria specified, the water usage which is greater than 1.5 times the previous 3 years daily average water usage, will be charged at 2 times the rate of the raw water usage charge for the relevant financial year. A maximum reduction of \$2,500, being the amount that was raised initially to the amount raised based upon the raw water charge, applies.
- j) Only one application will be accepted as a result of an undetectable leak at the same property and by the same owner/s, regardless of whether it is a related event or a separate undetectable leakage.
- k) Applicants will be advised in writing of the decision within 30 days of receipt of the application.

**Sewer usage charges – (non-residential properties)**

- a) In accordance with clause d) above, non-residential properties are ineligible for reduction in water usage charges under this policy.
- b) Where a non-residential property, subject to sewer usage charges based on water consumption, experiences an undetected leak which has not discharged to the sewer system, sewer usage charges will not apply in relation to the quantity of water estimated to be the subject of the leak.
- c) Clauses a), b), c), e), f), g), h) & k) above apply to any application under this part.

**VARIATION**

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

## 9.4 Naming of unnamed road off Ridout Lane Gulgong

### REPORT BY THE PROPERTY SUPPORT OFFICER

TO 21 MARCH 2018 ORDINARY MEETING  
GOV400066, R0790041

### RECOMMENDATION

#### That Council:

1. **receive the report by the Property Support Officer on the Naming of unnamed road off Ridout Lane Gulgong; and**
2. **name this road Koongarra Lane.**

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### Executive summary

Addressing is required for four properties along a section of road reserve that would normally be considered an extension of Homer Street in Gulgong. However, Homer Street becomes impassable prior to these properties, requiring the discontinuous section of road to be named.

### Disclosure of Interest

Nil

### Detailed report

Council has a requirement, under the Addressing Standard, to provide clear and concise addressing for all properties in the Council area. As part of the ongoing Rural Addressing Project it was noted that 4 properties located on what would be considered an extension of Homer Street required addressing. However, it was found that Homer Street becomes impassable approximately 350 metres south of the intersection with Mayne Street and Henry Lawson Drive. As this results in the road being a discontinuous road, using Homer Street for the addressing is not recommended requiring the section leading to Ridout Lane to be named.

Council wrote to the affected property owners on 22 June 2017 advising that Council was looking at naming the road and requesting their naming suggestions. Public consultation was also invited in an advertisement placed in the 30 June 2017 issue of the Mudgee Guardian. Submissions closed on 21 July 2017 and during this period 2 submissions were received with the following name suggested:

Koongarra Lane

The Geographical Names Board has been advised of the possible road name and has no objection to Koongarra Lane.

The recommended name is a Northern Territory Aboriginal word meaning “flock of birds ascending” or “place of birds” probably from the language of the Djork clan. Council confirmed there would be no issue with the use of this word with the Bathurst Local Aboriginal Land Council.

Street naming is legislated under the Roads Act 1993. This Act empowers the authority in charge of the road with the rights to name it. The naming of this unnamed road will allow more precise addressing to be allocated to the properties that use it. Section 162 of the Roads Act (1993) states that “a road authority may name and number all public roads for which it is the authority. A roads authority may not alter the name of a public road unless it has given the Geographical Names Board (GNB) at least two months’ notice of the proposed name.”

In accordance with Council’s Road Naming Policy, the name that Council endorses for this road will be:

1. Advertised in The Mudgee Guardian inviting submissions in writing from the public for a period of 21 days.
2. Concurrently, notice of the proposed name will be sent to Australia Post, the Registrar General, the Surveyor General, the Chief Executive of the Ambulance Service of NSW, New South Wales Fire Brigades, the NSW Rural Fire Service, the NSW Police Force, the State Emergency Service, the New South Wales Volunteer Rescue Association Inc., and, in the case of a classified road – Roads & Maritime Services, inviting submissions in writing for a period of 21 days.

At the expiration time for the lodgement of submissions, a further report will be prepared for the Council addressing any submissions received and recommending the formal adoption of the proposed road name, and Gazettal of the new road name.

## Community Plan implications

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

## Strategic implications

### Council Strategies

Not Applicable

### Council Policies

Road Naming Policy

### Legislation

Roads Act 1993

Roads Regulation 2008

Geographical Names Act 1996

Geographical Names Board of NSW Guidelines

## Financial implications

Cost and installation of one street sign at the intersection of the unnamed road and Ridout Road.

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

### Associated Risks

Nil

CAROLYN ATKINS  
PROPERTY SUPPORT OFFICER

LEONIE JOHNSON  
CHIEF FINANCIAL OFFICER

16 February 2018

*Attachments:*

1. GNB Letter dated 15/2/18.
2. Submission.
3. Submission.
4. Map of Road to be named.

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER



PO Box 143  
Bathurst NSW 2795  
T: 02 6332 8214  
F: 02 6332 8217  
E: [gnb@lpi.nsw.gov.au](mailto:gnb@lpi.nsw.gov.au)  
[www.gnb.nsw.gov.au](http://www.gnb.nsw.gov.au)

---

Your Reference: CA:R0790041  
Contact Officer: Nikko Muldoon  
Telephone No: 02 6332 8304  
Email: [GNB@lpi.nsw.gov.au](mailto:GNB@lpi.nsw.gov.au)

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

ATTENTION: Carolyn Atkins

Dear Carolyn

**ROADS ACT 1993, ROADS (GENERAL) REGULATION 2008  
SECTION 162 – NAMING OF PUBLIC ROADS**

I refer to your letter dated 8 February 2018, which proposed the following public road names:

**KOONGARRA LANE**

On behalf of the Geographical Names Board (GNB) and Surveyor General (SG), the names have been reviewed under the GNB NSW Addressing User Manual and the name is approved for use.

Kind Regards,

Nikko Muldoon  
Trainee Spatial Information Officer  
Geographical Names Board of NSW  
15 February 2018

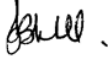
14.7.2017

Dear GM – MWRC,

We wish to submit a name for the un-named road our property borders, letter REF CA:R0790041.

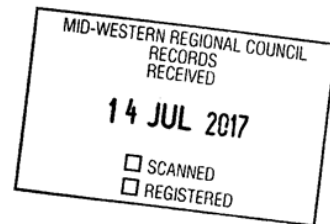
The name we wish to submit is “Koongarra” – Which is aboriginal for meaning place of birds/natural fauna.

Thank you for accepting this submission.



Andrew Birchall

Lot 228, Homer Street Gulgong NSW 2852





CA:R0790041

PO BOX 156  
MUDGEE NSW 2850

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

Ph: 1300 765 002 or (02) 6378 2850  
Fax: (02) 6378 2815  
email: council@midwestern.nsw.gov.au

22 June 2017

Mr AF & Mrs LM Birchall  
PO Box 493  
GULGONG NSW 2852

Dear Mr and Mrs Birchall,

**PROPOSED ROAD NAMING – HOMER STREET EXTENSION TO RIDOUT LANE**

Council is currently reviewing all addressing within the Mid-Western Regional Council area. Street and Rural addressing is a standardised addressing system used throughout Australia that is a straight forward means to identify and locate properties. Valid addressing assists emergency vehicles and others to locate properties, thereby minimising delays and inconvenience for emergency services and the delivery of goods and services to the community. It is a requirement that all properties within the Mid-Western Regional Council area have a valid address.

As Homer Street becomes impassable approximately 350 metres from the Mayne Street/Henry Lawson Drive intersection Council is required to allocate a separate road name to the road reserve running south to Ridout Lane, that provides access to your property – Lot 228 DP 755433 .

At the moment, your property does not have a valid address and the only option is to allocate an address from the point the road leaves Ridout Lane rather than to the point where it enters your property. This is not ideal. Once this road is named a more precise address can be allocated to your property. This will enable more exact addressing which can be crucial in an emergency services situation.

As your property is serviced by this road reserve, Council invites you to submit a name or names for this road. The Geographical Names Board Guidelines for the Naming of Roads identifies that the preferred sources for road names include the following:

- Aboriginal names
- Local history
- Early explorers, pioneers, settlers and other eminent persons (not living)
- War/casualty lists
- Thematic names such as flora, fauna or ships.

Please keep in mind that a name cannot relate to a living person or a commercial interest. Names should also be reasonably easy to read, spell and pronounce, and should not duplicate a name already in use in the Council area. Please include the reasons or background information for your proposed name in your submission.

Submissions should be made in writing to the General Manager, Mid-Western Regional Council, PO Box 156 Mudgee NSW 2850 and will be accepted until Friday, 21<sup>st</sup> of July 2017.

Should you have any questions concerning the naming of this street, please do not hesitate to contact Carolyn Atkins of Council's Revenue & Property Department on ☎ 02 63782850 or 1300 765 002.

4<sup>th</sup> July 2017

845 Henry Lawson Drive  
Eurunderee NSW 2850

The General Manager  
Mid-Western Regional Council  
P O Box 156  
Mudgee NSW 2850

Dear Sir

Re: Proposed road naming – Homer Street extension to Ridout Lane

I acknowledge your letter dated 22<sup>nd</sup> June 2017 Ref CA: R0790041 seeking submissions for renaming the road Homer Street extension to Ridout Lane.

The name I submit for consideration is “Koongarra” which is an Aboriginal name meaning “flock of birds ascending”.

As a matter of fact, the cottage on my property is also named “Koongarra Cottage”.

It seems an appropriate name for a road in this part of the country; however I leave it to your deliberations.

I hope this submission will be considered favorably.

Yours faithfully

*Ian Oatley*

Ian Oatley







CA:R0790041

Mr IR Oatley  
845 Henry Lawson Drive  
EURUNDEREE NSW 2850

PO BOX 156  
MUDGEE NSW 2850

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

Ph: 1300 765 002 or (02) 6378 2850  
Fax: (02) 6378 2815  
email: council@midwestern.nsw.gov.au

22 June 2017

Dear Mr Oatley,

**PROPOSED ROAD NAMING – HOMER STREET EXTENSION TO RIDOUT LANE**

Council is currently reviewing all addressing within the Mid-Western Regional Council area. Street and Rural addressing is a standardised addressing system used throughout Australia that is a straight forward means to identify and locate properties. Valid addressing assists emergency vehicles and others to locate properties, thereby minimising delays and inconvenience for emergency services and the delivery of goods and services to the community. It is a requirement that all properties within the Mid-Western Regional Council area have a valid address.

As Homer Street becomes impassable approximately 350 metres from the Mayne Street/Henry Lawson Drive intersection Council is required to allocate a separate road name to the road reserve running south to Ridout Lane, that provides access to your property – Lot 91 DP 755433 .

At the moment, your property has a Flirtation Hill Lane address which does not actually reflect the access to your property. The only option would be to allocate an address from the point the road leaves Ridout Lane rather than to the point where it enters your property. This is not ideal. Once this road is named a more precise address can be allocated to your property. This will enable more exact addressing which can be crucial in an emergency services situation.

As your property is serviced by this road reserve, Council invites you to submit a name or names for this road. The Geographical Names Board Guidelines for the Naming of Roads identifies that the preferred sources for road names include the following:

- Aboriginal names
- Local history
- Early explorers, pioneers, settlers and other eminent persons (not living)
- War/casualty lists
- Thematic names such as flora, fauna or ships.

Please keep in mind that a name cannot relate to a living person or a commercial interest. Names should also be reasonably easy to read, spell and pronounce, and should not duplicate a name already in use in the Council area. Please include the reasons or background information for your proposed name in your submission.

Submissions should be made in writing to the General Manager, Mid-Western Regional Council, PO Box 156 Mudgee NSW 2850 and will be accepted until Friday, 21<sup>st</sup> of July 2017.

Should you have any questions concerning the naming of this street, please do not hesitate to contact Carolyn Atkins of Council's Revenue & Property Department on ☎ 02 63782850 or 1300 765 002.

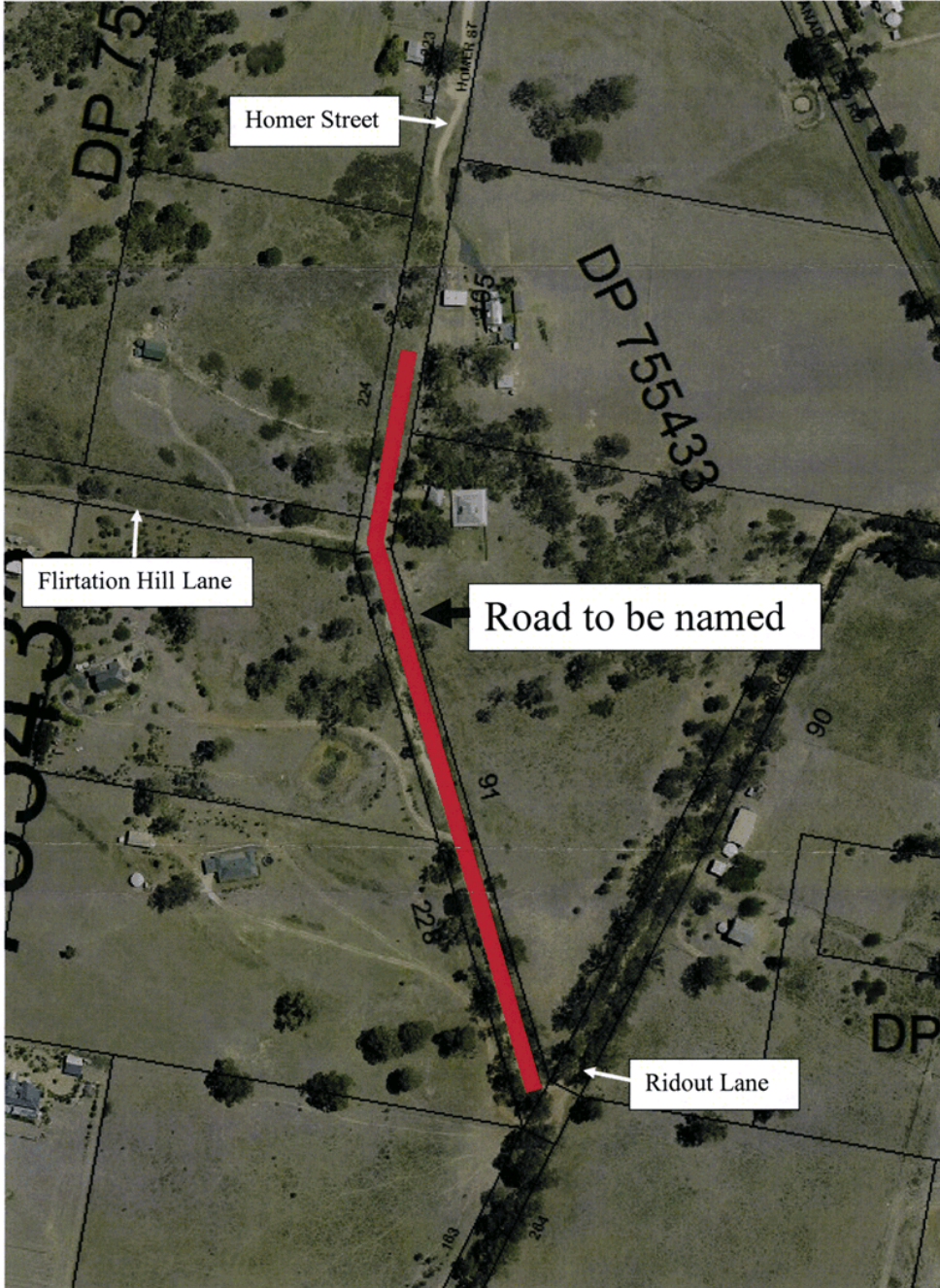
MID-WESTERN REGIONAL COUNCIL

2

Yours faithfully

*D. Sawyers*  
Diane Sawyers  
Manager Revenue & Property

*Kooragana  
"Flock of birds ascending"*





## 9.5 Naming of unnamed road off White House Road

### REPORT BY THE PROPERTY SUPPORT OFFICER

TO 21 MARCH 2018 ORDINARY MEETING  
GOV400066, R0790041

### RECOMMENDATION

#### That Council:

1. **receive the report by the Property Support Officer on the Naming of unnamed road off White House Road; and**
2. **name this road White House Road.**

---

### Executive summary

Naming the section of unnamed road reserve, that starts at the White House Road/Spring Creek Road intersection and continues through to Henry Lawson Drive, was approved at the 19 July 2017 Council Meeting. This will allow 3 properties to be allocated more precise addressing.

### Disclosure of Interest

Nil

### Detailed report

Council has a requirement, under the Addressing Standard, to provide clear and concise addressing for all properties in the Council area. A property owner, whose property is accessed via the unnamed road road reserve, requested the road be named and to be included in Council's roads maintenance list. This was approved at Council's 19 July 2017 meeting.

Council wrote to the affected property owners and neighbours of the road reserve on 27 July 2017 advising that Council was looking at naming the road and requesting their naming suggestions. Public consultation was also invited in an advertisement placed in the 4 August 2017 issue of the Mudgee Guardian. Submissions closed on 25 August 2017 and during this time 4 submissions were received with the following names suggested:

Cumbandry Lane  
Egans Lane  
Rates Paid Unmaintained Road  
Gumirri Lane

The Geographical Names Board has been advised of the possible road names and has no objection to Egans Lane or Gumirri Lane. There is an objection to Cumbandry Lane due to the proximity of Cumbandry Street in the village of Home Rule - please note that this road is a paper road and is unformed so Council may nominate for the name to be removed to allow for the use of Cumbandry Lane for this unnamed road reserve. There is an objection to Rates Paid Unmaintained Road due to the length of the name and number of words included.

The recommended name is the continuation of White House Road from the intersection of Spring Creek Road to Henry Lawson Drive as a logical extension of the already existing road.

Street naming is legislated under the Roads Act 1993. This Act empowers the authority in charge of the road with the rights to name it. The naming of this unnamed road will allow more precise addressing to be allocated to the properties that use it. Section 162 of the Roads Act (1993) states that “a road authority may name and number all public roads for which it is the authority. A roads authority may not alter the name of a public road unless it has given the Geographical Names Board (GNB) at least two months’ notice of the proposed name.”

In accordance with Council’s Road Naming Policy, the name that Council endorses for this road will be:

1. Advertised in The Mudgee Guardian inviting submissions in writing from the public for a period of 21 days.
2. Concurrently, notice of the proposed name will be sent to Australia Post, the Registrar General, the Surveyor General, the Chief Executive of the Ambulance Service of NSW, New South Wales Fire Brigades, the NSW Rural Fire Service, the NSW Police Force, the State Emergency Service, the New South Wales Volunteer Rescue Association Inc., and, in the case of a classified road – Roads & Maritime Services, inviting submissions in writing for a period of 21 days.

At the expiration time for the lodgement of submissions, a further report will be prepared for the Council addressing any submissions received and recommending the formal adoption of the proposed road name, and Gazettal of the new road name.

## Community Plan implications

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

## Strategic implications

### Council Strategies

Not Applicable.

### Council Policies

Road Naming Policy

### Legislation

Roads Act 1993

Roads Regulation 2008

Geographical Names Act 1996

Geographical Names Board of NSW Guidelines

## Financial implications

Cost and installation of one street sign at the intersection of the unnamed road and Henry Lawson Drive.

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

### Associated Risks

Nil

CAROLYN ATKINS  
PROPERTY SUPPORT OFFICER

LEONIE JOHNSON  
CHIEF FINANCIAL OFFICER

16 February 2018

*Attachments:*

1. GNB Letter dated 15/2/18.
2. Submission.
3. Submission.
4. Submission.
5. Submission.
6. Map.

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER



PO Box 143  
Bathurst NSW 2795  
T: 02 6332 8214  
F: 02 6332 8217  
E: [gnb@lpi.nsw.gov.au](mailto:gnb@lpi.nsw.gov.au)  
[www.gnb.nsw.gov.au](http://www.gnb.nsw.gov.au)

Your Reference: CA:R0790041  
Contact Officer: Nikko Muldoon  
Telephone No: 02 6332 8304  
Email: [GNB@lpi.nsw.gov.au](mailto:GNB@lpi.nsw.gov.au)

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

ATTENTION: Carolyn Atkins

Dear Carolyn

**ROADS ACT 1993, ROADS (GENERAL) REGULATION 2008  
SECTION 162 – NAMING OF PUBLIC ROADS**

I refer to your letter dated 8 February 2018, which proposed the following public road names:

**CUMBANDRY LANE, EGANS LANE, RATES PAID UNMAINTAINED ROAD,  
GUMIRRI ROAD**

On behalf of the Geographical Names Board (GNB) and Surveyor General (SG), the names have been reviewed under the GNB NSW Addressing User Manual and the following objection has been raised:

**CUMBANDRY LANE** - objection is raised under *Principle 6.7.4 Uniqueness, Duplication* of the NSW Addressing User Manual. A road name will be regarded as a duplicate if it is the same or similar in spelling or sound to an existing name, regardless of the road type. Cumbandry Lane already exists within the defined proximity.

**RATES PAID UNMAINTAINED ROAD** – *Principle 6.7.2 Language* of the NSW Addressing User Manual. b. Road names shall be easy to pronounce, spell and write, and preferably not exceed three words (including the road type) or 25 characters.

Should you wish to proceed with adoption of the name to which objection has been raised, then Council should write to the **Secretary of the Geographical Names Board, PO Box 143, Bathurst NSW 2795** setting out reasons why the name is valid. The matter will then be put to the Board who may choose to overturn the objection.

**EGANS LANE** and **GUMIRRI ROAD** are approved for use.



PO Box 143  
Bathurst NSW 2795  
T: 02 6332 8214  
F: 02 6332 8217  
E: [gnb@lpi.nsw.gov.au](mailto:gnb@lpi.nsw.gov.au)  
[www.gnb.nsw.gov.au](http://www.gnb.nsw.gov.au)

---

Kind Regards,

Nikko Muldoon  
Trainee Spatial Information Officer  
Geographical Names Board of NSW  
15 February 2018



**Carolyn Atkins**

---

**From:** Kylie Leech <kyliejleech@gmail.com>  
**Sent:** Wednesday, 26 July 2017 1:48 PM  
**To:** Council  
**Subject:** Road Naming

To Whom it May Concern,

I refer to Council Meeting held 19/7/17 and 6.4 - Road Naming

It was passed to have our road named and I would like to suggest the following two names for consideration:-

- Cumbandry Lane
- Egans Lane

Could you please advise when this will be processed?

Thanks for your assistance in this matter

Kind Regards

Kylie Leech  
0427 677 154

---

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6.8.17

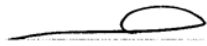
CAROT90041

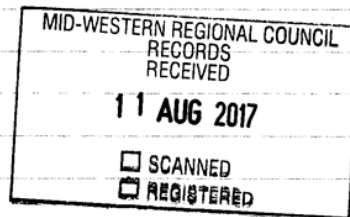
To the General Manager  
Mid-Western  
Regional Council.

Susan Mills  
2508 Henry Lawson  
Dive Gulgong  
NSW 2852

As requested I am submitting a name  
(Egans Lane) it has heritage connecting  
to the area

Many Thanks  
a.g. Buakpear-

Susan Mills  




**From:** Janice Moore <jmo97484@bigpond.net.au>  
**Sent:** Saturday, 5 August 2017 12:39 PM  
**To:** Council  
**Subject:** naming of road

the General Manager  
Mid-Western Regional Council

Carolyn Atkins

I have the perfect name for the road reserve off White House Road, to Henry Lawson Drive.

How about you call it,,,,,,,,,RATES PAID UNMAINTAINED ROAD.....

Regards

Janice Moore 63742271

---

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**Carolyn Atkins**

---

**From:** Janice Moore <jmo97484@bigpond.net.au>  
**Sent:** Sunday, 13 August 2017 11:31 AM  
**To:** Council  
**Subject:** road naming

Hi

Naming of Unmaned road off White House Road, Gulgong.

I wish to submit the following name:-

<http://www.lesbursill.com/site/aboriginalwords.htm#Landscape>

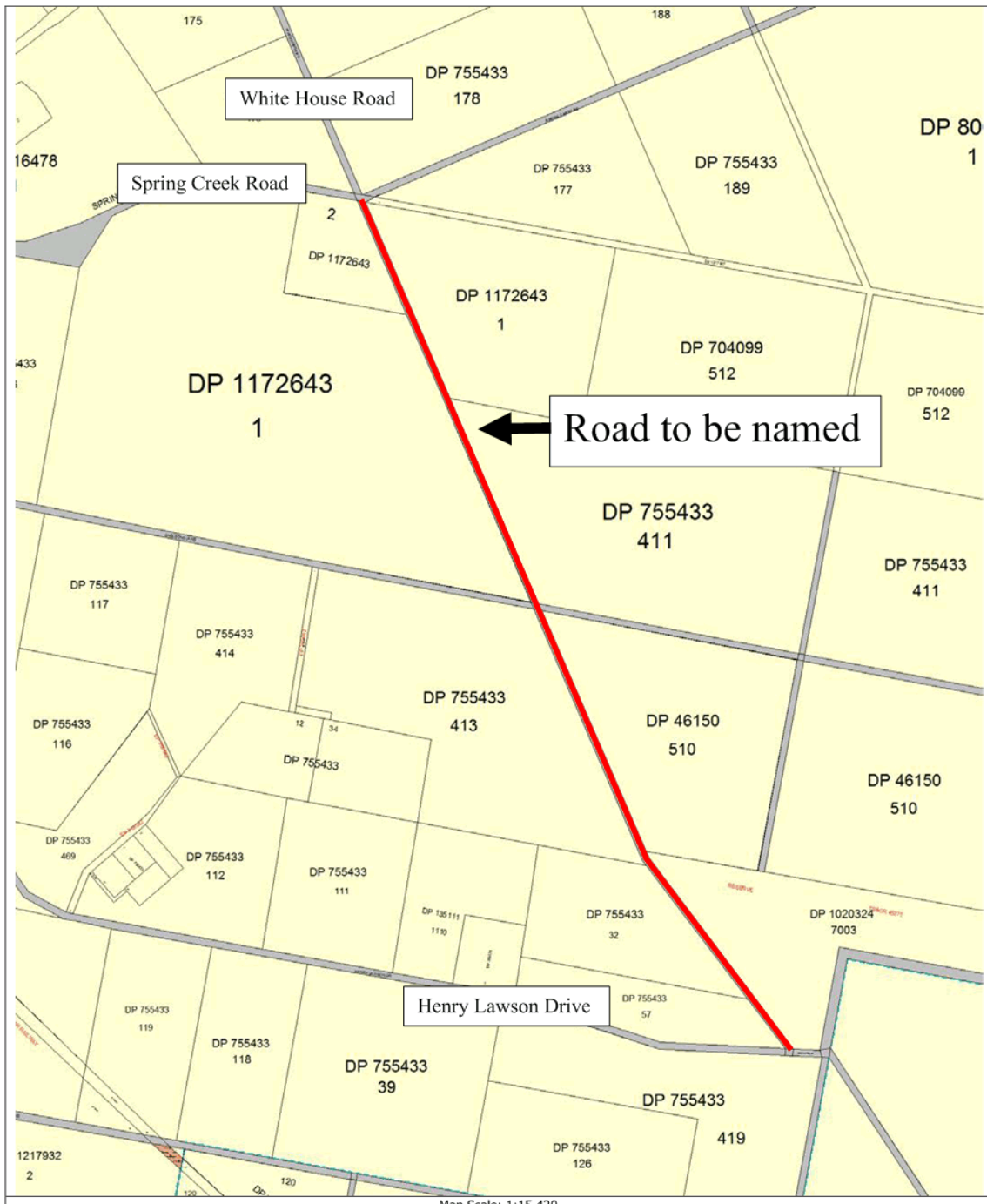
Gumirri--HOLE.....

Janice Moore 63742271

---

**PRIVATE AND CONFIDENTIAL - MIDWESTERN REGIONAL COUNCIL**

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<p><b>Disclaimer</b>                  This map has been created for the purpose of showing basic locality information over Mid-Western Regional Council. Property boundary line network data is supplied by Department of Lands.                  This map is a representation of the information currently held by Mid-Western Regional Council. While every effort has been made to ensure the accuracy of the product, Council accepts no responsibility for any errors or omissions.</p>	<p><b>Legend</b></p> <table border="0"> <tr> <td></td> <td>Parcel</td> <td></td> <td>Parish</td> <td></td> <td>Road</td> </tr> <tr> <td></td> <td>Crown Land</td> <td></td> <td>Localities</td> <td></td> <td>State Forest</td> </tr> <tr> <td></td> <td>Railway</td> <td></td> <td>LGA Boundary</td> <td></td> <td>Waterway</td> </tr> </table> <p style="text-align: right;"><b>NORTH</b></p>		Parcel		Parish		Road		Crown Land		Localities		State Forest		Railway		LGA Boundary		Waterway	<p>Printed on Thursday, 8 February 2018</p>
	Parcel		Parish		Road															
	Crown Land		Localities		State Forest															
	Railway		LGA Boundary		Waterway															

## 9.6 Naming of unnamed road off Goolma Road to Bergalin Road

REPORT BY THE PROPERTY SUPPORT OFFICER

TO 21 MARCH 2018 ORDINARY MEETING

GOV400066, R0790041

### RECOMMENDATION

#### That Council:

1. receive the report by the Property Support Officer on the Naming of unnamed road off Goolma Road to Bergalin Road;
2. name this road Williams Road; and
3. approve Newton, Corporal, Kerin, Reid, Nellie, Melba, Cullengoral, Gould, Roxy, Darcy, BeauFoy, Merlin, Corella, Angoves, Pioneer, Alluvial and Burrannah for inclusion in the Pre-Approved Names List for future use in the Gulgong area.

---

### Executive summary

Addressing is needed for two properties accessed via the unnamed road reserve running between Goolma Road and Bergalin Road, requiring the road to be named.

### Disclosure of Interest

Nil

### Detailed report

Council has a requirement, under the Addressing Standard, to provide clear and concise addressing for all properties in the Council area. The sale of two parcels of land from a property on Bergalin Road necessitates the naming of an unnamed road reserve running from Goolma Road to Bergalin Road, to allow for individual addresses to be allocated to the two new properties.

Council wrote to the affected property owners on 3 July 2017 advising that Council was looking at naming the road and requesting their naming suggestions. Public consultation was also invited in an advertisement placed in the 7 July 2017 issue of the Mudgee Guardian. Submissions closed on 28 July 2017 and during this period 5 submissions were received with the following names suggested:

Newton Road  
Corporal Road  
Reid Road  
Melba Lane  
Gould Lane  
Roxy Lane  
BeauFoy Lane  
Corella Lane  
Zimmler Lane  
Alluvial Road

Williams Road  
Kerin Road  
Nellie Lane  
Cullengoral Lane  
Lawson Lane  
Darcy Lane  
Merlin Lane  
Angoves Lane  
Pioneer Lane  
Burrannah Road

The Geographical Names Board has been advised of the possible road names and has no objection to Newton Road, Williams Road, Corporal Road, Kerin Road, Reid Road, Nellie Lane, Melba Lane, Cullengoral Lane, Gould Lane, Roxy Lane, Darcy Lane, BeauFoy Lane, Merlin Lane, Corella Lane, Angoves Lane, Pioneer Lane, Alluvial Road and Burrandah Road. There is an objection to Lawson Lane and to Zimmler Lane as they already exist within the defined proximity of 30km for rural roads.

The recommended name relates to Joe Williams, who owned land on both sides of the unnamed road from Goolma Road to Bergalin Road. Mr Williams was a well-known farmer in the area living on the corner of Bergalin Road and the unnamed lane before retiring to live in Gulgong. Joseph Edmund Williams passed away in 1981.

Street naming is legislated under the Roads Act 1993. This Act empowers the authority in charge of the road with the rights to name it. The naming of this unnamed road will allow more precise addressing to be allocated to the properties that use it. Section 162 of the Roads Act (1993) states that "a road authority may name and number all public roads for which it is the authority. A roads authority may not alter the name of a public road unless it has given the Geographical Names Board (GNB) at least two months' notice of the proposed name."

In accordance with Council's Road Naming Policy, the name that Council endorses for this road will be:

1. Advertised in The Mudgee Guardian inviting submissions in writing from the public for a period of 21 days.
2. Concurrently, notice of the proposed name will be sent to Australia Post, the Registrar General, the Surveyor General, the Chief Executive of the Ambulance Service of NSW, New South Wales Fire Brigades, the NSW Rural Fire Service, the NSW Police Force, the State Emergency Service, the New South Wales Volunteer Rescue Association Inc., and, in the case of a classified road – Roads & Maritime Services, inviting submissions in writing for a period of 21 days.

At the expiration time for the lodgement of submissions, a further report will be prepared for the Council addressing any submissions received and recommending the formal adoption of the proposed road name, and Gazettal of the new road name.

## Community Plan implications

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

## Strategic implications

### Council Strategies

Not Applicable

### Council Policies

Road Naming Policy

### Legislation

Roads Act 1993

Roads Regulation 2008

Geographical Names Act 1996

## Geographical Names Board of NSW Guidelines

## Financial implications

Cost and installation of three street signs, one at the intersection of Goolma Road and the unnamed road, at the intersection with Adams Lead Road and the unnamed road and at the intersection of Bergalin Road and the unnamed Road.

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

## Associated Risks

Nil

CAROLYN ATKINS  
PROPERTY SUPPORT OFFICER

LEONIE JOHNSON  
CHIEF FINANCIAL OFFICER

20 February 2018

*Attachments:*

1. GNB Letter dated 15/2/18.
2. Submission.
3. Submission.
4. Submission.
5. Submission.
6. Submission.
7. Map.

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER





PO Box 143  
Bathurst NSW 2795  
T: 02 6332 8214  
F: 02 6332 8217  
E: [gnb@lpi.nsw.gov.au](mailto:gnb@lpi.nsw.gov.au)  
[www.gnb.nsw.gov.au](http://www.gnb.nsw.gov.au)

Your Reference: CA:R0790041  
Contact Officer: Nikko Muldoon  
Telephone No: 02 6332 8304  
Email: [GNB@lpi.nsw.gov.au](mailto:GNB@lpi.nsw.gov.au)

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

ATTENTION: Carolyn Atkins

Dear Carolyn

**ROADS ACT 1993, ROADS (GENERAL) REGULATION 2008  
SECTION 162 – NAMING OF PUBLIC ROADS**

I refer to your letter dated 8 February 2018, which proposed the following public road names:

**NEWTON ROAD, WILLIAMS ROAD, CORPORAL ROAD, KERIN ROAD,  
REID ROAD, NELLIE LANE, MELBA LANE, CULLENGORAL LANE,  
GOULD LANE, LAWSON LANE, ROXY LANE, DARCY LANE, BEAUFOY LANE  
MERLIN LANE, CORELLA LANE, ANGOVES LANE, ZIMMLER LANE,  
PIONEER LANE, ALLUVIAL ROAD, BURRANAH ROAD**

On behalf of the Geographical Names Board (GNB) and Surveyor General (SG), the names have been reviewed under the GNB NSW Addressing User Manual and the following objection has been raised:

**LAWSON LANE** and **ZIMMLER LANE** - objection is raised under *Principle 6.7.4 Uniqueness, Duplication* of the NSW Addressing User Manual. A road name will be regarded as a duplicate if it is the same or similar in spelling or sound to an existing name, regardless of the road type. Lawson Lane and Zimmler Lane already exists within the defined proximity.

Should you wish to proceed with adoption of the name to which objection has been raised, then Council should write to the **Secretary of the Geographical Names Board, PO Box 143, Bathurst NSW 2795** setting out reasons why the name is valid. The matter will then be put to the Board who may choose to overturn the objection.

**NEWTON ROAD, WILLIAMS ROAD, CORPORAL ROAD, KERIN ROAD,  
REID ROAD, NELLIE LANE, MELBA LANE, CULLENGORAL LANE,  
GOULD LANE, ROXY LANE, DARCY LANE, BEAUFOY LANE  
MERLIN LANE, CORELLA LANE, ANGOVES LANE, PIONEER LANE,  
ALLUVIAL ROAD and BURRANAH ROAD** are approved for use.



PO Box 143  
Bathurst NSW 2795  
T: 02 6332 8214  
F: 02 6332 8217  
E: [gnb@ipi.nsw.gov.au](mailto:gnb@ipi.nsw.gov.au)  
[www.gnb.nsw.gov.au](http://www.gnb.nsw.gov.au)

---

Kind Regards,

Nikko Muldoon  
Trainee Spatial Information Officer  
Geographical Names Board of NSW  
15 February 2018

P.O. Box 90,  
Mudgee, NSW, 2850  
19<sup>th</sup> April, 2017.

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

Dear Mr Cam,

Re: Lot 168 DP 1145165 (of 4.241ha) and adjoining Lots 1 DP 1136192 & 67 DP 755434 (of combined area 5.4432ha).

I refer to letter of 7<sup>th</sup> April last from Ms Carolyn Atkins concerning the numbering of our two remaining parcels located off Bergalin Road, Gulgong and, as subsequently discussed with Ms Atkins, confirm that present access to Lot 168 is by way of a gate located at the south-western corner of that block.


Access to Lot 67 DP 755434 is by way of a recently installed gateway at the western end of Closed Road Lot 1 DP 1136192 (lot 67 & Lot 1 being treated as one parcel).

Noting advices from Ms Atkins that on a future sale of either of our remaining parcels (and preferably beforehand) the present road reserve on the west will require naming, could I respectfully ask that such road reserve be named after a former long-time and highly regarded resident of Gulgong namely the late Mr Ray Newton (my suggestion being the road simply be named "Newton Road").

As older residents of Gulgong could certainly confirm (and Council could perhaps contact Mr Maurice Gaudry in this regard) the late Mr Newton was involved over many years in activities as diverse as the raising of funds for the construction of the Gulgong Memorial Swimming Pool; as a Scout leader; in the provision of (free) music lessons for the youth of Gulgong; in the creation of an orchestra which provided music for dances and balls throughout the district, and in the establishment of a brass band which, among other duties, played for many years at the Anzac Day memorial services. It should also be noted that during World War 2, Mr Newton wrote and directed plays, the proceeds of which went towards the war effort and, along with the late Mr Bill Dempsey, was instrumental in the establishment of the renowned Gulgong Historical Museum in Herbert Street.

A road named after Ray Newton would certainly be most fitting and I await your advices on the matter.

Yours truly,

  
Tom Spring





Gloria Gossage

'Park View'

PO Box 56

GULGONG NSW 2852

20th July 2017

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

Dear Sir

**RE: Proposed Road Naming, Goolma Road to Bergalin Road, Gulgong.**

This lane has always been known to us as Williams Lane, as Mr Joe Williams owned the land consisting of several portion numbers on the western side of the lane from Goolma Road to Bergalin Road. He also owned land on the eastern side of the unnamed road, plus land on the southern side of Bergalin Road.

We purchase the land on the western side, of the unnamed road, 49 years ago and Mr Williams owned it for many years prior to us purchasing the land.

**I would like to see this road called**

**'Williams Road'**

After selling the balance of his land, Mr & Mrs Williams, retired to live in Medley Street Gulgong. They both passed away many years ago.

Thanking you

Gloria Gossage

67 Gossage Road

PO Box 56

GULGONG NSW 2852

Mobile 0419 494 630

A handwritten signature in cursive script that reads "G. Gossage".

120 Bergalin Road  
Gulgong 2852

26/7/2017

General Manager  
Mid Western Regional Council  
86 Market Street  
Mudgee 2850

Dear Sir,

Proposed Road Naming - Road Reserve off Goolma  
Road to Bergalin Road

Thank you for the opportunity to submit names for this Road Reserve.  
Here are my submissions

Nellie Lane  
Melba Lane  
Nellie Melba Lane  
Cullengoral Lane

She sang at the Prince of  
Wales Opera House, Gulgong

Aboriginal Name = Water running  
over metal: Gold Sluicing  
Company in Gulgong

Gould Lane

After John Gould re- the Flora  
Also a play on the name Gold

Lawson Lane

After Henry Lawson

Roxy Lane

For the glamour of the movie  
days in Gulgong at the Roxy

Darcy Lane

After the well known boxer  
Les Darcy who fought in the  
era of the Gold Rush in  
Gulgong.

BeauFoy Lane  
Merlin Lane

After the well known  
-photographer BeauFoy Merlin  
during the Gold Rush Days :  
one of his photographs was used  
as a model in the design of the  
original Ten Dollar Note.

Corella Lane

Bird of the area, sighted in  
my garden

Angoves Lane

Gulgong Towns earliest post  
mistress and a local beauty.

Zimmler (s) Lane

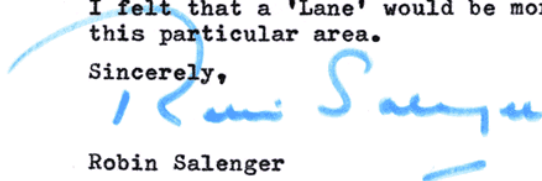
original Dispensary (Chemist)  
owner in Gulgong.

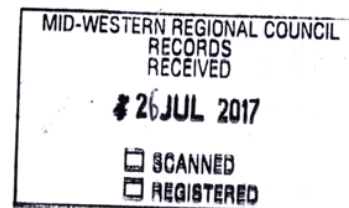
Pioneer Lane

Keeping the pioneering  
spirit alive in Gulgong.

I felt that a 'Lane' would be more in keeping with the rural aspect of  
this particular area.

Sincerely,

  
Robin Salenger



Jennita & Darryl Reid

91 Goolma Rd

Gulgong NSW 2852

Ph: 02 6374 2925

To the General Manager  
Mid-Western Regional Council  
PO Box 156  
Mudgee NSW 2850

Dear Sir,

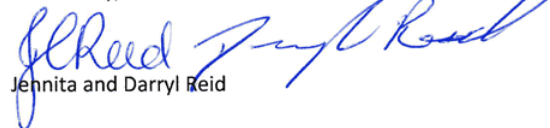
We have a couple of names we would like to submit to be considered for the naming of the road that runs between Goolma Rd and Bergalin Road as listed below and reasons why;

Kerin Corporal Road – Kerin resided with us for a few years and was always considered one of our family. Kerin was a young aboriginal man who was well known in Gulgong and played football for the Terriers along with a few other sports he loved to play. Kerin was schooled in Gulgong also. Kerin unfortunately lost his battle with Depression in June 2016 and took his own life. Kerin and our son Greg often played in the road (the laneway as we called it) when they were younger, riding their bikes, kicking the footy etc. It would be lovely to see a road named after him even it were Kerin Road or Corporal Road so we know he will never be forgotten in the area.

Robert Reid Road – we also chose this name as a tribute to Darryls Grandfather who has since passed. Grandpa as he was known to us by, was a war veteran and passed some time ago now. Robert was the name of the eldest male child in family and he passed this name down to his eldest son who was Robert George Reid who now lives in Kandos. George passed it onto his eldest son who is Robert Christopher Reid but unfortunately Chris passed away when he was 33 years old and he did not have any children so the naming tradition has halted and it would be nice to see Grandpas name on a road near our home.

Either of these names or a variation of these names would be wonderful to see on the road bordering our property. Thank you for your consideration in asking us to be involved in the road naming process.

Yours Truly,



Jennita and Darryl Reid



Att: Mid-Western Regional Council

Regarding: Naming of road adjacent to Bergalin road, Gulgong

Dear,

Mid-Western Regional Council

My parents have recently purchased Lot 1, 136 Bergalin road and I would like to take the opportunity to recommend to you some street names as per invitation given by post. My name is Eva Bird. I'm 11 years old and go to Cudgegong Valley Public School.

My first preference name I would like to recommend is Alluvial road. This is due to Gulgong's rich history circulating the gold rush era with its deep gold leads rich in alluvial gold in April 1870. This brought a lot of people in the town and contributed the area which includes Canadian and Home Rule as gold producing places. Gulgong supported up to 20 000 people ([www.resourcesandenergy.nsw.gov.au](http://www.resourcesandenergy.nsw.gov.au)) during the Gold rush. I believe this has contributed to the naming of other streets in the area as well ([www.geomaps.com.au](http://www.geomaps.com.au))

Alluvial definition is for mineral deposited by flowing water as it has in south of Gulgong. This can also be seen on old geological maps which is what brings me to my second recommendation.

In geological maps the area of formation is called the Burranah Formation ([www.geomaps.com.au](http://www.geomaps.com.au)) which I think would be a good street name as well – Burranah Road.

The Burranah Formation was found to be late Ordovician in age which was mapped by Offenbergl (1971). The mineralisation of this formation is located between the Mudgee and Home Rule fault ([www.geomaps.com.au](http://www.geomaps.com.au)).

Thank you for reading my letter. I would be extremely grateful if you could respond to my address if these names become successful in the naming of this road which borders our property.

Many Regards,

Eva Bird (Daughter of Melissa and Ben Bird)

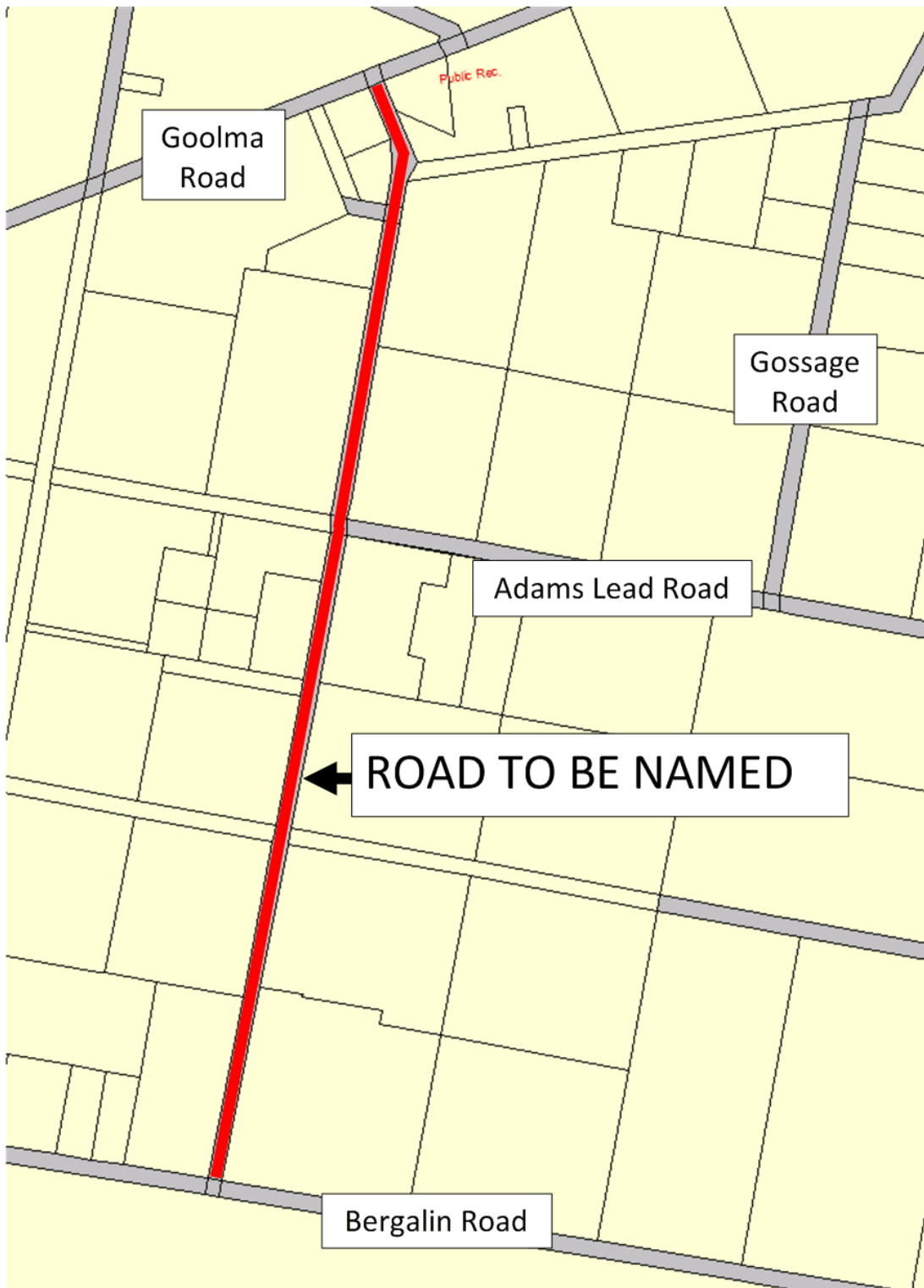
24 Mealey Street

Mudgee, NSW 2850

**References**

<http://www.geomaps.com.au/scripts/gulgong.php>

[http://www.resourcesandenergy.nsw.gov.au/data/assets/pdf\\_file/0003/109713/gulgong-gold-deposits.pdf](http://www.resourcesandenergy.nsw.gov.au/data/assets/pdf_file/0003/109713/gulgong-gold-deposits.pdf)





## 9.7 Naming of unnamed road off Bylong Valley Way Upper Growee

### REPORT BY THE PROPERTY SUPPORT OFFICER

TO 21 MARCH 2018 ORDINARY MEETING

GOV400066, R0790041

### RECOMMENDATION

#### That Council:

1. **receive the report by the Property Support Officer on the Naming of unnamed road off Bylong Valley Way Upper Growee;**
2. **formally approve the name of Greenhills Swamp Lane; and**
3. **require cost and installation of one street sign to be met by Mr Johnston.**

---

### Executive summary

Formal approval is requested to name an unnamed right of way and road off Bylong Valley Way in the locality of Upper Growee, Greenhills Swamp Lane.

### Disclosure of Interest

Nil

### Detailed report

Six properties are accessed via this unnamed right of way and road. Council received a request to name this unnamed road from one of the affected property owners to ensure clear and concise addressing could be allocated to each of the properties. Council wrote to the affected property owners and neighbours on 1 December 2016 requesting their naming submissions. Submissions closed on 23 December 2016 and during this period no submissions were received. The original request included a submission for Green Hills Swamp Lane, this was later amended to Greenhills Swamp Lane. Council provisionally approved the name Greenhills Swamp Lane at their 15 February 2017 meeting.

Greenhills Swamp is a geographical feature of the area.

The Geographical Names Board was advised of this possible road name and had no objection.

Greenhills Swamp Lane was advertised in the 24 February 2017 issue of the Mudgee Guardian and on Council's website. Notices of the new road name were served on Australia Post, the Registrar General, the Surveyor General, the NSW Ambulance Service, NSW Fire & Rescue, NSW Rural Fire Brigades, NSW Police Force, NSW SES and NSW VRA via the Online Road Naming System. No objections were received.

Street naming is legislated under the Roads Act 1993. This Act empowers the authority in charge of the road with the rights to name it. The naming of this road will allow the completion of rural

addressing the properties using it for access. Section 162 of the Roads Act (1993) states that “a road authority may name and number all public roads for which it is the authority. A roads authority may not alter the name of a public road unless it has given the Geographical Names Board (GNB) at least two months’ notice of the proposed name.

In accordance with Council’s Road Naming Policy, should Council formally endorse the naming of this road, notice of the approved name will be:

1. published in the Government Gazette and the Mudgee Guardian.
2. concurrently, notice of the new name will be sent to Australia Post, the Registrar General, the Surveyor General, the Chief Executive of the Ambulance Service of NSW, New South Wales Fire Brigades, the NSW Rural Fire Service, the NSW Police Force, the State Emergency Service, The New South Wales Volunteer Rescue Association Inc., and, in the case of a classified road - the RMS.

## Community Plan implications

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

## Strategic implications

### Council Strategies

Not Applicable

### Council Policies

Road Naming Policy

### Legislation

Roads Act 1993

Roads Regulation 2008

Geographical Names Act 1996

Geographical Names Board of NSW Guidelines

## Financial implications

Purchase of one 'No Through Road' sign to accompany the street sign and pole to be purchased by the original submitter, Mr Johnston.

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

## Associated Risks

Nil

CAROLYN ATKINS  
PROPERTY SUPPORT OFFICER

LEONIE JOHNSON  
CHIEF FINANCIAL OFFICER

20 February 2018

*Attachments:*

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER



PO Box 143  
Bathurst NSW 2795  
T: 02 6332 8214  
F: 02 6332 8217  
E: [gnb@lpi.nsw.gov.au](mailto:gnb@lpi.nsw.gov.au)  
[www.gnb.nsw.gov.au](http://www.gnb.nsw.gov.au)

Your Reference: CA:R0790041  
Our Reference:  
Contact Officer: Rhet Humphrys  
Telephone No: 02 6332 8214  
Email: [GNB@lpi.nsw.gov.au](mailto:GNB@lpi.nsw.gov.au)

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

ATTENTION: Carolyn Atkins

Dear Carolyn

**ROADS ACT 1993, ROADS (GENERAL) REGULATION 2008  
SECTION 162 – NAMING OF PUBLIC ROADS**

I refer to your letter dated 9<sup>th</sup> November 2016, which proposed the following public road names:

**GREENHILLS SWAMP LANE or GREENHILLS LANE**

On behalf of the Geographical Names Board (GNB) and Surveyor General (SG), the names have been reviewed under the GNB NSW Addressing User Manual and the following objection has been raised:

**GREENHILLS LANE** - objection is raised under *Principle 6.7.4 Uniqueness, Duplication* of the NSW Addressing User Manual. There is a **GREENHILLS LANE** located in Turill.

Should you wish to proceed with adoption of the name to which objection has been raised, then Council should write to the **Secretary of the Geographical Names Board, PO Box 143, Bathurst NSW 2795** setting out reasons why the name is valid. The matter will then be put to the Board who may choose to overturn the objection.

**GREENHILLS SWAMP LANE** is approved for use.

Kind Regards,

Rhet Humphrys  
Statutory Officer  
Geographical Names Board of NSW  
21 November 2016

Robert Johnston  
Robmar  
4255 Bylong Valley Way  
Rylstone NSW  
NSW 2848  
Ph: (02) 63791127

**RE: Proposal 'Right of Carriage Way' Naming and signage.**

**Mid-Western Regional Council,**

I wish to propose the idea of naming a 'right of carriage way' which goes through several properties. The reason for this is that there are several owners that use the 'right of carriage way' and it is difficult for visitors to find particular properties from the main road being Bylong Valley Way.

I own the land for the 'right of carriage way' and from the roadway (Bylong Valley way) it splits between the properties 4255 and 4345 Bylong Valley Way. All properties are addressed as being Bylong Valley way, however they do not have direct road frontage access to Bylong Valley Way. The properties that utslise this 'right of carriage way' include 4255, 4257, 4261 and 4263.

The history of this land goes back many years were it way known by locals as "Green Hills Swamp". I would like to propose the idea that the "right of carriage way" be named "Green Hills Swamp Lane".

The naming of the "right of carriage way" will make it easier for land owners, visitors and emergency services to find blocks in the area.

If you have any questions can you please contact me on (Robert Ph 63791127) I am happy to pay for the sign if required.

**Thanks Robert Johnston**

To Diane Sawyers  
Manager Revenue & Property  
Mudgee Regional Council  
Phone 1300 765 002

**RE- Naming of right of way off Bylong Valley Way**

Thank you for your reply to my submission for naming a right of way. Through map investigation we have found that the area that surrounds the 'right of way' was named Greenhills Swamp and that Greenhills was one word. We accessed a map published by the Central Mapping Authority of New south Wales in 1974.

We did not realise that Green Hills Lane had been taken by another locality more than 40km away.

Our proposal for the right of way has now changed to Greenhills Swamp which we feel has more meaning and historical significance towards the location of the road. After a recent discussion about the naming protocols I still feel that we should name an area that best represents its historical past.

The two names that I would like to put forward are:

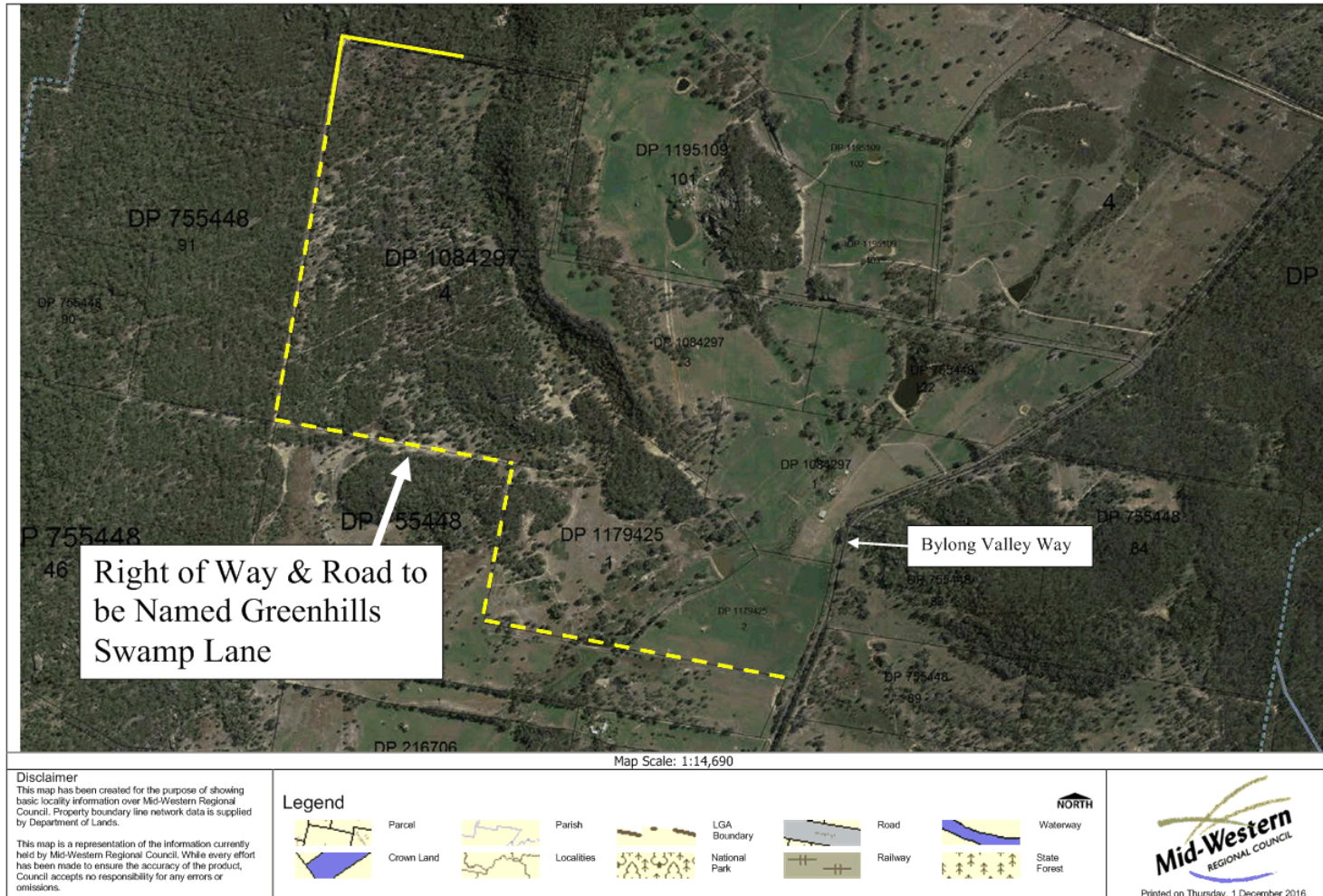
- \* Greenhills Swamp (1<sup>st</sup> Choice)
- \* Greenhills Lane (2<sup>nd</sup> Choice)

I am happy to pay for the installation of the signage if required.

Please contact me if you have any questions

Robert Johnston

'Robmar' 4255 Bylong Valley Way  
Upper Growee NSW 2849  
Phone 02 63791127



## 9.8 Council Locality boundary adjustment between Mid-Western Regional Council & Warrumbungle Shire Council

### REPORT BY THE PROPERTY SUPPORT OFFICER

TO 21 MARCH 2018 ORDINARY MEETING

GOV400066, GOV400003 R0790121 P0387711

### RECOMMENDATION

#### That Council:

1. **receive the report by the Property Support Officer on the Council Locality boundary adjustment between Mid-Western Regional Council & Warrumbungle Shire Council;**
2. **approve the boundary adjustment transferring part of Lot 1 DP 1072945 totalling 2.05 ha to Mid-Western Regional Council from Warrumbungle Shire Council;**
3. **approve the amendment of rates related to Lot 1 DP 1072945 from the date the boundary adjustment is proclaimed in the Government Gazette and raise any rates applicable from the date the land becomes rateable within the Mid-Western Regional Council area;**
4. **confirm no rates arrears relating to that part of Lot 1 DP 1072945, totalling 2.05 ha, will be accepted by Mid-Western Regional Council upon Proclamation;**
5. **confirm no provision for rates will need to be made in the Council boundary adjustment Proclamation; and**
6. **approve the minor Locality adjustment between the Localities of Tallawang and Dunedoo to include the entirety of Lot 1 DP 1072945 in the Locality of Tallawang.**

---

### Executive summary

Mr Shane Martin and Ms Sandra Ballard own Lot 1 DP 1072945, a small section of which, totalling 2.05ha, is located within Warrumbungle Shire Council's area. The remaining majority of the land parcel, totalling 105.8 ha, is located within Mid-Western Regional Council's area.

### Disclosure of Interest

Nil

### Detailed report

Council received a request from Ms Ballard for a Council boundary adjustment to allow the entirety of Lot 1 DP 1072945 to be part of Mid-Western Regional Council. Council has written to Warrumbungle Shire Council confirming that we will begin the process to have the Council boundary adjusted per Ms Ballard's request. A resolution from both Councils agreeing to the boundary adjustment, is required for inclusion in a proposal MWRC will make to the Office of Local Government.



A minor Locality boundary adjustment is also required in relation to this matter. The small section of Lot 1 DP 1072945 is currently located within the Locality of Dunedoo. An application will be made to the Geographical Names Board to include this part of Lot 1 in the Locality of Tallawang with the majority of Lot 1 DP 1072945 in preparation for the Council boundary adjustment.

## Community Plan implications

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

## Strategic implications

### Council Strategies

Not applicable.

### Council Policies

Not applicable.

### Legislation

Local Government Act 1993 (Sec 214-218F)

## Financial implications

Rates in relation to the smaller part of Lot 1 DP 1072945 may be affected by a Council boundary adjustment. Once a Council boundary adjustment is proclaimed part Lot 1 DP 1072945 will cease to be rateable within Warrumbungle Shire Council area and will become rateable within the MWRC area. As the land parcel is so small this may not have any effect on the 2017/1018 Rates currently raised on Mr Martin and Ms Ballard's property. It is recommended that Council not accept any rates arrears, if applicable, raised by Warrumbungle Shire Council upon Proclamation.

Mid-Western Regional Council requires no provision for rates in the minor Council boundary adjustment Proclamation.

Document lodgement fees are not applicable. Mid-Western Regional Council will be making the proposal and no costs are expected to be incurred as a result of the boundary adjustment.

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

## Associated Risks

There are no associated risks as this procedure is legislated.

CAROLYN ATKINS  
PROPERTY SUPPORT OFFICER

LEONIE JOHNSON  
CHIEF FINANCIAL OFFICER

23 February 2018

- Attachments:*
1. Email from Ms Ballard 14 February 2018.
  2. Letter to Warrumbungle Shire Council 23 February 2018.
  3. Map of current Council boundary.
  4. Map of proposed Council boundary.

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER

**Carolyn Atkins**

---

**From:** Sandra Ballard <sam.ballard2587@gmail.com>  
**Sent:** Wednesday, 14 February 2018 4:18 PM  
**To:** info@warrumbungle.nsw.gov.au; Council  
**Subject:** Shire Boundary Adjustment for Sandra Ballard and Shane Martin, assessment Warrumbungle #10023554, Mid-western 3877

To The General Managers of the Warrumbungle Shire and Mid-Western Shire Councils

I would like to request a Shire Boundary Adjustment on our property "Glenroy" 2164 Spring Ridge Rd, Tallawang NSW.

The Lot in question is Lot 1 DP 1072945.

Property Number 3877 for the Mid-Western Regional Shire Council and Assessment Number 10023554 for Warrumbungle Shire Council.

I would request that Lot 1 DP 1072945 is moved in the Mid-Western Regional Shire Council as that is were the greatest portion of our property lies.

If you require any further information to assist in resolving this, please don't hesitate in contacting me. Either my mobile 0432 331 213 or by email [sam.ballard2587@gmail.com](mailto:sam.ballard2587@gmail.com).

Many thanks Sandra Ballard

---

PRIVATE AND CONFIDENTIAL - MIDWESTERN REGIONAL COUNCIL

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CA: GOV400003 R0790121 P03877

PO BOX 156  
MUDGEE NSW 2850

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

Ph: 1300 765 002 or (02) 6378 2850  
Fax: (02) 6378 2815  
email: [council@midwestern.nsw.gov.au](mailto:council@midwestern.nsw.gov.au)

23 February 2018

The General Manager  
Warrumbungle Shire Council  
20-22 John Street  
COONABARABRAN NSW 2357

Dear Sir,

**BOUNDARY ADJUSTMENT BETWEEN LOCAL GOVERNMENT AREAS**

Council has received a request for a boundary adjustment between Mid-Western Regional Council and Warrumbungle Shire Council to allow the entirety of Lot 1 DP 1072945 to be located within Mid-Western Regional Council. A Locality boundary adjustment between the Localities of Dunedoo and Tallawang will also be required as part of this request.

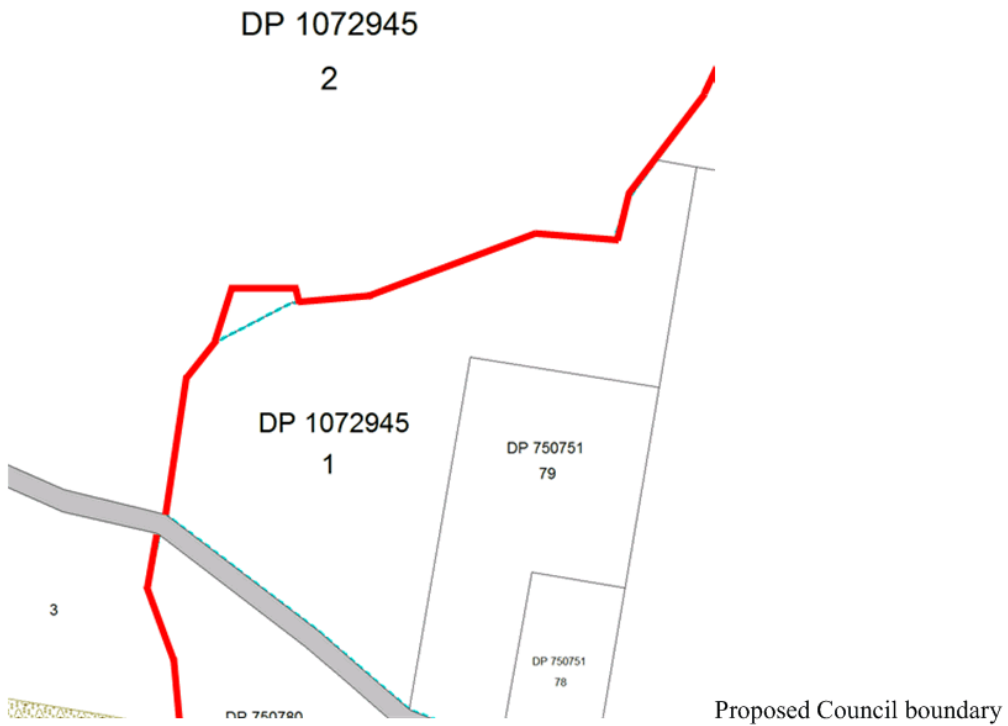
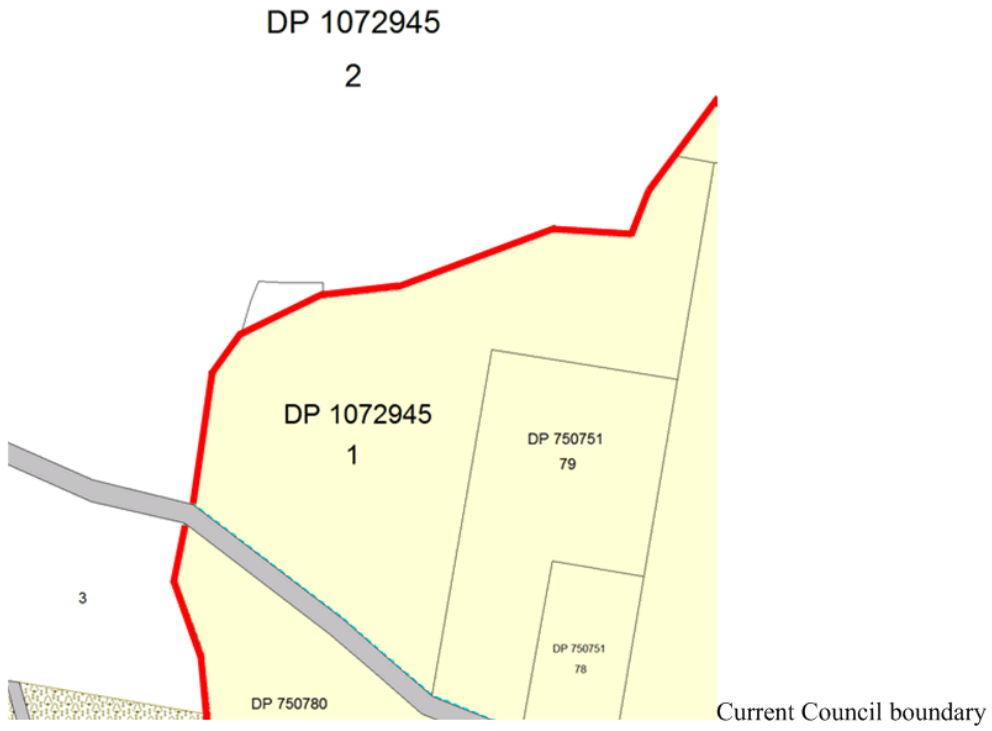
The matter will go to Mid-Western Regional Council for approval at their 14<sup>th</sup> March 2018 Meeting and a copy of the Minute will be forwarded to you soon after to allow for your Council to consider the matter and make a deliberation.

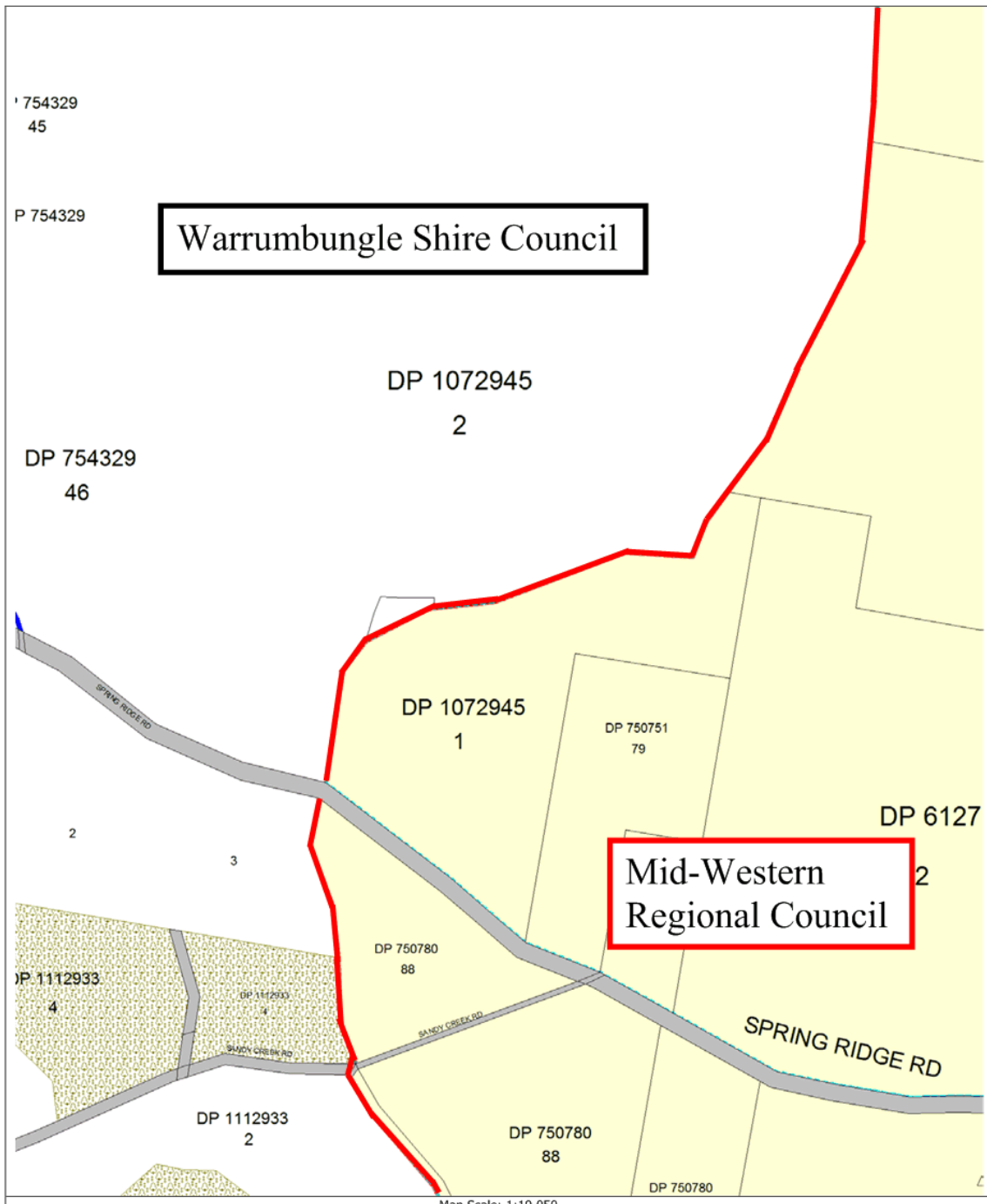
As the land will be transferred to Mid-Western Regional Council we are happy to make the application to the Office of Local Government. Council will also apply to the Geographical Names Board in relation to the Locality boundary adjustment.

Should you wish to discuss this matter please do not hesitate to contact Carolyn Atkins in Council's Revenue & Property Department on ☎ 02 63782850 or 1300 765 002.

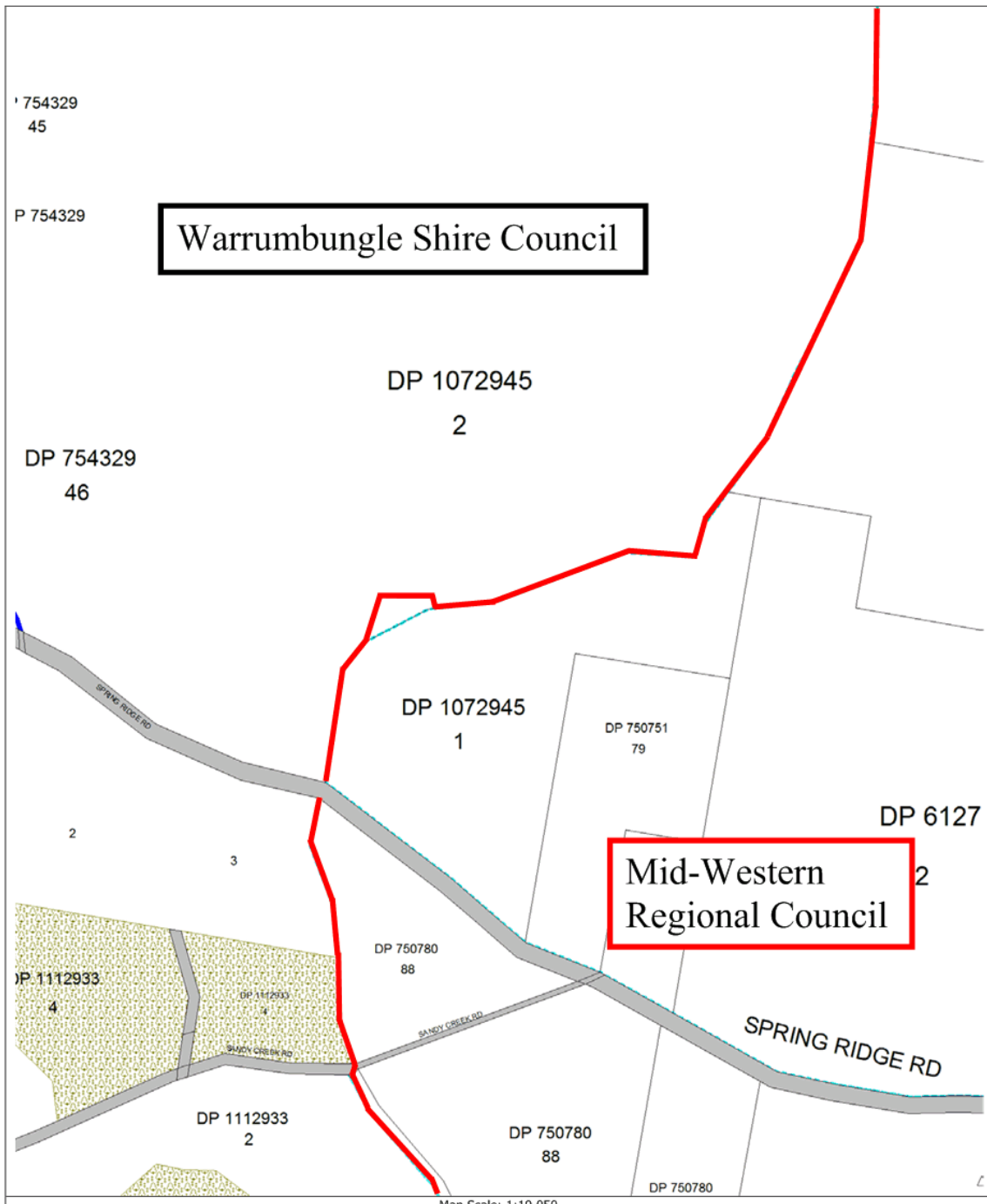
Yours faithfully

Diane Sawyers  
Manager Revenue & Property





<p><b>Disclaimer</b>                  This map has been created for the purpose of showing basic locality information over Mid-Western Regional Council. Property boundary line network data is supplied by Department of Lands.</p> <p>This map is a representation of the information currently held by Mid-Western Regional Council. While every effort has been made to ensure the accuracy of the product, Council accepts no responsibility for any errors or omissions.</p>	<p><b>Legend</b></p> <table border="0"> <tr> <td></td> <td>Parcel</td> <td></td> <td>Parish</td> <td></td> <td>Road</td> </tr> <tr> <td></td> <td>Crown Land</td> <td></td> <td>Localities</td> <td></td> <td>State Forest</td> </tr> <tr> <td></td> <td>Railway</td> <td></td> <td>LGA Boundary</td> <td></td> <td>Waterway</td> </tr> </table> <p style="text-align: center;"><b>Current Council boundary</b></p> <p style="text-align: right;"><b>NORTH</b></p>		Parcel		Parish		Road		Crown Land		Localities		State Forest		Railway		LGA Boundary		Waterway	<p>Printed on Friday, 23 February 2018</p>
	Parcel		Parish		Road															
	Crown Land		Localities		State Forest															
	Railway		LGA Boundary		Waterway															



Map Scale: 1:19,050

**Proposed Council Boundary**

**Disclaimer**

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

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

**Legend**

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

**NORTH**



Printed on Friday, 23 February 2018

## 9.9 Naming of a park in Hargraves

### REPORT BY THE PROPERTY SUPPORT OFFICER

TO 21 MARCH 2018 ORDINARY MEETING  
GOV400066, PAR300020 P2022011

### RECOMMENDATION

#### That Council:

1. **receive the report by the Property Support Officer on the Naming of a park in Hargraves;**
2. **support the name of Louisa Park; and**
3. **approve Goldfields, Pioneer, Vogt and Sibley for inclusion in the Pre-Approved Names List for future use in the Hargraves area.**

---

### Executive summary

Council received a request to name the Park near Empire Hall in Hargraves.

### Disclosure of Interest

Nil

### Detailed report

On 13/10/14 Council received a request from the Hargraves Progress Association to name the park area next to the Empire Hall in Hargraves.

Council advertised for naming submissions in the 31 October 2014 Mudgee Guardian and received the following submissions by the time the advertising period closed on 21 November 2014.

Edwards Park  
Goldfields Park  
Pioneer Park x 2  
Louisa Park  
Freg Vogt Park x 3  
Hargraves Park

The current Mr Edwards is still living and, at the time, Mr Vogt was still living. He has since passed away. While the Geographical Names Board does not bar naming a park after a living person, they do so only at their discretion based on that person's contribution to the local community, which should have been of outstanding benefit to their community.

The above names were presented in a Report to the 17 December 2014 Council Meeting. Council's preference was for Pioneer Park and this was submitted to the Geographical Names Board on 12 February 2015. The Geographical Names Board (GNB) is the naming authority for place names and the matter went to their April 2015 meeting for approval to advertise. The GNB then advertised in the Mudgee Guardian on 1 May 2015. Several objections were received and all



suggested the park be named variations of Louisa Park. The matter has now been returned to Council by the GNB for a decision.

Council again advertised for submissions in the 9 February 2018 Mudgee Guardian and a letter was sent to all previous submitters advising them of the matter. These further submissions were received by the time the advertising period closed on 2 March 2018.

- Louisa Park x 3
- Louisa Creek Park x 2
- Louisa Goldfields Park x 2
- Mary and Ern Sibley Park x 3
- Vogt Park x 1

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

Please note that, as this park area is a Crown Reserve, Council confirmed with Crown Lands that they have no issues with Council naming the Reserve.

### Community Plan implications

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

### Strategic implications

#### **Council Strategies**

Not Applicable

#### **Council Policies**

Not Applicable

#### **Legislation**

Geographical Names Act 1996

Geographical Names Board of NSW Guidelines

### Financial implications

Cost and installation of one name sign within the park area.

<b>Budget Year</b>	<b>Operating Performance Ratio</b>	<b>Own Source Revenue</b>	<b>Building &amp; Infrastructure Renewal</b>
<b>2017/18</b>	✓	✓	-
<b>Future Years</b>	-	-	-

## Associated Risks

Nil

CAROLYN ATKINS  
PROPERTY SUPPORT OFFICER

LEONIE JOHNSON  
CHIEF FINANCIAL OFFICER

6 March 2018

- Attachments:*
1. GNB letter dated 28/5/18 with list of objections.
  2. Submission - Edwards Park.
  3. Submission - Goldfields Park.
  4. Submission - Fred Vogt.
  5. Submission - Pioneer Park.
  6. Submission - Fred Vogt Park.
  7. Submission - Fred Vogt Park or Louisa Park.
  8. Submission - Hargraves Park or Pioneer Park.
  9. Submission - Mary and Ern Sibley Park.
  10. Submission - Mary and Ern Sibley Park.
  11. Submission - Louisa Park, Louisa Creek Park or Louisa Goldfields Park.
  12. Submission - Louisa Park, Louisa Creek Park or Louisa Goldfields Park.
  13. Submission - Mary and Ern Sibley Park.
  14. Submission - Vogt Park or Louisa Park.
  15. Map of park to be named.

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER



PO Box 143  
Bathurst NSW 2795  
T: 02 6332 8214  
F: 02 6332 8217  
E: gnb@lpi.nsw.gov.au  
www.gnb.nsw.gov.au

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



Attention: Carolyn Atkins

Dear Carolyn

**Re: Hargraves Pioneer Park**

I wish to advise that the advertising for the proposal to name the reserve in Hargraves has been completed.

The GNB received a total of three submissions during this time. All three submissions objected to the proposal.

A copy of the submissions has been attached to this email for Councils consideration and comment. The Board will take no further action on this proposal until Council has reviewed and given their advice on the submission to the Board.

It should be noted that this summary of submissions is for Council's internal use only in the development of **Hargraves Pioneer Park** and is not to be made available to any other party.

If you have any questions please do not hesitate to contact me.

We look forward to your advice on the matter.

Yours sincerely

Ian Kelly for  
Susan Fietz  
A/Secretary  
Geographical Names Board of NSW

28 May 2015

**GEOGRAPHICAL NAMES BOARD  
Proposal Comments**

*Report Generated: 02 June 2015*

**HARGRAVES PIONEER PARK**

Proposal advertised on **01 May 2015**

Comments closed on **01 June 2015**

NAME	ADDRESS	IN FAVOUR
Julie Wilson	3635 Hill End Road Hargraves 2850 NSW	NO
Janene Doble	3523 Hill End Rd Hargraves 2850 NSW	NO
T J Campbell	Golden Pastures Hargraves 2850 NSW	NO

**COMMENT SUBMISSIONS**

<u>NAME</u> Julie Wilson	<u>COMMENT SUMMARY</u> Too generic, not specific to this Park
<u>FULL COMMENT</u> Suggested name to include Louisa as this was what the area was known as by both aboriginal and white settlers prior to 1859. Louisa Creek runs close to the park so Louisa Creek Park, Louisa Park or Louisa Goldfields Park would be suitable.	
<u>NAME</u> Janene Doble	<u>COMMENT SUMMARY</u> Pioneer park has no historical or geographical reference to the local area and my family who live in the area would like to see the park have a name that the local community can identify with, Louisa Creek is an old local name dating back to gold rush and is the name for the creek adjacent and this is what I prefer it to be known as and not Pioneer park as it has no relevance to Hargraves.
<u>FULL COMMENT</u>	
<u>NAME</u> T J Campbell	<u>COMMENT SUMMARY</u> Pioneer does not reflect the history of this area
<u>FULL COMMENT</u> The aboriginal name for this area was Lou-ee-ja which the early white settlers anglicized to Louisa The area was known as Louisa until 1859. The creek is Louisa Creek and I would like the name included in the park	

“Allambi”  
1186 Wallerwaugh Road  
Hargraves NSW 2850

12<sup>TH</sup> November 2014

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



Dear Sir,

Re: Naming of Hargraves Park

The Edwards' family came to the Hargraves district in the late 1930's and worked a large grazing property from then and is still in the family today.

The original generation reared a family of five children, of which most attended Hargraves school and the whole family became involved in all activities in and around Hargraves. The late Mr Edwards was involved in the rifle club, cricket, tennis and the volunteer fire brigade at Hargraves. The late Mrs Edwards formed teenage tennis in the mid 1960's so that all the younger generation had some interest on the weekends in the village. This sporting programme ran for many years.

Later generations of the Edwards' family have also become involved in all areas of the community including the Rural Fire Service and the Progress Association.

In the mid 1970's due to limited car parking and needing an area for outdoor community functions at the Empire Hall, it was moved by Errol Edwards at a Progress Meeting that the area of land adjacent to the hall, which was full of old diggers holes and covered in blackberry could be cleared and utilised. This motion was seconded and a working bee was formed. I brought in my tractor and blade and cleared the area. The ground has gone from that to what it is today.

Therefore, I suggest to have the park named “Edwards' Park”.

Yours faithfully



Errol Edwards

Jennifer Eade

“Valley Farm”

3698 Hill End Rd.

Hargraves N.S..W.2850

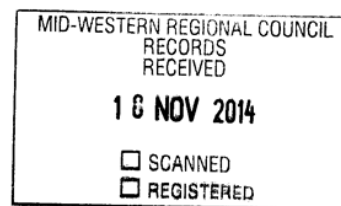
16/11/2014.

Mid Western Regional Council.

Church Street ,

Mudgee.NSW 2850.

Naming of Hargraves Park.



Dear General Manager,

I wish to submit a name for the Hargraves Park which was requested in the Mudgee Guardian on Friday 31/10/2014. As I have lifetime association with this village I feel it is appropriate to consider a name to remember history of the local region.

I strongly oppose the park being named after a person, as it can cause a considerable amount of auquish among the local residents.

A name I feel could be appropriate would be GOLDFIELDS PARK .

Hoping my submission can be given some consideration.

Yours sincerely

Jennifer Eade.

A handwritten signature in black ink that reads "Jennifer Eade". The signature is written in a cursive style and is positioned below the typed name.

The Elders  
Hill End Road  
Hargraves  
NSW 2850

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

Ref: proposed park name – Hargraves

I would like to put forward the name of the FRED VOGT PARK for the park adjacent to the Empire Hall in Hargraves.

My reason for this is that Fred Vogt lived in the community for many years and was extremely community minded. He was instrumental in changing this piece of ground, which was very unloved, into a park.


He organised the planting of trees both in the park and in Merinda Street, he built the BBQ in the park, oversaw the erection of the fence and was the driving force behind the retrieval of the stamper battery from Tuckers Hill and its display in the park.

For 7 years he volunteered to mow the grass, pick up the sticks, empty the garbage and keep the park tidy; a job now undertaken by the Progress Association.

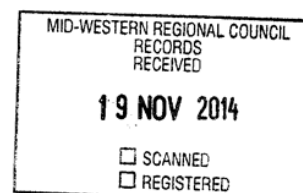
Fred has had to move to Lismore to be with his daughter due to ill health and as far as I know he does not know of this nomination. I can supply his address and telephone number if you require.

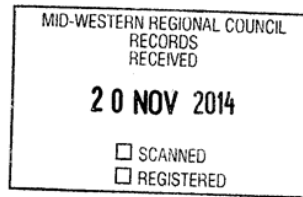
I think it would be a truly fitting decision to name the park for him.

Yours truly,

  
Julie Wilson (Mrs)

17/11/14





Margaret Colley  
543 Triamble Rd  
Hargraves N.S.W.  
.2850  
17/11/2014

Mid Western Regional Council  
Submission for naming the park in Hargraves

Dear Sir/Madam

I would like to submit a name for the park at Hargraves, I feel very strongly that the name should reflect all those who helped establish the village over the decades, and that the naming should only be the first step in paying tribute to all the founding families, as in time I would like to organise fund raising to have brass plaques made up with all early family names and have them mounted on large boulders or in a display case in the park. So with that plan in mind I would like to submit the name "Pioneer" so it would become the "Hargraves Pioneer Park" to remember all the volunteers who made our village what it is, thank you for your consideration.

Yours Sincerely  
Margaret Colley

A handwritten signature in black ink, appearing to read "Margaret Colley".



Golden Pastures  
Hill End Road  
Hargraves  
NSW 2850

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

Dear Sir,

I would like to make a suggestion about the name for the park in Hargraves next to the Hall.

Fred Vogt was the person who changed the land, which had been used to park cars on, into a park.

Fred organised a group of people to help with planting trees and putting up the stamper battery. He also built the barbeque.

Over a period of seven years he spent 750 hours mowing the park with his own mower. When he became unable to do it any more the Progress Association took on the responsibility.

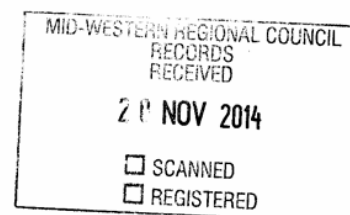
Every day he would take a walk through the park and make sure that all the rubbish was cleaned up and the bins emptied.

I would like to see the park named the Fred Vogt Park.

Yours,

*T J Campbell*  
20-11-14

T J Campbell



3523 Hill End Rd.

Hargraves. 2850

19-11-2014.

The General Manager

Mid Western Regional Council

PO Box 156

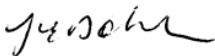
Mudgee NSW 2850.

Dear Sir,

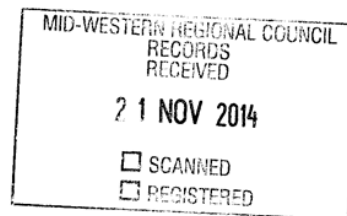
I would like to make suggestions in naming of the park in Hargraves situated alongside the Louisa Creek.

I am firstly supporting the name Fred Vogt Park, for past work done by him and secondly, suggesting Louisa Park for its particular geographical reference to the area.

Sincerely,



Janene Doble.



“Moss Vale”  
247 Triamble Rd  
HARGRAVES 2850

To The General Manager  
Mid Western Regional Council  
Mudgee. 2850

Dear Brad,

Re Naming of Hargraves Park

I would like to make a submission about naming the park in Hargraves. My suggestion is a name that doesn't involve people's names – such as Hargraves Park or one of the other names put forward, namely Pioneer Park.

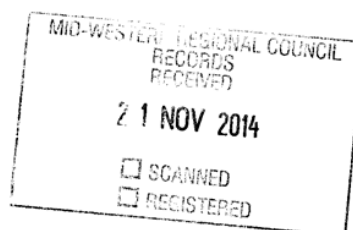
I think there could have been several names already submitted. I feel that at least one of these names will be of a person who had lived in the village. In a small community such as ours I do not think it to be in our interests to have one person named. This could lead to division in the community.

At the Progress Association meeting where the matter of naming the park was originally raised two people who had been involved in clearing & working for the park many years apart had their names put forward. As President of the Association feeling the tension that came in the meeting when the matter was raised & names put forward, I made the decision with discussion with the Executive after the advertisement by the Council calling for names that the Progress not put forward a name & that it be left to individuals to make suggestions.

Again I reiterate that the name be not of an individual, as this could lead to anxiety in the community.

Thanking you for your time

  
Gai Rayner.



**Carolyn Atkins**

---

**From:** Kate Coates <KCoates@agl.com.au>  
**Sent:** Tuesday, 27 February 2018 1:52 PM  
**To:** Council  
**Subject:** FOR THE ATTENTION OF THE GENERAL MANAGER - Regarding the naming of the park at Hargraves NSW

To: Mr Brad Cam  
General Manager  
Mid Western Regional Council  
86 Market Street  
Mudgee 2850

Dear Mr Cam

I am writing to proffer my preference for the name of the park at Hargraves. That name is

**“Mary and Ern Sibley Park”**

Mary and Ern were my grandparents and as a child I spent many weekends and school holidays with them in Hargraves when my family lived in Gulgong and later in Newcastle.

These two people were pioneers and leaders in the Hargraves community from when they were young, through the gun club and the CWA. If you look at the huge gate support posts at the entrance to the Hargraves cricket ground you will see my grandfather’s initials carved therein as he cut & hewed those posts himself. The trees around the cricket ground were planted by my grandmother and her sister.

Even when I knew them in their eighties, they were a vitally key part of the life blood that flowed through that little village. In my experience, many was the time a visitor, maybe known to them, maybe not, would stop in to the Police Station residence where Ern and Mary lived. They’d yarn about the rain or lack of, the price of cattle, the state of affairs generally or Ern’s efforts to find tiny flecks of gold in dear old Louisa Creek.

Ern was a keen reciter and collector of Australian poems and songs, and is himself part of the Meredith Collection in The National Library Of Australia.

Whilst never particularly wealthy or given to airs, these two people were respectable and respected, carrying that certain nobility that a life of struggle on the land imbues.

I humbly request your consideration of this suggestion.

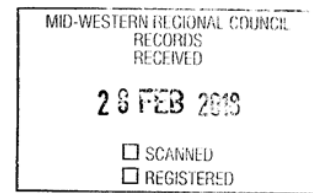
Kindest regards  
Kate Coates

\*\*\*\*\*  
This email is intended solely for the use of the addressee  
and may contain information that is confidential or privileged.  
If you receive this email in error please notify the sender and  
delete the email immediately.  
\*\*\*\*\*

Doris J Coates  
29 Forbes Street  
SWANSEA NSW 2281

Phone (02) 4971 1026

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



26 February 2018

Dear Mr Cam,

I have heard there are suggestions being accepted for the naming of the park in Hargraves, adjacent to the Empire Hall.

I wish to submit the name 'Mary and Ern Sibley Park'.

My reasons are as follows:

Mary and Ern lived most of their lives in Hargraves where they were very highly regarded members of the community. Their door was always open and they willingly assisted others whenever the occasion called.

Ern was born in 1891 and died in 1979. He was the son of Jane and Jim Sibley whose property 'Merryangledre' was four miles west of Hargraves.

Mary (1887 – 1975) was the daughter of Hannah and John Petrie. Mary's father was the butcher in Hargraves. The village at that time was approximately 1km north of its current location at the junction of Daly's and Louisa creeks.

Our family moved from the property to the Police Station in Hargraves in 1939 when I was six.

The move was to give my three older sisters, two cousins and myself the advantage of schooling. Previously our lessons came by mail from Blackfriars Correspondence School in Sydney.

Ern had a miner's lease directly below the bridge in Hargraves on Louisa Creek for many years. I have given that document to Judy Campbell (nee Sibley). She lives in Hargraves and has a keen interest in the history of the village.

Ern joined the Hargraves Rifle Club when he was 16 and was still the Patron when he died. He was also the Patron of Mudgee Rifle Club.


Mary was a foundation member of the Hargraves CWA in 1926.

My late sisters were all long time Mudgee residents – Ethel Nelson, Betty McLean and Margaret McGrath.

I'm sure they and their extended families would join me in being very proud if the park was named

'Mary and Ern Sibley Park'.

Yours sincerely,



Doris Coates

The Elders  
Hill End Road  
Hargraves  
NSW2850

The General Manager  
Mid-Western Regional Council  
P.O.Box 156  
Mudgee  
NSW 2850

**RE-NAMING OF PARK IN HARGRAVES.**

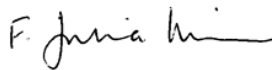
Originally I submitted the name Fred Vogt for this park, but after due consideration I feel that naming the park after a person would probably divisive given that there are many, many names of old residents of Hargraves who could be remembered in this way.

I do not feel that Pioneer Park in any way reflects our community, it could be anywhere, as could Goldfields Park.

I therefore submit that the name should contain Louisa.  
Prior to 1859 the area was known by white settlers as Louisa, Louisa Creek or The Louisa Goldfields and the creek which runs through the village is Louisa Ponds Creek (not Louisa Creek as on the sign at the bridge).  
The original name for the area before white settlement was Louija. Obviously this was anglicised in both spelling and sound.

Both the aboriginal and early white settlers would be recognised by including Louisa in the name of the park, and the name would make it specific to our park.

Yours faithfully



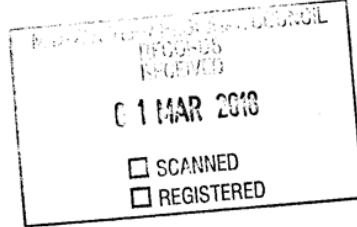
F Julia Wilson (Mrs)





Hargraves & District Progress Association Inc

27<sup>th</sup> February 2018



C/- Hargraves General Store  
110 Merinda Street  
HARGRAVES NSW 2850

General Manager  
Mid-Western Regional Council  
P O Box 156  
MUDGEES NSW 2850

**RE – NAMING OF PARK IN HARGRAVES**

In regards to your letter dated 2 February 2018 your Ref: CA:PAR300020 P20222011 my apologies for late answer I am new to the position of Secretary and am doing catch up.

After lengthy discussions at the last Progress Association meeting it was agreed unanimously that the first preference in the naming of the above mentioned park should be Louisa Park, considering that the first name given to our small village was Louisa Creek which was then renamed Hargraves. We also agreed that if this is not accepted then either Louisa Creek Park or Louisa Goldfields Park should then be taken up.

We thank you for allowing our submission and hope that our Park will have an official name after the March Council meeting.

Yours faithfully,

Irene E Elliott  
Hon. Secretary



8 Quandong Street  
O'CONNOR ACT 2602

February 2018

General Manager  
Mid-Western Regional Council  
86 Market Street  
MUDGEES NSW 2850

Dear Sir or Madam

RE: PROPOSAL TO NAME THE PARK NEXT TO EMPIRE HALL, HARGRAVES

The council has called for submissions to name the above park. I would like to propose the name ERN & MARY SIBLEY PARK for the following reasons:

1. This venerable couple were born in Hargraves and spent most of their lives there. Ern went to the Queensland canefields in his youth, Mary to Sydney to be a governess. Both returned, married and stayed. They are both buried in the Hargraves cemetery with three previous generations of their respective families – the Sibleys and the Petries. The Petrie family were one of the first to take up land in Hargraves on the strength of their friendship with the Campbell family, their Scottish relations, free settlers. The Sibley's had convict ancestors who came good!
2. Ern and Mary Sibley were not wealthy. However they were rich in ethics, compassion, generosity and wisdom. They lived at the old police station and Court House for decades (now a National Trust building), which they rented. There they were the hub of the community. They moved from 'Merryangledre', a nearby property on the Wallawaugh Road owned by another Sibley family, Ern's parents. Indeed, there are still Sibley's living in Hargraves who knew, loved and respected this couple.
3. Villagers and farmers alike gravitated towards Ern and Mary. It was rare for any traveller to and from Mudgee not to call in after shopping trips to town to share news or produce; they boarded many surrounding youngsters at their home, often without any recompense, so they could attend school in the village; they were involved in all the village's activities, for example:
  - Ern was involved with the Hargraves Rifle Club, holding many positions
  - Mary was involved in the CWA and the Presbyterian Churchand much, much more.
4. In the last years of their lives, Ern and Mary were still at the centre of life in Hargraves. Ern had a magnificent garden. He shared produce with the entire community, never taking money in exchange. He had a licence to pan gold in Louisa Creek and was very generous with his time, showing individuals and school groups the skills involved. After Ern died, his family found multiple letters from students in the USA thanking him for this activity. He was a great

ambassador! He also donated a magnificent gold nugget to the Mudgee Police Boys' Club, which was raffled. This, from a man on a pension!

Mary was always ready to offer visitors a cup of tea and refreshments and remained a stalwart of the Presbyterian Church, supporter of the school and the CWA. She planted many trees on the common.

5. The Nugget News, published by the Hargraves School, has historical features in every edition. Ern and Mary often get a mention as do their wider family. Ern and Mary had five children, not a dud among them. Their progeny live in Mudgee, Canberra, Newcastle, Albury, Geelong, Perth, and Port Macquarie but they return to Hargraves often, not just to visit the dead. The family have weddings, christenings, and poetry readings in the Park and at the Court House; there are funerals still to come with at least one family member buying his plot and another with similar plans!

For your information, I'm one of many of Ern and Mary's many grandchildren. I live in Canberra and will be launching my first poetry collection on 24 April at the National Library of Australia. Ern was also a wonderful bush poet, who recited Patterson, Lawson and others at many public and private events in the district. I will be dipping my lid to him at the NLA on the night of the launch because his spirit lives on in that wonderful building. The recordings made by John Meredith and Hugh Anderson in the sixties that resulted in their book, 'Folk Songs of Australia' is a classic. My poems from the 'Wallawa Suite' pay homage to the families that lived along that road.

I would be very pleased if you would consider this submission. It would mean a great deal to Ern & Mary's last remaining daughter, Doris Coates and to their many relative and friends, many still at Hargraves.

Yours sincerely

Kerrie Nelson

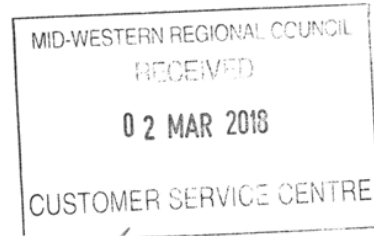
02-03-18

I TERRENCE JAMES CAMPBELL

Would like to put forward a nomination for the naming of the Hargreaves Park as follows

(1) Vogt Park

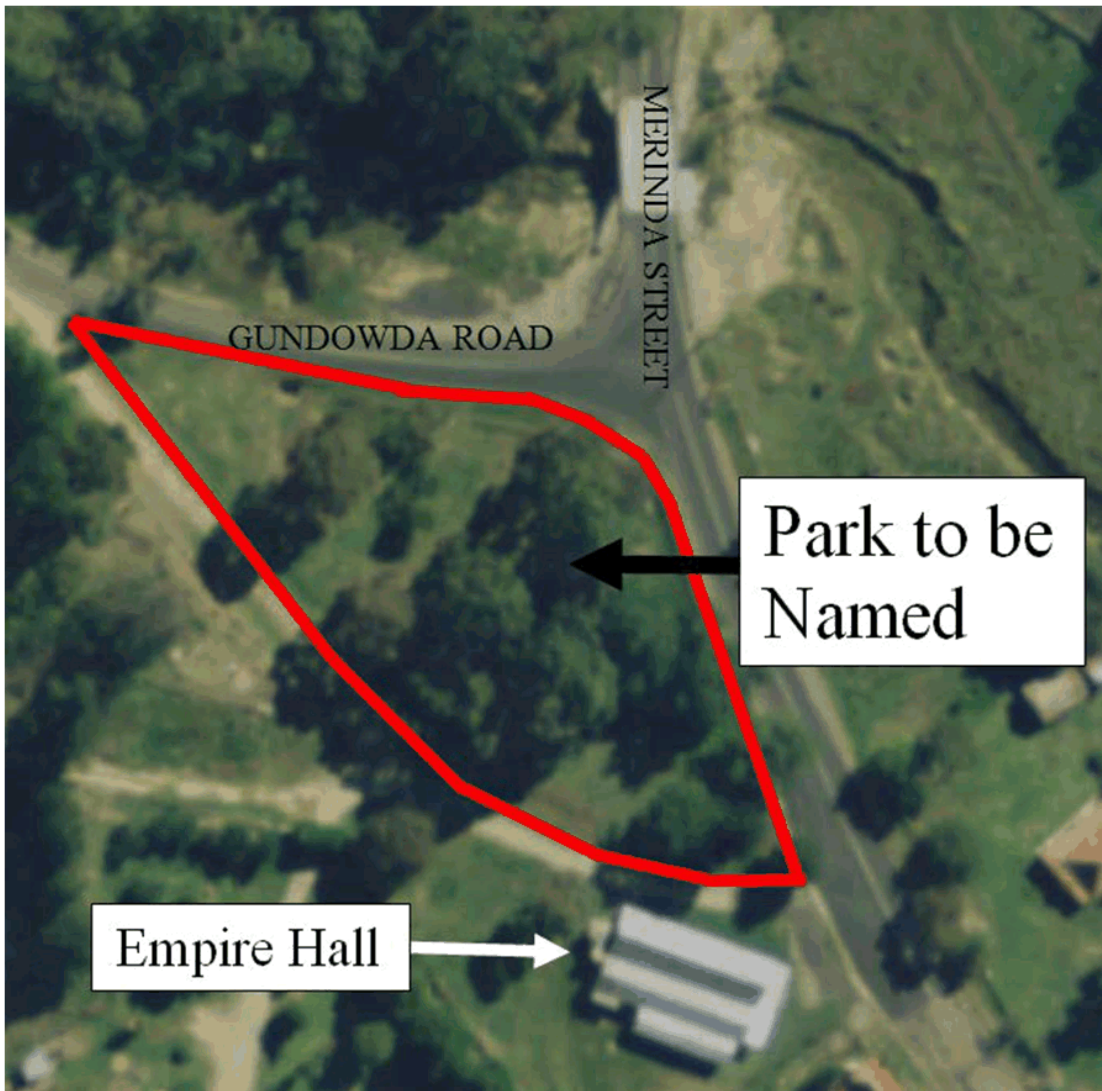
(2) Lousia Park



T. Campbell

Phone NO! 63738542





## 9.10 Monthly Budget Review - January 2018

### REPORT BY THE MANAGER FINANCIAL PLANNING

TO 21 MARCH 2018 ORDINARY MEETING

GOV400066, FIN300117

### RECOMMENDATION

#### That Council:

1. receive the report by the Manager Financial Planning on the Monthly Budget Review - January 2018; 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 January 2018. 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 Operational Plan. 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

<b>Theme</b>	<b>Good Governance</b>
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 the additional \$7,000 from Regional Roads Block Grant funding will negatively impact on the own source revenue ratio.

<b>Budget Year</b>	<b>Operating Performance Ratio</b>	<b>Own Source Revenue</b>	<b>Building &amp; Infrastructure Renewal</b>
<b>2017/18</b>	-	X	-
<b>Future Years</b>	-	-	-

**Associated Risks**

Approval of the budget variations proposed in this report are required ahead of the March Quarterly Budget Review Statement in order to meet project deadlines. Should the variations not be approved there is a risk of losing funding and delays in project commencement.

NEIL BUNGATE  
MANAGER FINANCIAL PLANNING

LEONIE JOHNSON  
CHIEF FINANCIAL OFFICER

28 February 2018

*Attachments:* 1. Monthly Budget Review Attachment January 2018..

**APPROVED FOR SUBMISSION:**

BRAD CAM  
GENERAL MANAGER



*Good  
Government*

MONTHLY BUDGET  
REVIEW – JANUARY  
2018

ATTACHMENT 1 – CAPITAL  
PROGRAM UPDATE

28 FEBRUARY 2018

MID-WESTERN REGIONAL COUNCIL  
CORPORATE: FINANCE

■ ■ ■ ■ ■ TOWARDS 2030



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

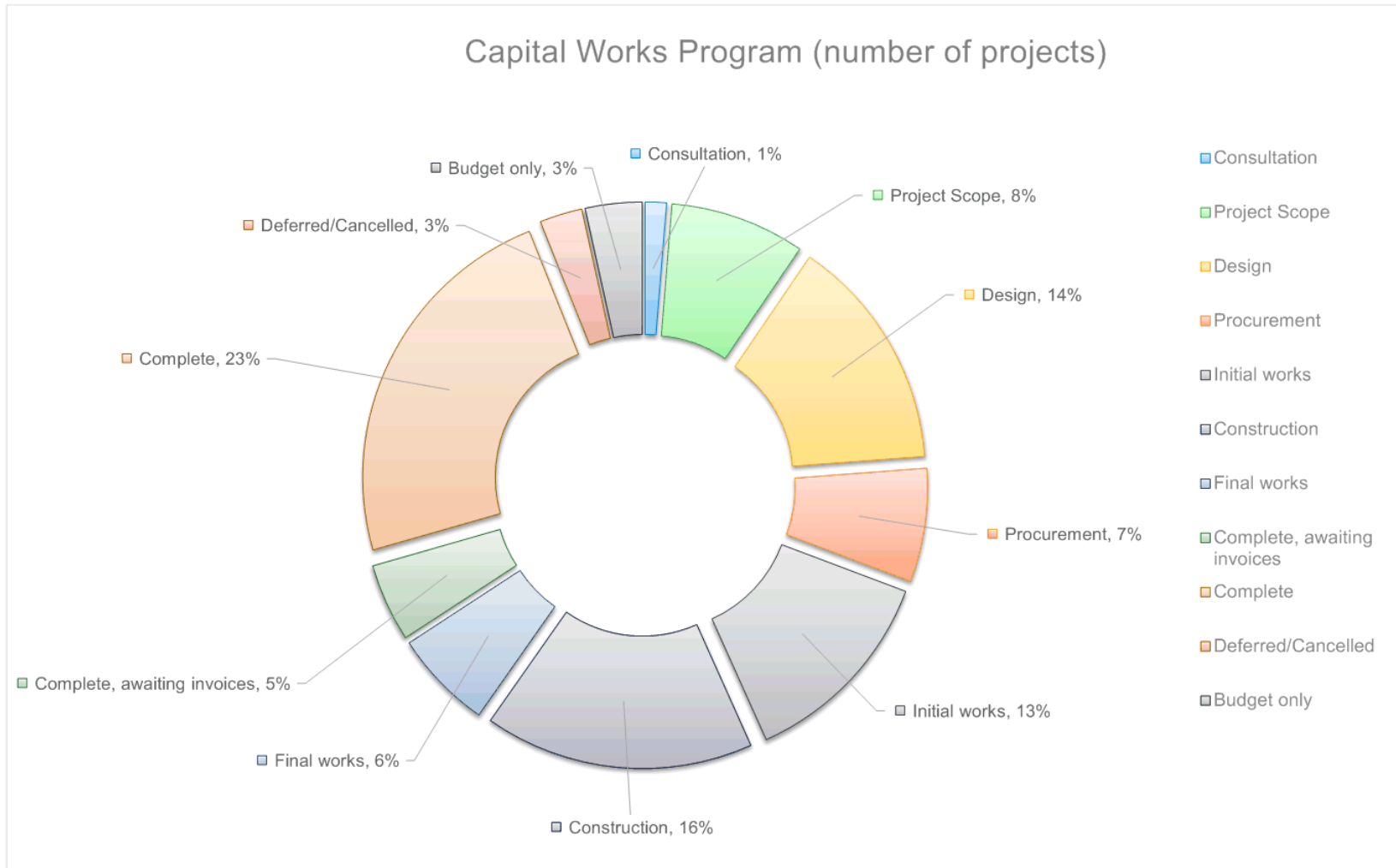
ANY QUESTIONS IN RELATION TO THE CONTENT OF THIS DOCUMENT SHOULD BE DIRECTED TO:  
LEONIE.JOHNSON@MIDWESTERN.NSW.GOV.AU OR (02) 6378 2850

DATE OF PUBLICATION: 28 FEBRUARY 2018



*Proposed Variations*

Community Plan Theme	Variation	Funding Source	Amount
<b>GENERAL FUND</b>			
<b>Positive Variations</b>			
Connecting our Region	Cox Street Reseal - reduce the unrestricted cash contribution to this project by the transfer of Roads to Recovery grant funding from the causeway improvements program. Council was not able to fund the Black Springs causeway project due to completion of works before lodgement	Unrestricted Cash	26,500
<b>Total Positive Variations</b>			<b>26,500</b>
<b>Negative Variations</b>			
Connecting our Region	Black Springs Road Causeway - fund causeway project from unrestricted cash following transfer out of Roads to Recovery grant funding from the causeway improvements program to Cox Street Reseal. Expenditure budget transferred from Causeway Improvements Budget Only	Unrestricted Cash	(26,500)
<b>Total Negative Variations</b>			<b>(26,500)</b>
<b>Contra Variations</b>			
Looking after our Community	Rural Fire Service Mudgee headquarters driveway and footpath works	Grants and Contributions	(36,720)
Looking after our Community	Rural Fire Service reimbursement for driveway works	Grants and Contributions	36,720
Looking after our Community	Rural Fire Service Gulgong brigade driveway and footpath works	Grants and Contributions	(25,300)
Looking after our Community	Rural Fire Service reimbursement for driveway works	Grants and Contributions	25,300
Looking after our Community	Camping Tree Improvements fencing works to exceed budget by \$3,000	Unrestricted Cash	(3,000)
Looking after our Community	Passive Parks Operations - transfer \$3,000 from parks maintenance to allow completion of camping tree improvements	Unrestricted Cash	3,000
Connecting our Region	Rural Regional Road maintenance budget increase due to finalised block grant	Grants and Contributions	(7,000)
Connecting our Region	Regional Road block grant income allocation has now been confirmed and is slightly higher than budget	Grants and Contributions	7,000
Connecting our Region	Triamble Road Causeway Improvement allocated from budget only. Roads to Recovery funded	Grants and Contributions	(35,000)
Connecting our Region	Causeway Improvements Budget Only - transfer to Triamble Road	Grants and Contributions	35,000
<b>Total Contra Variations</b>			<b>0</b>
<b>TOTAL GENERAL FUND</b>			<b>0</b>
<i>Non-cash variations</i>			
<i>Cash variations</i>			<b>0</b>



**KEY**

<b>Status</b>	<b>Description</b>
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.

## CORPORATE: FINANCE | MONTHLY BUDGET REVIEW – JANUARY 2018

\$'000	ORIGINAL ANNUAL BUDGET	APPROVED VARIATIONS	CURRENT ANNUAL BUDGET	PROPOSED VARIATIONS	PROPOSED ANNUAL BUDGET	ACTUAL YTD	ACTUAL YTD/ PROPOSED ANNUAL BUDGET	COMMITMENTS	COMMENTS
<b>Looking after our Community</b>									
RURAL FIRE SERVICE - GULGONG STATION	0	0	0	25	25	0	0%	0	
RURAL FIRE SERVICE - MUDGEES FIRE STATION	0	0	0	37	37	0	0%	0	
IMPOUNDING FACILITY	0	16	16	0	16	16	100%	0	Complete
COMM. TRANSPORT- VEHICLE PURCHASE	46	0	46	0	46	0	0%	0	Initial works
AGED CARE UNITS - CAP -COOYAL/ANDERSON ST GULGONG	20	(9)	11	0	11	10	87%	0	Complete
AGED CARE UNITS - CAP -LOUEE ST UNITS	10	(3)	8	0	8	7	91%	0	Complete
WOLLAR PROGRESS ASSOCIATION COMMUNITY INFRASTRUCTURE	0	15	15	0	15	13	84%	0	Final works
CAPITAL -DENISON STREET UNITS	12	0	12	0	12	6	54%	0	Construction
MUDGEES CEMETERY CAP IMPV	0	61	61	0	61	28	46%	0	Construction
GPS CEMETERY SITES	40	0	40	0	40	0	0%	33	Construction
CEMETERY CAPITAL PROGRAM	15	0	15	0	15	4	26%	9	Construction
GULGONG LAWN CEMETERY EXTENSION	25	0	25	0	25	0	0%	11	Construction
RYLSTONE CEMETERY NICHE WALL	0	22	22	0	22	0	0%	10	Procurement
PUBLIC TOILETS - CAPITAL UPGRADES - BUDGET ONLY	59	9	68	0	68	2	3%	0	Budget only
REDHILL PUBLIC TOILETS - CAP UPGRADE	55	0	55	0	55	0	0%	0	Deferred/Cancelled
LIBRARY MUDGEES CAPITAL UPGRADES	45	0	45	0	45	31	69%	2	Complete

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\$'000	ORIGINAL ANNUAL BUDGET	APPROVED VARIATIONS	CURRENT ANNUAL BUDGET	PROPOSED VARIATIONS	PROPOSED ANNUAL BUDGET	ACTUAL YTD	ACTUAL YTD/ PROPOSED ANNUAL BUDGET	COMMITMENTS	COMMENTS
LIBRARY BOOKS	68	0	68	0	68	58	85%	0	Construction
RYLSTONE LIBRARY BRANCH	30	0	30	0	30	0	0%	0	Design
CAPITAL UPGRADE - RYLSTONE HALL	80	0	80	0	80	6	7%	0	Initial works
CAPITAL UPGRADE - KANDOS HALL	25	10	35	0	35	3	8%	15	Construction
CAPITAL UPGRADE - KANDOS PRESCHOOL	0	5	5	0	5	0	9%	0	Final works
CAP UPGRD-COMMUNITY BLD-BUDGET ONLY	23	(23)	0	0	0	0	0%	0	Budget only
CAPITAL UPGRADE - RYLSTONE GUIDE HALL	50	(50)	0	0	0	0	0%	0	Deferred/Cancelled
CAPITAL UPGRADE - MUDGEES TOWN HALL STAGE LIGHTING	0	8	8	0	8	8	95%	0	Complete
GULGONG POOL - DISABLED ACCESS	0	27	27	0	27	0	0%	0	Complete
POOL CLEANER REPLACEMENT	16	(16)	0	0	0	0	0%	0	Deferred/Cancelled
POOL FILTER REPLACEMENT	20	16	36	0	36	0	0%	0	Complete, awaiting invoices
MUDGEES SHOWGROUND GRANDSTAND DEMOLITION	60	0	60	0	60	5	8%	0	Consultation
WALKERS FIELD AMENITIES REPAIRS	10	0	10	0	10	7	71%	1	Final works
GLENWILLOW SPORTS GROUND UPGRADES	3,000	(3,000)	0	0	0	0	0%	0	Project Scope
GLEN WILLOW CRICKET WICKET	139	10	149	0	149	119	80%	29	Complete, awaiting invoices
GLEN WILLOW NETBALL COURTS	110	0	110	0	110	0	0%	0	Project Scope
GULGONG NETBALL COURT UPGRADE	35	32	67	0	67	0	0%	67	Initial works
GLEN WILLOW NETBALL BBQ AREA	10	0	10	0	10	0	0%	0	Design
GLEN WILLOW DRIVEWAY	0	95	95	0	95	43	45%	7	Complete, awaiting invoices

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MUDGEES SKATE PARK	250	0	250	0	250	0	0%	26	Design
CAPITAL UPGRADE - KANDOS SPORTSGROUND CANTEEN	0	30	30	0	30	6	19%	2	Complete
GULGONG TENNIS COURTS	0	14	14	0	14	14	101%	0	Complete
BILLY DUNN SYNTHETIC WICKET	7	0	7	0	7	6	92%	0	Complete
VICTORIA PARK GULGONG - FENCING	0	16	16	0	16	15	99%	0	Complete
VICTORIA PARK GULGONG - DISABLED AMENITIES	52	0	52	0	52	1	2%	42	Initial works
MUDGEES TENNIS COURTS - CAPITAL UPGRADE	20	0	20	0	20	20	101%	0	Complete
SMART CUT MOWER	0	30	30	0	30	28	93%	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	12	150%	0	Complete
SCULPTURES ACROSS THE REGION	31	0	31	0	31	11	35%	2	Construction
AVISFORD RESERVE - CAPITAL	0	3	3	0	3	0	9%	2	construction
PARK BIN REPLACEMENT	11	0	11	0	11	0	0%	0	Procurement
YOUTH INFRASTRUCTURE	500	(500)	0	0	0	0	0%	0	Project Scope
IRRIGATION RENEWAL PROGRAM	60	0	60	0	60	37	62%	0	Final works
VICTORIA PARK GULGONG CAPITAL UPGRADES	15	0	15	0	15	14	93%	0	Complete
ROBERTSON PARK MUDGEES CAPITAL UPGRADES	15	0	15	0	15	12	78%	0	Complete
WARATAH PARK PLAYGROUND UPGRADE	28	(7)	21	0	21	21	100%	0	Complete
ART GALLERY FACILITY	0	38	38	0	38	10	26%	0	Consultation

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STREETSCAPE - CBD INFRASTRUCTURE	13	9	22	0	22	0	0%	0	Procurement
STREETSCAPE - TREE PLANTING RYLSTONE/KANDOS	5	3	8	0	8	10	119%	0	Complete
<b>Total</b>	<b>5,023</b>	<b>(3,138)</b>	<b>1,885</b>	<b>62</b>	<b>1,947</b>	<b>583</b>	<b>30%</b>	<b>257</b>	

### Protecting our Natural Environment

RURAL WASTE DEPOT UPGRADES	150	0	150	0	150	0	0%	0	Initial Works
MUDGEES WASTE DEPOT UPGRADES	34	0	34	0	34	0	0%	0	Initial Works
NEW TIP CONSTRUCTION	2,000	0	2,000	0	2,000	6	0%	0	Initial Works
WASTE SITES REHABILITATION	135	0	135	0	135	0	0%	0	Initial Works
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	Initial Works
WTS - BYLONG UPGRADE	30	0	30	0	30	0	0%	0	Initial Works
LEACHATE POND ENLARGEMENT	250	0	250	0	250	0	0%	0	Design
WEIGHBRIDGE SOFTWARE UPGRADE	35	0	35	0	35	2	5%	0	Procurement
CARDBOARD COLLECTION CONTAINERS	30	0	30	0	30	0	0%	0	Procurement
WTS FRONT LIFT BINS	50	0	50	0	50	0	0%	0	Complete
HOOKLIFT BINS	115	0	115	0	115	16	14%	6	Initial Works

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DRAINAGE CAPITAL IMPROVEMENTS	48	(48)	(0)	0	(0)	0	0%	0	Budget only
CAUSEWAY IMPROVEMENTS	62	0	62	(62)	0	26	0%	0	Construction
RIFLE RANGE ROAD CULVERT UPGRADE	0	32	32	0	32	32	101%	0	Complete
MUDGEES RACECOURSE DRAINAGE UPGRADE	0	26	26	0	26	24	92%	0	Final works
MASON STREET DRAINAGE IMPROVEMENTS	0	1	1	0	1	1	100%	0	Complete
BENT STREET DRAINAGE IMPROVEMENTS	80	0	80	0	80	0	0%	2	Construction
LAWSON PARK WEST PIPE EXTENSION	52	0	52	0	52	13	25%	0	Final works
MUDGEES FLOOD STUDY & FLOODPLAIN MANAGEMENT PLAN	82	90	172	0	172	0	0%	0	Procurement
BOMBIRA AVE DRAINAGE IMPROVEMENTS	35	0	35	0	35	0	0%	0	Project Scope
DUNN STREET KANDOS DRAINAGE IMPROVEMENTS	10	0	10	0	10	0	0%	0	Procurement
COURT STREET DRAINAGE IMPROVEMENTS	10	0	10	0	10	0	0%	0	Project Scope
CAUSEWAY IMPROVEMENT - BLACK SPRINGS RD	0	0	0	27	27	0	0%	0	
CAUSEWAY IMPROVEMENT - TRIAMBLE ROAD	0	0	0	35	35	0	0%	0	
PUTTA BUCCA WETLANDS CAPITAL	16	22	38	0	38	11	30%	0	Construction
PUTTA BUCCA WETLANDS EXTENSION	0	92	92	0	92	45	48%	19	Construction
ROADSIDE HABITAT CREATION	0	38	38	0	38	4	12%	0	Construction
WATER NEW CONNECTIONS	76	0	76	0	76	26	35%	0	Construction
WATER AUGMENTATION - MUDGEES HEADWORKS	1,332	0	1,332	0	1,332	0	0%	0	Project Scope
WATER AUGMENTATION - ULAN RD EXTENSION	1,574	10	1,584	0	1,584	10	1%	9	Design



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WATER RYLSTONE DAM UPGRADE	5,800	(5,448)	352	0	352	21	6%	146	Design
WATER TELEMETRY	20	0	20	0	20	0	0%	0	Design
WATER MAINS - CAPITAL BUDGET ONLY	850	(850)	0	0	0	0	0%	0	Budget only
WATER MAINS - LYNNE ST GULGONG	0	5	5	0	5	5	97%	0	Complete
WATER MAINS - ANGUS AVE KANDOS	0	15	15	0	15	5	35%	0	Construction
WATER MAINS - MEDLEY STREET	0	94	94	0	94	93	100%	0	Complete
WATER MAINS - MORTIMER STREET	0	72	72	0	72	71	99%	0	Complete
WATER MAINS - BELMORE STREET	0	54	54	0	54	24	45%	0	Complete, awaiting invoices
WATER MAINS - THIRD STREET	0	40	40	0	40	0	0%	0	Design
WATER MAINS - STATION STREET	0	50	50	0	50	0	0%	0	Procurement
WATER MAINS - COURT STREET	0	60	60	0	60	0	0%	22	Design
WATER MAINS - LYNNE STREET	0	50	50	0	50	1	2%	0	Initial works
WATER MAINS - DENISON STREET	0	57	57	0	57	42	74%	0	Final works
WATER MAINS - CALDERWOOD ROAD	0	19	19	0	19	0	0%	0	Project Scope
WATER MAINS - WHITE STREET	0	27	27	0	27	27	100%	0	Complete
WATER MAINS - MAYNE STREET	0	130	130	0	130	130	100%	0	Complete
WATER MAINS - OPORTO ROAD	0	34	34	0	34	37	109%	0	Complete
WATER MAINS - ROBINSON STREET	0	30	30	0	30	6	19%	0	Construction
WATER MAINS - DANGAR STREET	0	94	94	0	94	0	0%	0	Project Scope

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WATER MAINS - CASTLEREAGH HWY GULGONG	0	30	30	0	30	17	56%	0	Complete
WATER PUMP STATION - CAPITAL RENEWALS	207	0	207	0	207	0	0%	0	Design
RESERVOIRS - RYLSTONE, KANDOS, CHARBON, CLANDULLA	80	0	80	0	80	0	0%	60	Construction
RAW WATER SYSTEMS RENEWALS	16	14	30	0	30	29	96%	0	Complete
WATER TREATMENT PLANT - RENEWALS	98	(84)	14	0	14	0	0%	0	Budget only
WATER TREATMENT PLANT - pH CORRECTION SYSTEM	0	45	45	0	45	22	48%	17	Final works
ONLINE ANALYSER REPLACEMENT - M, G, R WTP (Inc. Fluoride)	0	25	25	0	25	17	69%	0	Final works
WATER METER REPLACEMENT	415	0	415	0	415	(2)	-1%	0	Procurement
NEW WATER CONNECTIONS SPS	0	9	9	0	9	0	2%	0	Construction
SEWER NEW CONNECTIONS	24	0	24	0	24	9	38%	0	Construction
SEWER AUGMENTATION - RYLSTONE & KANDOS	1,295	15	1,310	0	1,310	2	0%	0	Project Scope
SEWER AUGMENTATION - MUDGEE	0	4	4	0	4	4	96%	0	Complete
SEWER TELEMETRY	21	0	21	0	21	0	0%	0	Project Scope
SEWER MAINS - CAPITAL BUDGET ONLY	230	(4)	226	0	226	0	0%	0	Budget only
SEWER MAINS RELINING	600	527	1,127	0	1,127	947	84%	150	Complete, awaiting invoices
SEWER MAINS - BELLEVUE TO RIFLE RANGE ROAD	0	47	47	0	47	0	0%	0	Complete, awaiting invoices
SEWER PUMP STATION - CAPITAL RENEWALS	69	(3)	66	0	66	0	1%	0	Procurement
SEWER PUMP STATION - CAERLEON	30	0	30	0	30	0	0%	0	Procurement
SEWER TREATMENT WORKS - RENEWALS	46	(46)	0	0	0	0	0%	0	Budget only

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STW - RSTP DISINFECTION SYSTEM	0	36	36	0	36	32	88%	0	Complete
STW - KSTP DISINFECTION SYSTEM	0	21	21	0	21	16	78%	0	Complete
MUDGEES STP SLUDGE MIXER	0	23	23	0	23	0	0%	11	Construction
<b>Total</b>	<b>16,100</b>	<b>(4,547)</b>	<b>11,553</b>	<b>0</b>	<b>11,553</b>	<b>1,774</b>	<b>15%</b>	<b>444</b>	

### Building a Strong Local Economy

CUDGEGONG WATERS CARAVAN PARK PLAYGROUND UPGRADE	124	0	124	0	124	21	17%	65	Final works
CUDGEGONG WATERS CARAVAN PARK	210	62	272	0	272	204	75%	3	Construction
SALEYARDS - POST AND RAIL REPLACEMENT	10	0	10	0	10	0	0%	0	Consultation
PROPERTY - MUDGEES AIRPORT SUBDIVISION	0	13	13	0	13	0	0%	0	Initial works
PROPERTY - EX SALEYARDS STAGE I	390	0	390	0	390	2	0%	0	
PROPERTY - MORTIMER ST PRECINCT	0	18	18	0	18	18	100%	0	Complete
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	1	0%	0	Design
<b>Total</b>	<b>5,714</b>	<b>93</b>	<b>5,806</b>	<b>0</b>	<b>5,806</b>	<b>245</b>	<b>4%</b>	<b>124</b>	

### Connecting our Region

URBAN RESEAL - COURT STREET SEG 30 TO 40	12	0	12	0	12	2	13%	11	Initial works
URBAN RESEAL - DEWHURST DRIVE SEG 30 TO 60	27	0	27	0	27	2	6%	24	Initial works

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URBAN RESEAL - FLEMING STREET SEG 10 TO 50	45	0	45	0	45	2	6%	41	Initial works
URBAN RESEAL - LLOYD AVENUE SEG 10 TO 20	6	0	6	0	6	1	13%	6	Design
URBAN RESEAL - LOVEJOY STREET SEG 10	22	0	22	0	22	1	4%	20	Initial works
URBAN RESEAL - LOWANA CLOSE SEG 10	7	0	7	0	7	3	40%	7	Initial works
URBAN RESEAL - LYNNE STREET SEG 30 TO 80	24	0	24	0	24	0	0%	22	Design
URBAN RESEAL - LYNWOOD AVENUE SEG 10 TO 20	7	0	7	0	7	0	0%	6	Design
URBAN RESEAL - MADEIRA ROAD SEG 45 TO 50	10	0	10	0	10	0	3%	10	Design
URBAN RESEAL - MCDONALD STREET SEG 60	3	0	3	0	3	0	11%	3	Design
URBAN RESEAL - MEDLEY STREET SEG 20 TO 70, 110 TO 140	26	0	26	0	26	0	0%	23	Design
URBAN RESEAL - MORTIMER STREET SEG 130 TO 140	26	0	26	0	26	0	0%	24	Design
URBAN RESEAL - PERRY STREET SEG 70	6	0	6	0	6	0	0%	5	Design
URBAN RESEAL - RIFLE RANGE ROAD SEG 10 TO 20	15	0	15	0	15	6	44%	14	Initial works
URBAN RESEAL - STATION STREET SEG 10 TO 20	12	0	12	0	12	0	0%	11	Design
URBAN RESEAL - THIRD STREET SEG 10 TO 40	9	0	9	0	9	0	0%	8	Design
URBAN RESEAL - WHITE CRESCENT SEG 10 TO 20	8	0	8	0	8	0	0%	7	Design
URBAN RESEAL - MASON STREET SEG 10 TO 30	8	0	8	0	8	0	0%	7	Design
URBAN RESEAL - BELMORE STREET SEG 30 TO 40	13	12	25	0	25	0	0%	12	Design
URBAN RESEAL - DENISON STREET SEG 140 TO 190	20	0	20	0	20	0	2%	18	Design

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URBAN RESEAL - MELTON ROAD SEG 10 TO 20	8	0	8	0	8	0	0%	7	Design
URBAN RESEAL - COX STREET SEG 30 TO 70	59	0	59	0	59	2	4%	53	Initial works
URBAN ROADS KERB & GUTTER CAPITAL	24	0	24	0	24	24	98%	0	Complete, awaiting invoices
URBAN REHAB - ANGUS AVENUE KANDOS	453	0	453	0	453	0	0%	116	Construction
URBAN REHAB - CAIRO STREET SEG 10	60	0	60	0	60	52	87%	0	Complete
URBAN HEAVY PATCHING	142	0	142	0	142	0	0%	1	Project Scope
URBAN REHAB - LEWIS STREET SEG 50 TO 60	94	0	94	0	94	13	14%	7	Complete, awaiting invoices
URBAN REHAB - INGLIS STREET SEG 20 TO 30	135	0	135	0	135	2	1%	4	Design
URBAN REHAB - WHITE STREET SEG 30 TO 40	49	(17)	32	0	32	32	100%	0	Complete
URBAN REHAB - LIONS DRIVE SEG 10 TO 20	251	0	251	0	251	115	46%	0	Complete
RESHEETING - URBAN ROADS	15	0	15	0	15	0	0%	0	Project Scope
FAIRYDALE LANE LAND MATTERS CAPITAL	0	18	18	0	18	10	57%	0	Final works
URBAN ROADS LAND MATTERS CAPITAL	22	(18)	4	0	4	0	1%	0	Initial works
RURAL RESEAL - YARRABIN RD SEG 20, 30, 40	43	2	44	0	44	44	100%	0	Complete
RURAL RESEAL - LAHEYS CREEK RD SEG 40, 50	70	32	102	0	102	102	100%	0	Complete
RURAL RESEAL - LUE ROAD SEG 280, 345, 110	110	0	110	0	110	27	24%	78	Construction
RURAL RESEAL - WILBERTREE ROAD SEG 10 TO 80	165	33	198	0	198	198	100%	0	Complete
RURAL RESEAL - NARRANGO ROAD SEG 60	29	5	34	0	34	34	100%	0	Complete
RURAL RESEAL - HENRY LAWSON DRIVE SEG 170	18	(18)	0	0	0	0	0%	0	Deferred/Cancelled

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RURAL RESEAL - TINJA LANE SEG 50 TO 60	25	3	28	0	28	27	99%	0	Complete
RURAL RESEAL - YARRABIN ROAD SEG 100 TO 160	252	(56)	196	0	196	190	97%	0	Final works
RURAL RESEAL - GOREE LANE SEG 1	54	0	54	0	54	35	64%	0	Complete
RURAL RESEAL - ILFORD HALL ROAD SEG 10	35	0	35	0	35	36	102%	0	Complete
RURAL RESEAL - SPRING RIDGE RD SEG 130 - 180	218	0	218	0	218	154	71%	0	Complete
RURAL REHAB - CUDGEGONG RD SEG 60 TO 70	597	0	597	0	597	461	77%	69	Final works
RURAL REHAB - LUE ROAD SEG 170	280	0	280	0	280	71	25%	79	Construction
REALIGNMENT - ULAN WOLLAR RD	0	229	229	0	229	45	20%	134	Design
HEAVY PATCHING	109	0	109	0	109	0	0%	0	Project Scope
CUDGEGONG ROAD GUARDRAIL	100	(50)	50	0	50	25	50%	17	Initial works
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	2	9%	0	Initial works
RURAL SEALED REGIONAL ROAD REPAIR PROGRAM	0	17	17	0	17	18	102%	0	Complete
BLACKSPOT HILL END ROAD	0	360	360	0	360	360	100%	0	Complete
REHAB HILL END ROAD SEG 2080	215	(215)	0	0	0	0	0%	0	Deferred/Cancelled
RESEAL HILL END ROAD SEG 2260 TO 2300	210	180	390	0	390	371	95%	12	Complete, awaiting invoices
REHAB BYLONG VALLEY WAY SEG 1040 TO 1045	518	0	518	0	518	1	0%	0	Initial works
WOLLAR ROAD REALIGNMENT & UPGRADE	0	99	99	0	99	0	0%	0	Construction
REG RESEALS - BYLONG VALLEY WAY RESEAL SEG 1095	0	94	94	0	94	94	100%	0	Complete

CORPORATE: FINANCE | MONTHLY BUDGET REVIEW – JANUARY 2018

\$'000	ORIGINAL ANNUAL BUDGET	APPROVED VARIATIONS	CURRENT ANNUAL BUDGET	PROPOSED VARIATIONS	PROPOSED ANNUAL BUDGET	ACTUAL YTD	ACTUAL YTD/ PROPOSED ANNUAL BUDGET	COMMITMENTS	COMMENTS
RURAL SEALED REGIONAL ROAD LAND MATTERS CAPITAL	5	0	5	0	5	0	3%	0	Initial works
TRIANGLE ROAD ACCESS	435	15	450	0	450	422	94%	0	Complete
BLACK LEAD LANE CONSTRUCTION	0	10	10	0	10	0	0%	0	Design
SEAL EXTENSION - QUARRY LANE	90	0	90	0	90	80	89%	0	Complete
SEAL EXTENSION - OAKLANDS ROAD	0	37	37	0	37	14	38%	0	Complete, awaiting invoices
SEAL EXTENSION - BLACK LEAD LANE	0	51	51	0	51	0	0%	0	Project Scope
RESHEETING	1,039	(29)	1,010	0	1,010	654	65%	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	1	4%	18	Initial works
SEAL EXTENSION - WOLLAR ROAD	9,480	293	9,773	0	9,773	3,838	39%	4,369	Construction
CURRANS CUTTING - WOLLAR RD SEAL EXTENSION	0	780	780	0	780	720	92%	0	Complete
HENRY LAWSON DRIVE BRIDGE	970	0	970	0	970	7	1%	6	Procurement
GOODIMAN CREEK BRIDGE REPLACEMENT	0	622	622	0	622	7	1%	9	Procurement
WINDEYER RD BRIDGE - GUARD RAIL	0	20	20	0	20	0	0%	13	Procurement
REGIONAL ROAD BRIDGE CAPITAL	56	0	56	0	56	4	8%	13	Initial works
ULAN ROAD - CHURCH LN TO OVERTAKING LN 14.5	870	(140)	730	0	730	723	99%	5	Complete
ULAN ROAD - COPE RD TO UCML MINE ENTRANCE	122	0	122	0	122	0	0%	0	Project Scope
ULAN ROAD - WATTLEGROVE LN TO MIDBLOCK 19.999	2,058	800	2,858	0	2,858	1,286	45%	385	Construction
ULAN ROAD - WYALDRA LN TO QUARRY ENTRANCE 27.783	2,721	500	3,221	0	3,221	491	15%	418	Construction

## CORPORATE: FINANCE | MONTHLY BUDGET REVIEW – JANUARY 2018

\$'000	ORIGINAL ANNUAL BUDGET	APPROVED VARIATIONS	CURRENT ANNUAL BUDGET	PROPOSED VARIATIONS	PROPOSED ANNUAL BUDGET	ACTUAL YTD	ACTUAL YTD/ PROPOSED ANNUAL BUDGET	COMMITMENTS	COMMENTS
FOOTWAYS - CAPITAL WORKS	127	0	127	0	127	105	83%	0	Construction
PEDESTRIAN - GLEN WILLOW WALKWAY	32	0	32	0	32	0	0%	1	
CYCLEWAY LINK LAWSON PARK TO PITTS LANE	300	120	420	0	420	248	59%	103	Construction
PEDESTRIAN BRIDGE RYLSTONE	400	(400)	0	0	0	0	0%	0	Deferred/Cancelled
GLEN WILLOW FOOTBRIDGE RECTIFICATION	0	150	150	0	150	5	3%	0	Initial works
AIRPORT - RELOCATION OF FENCING	50	3	53	0	53	0	0%	52	Construction
AIRPORT - TERMINAL BUILDING FITOUT	0	5	5	0	5	0	0%	5	Final works
AIRPORT - EXTENSION OF WATER & SEWER SERVICES	171	48	219	0	219	69	32%	28	Construction
AIRPORT - SAFETY MARKERS	25	0	25	0	25	22	89%	0	Complete
AIRPORT - TAXIWAY CIVIL WORKS	0	180	180	0	180	2	1%	27	Initial works
<b>Total</b>	<b>23,725</b>	<b>3,774</b>	<b>27,499</b>	<b>0</b>	<b>27,499</b>	<b>11,263</b>	<b>41%</b>	<b>6,308</b>	

## Good Government

MUDGEES ADMINISTRATION BUILDING UPGRADE	100	0	100	0	100	0	0%	0	Project Scope
RYLSTONE COUNCIL BUILDING	30	0	30	0	30	5	16%	0	Design
CAPITAL UPGRADE - MWRC DEPOT	100	0	100	0	100	0	0%	0	Project Scope
MUDGEES TOWN HALL	0	7	7	0	7	5	73%	0	Complete
CAPITAL UPGRADE - RYLSTONE DEPOT	52	0	52	0	52	47	91%	0	Complete
IT SPECIAL PROJECTS	45	0	45	0	45	4	10%	18	Construction



CORPORATE: FINANCE | MONTHLY BUDGET REVIEW – JANUARY 2018

\$'000	ORIGINAL ANNUAL BUDGET	APPROVED VARIATIONS	CURRENT ANNUAL BUDGET	PROPOSED VARIATIONS	PROPOSED ANNUAL BUDGET	ACTUAL YTD	ACTUAL YTD/ PROPOSED ANNUAL BUDGET	COMMITMENTS	COMMENTS
IT NETWORK UPGRADES	60	0	60	0	60	10	17%	0	Construction
IT CORPORATE SOFTWARE	161	33	194	0	194	26	13%	20	Construction
SERVER ROOM MUDGEE CAPITAL UPGRADES	30	0	30	0	30	3	10%	0	Design
PLANT PURCHASES	4,717	2,290	7,007	0	7,007	3,206	46%	2,345	Procurement
MUDGEE DEPOT CAPITAL WORKS	23	0	23	0	23	2	10%	0	Construction
GULGONG DEPOT WASHBAY	100	40	140	0	140	121	87%	2	Complete
MUDGEE WORKSHOP TRUCK HOIST	40	0	40	0	40	46	114%	0	Complete
MUDGEE DEPOT WASHBAY	40	30	70	0	70	1	1%	0	Procurement
<b>Total</b>	<b>5,497</b>	<b>2,399</b>	<b>7,896</b>	<b>0</b>	<b>7,896</b>	<b>3,476</b>	<b>44%</b>	<b>2,385</b>	
<b>Total Capital Works Program</b>	<b>56,060</b>	<b>(1,419)</b>	<b>54,640</b>	<b>62</b>	<b>54,702</b>	<b>17,341</b>	<b>32%</b>	<b>9,518</b>	

## 9.11 Monthly Statement of Investment and Bank Balances as at 28 February 2018

REPORT BY THE MANAGER FINANCIAL PLANNING  
TO 21 MARCH 2018 ORDINARY MEETING  
GOV400066, FIN300053

### RECOMMENDATION

#### That Council:

1. **receive the report by the Manager Financial Planning on the Monthly Statement of Investment and Bank Balances as at 28 February 2018; and**
2. **note the certification of the Responsible Accounting Officer.**

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### 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 28 February 2018.

### 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 low, 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 March 2018

*Attachments:* 1. Investment balances 28 February 2018.

### APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER

## Investment Register as at 28 February 2018

Bank Account	Opening Balance	Receipts	Payments	Closing Balance	Overdraft Limit
NAB (Cheque Account)	40,113	18,819,608	18,691,732	167,989	700,000

The bank balances have been reconciled to the General Ledger as at 28/02/2018

Investments	Type	Amount \$'000	Yield %	Maturity Date	Term	Long Term Rating
National Australia Bank	At Call	4,061	1.90%	NA	At Call	AA-
National Australia Bank	Term Deposit	1,600	2.55%	21/03/2018	259	AA-
National Australia Bank	Term Deposit	3,000	2.66%	26/09/2018	370	AA-
National Australia Bank	Term Deposit	1,800	2.57%	5/09/2018	322	AA-
National Australia Bank	Term Deposit	1,500	2.54%	14/11/2018	350	AA-
St George Bank	Term Deposit	1,000	2.65%	30/05/2018	364	AA-
St George Bank	Term Deposit	2,500	2.60%	28/03/2018	292	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-
St George Bank	Term Deposit	1,300	2.60%	3/10/2018	322	AA-
St George Bank	Term Deposit	1,500	2.57%	9/01/2019	322	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-
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-
CBA	Term Deposit	2,500	2.60%	27/06/2018	293	AA-

Investments	Type	Amount \$'000	Yield %	Maturity Date	Term	Long Term Rating
CBA	Term Deposit	1,000	2.61%	11/07/2018	307	AA-
CBA	Term Deposit	1,000	2.61%	29/08/2018	356	AA-
CBA	Term Deposit	1,000	2.63%	8/08/2018	314	AA-
CBA	Term Deposit	1,500	2.67%	12/12/2018	336	AA-
CBA	Term Deposit	1,500	2.67%	19/12/2018	343	AA-
Westpac	Term Deposit	1,500	2.71%	7/08/2019	546	AA-
Suncorp Metway	Term Deposit	2,500	2.55%	28/11/2018	357	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
AMP	Term Deposit	1,500	2.65%	25/10/2018	260	A
AMP	Term Deposit	1,500	2.65%	21/11/2018	273	A
ING Bank	Term Deposit	1,000	2.65%	30/05/2018	357	A
ING Bank	Term Deposit	1,000	2.92%	2/10/2019	720	A
Bank of Queensland	Term Deposit	1,300	2.60%	22/08/2018	315	BBB+
Bank of Queensland	Term Deposit	1,000	2.60%	8/08/2018	287	BBB+
Bendigo & Adelaide Bank	Term Deposit	1,300	2.65%	31/10/2018	364	BBB+
Bank Australia	Term Deposit	1,000	2.80%	25/07/2018	322	BBB
Credit Union Australia	Term Deposit	1,000	2.60%	31/10/2018	343	BBB
Defence Bank	Term Deposit	1,500	2.65%	19/09/2018	322	BBB
Members Equity Bank	Term Deposit	2,000	2.56%	17/10/2018	329	BBB
TCorp - Medium Term Growth Fund	Managed Fund	4,044				TCorp (Unrated)
TCorp - Cash Fund	Managed Fund	1,680				TCorp (Unrated)
<b>Total Investments</b>		<b>67,885</b>				

## Limit Compliance as at 28 February 2018

Investments by Institution	Long Term Rating	Amount \$'000	% of Portfolio	
			Actual	Policy Limit
National Australia Bank	AA-	11,961	18%	30%
St George Bank	AA-	11,400	17%	30%
CBA	AA-	18,700	28%	30%
Westpac	AA-	1,500	2%	30%
Suncorp Metway	A+	2,500	4%	15%
AMP	A	5,000	7%	15%
ING Bank	A	2,000	3%	15%
Bank of Queensland	BBB+	2,300	3%	5%
Bendigo & Adelaide Bank	BBB+	1,300	2%	5%
Bank Australia	BBB	1,000	1%	5%
Credit Union Australia	BBB	1,000	1%	5%
Defence Bank	BBB	1,500	2%	5%
Members Equity Bank	BBB	2,000	3%	5%
TCorp - Medium Term Growth Fund	TCorp (Unrated)	4,044	6%	15%
TCorp - Cash Fund	TCorp (Unrated)	1,680	2%	15%
		<b>67,885</b>	<b>100%</b>	

Investments by S&P Rating	Long Term Rating	Amount \$'000	% of Portfolio	
			Actual	Policy Limit
	AAA to AA-	43,561	64%	100%
	A+ to A-	9,500	14%	40%
	BBB+ to BBB-	9,100	13%	20%
	TCorp (Unrated)	5,724	8%	15%
	Unrated	-	0%	\$ 250,000
		<b>67,885</b>	<b>100%</b>	

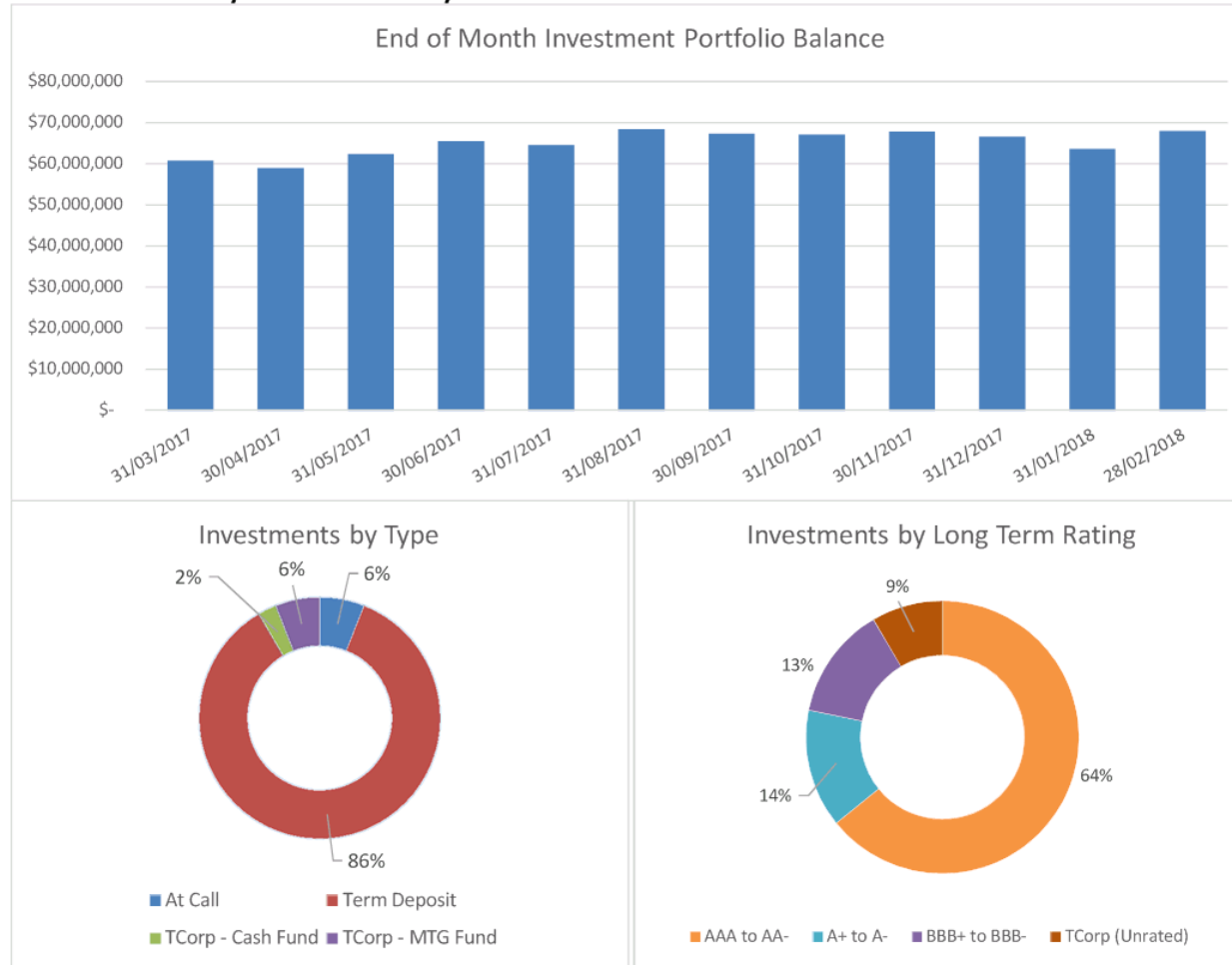
Term to Maturity	Amount \$'000	Actual	% of Portfolio	
			Cumulative Actual	Cumulative Minimum
Less than 3 months	28,485	42%	42%	20%
Between 3 months and 1 year	36,900	54%	96%	40%
Between 1 year and 2 years	2,500	4%	100%	50%
Between 2 years and 4 years	-	0%	100%	85%
More than 5 years	-	0%	100%	0%
	<b>67,885</b>	<b>100%</b>		

**Monthly Investment Portfolio Activity**

The below table shows investments that have matured and have been redeemed or re-invested, and new investments placed.

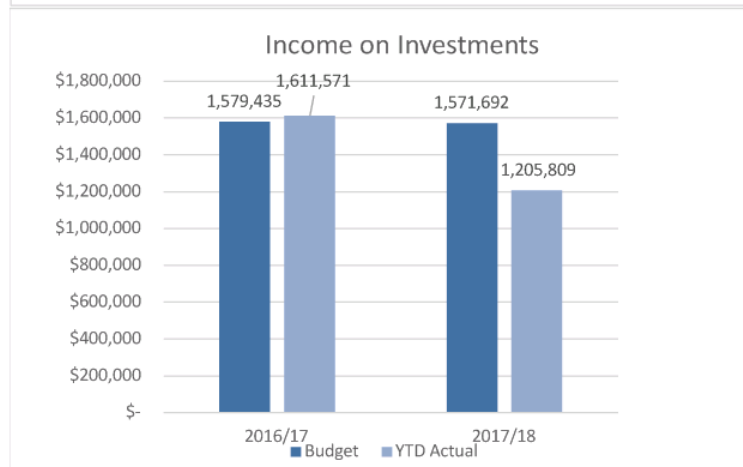
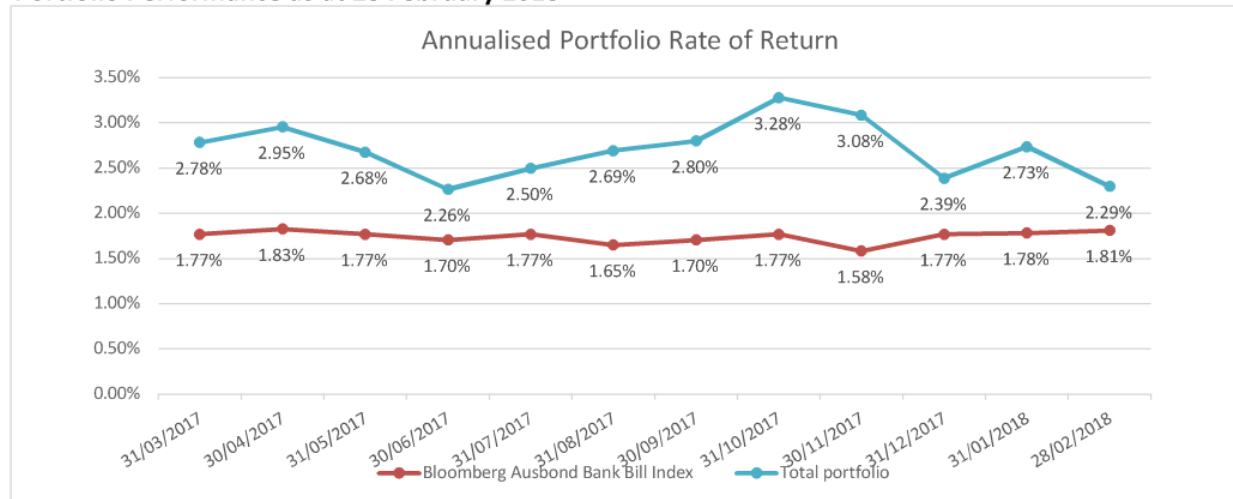
Bank Accounts	Opening Balance \$'000	Redeemed Balance \$'000	Re-invested Balance \$'000	Change in interest rate	Change in Term (days)	New Term Rate
NAB (At call account)	1,754		4,061			
TCorp - Cash Fund	1,678		1,680			
TCorp - Medium Term Growth Fund	4,049		4,044			
St George Bank	1,500	1,500		Redeemed		
AMP			1,500	New Deposit		2.65%
Westpac			1,500	New Deposit		2.71%
St George Bank	2,500	1,000	1,500	-0.03%		2.57%
AMP			1,500	New Deposit		2.65%
	<b>11,481</b>		<b>15,785</b>			
Investment Portfolio Movement			<b>4,304</b>	Addition		

**Portfolio Summary as at 28 February 2018**





**Portfolio Performance as at 28 February 2018**



## Item 10: Operations

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### 10.1 RFT 2017/21 Glen Willow Footbridge - Provision of Handrail Trusses and Piers

REPORT BY THE DIRECTOR OPERATIONS  
TO 21 MARCH 2018 ORDINARY MEETING  
GOV400066, COR400171

#### RECOMMENDATION

##### That Council:

1. **receive the report by the Director Operations on the RFT 2017/21 Glen Willow Footbridge - Provision of Handrail Trusses and Piers;**
2. **in accordance with Clause 178(1) (b) of Local Government (General) Regulations 2005, Council decline to accept any of the tenders with respect to RFT 2017/21 Glen Willow Footbridge – Provision of Handrail Trusses and Piers;**
3. **in accordance with Clause 178(3) (a) of Local Government (General) Regulations 2005, Council for the following reason cancel the RFT2017/21 a) to allow investigation into a more economical solution; and**
4. **investigate a more economical outcome and bring back a report when the cost of works are known.**

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#### Executive summary

The Glen Willow Footbridge is dynamically sensitive to crowd loading. Council has two main options to resolve the issue, either use crowd control measures or rectify the bridge. The recent Charity Shield match demonstrated the crowd control option was not really successful and resulted in extended delays.

Fast tracking of rectification works were tried in an effort fix the bridge for the recent Charity Shield match. This was not achieved due to the limited time frame and the cost of the project. The tender under consideration for this report was part of the fast tracking process.

The tenders received are well in excess of the estimated cost. Therefore it is recommended to accept no tenders investigate a more economical solution. Two main avenues are proposed to be explored. Firstly to review the current design and see if a more economical solution is possible. Only limited options were previously investigated to meet the short time line. The other area to investigate is refining the current design to reduce cost.

#### Disclosure of Interest

Nil

## Detailed report

Reports on the Glen Willow Footbridge have been considered by Council at the September and November 2017 meetings. The Glen Willow Footbridge over the Cudgegong River is dynamically sensitive to crowd loading and rectification works are required to fix the issue.

In September a budget of \$37,500 was allocated for investigation and design of rectification works and in September a nominal budget of \$150,000 was allocated as a starting point and a report would be brought back to Council should this budget prove to be insufficient.

The report to Council in November 2017 also laid out a proposal to fast track procurement to enable rectification works to be completed prior to the recent Charity Shield match. Unfortunately works could not be completed as scheduled due to the short time frame and additional cost associated with fast tracking the program.

An interim solution was put in place using the foundation piles for the current design and temporarily propping the centre of the bridge to reduce sideways sway. This proved to be of some benefit however crowd control was still necessary to ensure safe travel over the bridge.

Council has generally two options;

- a. Crowd Control – Council can continue to put in crowd control measures as was undertaken during the recent Charity Shield match. This entailed a continual line of pedestrians two abreast spaced approximately 8m apart. This proved to be very slow and difficult to manage. Some of the issues included the need for family groups to travel together, the difficulty in assessing the weight and travel path of pedestrians and the reaction of the bridge to these loads and pedestrians travelling at different speeds across the bridge affected the movement of the bridge.

Every effort was made to direct people to use the new Holyoake footbridge to avoid queuing and delay at Glen Willow however a lot of the crowd chose the Glen Willow footbridge resulting in extended delays.

The other risk with this option is during unsupervised periods. Typical foot traffic is very light however an unforeseen crowd could use the bridge and result in excess movement. If this option is adopted additional signage will need to be put in place to limit numbers using the bridge.

- b. Undertake Rectification Works – This option will allow the bridge to operate without restriction. It will eliminate the risks mentioned above and provide unrestricted pedestrian access from Glen Willow Stadium.

As discussed in the November report to Council the project has been broken up into several components to allow the project to progress quickly and allow specialist suppliers to concentrate on their area of expertise. The major components of the project are as follows;

### **Work Completed**

Investigation and Design  
Piling  
Temp propping

### **Works Remaining**

Pile caps

## Piers & Trusses

### **Tender Evaluation**

The tender for evaluation in this report is the Piers and Trusses component above. Tenders were called on 17 November 2017 for the supply, fabrication and installation of steelwork to strengthen the existing Glen Willow Footbridge. This included new trusses, piers and bracing. Tenders closed 8 December 2017.

Advertisements for tender were placed in the Local Government Tenders section of the Sydney Morning Herald, Mudgee Guardian and VendorPanel.

The tendering process was initiated and a Procurement Plan and Tender Evaluation Plan were developed. A Tender Assessment Panel was formed, comprising representatives from Operations and Finance. Members of the Tender Assessment Panel used the Evaluation Plan and methodology to determine which tenderers offered the best value for this project.

Two tenders were received as follows;

- P&A Engineering (Mudgee)
- Waeger Constructions P/L (Rutherford)

Tenders were assessed against pre-determined price and non-price components of their submissions.

### **Conforming Tenders**

All tenders received were assessed as conforming and included in the evaluation process. No late submissions were received.

### **Evaluation Methodology**

The objective of the evaluation was to select the tenderer offering the best value for money in a rational and defensible way which is fair to all tenderers and provides the lowest risk to Council. The evaluation criteria and weightings were identified in the Request for Tender documentation. Tenders were evaluated strictly in accordance with Tender Evaluation Plan and in compliance with the provisions of the Local Government Act 1993 and Local Government (General) Regulation 2005.

### **Assessment Panel**

- Garry Hemsworth - Director Operations
- Sally Mullinger - Manager Works
- Neil Bungate - Manager Financial Planning

### **Evaluation Findings**

All tenders were assessed and scored against the evaluation criteria listed in the tender documents and weightings, to determine the Total Weighted Score.

The tenders however are above the estimated cost. The current design comprises rectangular sections welded together to form the truss. The fabrication cost is high. A more economical design to use standard sections which can be fabricated more easily. The truss may be able to be spliced together on-site reducing crane costs.

It is proposed to have the current design concept reviewed by an independent consultant. A more economical design may result from this review.

Therefore it is recommended to accept no tenders investigate a more economical solution.

## Community Plan implications

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

## Strategic implications

### **Council Strategies**

Council Roads Assets Management Plan provides a framework to prioritise and manager infrastructure works based on risk, condition assessment and funding.

### **Council Policies**

Council's Procurement Policy

### **Legislation**

S55 Local Government Act 1993 and Clause 178 Local Government (General) Regulations 2005.

## Financial implications

Not applicable.

## Associated Risks

If Council does not proceed with rectification works and relies on crowd control it incurs the ongoing expense and inconvenience of setting up crowd control measures for each event which includes security, Police and Council staff.

Council is also experiencing reputational damage each time there are delays at the bridge.

Council also runs the risk of an unexpected crowd using the bridge and relying on signage to mitigate the risk of excessive movement.

**GARRY HEMSWORTH**  
**DIRECTOR OPERATIONS**

5 March 2018

*Attachments:* 1. Weighted Score to RFT 2017\_21 Glen Willow Footbridge Trusses and Piers.  
(Confidential - separately attached)

**APPROVED FOR SUBMISSION:**

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

## 10.2 Exemption from Tender - Sofala Road Projects

REPORT BY THE DIRECTOR OPERATIONS  
TO 21 MARCH 2018 ORDINARY MEETING  
GOV400066, R0054001

### RECOMMENDATION

#### That Council:

1. **receive the report by the Director Operations on the Sofala Roads Projects - Supply of Concrete;**
2. **approve an exemption from tender, in accordance with section 55(3)(i) of the Local Government Act 1993, for the supply of concrete for the Sofala Road projects, noting that due to extenuating circumstances, a satisfactory result would not be achieved by inviting tenders; and**
3. **note the reason why a satisfactory outcome would not be achieved by inviting tenders are:**
  - a) **Due to the remote location, extensive travel time and type of concrete required only one supplier is available to meet project timelines.**
  - b) **The time and cost to go to tender due to change of scope would delay the completion of the Sofala Road curves project incurring additional cost.**

---

### Executive summary

Council has been contracted by RMS to undertake two projects on Sofala Road. A specialist low slump concrete has been specified by RMS. Due to the remote location, extensive travel time and type of concrete required, only one supplier is available to meet project timelines. RMS have recently changed the scope of the project which requires a larger quantity of concrete. The value has now passed the \$150,000 threshold and an exemption from tender is requested.

### Disclosure of Interest

Nil.

### Detailed report

Council are undertaking two projects on behalf of Roads and Maritime Services on the Ilford to Sofala Road. One project is on the hill just north of Turon River and the other project is a further 5km north on a curved section of road.

Initially the estimated cost of concrete for the two projects was \$134,000, (that is Sofala Hill \$51,000 and Sofala curves \$83,000). Concrete supply was sought from the market. It should be noted travel time for a concrete truck is just under 2hrs from Mudgee (approx. 85km) and 50min from Bathurst (approx. 45km). Given the concrete is kerb mix and slip form mix with very low slump

to RMS specifications retardants are not effective therefore procurement from anywhere except Bathurst is not feasible.

Investigation into supply of concrete from Bathurst found the following results:

- Boral- Batching Plant closed in Bathurst. Possible options discussed from Mudgee. Quotation requested. Boral replied saying that the possible options wouldn't work based on the type of concrete and distance from batching plant (Mudgee)
- Hanson- Quotation requested, price quite expensive but considered only viable option and could guarantee supply.
- Holcim- Batching Plant in Bathurst closed, closest plant in Ulan, this was considered not a viable option (as explained above)
- Well Mix- Small independent, they advised they do not conform to RMS Quality Assurance requirements so were not considered further.
- Ever- Ready- Quotation requested. Replied advising they were unable to supply because of existing commitments.

Therefore, an order was placed with Hanson Bathurst for the Sofala Hill project. Since that time RMS have changed the scope of works. The kerb profile has changed to dished drain for the entire Sofala Hill Project instead of the originally proposed barrier kerb & gutter. The dish drain kerb profile requires more concrete per lineal metre compared to the barrier kerb & gutter profile. This change has now increased the estimated cost of concrete supply for both projects to \$154,000, being Sofala Hill \$71,000 and Sofala Curves \$83,000. Therefore, the purchase of concrete is over the \$150,000 threshold and an exemption from tender is sought.

A specialist slip form contractor has been engaged to commence work starting the 9 April 2018. This specialist equipment is difficult to procure and the need to go to tender would impact the completion of the Sofala curves project.

It should be noted RMS has requested Council complete another project on the Sofala road also with dish drain kerb. The quantity and cost is yet to be known as it is currently being scoped by RMS. This may extend the order further.

## Community Plan implications

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

## Strategic implications

### **Council Strategies**

Not Applicable

### **Council Policies**

Procurement Policy

### **Legislation**

Local Government Act 1993, section 55

## Financial implications

These projects are being funded by RMS under a schedule of rates agreement.

## Associated Risks

If Council needs to go to tender there will be a delay to the Sofala curves project. This may incur additional expense due to de-mobilising and re-establishing costs instead of moving from one project to the next at relatively low cost. RMS are unlikely to cover these extra costs and they would need to be absorbed by Council.

GARRY HEMSWORTH  
DIRECTOR OPERATIONS

7 March 2018

*Attachments:* Nil

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER



## Item 11: Community

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### 11.1 Business Use of the Footpath Policy

#### REPORT BY THE MANAGER GOVERNANCE

TO 21 MARCH 2018 ORDINARY MEETING

GOV400066, GOV400047

#### RECOMMENDATION

##### That Council:

1. **receive the report by the Manager Governance on the Business Use of the Footpath Policy; and**
2. **adopt the Business Use of the Footpath Policy, which contains an amendment made to address applications from pubs and small bars, where development consents are required under the Environmental Planning and Assessment Act 1979.**

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#### Executive summary

The Business Use of Footpath Policy covers a range of activities, dining, advertising and display of goods for sale. The proposed amendments contained in this review relate directly and solely to applications received from pubs and small bars.

The change to the policy specifies that applications made from pubs and small bars also require development consent under the Environmental Planning and Assessment Act 1979.

#### Disclosure of Interest

Nil.

#### Detailed report

This Policy changed significantly during 2017 when Council consulted with NSW Police and local restaurants when considering an approach by Eltons restaurant of Mudgee for the extension of their liquor licence into their footpath dining area. During this consultation the policy was significantly changed to include requirements of the Liquor & Gaming NSW for the service of alcohol into footpath dining permits.

The changes made to the Policy in 2017 did not adequately address the planning laws associated with pubs and small bars. This was identified when a Mudgee Hotel made an application for footpath dining and proceeded to apply to Liquor & Gaming NSW for an extension of their liquor licence. In this process the Council was notified of the application and had not proceeded a Development Application and provided consent.

The Policy is now amended and compliant with Planning Law.

## Community Plan implications

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

## Strategic implications

### Council Strategies

Not applicable

### Council Policies

Business Use of the Footpath

### Legislation

Environmental Planning and Assessment Act 1979

Local Government Act

Roads Act

## Financial implications

There is no financial advantage to Council, in the management of this policy for regulation of business use of footpaths for commercial gain. Revenues generated by Council will not cover the costs of ongoing policy administration. However, there are no current recommendations to Council to amend the fees to assist with cost recovery and they will be covered by current operational budgets.

## Associated Risks

Public safety risks were identified with Council consulting the Local Area Command of the NSW Police on this matter. It was resolved with NSW Police that strict enforcement of Liquor Licencing for footpath dining must be applied.

TIM JOHNSTON  
MANAGER GOVERNANCE

SIMON JONES  
DIRECTOR COMMUNITY

2 March 2018

*Attachments:* 1. Business Use of the Footpath.

### APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER



## POLICY

### Business Use of the Footpath

*A prosperous  
and progressive  
community*

ADOPTED		VERSION NO	3.0
MEETING MIN NO	341/17	REVIEW DATE	NOVEMBER 2021
DATE	15 NOVEMBER 2017	FILE NUMBER	GOV400047, A0420120

## 1 Purpose

The purpose of this policy is to facilitate businesses, community groups and entertainers use of the footpaths for either commercial or community activities, [through the issue of an approval under the Roads Act 1993.](#)

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

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

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

The permits available are:

- Advertising signs
- Display of goods for sale
- Dining
- ■ Dining/Liquor licensed area ([NB. PubsHotels and small bars also require development consent under the Environmental Planning and Assessment Act 1979](#))

Temporary Use Permits include:

- Displays and promotions
- Community groups fundraising
- Busking

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

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

## 2 Objective

The objectives of this policy are as follows:

### 2.1 Access and Equity

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

POLICY: BUSINESS USE OF THE FOOTPATH | 15 NOVEMBER 2017

## 2.2 Council and community Protection

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

## 2.3 Economic

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

## 3 Legislative requirements

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

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

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

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

[Footpath dining that is not exempt will require development consent under the Environmental Planning and Assessment Act 1979](#)

To be exempt development, pursuant to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, the use of the footway must:

- (a) not be associated with a pub or a small bar, and
- (b) be carried out in accordance with an approval granted under Section 125 of the Roads Act 1993 (if applicable), including in accordance with any hours of operation to which the approval is subject, and
- (c) be carried out in accordance with any approval granted under section 68 of the Local Government Act 1993 (if applicable).

The State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 sets out exempt development. Section 76A of the Environmental Planning and Assessment Act 1979.

In accordance with above, if the outdoor dining area is associated with a pub or small bar, development consent is required under the Environmental Planning and Assessment Act 1979

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

## 4 Areas to which this Policy applies

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

## 5 Applying to use the Footpath

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

## 6 Footpath area that can and cannot be used

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

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

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

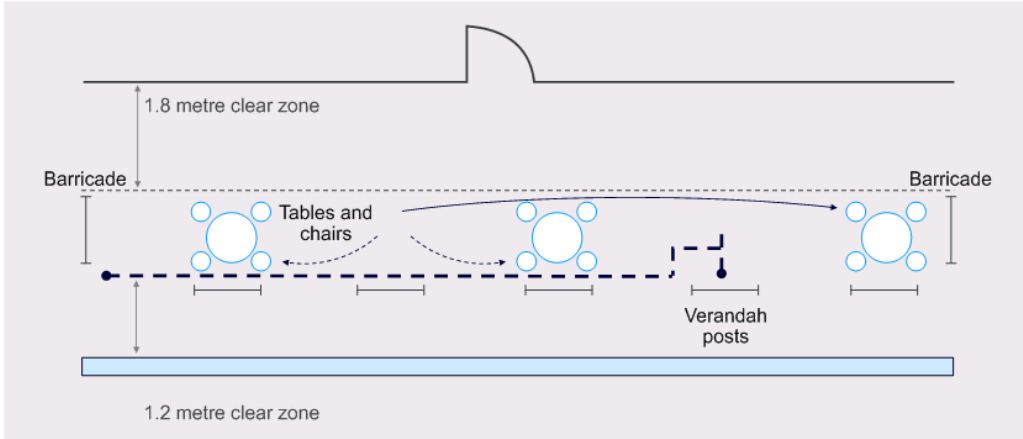
Any use of footpaths will be conditional upon the safety of potential users. Where deemed necessary, a 1.2 metre setback from the kerb edge may be required to ensure the safety of pedestrians and patrons from contact with moving motor vehicles

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

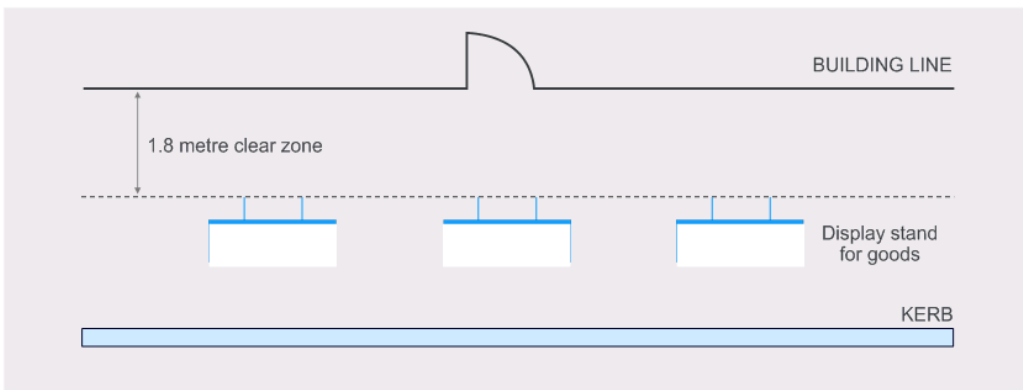
POLICY: BUSINESS USE OF THE FOOTPATH | 15 NOVEMBER 2017

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

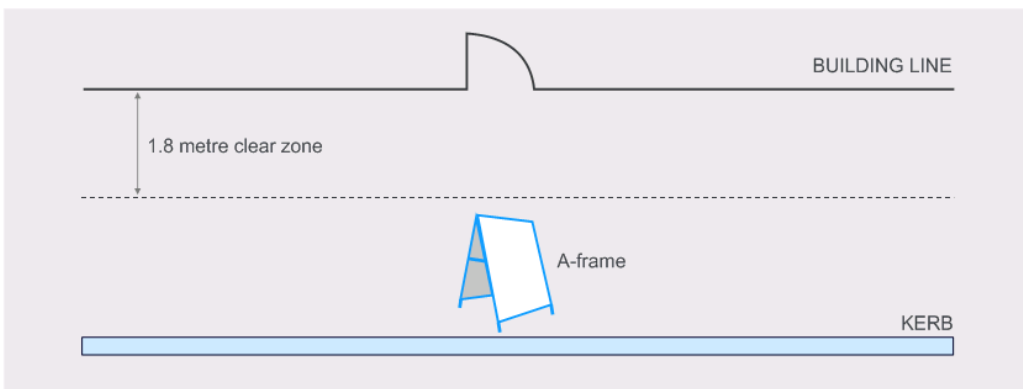
6.1.1 FOOTPATH DINING



6.1.2 DISPLAY OF GOODS FOR SALE



6.1.3 ADVERTISING OF BUSINESS



## 7 Public liability Insurance

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

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

## 8 The Permit

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

## 9 General Conditions

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

### 9.1 Term

Approvals shall be for a maximum period of 5 years.

### 9.2 Fees

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

Permits are subject to an application fee and; an area and annual renewal fee as outlined in Mid-Western Regional Councils Schedule of Fees and Charges.

### 9.3 Hours of operation

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

POLICY: BUSINESS USE OF THE FOOTPATH | 15 NOVEMBER 2017

#### 9.4 Maintenance of approved area

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

#### 9.5 Smoking

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

#### 9.6 Business or financial Transactions

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

#### 9.7 Lighting

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

#### 9.8 Noise

Amplified music is not permitted.

#### 9.9 Safety

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

#### 9.10 Access

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

#### 9.11 Public Assets

- The removal/relocation of any Council assets, such as rubbish bins and existing street furniture, shall be subject to Council approval and will be at the applicant's cost.
- The removal/relocation of any public utilities/infrastructure shall not be permitted unless justification on public benefit can be made to Council and approvals have been obtained from the relevant authorities. Works will be carried out at the applicant's cost.

#### 9.12 Breaches of Conditions

- If a business permitted to use the footpath in accordance with the Policies conditions breach any of the conditions that apply to their permit will in the first instance be warned. The warning of the breach will be placed in writing.



- Businesses that have been warned of a breach and are found to have again breached will have the permit withdrawn. Notice of withdrawal of the permit will be in writing.
- Businesses who have the service of alcohol condition 10.4 contained in their permit and have been found to have breached condition 10.4 will have the notice of permit being withdrawn notified to the Liquor Licensing Authority.

### 9.13 Permit transferability

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

### 9.14 Termination of a permit

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

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

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

### 9.15 Enforcement and Compliance.

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

## 10 Specific Conditions

### 10.1 Advertising Signs

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

- Large portable advertising signs or fixed structures will be referred to Councils Planning department for determination of the need for a Development Application to be lodged with the Council.
- Signage/advertising can be permitted on A-frames, barriers and umbrellas. (Umbrellas must be of non-reflective material, signage on each umbrella must be consistent with all other umbrellas on the approved area).
- No other signage will be permitted on any other structure on the footpath/nature strip.
- All signage must be placed to avoid obstruction to pedestrian movement (in accordance with Section 6)
- A-Frames must be a maximum height of 1.2 metres and maximum width of 0.6 metres
- A-Frames must only be displayed during business hours
- A-Frames are to be generally located directly in front of the premises to which they relate
- Signage must be of colour (or marked) so that it is distinguishable
- Signage must not have any sharp edges or protruding parts
- Signage must directly relate to your business

POLICY: BUSINESS USE OF THE FOOTPATH | 15 NOVEMBER 2017

## 10.2 Display of goods for sale

- [Separate approval under Section 68 of the Local Government Act 1993 is also required to sell articles on the footpath.](#)
- Display stands must be stable or firmly secured. Display stands should be a minimum height of 1.0 metres and a maximum height of 1.2 metres and width of 0.75 metres. All display stands should be of high quality design.
- No part of the footpath is to be used for storage.

## 10.3 Dining

- [Footpath dining areas associated with pubs or small bars require development consent under the Environmental Planning and Assessment Act 1979 in addition to a permit under Section 125 of the Roads Act 1993.](#)
- [Separate approval under Section 68 of the Local Government Act 1993 may also be required if temporary shade structures overhang the road.](#)
- Barricades are optional. If installed, barricades must not contain parts that are likely to cause damage to the pavement, or sharp edges, hinges and other moving parts that may present a hazard to patrons or pedestrians
- Any proposed transparent solid barrier (such as Perspex) should comply with AS 1428.1 Access and Mobility, and should be clearly marked for the full width with a highly visible contrasting line.
- Outdoor dining areas must be easily accessible from the public footway and should as far as possible present an open and inviting image to entice participation. Planter boxes may be used in appropriate circumstances to physically define the side boundaries or perimeters of an outdoor dining area.
- Planter boxes may be considered in open areas, where there is sufficient room and pedestrian movement is not impeded. The planter boxes must be well-maintained by the applicant. Council reserves the right to order the removal of planter boxes that are not properly maintained including the consistent provision of approved high-quality flowers or vegetation. Permanent planter boxes will only be considered on footpath areas where the footpath has been widened for specific business use.
- Approved planters shall be terra cotta, concrete or reconstituted stone in natural, sandstone or terra cotta colour, or powder coated, brushed stainless steel or timber.
- Outdoor furniture should be strong, durable, waterproof and weather resistant designed for commercial outdoor use. Tables and chairs should fold or stack for storage.
- Outdoor furniture may be powder coated or polished aluminium, brushed or stainless steel, natural or painted timber, or canvass. Under no circumstances shall outdoor furniture consist of "cheap" bulk manufactured plastic chairs. Surfaces such as table tops should be non- reflective. All outdoor furniture will be subject to the approval of Council.
- Outdoor furniture is not to be placed outside the approved area under any circumstances.
- Each business should adopt a single colour and style for tables and chairs in its particular area to provide consistency and identity.
- All outdoor furniture must be temporary and must be able to be removed in extreme weather conditions.
- Umbrella's must be securely mounted at all times and in the advent of high winds must be managed so that they do not cause harm to patrons and pedestrians.
- Where the use of a heating device is proposed, details of the type, location and design must be included in the application. Heating devices must be designed in a manner which minimises risk and as such shall turn off automatically if overturned to prevent injury to patrons and property. Heating devices must be removed when not in use and suitably screened from public view. All outdoor heaters must comply with the relevant Australian Standards.
- Food and drink must be served on non-disposable crockery and cutlery. Food and drink must not be prepared in the area approved for outdoor eating.
- Paper, foam or plastic plates, cups and cutlery shall not be used for footpath outdoor dining

areas.

- Appropriate footpath service shall be provided which includes as a minimum the removal of any dirty plates, cups, cutlery, footpath staining, and rubbish on a regular basis during each operating day.

#### 10.4 Dining / Liquor Licensing area

~~■ The service of alcohol into footpath dining areas for Hotels or small bars requires development consent. A DA must be lodged. Footpath dining areas associated with pubs or small bars require development consent under the Environmental Planning and Assessment Act 1979 in addition to a permit under Section 125 of the Roads Act 1993.~~

■ Separate approval under Section 68 of the Local Government Act 1993 may also be required if temporary shade structures overhang the road

■ All applications for a dining / liquor licenced area permit will be referred to NSW Police Mudgee Local Area Command. Local Police can make representations to the Office of Liquor Gaming & Racing as part of the consideration of the liquor license boundary extension application and; comment directly to the Council on the proposed local permit being issued.

■ Council will issue to applicants a letter outlining the local conditions of the permit, this letter ~~will~~ may be used by businesses when applying to the Office of Liquor Gaming & Racing to extend their liquor licence boundary to include the designated area of footpath.

● Conditions may include:

■ Barricades 1 metre in height clearly defining the boundaries of the licenced area will be approved in consultation with the council. The barricades must be linked together and constructed so that they cannot be easily moved by patrons and can tolerate wind events.

■ The maximum capacity of patrons to be seated at tables in the permitted footpath dining area will be limited by the available square meters of footpath divided by 3 multiplied by 4 which equates to the maximum number of patrons at one time in the designated area -( 4 persons per 3 square metres).

■ Seated table service of alcohol with meals by authorised staff of the licenced premises only will be permitted. Service of alcohol with meals is restricted to be undertaken between the hours 12 noon and 10 pm, and;

- no more than one alcoholic drink may be supplied to any one person at any one time and;
- the following drinks must not be sold or supplied;
  - any drink (commonly referred to as a 'shot') that contains more than 30 ml
  - of spirits or liqueur and that is designated to be consumed rapidly and;
  - any drink containing more than 50% spirits or liqueur and;
  - any ready to drink (RTD) beverage with an alcohol by volume content more than 5% and;
  - any drink prepared on the premises that contains more than one 30ml nil nip of spirits or liqueur
- Wine and beer sold by the glass cannot exceed the following individual serve quantities; wine not exceeding 150 ml and beer not exceeding 425mls
- Liquor must only be sold or supplied in vessels opened by authorised staff of the licenced premises
- No liquor may be taken out of the footpath defined licenced area

NB: in this condition, ready to drink (RTD) beverage means an alcoholic mixed beverage that is prepared by the manufacturer.

■ In the case of BYO the proprietor shall serve and store the alcohol provided by patrons within the premises (not the footpath area) as single drinks as above.

■ Signposting of the licenced area will be displayed on the outside panels of the barricades to inform the public of the licenced area.

■ Signposting of the Alcohol Free Zone will be displayed on the inside of the barricades informing patrons that as they leave the licenced area they are entering an alcohol free zone.

**POLICY: BUSINESS USE OF THE FOOTPATH** | 15 NOVEMBER 2017

- Outdoor furniture should be strong, durable, waterproof and weather resistant designed for commercial outdoor use. Tables and chairs should fold or stack for storage.
- Outdoor furniture may be powder coated or polished aluminum, brushed or stainless steel, natural or painted timber, or canvass. Under no circumstances shall outdoor furniture consist of “cheap” bulk manufactured plastic chairs. Surfaces such as table tops should be non-reflective. All outdoor furniture will be subject to the approval of Council.

### 10.5 Temporary Use Permits

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

## Item 12: Reports from Committees

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### 12.1 Local Traffic Committee Meeting - February 2018

REPORT BY THE MANAGER DEVELOPMENT ENGINEERING  
TO 21 MARCH 2018 ORDINARY MEETING  
GOV400066, A0100009

#### RECOMMENDATION

**That Council receive the report by the Manager Development Engineering on the Local Traffic Committee Meeting - February 2018.**

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#### 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 disclosure of interest associated with this report.

#### Detailed report

The Local Traffic Committee meeting was held on 16 February 2018.

There were no reports tabled at this meeting.

The minutes and comments for the LTC meeting 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

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#### 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

Not Applicable

**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

26 February 2018

*Attachments:* 1. Local Traffic Committee - February 2018 Minutes.

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER

Mid-Western Regional Council

Date: 16 February 2018

## Minutes of the Local Traffic Committee

Held at the Committee Room, 54 Depot Road, Mudgee  
On 16 February 2018.

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Present	Daniel Buckens MWRC – (Chairperson), Cr Alex Karavas (Councillor), Phillip Blackman (Members Representative), Chief Inspector Jeff Boon (NSW Police), Prue Britt (RMS), Garry Hemsworth (MWRC),
Apologies	
Secretary	Michelle Neilsen (MWRC)
Invitees	John Stuart – Can Cruisers

The LTC meeting commenced at 9.45am.

### MINUTES OF PREVIOUS MEETING

#### RECOMMENDATION

**That the Minutes of the previous Local Traffic Committee held on 15 December 2017 be taken as read and confirmed.**

**MOTION: Ms Prue Britt / Sgt Jeff Boon**

## 2

MID-WESTERN REGIONAL COUNCIL | LOCAL TRAFFIC COMMITTEE - 16 FEBRUARY 2018

## MATTERS IN PROGRESS

SUBJECT	RES NO. & DATE	RESOLUTION	ACTION
Yellow Line Methodology	29 Jan LTC Meeting		Council convert no stopping zones to yellow line methodology.  Conversion will be continued by Council progressively. Council to conduct educational campaign as the changes occur.
Mudgee Town Pedestrian Crossings	20 Jan LTC Meeting	Council conduct an audit on all crossings, place counts on Market and Church Street and provide a report to the committee with findings and suggestions for improvements	To be completed. Lewis street added by Phillip Blackman. Bad lighting. Daniel Buckens said all crossings are being looked at in CBD area. Dan has queried with Essential Energy about lighting, still waiting to hear back.
Caravans on Mayne Street Gulgong	20 Jan LTC Meeting	Council provide a proposal of what options may be available. Council to table an item at Gulgong Access Committee with the proposal	Council has a study that was undertaken in 2007 that was never reviewed by the committee or endorsed by Council.
Sawpit and Bruce Road Intersection	20 Jan LTC Meeting  15 Sept 2017 LTC	Council inspect and provide report back to LTC for treatment options  Warning signage to be installed on the approach to the Bruce Rd and Sawpit Road intersection	RMS recommendation to straighten road and trim vegetation that obscure views.  Works request SI0035/2018 has been raised.  Completed
Disabled parking Kandos IGA	28 April 2017	RMS and Council to meet onsite and discuss viable options. Provide report to June meeting.	Reports forms part of this agenda
No Stopping Signs	15 September 2017	Install "No Stopping" signs on the NW side of Horatio St and Lewis St and at the NE side of Market St and Cox Street Intersection	Works request SI0034/2018 has been raised.  COMPLETED
Pedestrian Crossing	16 February 2018	White paint on pedestrian crossing may be needed to be redone at the intersection of Lewis St and Mortimer Street	



### PAST EVENT DEBRIEF

EVENT	
Mudgee Running Festival	Debrief with organisers. Email received from organisers.
Gulgong Gold and Mining Festival	Debrief with organisers.
Rylstone Street Feast	Debrief
Day on the Green	Debrief with organisers

### CALENDAR OF EVENTS

FEBRUARY	Date	Comments
Charity Shield	24 February 2018	
MARCH	Date	Comments
Can Cruisers	17 March 2018	
APRIL	Date	Comments

Red = Unapproved

Green = Approved

18/002 NIL

### RECOMMENDATION

**There are nil reports to present.**

### MOTION:

**That the above recommendation be accepted and approved.**

18/001 GENERAL BUSINESS

### HENRY LAWSON HERITAGE DRIVE

Council received an email from Gulgong Heritage Harness Association Inc. regarding permission to run their annual heritage run from Tooraweenah to Gulgong. **See Attachment 1**

There have been no issues in the past regarding this event. Council will provide a letter to Gulgong Heritage Harness Association approving this event. Local Traffic Committee saw no issues with regards to this event, and there is no report required to go to Council meeting in regards to it.

## 4

MID-WESTERN REGIONAL COUNCIL | LOCAL TRAFFIC COMMITTEE - 16 FEBRUARY 2018

10<sup>TH</sup> ANNUAL CAN CRUISE FUNDRAISING EVENT

A request has been put to Council for the fundraising event held by Can Cruise at the Mudgee Showground. The request is for the cars to drive Douro Street (south) to Madeira Rd to Church to Market St to Castlereagh Hwy back to the show ground. **This is for a discussion** and raised by Jeff Boon. **See Attachment 2.**

John Stuart from Can Cruisers attended this meeting to give the Committee an understanding of their fundraising event. Can Assist is a not for profit association that runs events to raise money for cancer research. They have raised over \$70,000 and provide families with funds to help pay for bills etc.

This year they will be holding it at the Mudgee Showground and driving through town and heading out to Dunedoo. There is minimal disruption to the flow of traffic as they will be driving with the traffic and will not need any management plans or road closures.

The Local Traffic Committee decided that this is a Class 4 Special Event as per the RMS's Guide to Traffic and Transport Management and Special Events, therefore it did not require Council's permission to hold this event.

## CLOSURE

There is no further business. The meeting concluded at 10.05am.

## 12.2 Gulgong Sports Council Meetings 5 December 2017 and 12 February 2018

REPORT BY THE DIRECTOR COMMUNITY  
TO 21 MARCH 2018 ORDINARY MEETING  
GOV400066, A0360003

### RECOMMENDATION

#### That Council:

1. **receive the report by the Director Community on the Gulgong Sports Council Meeting 5 December 2017 and 12 February 2018; and**
2. **note the minutes of the Gulgong Sports Council meetings held on 5 December 2017 and 12 February 2018.**

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### Executive summary

The purpose of this report is to advise Council of the considerations and recommendations of the Gulgong Sports Council Meetings held on 5<sup>th</sup> December 2017 and 12 February 2018.

### Disclosure of Interest

Nil.

### Detailed report

The Sports Council receives an updated Works Request and Matters in Progress report together with updated financial details each month prior to their meeting.

There are not further matters arising that require consideration by Council at this time, noting that specific requests/recommendations are forwarded to Council under separate cover providing detailed information on requirements. Operational matters raised will be dealt with in due course when staff receive additional information.

### Community Plan implications

<b>Theme</b>	<b>Looking After Our Community</b>
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Goal	Effective and efficient delivery of infrastructure
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Strategy	Provide infrastructure and services to cater for the current and future needs of our community
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### 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 March 2018

*Attachments:* 1. Gulgong Sports Council Meeting Minutes 5 December 2017.  
2. Gulgong Sports Council Meeting Minutes 12 February 2018.

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER

**Gulgong Sports Council  
Monthly Meeting  
Monday 5th December, 2017 @ Gulgong Bowling Club.**

**Meeting Opened;** 6.00 pm

**Apologies;** Tracey Kane, Betty Rae

**Move P.Thompson 2<sup>nd</sup> C.Rae Carried**

**Present;** L.Hawkins, M.Freestone, B.Gudgeon, L Hawkins, P. Thompson MWRC, M.Gaudry, C.Rae, C.Holden. T.Papworth, B.Lasham, G.Lillyst, T.Lillyst

**Minutes;** Minutes from last meeting be adopted dated 9<sup>th</sup> October, 2017.

**Moved P.Thompson 2<sup>nd</sup> C.Rae Carried**

**Council Business;**

- 1. Watering system to be fixed at Victoria Park.**
- 2. Billy Dunn Oval needs water on both cricket grounds.**
- 3. Broad Jump pit needs to be relocated at Victoria Park with new run up, instead of two pits converted into one.**
- 4. Information on net ball courts at Billy Dunn.**
- 5. Need location of pipes at Billy Dunn so we can install new net ball rings.**

**Finance;** Balance; \$5395.83

**Income;** Nil

**Expenditure;**

R & J Andrews	\$1742.40	Construction of new net ball rings.
Gulgong Stock & Rural	\$259.55	New pump for line marker.
R & J Andrews	\$93.50	Update of broad jump Vic Pk.
Gulgong Timber & Hardware	\$98.45	Materials for net ball courts.

**Moved B.Gudgeon 2<sup>nd</sup> C.Rae Carried**

**General Business;**

- 1. Seats at Tennis club need renewing.**
- 2. Maintenance cricket shed.**
- 3. Rear door Vic Pk Grandstand needs fixing.**
- 4. Mouse problem Vic Park kiosk.**

**Meeting closed** 7.00 pm.

**Next Meeting** Monday 12<sup>th</sup> February, 2018.

**President** Craig Holden.



**GULGONG SPORTS COUNCIL**  
**Monthly Meeting**  
**Monday 12<sup>th</sup> February, 2018 @ Gulgong Bowling Club.**

**Meeting Opened;** 6.00 pm

**Apologies;** L.Hawkins, Betty Rae

**Move T.Papworth 2<sup>nd</sup> C.Rae Carried**

**Present;** M.Freestone, , B.Gudgeon, L Hawkins, P. Thompson MWRC, M.Gaudry, C.Rae, C.Holden, T.Papworth, M.Lillyst, J.Peters

**Minutes;** Minutes from last meeting be adopted dated 9<sup>th</sup> October, 2017.

**Moved C.Holden 2<sup>nd</sup> C.Rae Carried**

**Council Business;**

1. Billy Dunn Oval needs water on both cricket grounds.
2. Broad Jump pit needs to be relocated at Victoria Park with new run up, instead of two pits converted into one. (onsite meeting required)
3. Information on net ball courts at Billy Dunn. Starts on Tuesday 13<sup>th</sup> of February, 2018
4. Need location of pipes at Billy Dunn so we can install new net ball rings. (onsite meeting required)
5. Works requests have been raised for the following issues;
  - a) Back wall Victoria Park grandstand.
  - b) Concrete shelf at soccer kiosk needs repair.
6. Disable amenities starts shortly at Victoria Park.

**Finance;** Balance; \$3292.94

**Income;**

Nil

**Expenditure;**

Re-imburement for Craig Holden \$275.00 for over look of payment to Aussie Country Catering.

**Moved B.Gudgeon 2<sup>nd</sup> C.Rae Carried**

**General Business;**

1. Seats at Tennis club need renewing. To be looked at with council.
2. Maintenance cricket shed; completed.
3. Rear door Vic PK Grandstand needs fixing; Completed.

**Meeting closed 7.00 pm.**

**Next Meeting;** 6.00 pm ~~Monday 13<sup>th</sup> February, 2018~~, @ Gulgong Bowling Club.

*12<sup>th</sup> March*

**President**  
**Craig Holden.**



## 12.3 Mudgee Showground Management Committee

REPORT BY THE MANAGER, PLANT AND FACILITIES  
TO 21 MARCH 2018 ORDINARY MEETING  
GOV400066, F0650007

### RECOMMENDATION

#### That Council:

1. **receive the report by the Manager, Plant and Facilities on the Mudgee Showground Management Committee;**
2. **note the contents of the minutes of the Mudgee Showground Management Committee Meeting held on the 6 February 2018; and**
3. **not support the Mudgee Pony Club request to waive fees for the use of the pony club arena.**

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### Executive summary

The purpose of this report is to advise Council of the considerations and recommendations of the Mudgee Showground Management Committee ordinary quarterly meeting held on 6 February 2018.

### 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 quarterly. A copy of the matters in progress and minutes are attached for Council's information.

The Showground Management Committees motion to waive fees for the pony club area should not be supported unless the Pony Club maintain their arena. The current fees are in place to cover the costs of maintaining this facility and include mowing and weed control.

### Community Plan implications

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

#### Council Strategies

Mudgee Showground Four Year 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

6 March 2018

*Attachments:* 1. Mudgee Showground Management Committee Meeting Minutes - 6/02/218.

APPROVED FOR SUBMISSION:

GARRY HEMSWORTH  
DIRECTOR OPERATIONS



**MUDGEE SHOWGROUND MANAGEMENT  
COMMITTEE MEETING — 6 FEBRUARY 2018**



**Meeting Opened: 5:30 pm**

**Present:** Garry Hemsworth (Director Operations), Cr Russell Holden (Councillor), Cr Alex Karavas (Councillor), Helen Chisholm (Mudgee Dressage Group), Dana Willmott (Mudgee Pony Club), Bill Robinson (Poultry Group), Barry Nott (Mudgee Show Society) and Rick Field (Mid-Western Working Horse) and Malcolm Swords (Livestock & Other Animal Groups)

Lesley Burgess (Minute Secretary)

**Observer Apology:** Andrew Beer

Minutes of November's Meeting – Accepted

Moved: Cr Alex Karavas

2nd: Bill Robinson

**Motion Carried**

**Matters in Progress**

1. As per attached list.
2. Election of Chair. Cr Holden stood down as Chairman. Cr Karavas nominated himself for the position.

Moved: Cr Alex Karavas

2nd: Bill Robinson

**Motion Carried**

**Correspondence**

1. Letter received today from Mid-Western Working Horse, requesting that the equestrian arena be raked more frequently. The following was discussed -
  - Dana advised that a new arena rake could cost thousands, she said the Pony Club have in the past, used a harrow, weighted with wooden sleepers, to rake sand arenas
  - The previous caretaker had his own type of rake but it tended to rake too deeply and mixed stones in with the sand which is not suitable for horses.
  - The sand tends to move and accumulate at the sides of the equestrian arena. This sand needs to be dragged back into the middle area.
  - Troy Kurtz has the necessary equipment to rake the sand, and would probably be the best and cheapest option.
  - Garry advised that Council would look into addressing these concerns and advise of the outcome at our next meeting.
2. A quote of \$869.00 was received from Bill Robinson to carry out the necessary electrical works required at the Animal Nursery. The Animal Nursery is a Council building. Council to look into completing the necessary works.

**Financial Report**

1. The financial report was discussed.
2. Garry advised that income year to date is \$96,295 against a yearly budget of \$88,000. Income from camping fees is the main contributor to increase.

3. Dana would like the financial report spreadsheet to show the previous year's data so that comparisons can be made.
4. Cr Karavas asked whether the income includes the \$10k from the camping event which is to be held later this year. The Campervan & Motorhome Group have not paid as yet.
5. Fees & Charges proposed for next financial year -
  - Helen enquired as to what the annual rental fee of \$305.00 that is payable by the Dressage Group covers as they do not have electricity or water in their shed.  
*As agreed to by this committee in February 2016 -  
"It was felt that the rental fee is about contributing to the grounds not about floor space.  
A motion was moved that an annual fee be payable by all groups with a shed at the showground"*
  - Dana would like the pony club arena fees to be waived for the Pony Club as they built the arena. The Pony Club, however, no longer maintain it. Dana would like to make a recommendation to Council for the fees to be waived. This committee supports Dana request and a recommendation is to be made to Council for consideration.  
Moved: Dana Willmott  
2nd: Helen Chisholm

**Motion Carried**

### **General Business**

1. Demolition of the grandstand - Cr Holden advised that Council had voted on this and the motion was that the grandstand will be demolished. Cr Holden would like continued support for grant funding to be sort for a new grandstand.
2. Bill wanted it noted that the power to the current Show Society Office comes from the grandstand. Garry confirmed that the demolition would include the installation of power to their office.

**Meeting closed at: 6:05 pm**

**Next meeting to be held 1 May at 5:30pm**

**AT THE OPERATIONS OFFICES**

**MATTERS ARISING**

#	SUBJECT	MEETING DATE	ACTION	WHOM	PROGRESS
1.	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"> <li>• Poultry Pavilion</li> <li>• Poultry Kiosk</li> <li>• Animal Nursery</li> <li>• Pony Club Shed</li> <li>• Woodworkers Shed</li> <li>• Mudgee Dressage Shed</li> <li>Still Needed -                             <ul style="list-style-type: none"> <li>• Antique Machinery Shed</li> <li>• Grandstand / Old Bar</li> <li>• Wool Shed</li> </ul> </li> </ul>
2.	Animal Nursery electrical works	6/02/18	Works request	Council	
3.	Equestrian Arena, needs raking more frequently	6/02/2018	Investigate - contractor to do work –vs- purchasing our own rake.	Council	

## 12.4 Mudgee Sports Council Meeting Minutes 26 February 2018

REPORT BY THE DIRECTOR COMMUNITY  
TO 21 MARCH 2018 ORDINARY MEETING  
GOV400066, A0360013

**RECOMMENDATION****That Council:**

1. receive the report by the Director Community on the Mudgee Sports Council Meeting Minutes 26 February 2018; and
2. note the minutes for the Mudgee Sports Council meeting held on 26 February 2018.

## Executive summary

The purpose of this report is to advise Council of the considerations and recommendations of the Mudgee Sports Council meeting held on 26 February 2018.

## Disclosure of Interest

Nil.

## Detailed report

The Mudgee Sports Council receives an updated Works Request and Matters in Progress report together with updated financial details each month prior to their meetings.

## Community Plan implications

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

## 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

7 March 2018

*Attachments:* 1. Mudgee Sports Council Meeting 26/02/2018.

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER

**Mudgee Sports Council Minutes****Netball Clubhouse****26-02-2018****18:05**

**Present:** G. Robinson. K. Lang (Touch & Snr League), S. Jones (MWRC Rep), P. Mitchell, Little A's), K. Marshall (Netball), N. Richards (Hockey), R. Dowell (Snr Cricket)& J. Johnson.

**Apologies** John O'Neill (MWRC Rep), G. Bartrim (Mudgee Rugby), A. Whale (Jnr Cricket), N. Henwood, R. Smith (Mudgee Wombats), J. Fleming (Wolves), L. Humphreys (Rugby Union), B. Stoddart (Touch), K. Bennetts (Little Athletics) Moved K. Lang seconded N. Richards .  
Minutes from previous meeting read as requiring amendment.

**Business arising from previous meeting:**

***MOTION: That Geoff Robinson be a life member of Mudgee Sports Council for his many years of service to Mudgee sports Council. The award was presented at the 23<sup>rd</sup> February sports awards but could only be ratified after the event otherwise Geoff would have known. Moved K. Lang seconded R. Dowell, carried- Trophy to be included in Trophy account for payment.***

**Treasurer's Report:**

1. As at meeting there is \$73,723:20 balance.
2. It has been noted that council is taking half of the affiliation fees again Simon to chase.
3. Has the \$25,000 for Carpark lighting been taken yet.
4. Accounts to be paid. Mudgee Golf club \$6300 for sports awards dinners.
5. Print Storm Mudgee \$145:00 for printing.
6. Mr Dykes Trophies \$863:50 for trophies.  
Geoff Robinson moved that all accounts be paid, seconded K. Lang carried  
Treasurer's report moved G. Robinson seconded K. Marshall.

**Secretary Report:**

1. Numerous emails re sports awards.
2. Letters written to Councillors and GM to invite them to Sports awards only 3 replies, Councillor Des Kennedy did attend.

**Works Request Updates:**

1. Concreting of Netball wet area in progress.
2. Lift at Glen Willow in progress.
3. Lights fields 3-4 to be done in the next few weeks more damage found due to birds.
4. Pit blockage in bus turning bay still ongoing.
5. Pedestrian shared zone to be painted and signs erected in front of Touch/Soccer gateway to slow traffic.

**Works Requests:**

1. Mowing around amenities block at west End Complex.
2. Clean roof and gutters on amenities block West End Complex.
3. Home Room Victoria Park exhaust fan not working, and in away rooms the showers need attending broken and leaking.

**General Business:**

1. The Charity Shield went well a few problems which council will endeavour to rectify by the next big event.
2. There has been discussion about the surface of fields 3 & 4 which are in need of top dressing as a matter of safety, meeting to be held 27-02-18.
3. Would Sports Council fund a set of new goals for Mudgee Hockey, grants are for ground improvements, but a precedent was set when AFL obtained goals with Sports Councils help, so 2 quotes need to be obtained and presented to sports council plus a letter outlining reasons.
4. Whilst attending Sports Council meeting we observe the abuse to the netball courts by Anytime fitness group slamming medicine balls onto courts.
5. Corner post and fitting stolen after Charity shield game whilst a security guard watched on.
6. Could we obtain a laptop to assist with loading of programs suitable to use for score board for Glen Willow.
7. Sports Awards- Catered for 180, at a cost of \$35 per head, some sports need to control their guests with the excessive taking of desserts, and need to respect everyone attending, perhaps for next year will ask Golf club if a tray of desserts be placed on each table, also was still finalising numbers that night which makes for a lot of excess stress.
8. A Huge thank you must go to Geoff for organising the awards, and congratulations on the Life Member award.
9. Thanks must also go to the council for the typing and printing.
10. Would like clubs to submit photos to add to the photo montage during the sports awards.
11. Could we make the next meeting slightly later so the next meeting will be at 6:30pm on 26<sup>th</sup> March.

Meeting closed 1900

Next meeting

26<sup>th</sup> March 2018

6:30pm at Mudgee Netball clubhouse.

## 12.5 Mid-Western Regional Youth Council

REPORT BY THE MANAGER, COMMUNITY SERVICES  
TO 21 MARCH 2018 ORDINARY MEETING  
GOV400066, COS300610

### RECOMMENDATION

#### That Council:

1. **receive the report by the Manager, Community Services on the Mid-Western Regional Youth Council; and**
2. **note the minutes of the 6 February 2018 meeting.**

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### Executive summary

This report seeks to inform Council of recent Youth Council discussions and activities.

### Disclosure of Interest

Nil.

### Detailed report

The Youth Council continues to discuss activities for the upcoming 2018 Youth Week, to be convened in April, including a mural project at Gulgong Swimming Pool and bubble soccer games around the region. Plans are also underway for a youth movie night in partnership with Barnardos and a trivia night on the opening night of Youth Week.

The Youth Council discussed participation in the March Council event, Live and Local. Unfortunately, input from the Youth Council and local youth was not forthcoming and the idea of a dedicated youth stage was forgone.

The Youth Council accepted the resignation of Youth Councillors Evangeline Endacott, Andrea Holden and Chloe Staub, all of which are relocating for university. The Youth Council wishes them well and thanks them for their participation.

The Youth Council was pleased to accept the news of the appointment of Sam Sbisa as Council's Youth Services Officer, thanks to funding provided by KEPCO.

The next meeting of the Youth Council is to be convened on 13 March 2018 at Rylstone Chambers.

### 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**

Council's Youth Strategy provides direction and recommendations for Council and the community to benefit local youth.

### **Council Policies**

Not applicable.

### **Legislation**

Not applicable.

## Financial implications

Not applicable.

## Associated Risks

Not applicable.

FIONA TURNER  
MANAGER, COMMUNITY SERVICES

SIMON JONES  
DIRECTOR COMMUNITY

6 March 2018

*Attachments:* 1. Minutes - 6 February 2018.

### APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER



## MINUTES OF YOUTH COUNCIL MEETING

DATE: 6 February 2018  
VENUE: Level 2 Meeting Room, Mudgee Library,  
64 Market Street, Mudgee  
COMMENCEMENT TIME: 4.15pm

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### 1. ATTENDANCE

#### 1.1. In attendance

Youth Councillors: Brody Munday (Youth Mayor, and Chairperson), Angus Blackwell (Deputy Youth Mayor), Aliya Della Libera, Evie Endacott, Nicola Hayes Weber, Emma Wisser

Councillors: Councillor Russell Holden, Councillor Alex Karavas, Councillor Sam Paine

Council Staff: Fiona Turner (Manager, Community Services), Sam Sbisa (Youth Services Officer, and minutes)

Guests: Cassie Jones (KEPCO)

#### 1.2. Apologies

Louise Blackwell, Dylan Hayes Weber

**Motion:** Acceptance of apologies.

Moved: E Endacott                      Seconded: A Della Libera      -      Carried

### 2. MINUTES – 14 November 2017

**Motion:** Acceptance of minutes.

Moved: B Munday                      Seconded: E Endacott      -      Carried

### 3. CORRESPONDANCE IN/OUT

3.1 S Sbisa reported on an email received on 30 Nov 2017 that Ellen van Neervan is no longer available to speak to schools this year. A list of potential replacement speakers was put together, but many of these are proving to be too expensive, or unavailable due to prior commitments. It was agreed that a 'recognisable name' should be booked for the talks if at all possible. B Munday

also suggested that speaker booked should avoid repeating the topic from the previous year to provide variety (e.g. Abdul Abdullah spoke about racism in 2017).

**ACTION:** Youth Councillors to suggest suitable speakers to S Sbisa, and S Sbisa to follow up with potential speakers and report back.

#### 4. BUSINESS ARISING

##### 4.1. Live and Local

4.1.1. As yet no applications have been received for the Youth Stage, and it is was at risk of being cancelled. It was noted that in the past previous Youth Councillors have requested a large scale music event. As such support for this event should be given by Youth Councillors, with the view that the Youth Stage will act as an entry level experience for potential future music events.

4.1.2. After discussion it was agreed to grant Youth Councillors a short time frame to promote the event again to the community. If a suitable number of applications have not been received by 12 February then the Youth Stage will be cancelled for this year's Live and Local event, with the view to revisiting the idea again should the event be run again.

**ACTION:** All Youth Councillors to promote the Live and Local Youth Stage before Monday 12 February.

4.1.3. The possibility of a Youth Council information booth at the Youth Stage venue will be discussed if the event proceeds.

4.1.4. F Turner reported that Reliance Bank had expressed interest in assisting with sponsorship of the Youth Stage, should it proceed, but that the timeframe required by Reliance Bank to so would likely be insufficient.

##### 4.2 Youth Council Webpage

4.2.1. It was agreed that the images on the page need updating. Photos of all current serving Youth Councillors will be taken at meetings and updated as soon as possible.

**ACTION:** S Sbisa to ensure updated photos are uploaded onto the webpage as they become available.

##### 4.3. Youth Services Officer

4.3.1. F Turner and C Jones explained the funding from KEPCO for the Youth Services Officer, and what the role would be responsible for. It was announced that S Sbisa was the successful applicant for the position.

*4.30pm Meeting paused due to arrival of Sam Potts (The Mudgee Guardian) to take publicity photos of the KEPCO funding of the Youth Services Officer position.*

4.40pm Meeting resumed. C Jones excused herself from the meeting.

#### 4.4. Youth Week 2018: "Unity through Diversity"

4.4.1 **The Gulgong Mural Project:** The design proposed by S Paine has been endorsed by the Youth Council and approved by Council for the Gulgong Pool location. It was noted that the funds for the project's materials would be coming out to the Youth Council budget.

**ACTION:** S Paine to communicate expected materials costings to S Sbisa.

4.4.2. **Zorb/Bubble Soccer:** S Sbisa reported on investigations into providers in the region and the feasibility of purchasing equipment. If using a facilitator it is likely only one event can be covered by the proposed budget, if equipment is purchased the event should be able to be held in at least three locations during YW2018. E Endacott noted that if the equipment is purchased, it needs to be of sufficient quality to last at least one year.

**Motion:** That Zorb Soccer equipment be purchased.

Moved: E Endacott                      Seconded: A Della Libera                      -                      Carried

**Action:** B Munday to contact other Youth Council's in the region to see what equipment they use, and where it was sourced from, for their events.

**Action:** S Sbisa to compare and collate costings and send same out as a Flying Minute to the Youth Council.

4.4.3. **Film Screening at Kandos:** F Turner reported that Barnardos are be interested in partnering with Youth Council for the film screening. It was noted that this was an excellent opportunity to incorporate the official YW2018 theme into the calendar of events.

It was decided to screen two films. One 'Family Film' at approximately 5pm, and a 'Youth Film' later on the same night.

A discussion of possible films was held. Suggestions included:

- Inside out – Family Film
- McFarland, USA – Youth Film
- Freedom Writers – Youth Film

**Action:** Youth Councillors to think of potential films, and send to S Sbisa

**Action:** S Sbisa to investigate film screening costings, liaise with Barnardos about potential partnership, and send out Flying Minute in regards to final film selections.

4.4.4. **Trivia Event:** After discussion it was decided to decline the Mudgee Readers' Festival invitation to partner on a themed Harry Potter trivia event for YW2018. It was felt that a theme may not provide sufficient scope for all youth in the region to feel they could participate. However the Youth Council expressed interest in taking up the proposed partnership later in the year during Book Week or the Mudgee Readers' Festival for example.

**Action:** Youth Councillors to think of potential general trivia question themes (e.g. Sport, Music, Sexual Health), and send to S Sbisa.

4.4.5. **Additional Events:** It was decided to continue with the popular Art, Flash Fiction, and Photography competitions for YW2018. It was decided not to have a mandatory theme, but to encourage participants to relate their work to the official YW2018 theme. It was agreed that the 2017 shop front location was very successful, and if at all possible to hire another shop front this year - The Stables were suggested as an alternative should this not be possible.

**Action:** S Sbisa to talk to Art Teachers at local high schools once basic details of the competition are established.

#### 4.5. Australia Day Awards

4.5.1. The Youth Council congratulated B Munday on being named Mid-Western Region's 2018 Young Citizen of the Year.

#### 4.6. Stop Motion Workshop

4.6.1. S Sbisa reported back on the 2 day Stop Motion Workshop held during the January school holidays which was funded by the Youth Council. The consensus from participants and staff that it was a well-received event, and that the new facilitators Digi Ed were just as good as AFTRS, while charging significantly less. While there were some aspects that could be improved upon in the future (for example more promotion), it was generally agreed that it was a worthwhile venture.

4.6.1. The films made by participants at the workshop were not screened, but it was agreed to put some of them up on the Youth Council Facebook page.

**Action:** S Sbisa to select and upload films onto the Youth Council Facebook page over the coming weeks.

#### 4.7. Ashley Whittington's "Butterflies for Mental Health" Project

4.7.1 S Paine explained the project and the prior understanding that the Youth Council's would reimburse material costs for the project.

**Motion:** That the Youth Council reimburse the material costs totalling \$111.99 for the project.

Moved: N Hayes Weber    Seconded: A Blackwell    -    Carried

## 5. GENERAL BUSINESS

### 5.1. STEM / STEaM [Science, Technology, Engineering, art, Mathematics] Programs

5.1.1. D Trevethan was not in attendance to report on 'Thinkers In Education', S Sbisa explained that they are a UK based organisation which travels to rural NSW once a year to deliver STEM programs. The 2018 tour has already concluded. It was noted that several local organisations also provide this service. Youth Councillors felt it would be better to support local organisations and services, when providing STEM programs for local youth. It was felt that this would be a good program to offer local

youth, but that it should be done in the second half of the year to better manage the budget expenditure.

#### 5.2. Assistance and Life Skills Programs

5.2.1. It was noted that the Youth Strategy and Youth Forum highlighted the need and desire for 'Life Skills' sessions to be held across the region, and that the KEPCO funding is in support of this. It was also noted that some of these talks should be inclusive of youth up to age 25, and not only focus on the 12-18 year demographic. A brief discussion about possible topics was held and include:

- Where do I go for ...? (Information about specific service providers in the region)
- Cyber Bullying
- Mental Health
- TAFE education courses
- How to find affordable housing (e.g. renters rights)

**Action:** S Sbisa to research relevant service providers and potential partnership opportunities across the region and begin reporting on these

### 5. DETAILS OF NEXT MEETING

6.1.1. Tuesday 13 March 2018, Rylstone Council Chambers, Rylstone.

6.1.2. For transport assistance please contact S Sbisa (Kandos/Rylstone areas), or F Turner (Mudgee area).

*5.35pm Meeting closed.*

**SUMMARY OF ACTION ITEMS**

<b>TASK / ACTION</b>	<b>RESPONSIBILITY</b>	<b>COMPLETION?</b>
Email S Sbisa recommendations of inspirational speakers (preferably with contact details).	Youth Councillors	
Follow up with inspirational speaker recommendations and send out final recommendation list to Youth Councillors as flying minute.	S Sbisa	
Promote Live and Local Youth Stage to potential performers.	Youth Councillors	12.02.2018
Ensure Youth Councillor photos are updated on webpage as they become available.	S Sbisa	
Email expected Gulgong Mural Project materials costs to S Sbisa.	Councillor Paine	
Contact local Youth Councils regarding Bubble/Zorb Soccer equipment.	B Munday	07.03.2018
Collate costings and comparison of Bubble/Zorb Soccer equipment and send to Youth Council.	S Sbisa	12.03.2018
Email S Sbisa recommendation for Youth Week film screenings.	Youth Councillors	09.03.2018
Investigate film screening costings for Youth Week and potential partnership with Barnardos.	S Sbisa	12.03.2018
Contact high school art teachers regarding Art competition.	S Sbisa	12.03.2018
Select and upload Stop Motion Workshop films to Youth Council Facebook page.	S Sbisa	
Investigate relevant service providers and partnership possibilities for Life Skills sessions.	S Sbisa	

## 12.6 Mudgee and Gulgong Access Committee

REPORT BY THE MANAGER, COMMUNITY SERVICES  
TO 21 MARCH 2018 ORDINARY MEETING  
GOV400066, COS300015

### RECOMMENDATION

#### That Council:

1. receive the report by the Manager, Community Services on the Mudgee and Gulgong Access Committee; and
2. note the minutes of the meetings held on 3 October, 7 November and 5 December 2017 and 20 February 2018.

---

### Executive summary

The Mudgee and Gulgong Access Committee meets monthly (but not in January) to raise and discuss issues concerning accessibility in the region. The next meeting is due to be convened on 3 April 2018.

### Disclosure of Interest

Nil.

### Detailed report

The Access Committee continues to scrutinise development applications with respect to matters touching upon public accessibility and provide their recommendations and input to Council's Planners. The Committee also continues to be engaged with plans for the redevelopment of Mudgee Hospital, including visits from representatives of Mudgee Health Council and NSW Health.

### Community Plan implications

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

### Strategic implications

#### Council Strategies

Council's Disability Inclusion Action Plan puts in place a number of proactive strategies intended to achieve and maintain community inclusion within the region, including continued support for its Access Committees.



**Council Policies**

Not applicable.

**Legislation**

Mid-Western Regional Council is committed to being an inclusive and accessible region and seeks to meet its obligations under the *Disability Discrimination Act 1992* and the *NSW Disability Inclusion Act 2014* through its Disability Inclusion Action Plan.

Financial implications

Not applicable.

Associated Risks

Not applicable.

FIONA TURNER  
MANAGER, COMMUNITY SERVICES

SIMON JONES  
DIRECTOR COMMUNITY

6 March 2018

- Attachments:*
1. Minutes - 3 October 2017.
  2. Minutes - 7 November 2017.
  3. Minutes - 5 December 2017.
  4. Minutes - 20 February 2018.

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER



**MINUTES OF THE MUDGEES AND GULGONG ACCESS COMMITTEE  
HELD AT 11:09AM, TUESDAY 3 OCTOBER 2017  
AT THE STABLES, MUDGEES**

**1. Welcome**

**Present:**

**Access Committee Members:** Victoria Barrett (Chair), Pamela Morris, Mary Lovett

**Council Staff:** Kim Stanton, Fiona Turner

**Receive apologies:** Councillor Alex Karavas, Councillor Sam Paine, Stephen Waller, Rodger Barnes, Les Leighton

Note: No quorum achieved – in principle meeting and discussions only.

**2. Minutes of 5 September 2017 meeting**

The minutes were carried over to the next meeting.

**3. Matters arising from 2017 Access Challenge:**

P Morris commented how good the Challenge was and M Lovett said it was great to see the Councillors involved.

F Turner had drafted a letter which she distributed at the meeting which outlined items noted from the two locations covered in the challenge and said a copy of the letter had been provided to relevant Council staff to provide feedback from each area they were responsible for (e.g. open spaces) and this item would be added to next month's agenda for further discussion.

**4. Correspondence**

In: Nil.

**5. Development Applications:**

V Barrett spoke about DA0070/2018 – Change of use – confectionary shop to takeaway – 56 Church Street, Mudgee. Items noted for submission were: (noting the building was a heritage shop), steps at front entrance, width of front doors and height of customer service counter.

4/10/17



## 6. General Business

1. M Lovett asked the meeting if they would like to participate in a tour of the accessible accommodation room at the Parkview Guesthouse. Agreed to carry over to the next meeting.
2. M Lovett raised the issue of the new Mudgee Hospital and asked how the Access Committee could be involved. She confirmed that John Bentley was happy to attend a meeting to discuss the new hospital further with the committee.

F Turner said that the Local District Hospital was conducting 'pop up' stores around the region and she suggested using this as a means of seeking further information and providing feedback (as an individual). She also said that Council was already represented in respect to the Health Council with the Mayor and General Manager both involved, however the Committee may wish to make recommendations to Council following consideration of any displayed plans.

F Turner said she would advise the Committee if she received notification regarding the dates for the 'pop up' shops.

M Lovett reiterated that this was everyone's opportunity to have their say.

### Meeting closed

11:43am.

**Next meeting: Tuesday, 7 November 2017, in the Council Chambers, at 11am.**

4/10/17



**MINUTES OF THE MUDGE AND GULGONG ACCESS COMMITTEE  
HELD AT 11:00AM, TUESDAY 7 NOVEMBER 2017  
AT COUNCIL CHAMBERS, MUDGE**

**1. Welcome**

**Present:**

**Access Committee Members:** Victoria Barrett (Chair), Rodger Barnes, Les Leighton, Mary Lovett, Pamela Morris, Stephen Waller,

**Councillors:** Councillor Alex Karavas

**Guest:** Gavin Stait (Guide Dogs NSW/ACT)

**Council Staff:** Fiona Turner

**2. Receive apologies:** Councillor Sam Paine, Renee Lamshed, Kim Stanton (Staff)

**3. Minutes of 3 October 2017 meeting**

Moved: V Barrett                      Seconded: A Karavas                      Carried

**4. Matters arising from Previous Minutes**

**4.1 Tour of Parkview Guest House (M Lovett)**

M Lovett suggested that the Committee may wish to take a tour of the accessible room and bathroom facilities at the recently refurbished Parkview Guest House. V Barrett, R Barnes and L Leighton indicated they did not wish to participate in a tour. A Karavas and F Turner have already toured the facility. M Lovett will coordinate a date to view the facility with Parkview management and K Stanton will assist in coordinating with P Morris and S Waller. Given the café within the Guest House only operates Wednesday to Sunday, and having regard to S Waller's availability it was decided that a Wednesday afternoon would be preferential.

**4.2 Feedback correspondence regarding Access Challenge (F Turner)**

**Motion: That the draft feedback on the Access Challenge be sent to Councillors.**

Moved: V Barrett                      Seconded: P Morris                      Carried

8/11/17



## 5. Correspondence

In:

- 5.1 Letter dated 24 October 2017 confirming Councillor representatives appointed to the Committee.

Out: Nil

## 6. Development Applications:

P Morris advised she had not received the DA paperwork.

Noted that some of the DA paperwork was illegible.

- 6.1 MI0006/2018 Commercial Alterations/Additions – Federal Hotel, 34-36 Inglis Street, Mudgee

Committee was happy to see the inclusion of the accessible unisex bathroom. Concern raised as to whether the ramp for rear access was compliant with disability standards. This was the only major concern and F Turner to investigate and lodge submission if it is found that the ramp is not compliant.

*Addendum: DA examined in greater detail – Proposal includes the demolition of existing step ramps and construction of a disabled access ramp new doorway into the vestibule area and new door to facilitate disabled access into the foyer of the Hotel. Plans note access from the accessible parking bay to the main entrance is graded at a maximum of 1 in 40 and no greater step than 5mm as per AS1428.1. No submission, therefore, necessary.*

- 6.2 MA0016/2018 Seniors Housing and Ancillary Structures – Caerleon Estate, 37 Hill End Road, Caerleon

It was noted that this was an application to modify an existing consent and, therefore, only the proposed changes are available for comment. Proposals touching upon access were noted.

The Committee did not provide comment for submission on this application.

- 6.3 DA0081/2018 New Hotel Alterations and Additions, Function Space and New Carpark – Regent Theatre, 5-7 Church Street, Mudgee

The Committee noted handrails will be to standard, braille and tactile signage, accessible rooms on all floors, as well as lift access.

8/11/17



The Committee wished to make a submission that the fitout of the rooms be in accordance with AS1428.

11.40am: A Karavas and G Stait excused themselves from the meeting.

## 7. General Business

### 7.1 Mudgee Hospital Community Consultation (M Lovett)

A reminder to Committee members to attend the community consultations for the new Mudgee Hospital when the pop-up stalls are launched.

### 7.2 Sweet Treats, Church Street (P Morris)

P Morris reported that the new shop has good accessibility: the step/lip at the front entrance has been removed and there is a ramp for easy access. The thoroughfare is nice and wide within.

### 7.3 Laybacks and pedestrian refuge between Coles and Target in Mortimer Street (L Leighton)

L Leighton advised that Council has done a great job with this feature, but from the northern side of Mortimer Street, looking south, there is no indication of where the layback is for visually impaired pedestrians; the layback does not align with the tactiles.

F Turner to inspect and item to be added to December agenda.

## Meeting closed

11:55am.

**Next meeting: Tuesday, 5 December 2017, in the Stables Meeting Room, at 11am.**



**MINUTES OF THE MUDGEE AND GULGONG ACCESS COMMITTEE  
HELD AT 11:00AM, TUESDAY 5 DECEMBER 2017  
AT THE STABLES, MUDGEE**

**1. Welcome**

**Present:**

**Access Committee Members:** Victoria Barrett (Chair), Rodger Barnes, Mary Lovett, Pamela Morris, Stephen Waller

**Councillors:** Councillor Sam Paine

**Council Staff:** Fiona Turner, Kim Stanton (Minutes)

**2. Receive apologies:** Councillor Alex Karavas, Les Leighton

**3. Minutes of 7 November 2017 meeting**

Moved: P Morris                      Seconded: M Lovett                      Carried

**4. Matters arising from Previous Minutes**

4.1 Tour of Parkview Guest House (M Lovett)

Carried over to new year.

**5. Correspondence**

In:

5.1 Email from L Leighton dated 20 November 2017 following up regarding proposal from two years ago to tar seal parking area at Mudgee Showground to make it more accessible. K Stanton followed up with Manager, Plant & Facilities, who advised that the earlier proposal was declined and there was no budget allocated then or in the current budget.

F Turner explained that it was not suitable just to tar certain points at the Showground, and even if there was budget to do so, it was not practical to tar a substantial portion of the Showground given the variety of uses and events at the facility.

Noted various accessible amenities within the site.

05.12.2017



Out: Letter to Councillors dated 7 November 2017 thanking them for their participation in the 2017 Access Challenge.

## 6. Development Applications:

- 6.1 DA0139/2018 – Mudgee Disability Support Seniors Living– 153 Bruce Road, Mudgee

Committee was satisfied with DA. No submission necessary.

## 7. General Business

- 7.1 M Lovett spoke about petition information she circulated from IDEAS – Disability Advocacy. F Turner reminded the Committee that as an individual it was their choice to support/sign this petition but it was not something that the Committee had appropriate delegation to endorse.
- 7.2 M Lovett spoke about a recent discussion she had with Vision Australia and the difficulty for vision impaired persons that did not have access or could not use smartphones or computers to receive relevant information. Vision Australia were currently working with Telstra to negotiate a reasonable call cost for these people to access the information they wanted.
- 7.3 V Barrett mentioned a TV program called 'Barrier Free Approach' (2020 Tokyo Olympics/Paralympics) that may be of interest to the Committee. K Stanton to circulate the link to the Committee members.

### Meeting closed

11:24am.

**Next meeting:** Tuesday, 6 February 2018 at 11am in the Stables.

05.12.2017





**MINUTES OF THE MUDGEE AND GULGONG ACCESS COMMITTEE  
HELD AT 11AM, TUESDAY, 20 FEBRUARY 2018  
AT THE ADMIN FOYER MEETING ROOM, MUDGEE**

**1. Welcome**

**Present:**

**Access Committee Members:** Victoria Barrett (Chair), Les Leighton, Mary Lovett, Roger Barnes, Pamela Morris, Stephen Waller

**Councillors:** Councillor Alex Karavas

**Council Staff:** Fiona Turner

**Guest:** Jo-Anne Whitson (Project Officer Mudgee Hospital Redevelopment)

**2. Receive apologies:** Councillor Sam Paine

**3. Mudgee Hospital Redevelopment (J Whitson)**

- Three stages of redevelopment: planning (including future planning), design and delivery/construction.
- Increased bed numbers (from 23 to 28).
- Purposeful departments (eg, dialysis).
- Management will relocate to demountables, administrative staff will move to the rear of the Service NSW building and Community Health will relocate to the top level of the hospital for works to begin by demolishing the Community Health Building.
- Official turning of the sod intended for the end of 2018.
- New hospital all under the one roof on two levels.
- There will be a safe assessment room in the Emergency Department.
- Admissions will have predominantly single rooms, suitable for mental health admissions.
- All rooms to be accessible with ensuite facilities and a bariatric room with lifter.
- There will be a public consultation day towards the end of March with the NSW Minister for Health Brad Hazzard.
- Completion of works expected in 2020.
- Lots of parking – 43 spaces, including accessible spaces.
- Entrance in Mares Street, plus an entry from Lewis Street for emergency services.
- There will be a kitchen on-site.
- See attachments to minutes.

J Whitson left the meeting.



#### **4. Confirm Minutes of 5 December 2017 meeting**

The minutes were confirmed.

Moved: L Leighton

Seconded: V Barrett

#### **5. Matters arising from previous Minutes:**

- 5.1 Alignment of laybacks and pedestrian refuge on Mortimer Street in between Coles and Target – concerns for safety of vision impaired pedestrians. The Committee acknowledges that it is not an option to rip up current infrastructure. F Turner to discuss possible options with Council Works Engineer.

#### **6. Correspondence:**

Internal:

- 6.1 Submission re DA0166/2018 – Change of use to retail, food and drink - 48A Market Street, Mudgee

#### **7. Development Applications:**

- 7.1 Modified DA0081/2018 The Regent Theatre

Submissions:

- 7.1.1 Provided it doesn't contradict any safety/fire regulations, sliding doors in accessible rooms.

Moved: L Leighton

Seconded: R Barnes

- 7.1.2 Provide a lower counter space in the reception area.

Moved: L Leighton

Seconded: V Barrett

- 7.1.3 If floor surfaces are to be carpeted, be low pile.

Moved: V Barrett

Seconded: L Leighton

- 7.1.4 Include an accessible bathroom and room features in the Regent Suite.

Moved: L Leighton

Seconded: V Barrett



7.1.5 The fourth level accessible bathroom include sliding door cavities.

Moved: L Leighton

Seconded: R Barnes

#### **8. General Business:**

- 8.1 M Lovett suggested a re-assessment of accessibility at St Matthew's Catholic School. L Leighton not interested.
- 8.2 L Leighton complained that the Council website noted 'No DA's on exhibition' when there were. This issue now appears to have been corrected.
- 8.3 L Leighton noted that the development application for The Oriental Hotel accommodation at 8 Lewis Street included no notes on accessibility.
- 8.4 M Lovett questioned whether the submission lodged for the development application at 48A Market Street included notes on the lack of toilet numbers given the predicted number of patrons. This is something the committee should bear in mind for future development application assessments.

**Meeting closed 12:00pm**

**Next meeting: Tuesday, 6 March 2018, in the Admin Foyer Meeting Room, at 11am.**

## 12.7 Gulgong Memorial Hall Committee Meeting 13 February 2018

REPORT BY THE DIRECTOR COMMUNITY  
TO 21 MARCH 2018 ORDINARY MEETING  
GOV400066, A0100025

**RECOMMENDATION****That Council:**

1. **receive the report by the Director Community on the Gulgong Memorial Hall Committee Meeting 13 February 2018;**
2. **note the minutes from the Gulgong Memorial Hall Committee meeting held 13 February 2018; and**
3. **note the Terms of Reference to include the Gulgong Arts Council have a membership position on the Gulgong Memorial Hall Committee.**

## Executive summary

The purpose of this report is to advise Council of the considerations and recommendations of the Gulgong Memorial Hall Committee meeting held 13 February 2018.

## Disclosure of Interest

Nil.

## Detailed report

The Gulgong Memorial Hall Committee has had a number of discussions required future works at the Hall and there are many ideas for the future. As a regular user of the Hall, the Gulgong Arts Council has also put forward ideas for consideration. Alongside this, the Gulgong arts Council have requested that they be accepted as a member of the Hall Committee. This may also provide opportunities for other regular users to be members of the Committee. Ultimately, if there is regular positive communication between hall users then this will hopefully lead to a high degree of harmony and understanding between users and better knowledge of the different events and different requirements of the Hall.

## Community Plan implications

**Theme      Looking After Our Community**

Goal	Meet the diverse needs of the community and create a sense of belonging
Strategy	Provide equitable access to a range of places and spaces for all in the community

## Strategic implications

**Council Strategies**

Not Applicable.

**Council Policies**

Not Applicable.

**Legislation**

The Gulgong Memorial Hall 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

Not Applicable.

SIMON JONES  
DIRECTOR COMMUNITY

8 March 2018

*Attachments:* 1. Gulgong Memorial Hall Committee Meeting minutes 13/02/2018.  
2. Terms of Reference - Gulgong Memorial Hall Committee.

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER

Gulgong Memorial Hall Meeting 13/2/18

Opened: 1603

Present: Maureen Trgo, Ray Thackeray, Pauline Hannaford, Chris Hannaford, Percy Thompson, Charlie & Cheryl Vassel, Bill Clifford

Guests: Scotti and Ray Leatherby, Diane Thompson

Welcome Scotti and Ray.

Minutes of last minutes read - moved Pauline, 2<sup>nd</sup> Charlie

Matters arising from Minutes – Memorial Hall Committee cannot raise money in our name, as we are a 355 committee, but we can cooperate with other groups in town. Funds can be donated for a specific item for the Hall, e.g. chairs or painting etc, but not just financial.

Christmas Celebration – Ray and Maureen have done a fantastic job of balancing out the money. Even with contributions to Community Groups, there is \$950 left over, so when things are on special during the course of the year we can purchase them, and will be able to purchase advertising. Well done to everyone, a wonderful team effort. Numbers maybe not as high as expected, but there was no food left over.

Swoop Petting spelt incorrectly in the Gossip. The people from Swoop enjoyed the experience so are booked in for next year, as are the ponies. The start for taking Santa will be from the Post Office Hotel this year, route to be sorted out.

It was good that people stayed later, until 2000. In other years people have left earlier.

Do we need to start earlier? No, as is too hot.

Santa is locked in for the full duration this year. Suit cleaned by Ironed Out, as a donation.

Certificate of Appreciation to be done by Marilyn Frost – Chris

Gulgong Vintage and Classic Motorcycle Club, who hold the swap meet each year, are holding an event to celebrate the A Model Ford, brochure handed out, to be held at the Showground on the 12<sup>th</sup> & 13<sup>th</sup> of May. Accommodation is already booked out.

Swap Meet brochure handed out – will be on the 11/11 this year. From day one Chris and Ray have helped out with the Swap Meet and the committee decided they are now in the position to give something back, so they have donated a Microwave to the Memorial hall. Photos taken of handover – Chris will do a letter to the Guardian to go with the photos.

Chris has received a series of emails from Simon Jones – re letters from Arts Council. They obviously have not listened to the conversations that have happened.

Simon has ordered the new ladder, and we have a place that is safe to put it, in the old stairwell.

He has quotes of all the things that were discussed and agreed to:

Hanging Rails

Fire doors

Lockable kitchen doors

Painting of Hall

New sound system asked for, but not required.

Sanding and coating of floor - \$40 - \$60,000

The roof is a concern and the way the coolers were put in, one has overflowed as ?not put in correctly. New roof and guttering \$240,000, and when this is done it would get the air coolers installation corrected.

Arts Council would like full kitchen setup, crockery and cutlery.

The Memorial Hall Committee have requested that none of the purchases of kitchenware are carried out until the all the works have been completed to the Hall.

As we are a 355 Committee we come under the same Code of Conduct. Toni Morrison has requested to Brad Cam that she become a member of the Memorial Hall Committee.

As the emails have come to the Memorial Hall Meeting, should a letter be sent to answer this? Not until she approaches us. Council has brought up safety issues, as in if Council purchases glassware etc, and if anyone gets cut, then Council can be sued. Safety issues need to be addressed.

Letter to Toni stating that we are disappointed that she did not approach the Committee directly. If these things were broken, who would replace them. Chris

A member from the Arts Council should be part of our Committee as they are a user group, dependant on Council Permission. Any member of the public can come to any Council Committee and can talk, but cannot vote, move or second any motions.

Three weeks ago Chris gave Peter Willis a thumb drive with the photos of the Christmas Celebration, to be put onto the Gulgong Website. ?as to who is doing the Gulgong Website, as it has not been updated since 2016. Charlie was talking to Bill, and the December 2018 issue will have photos from the Folk Festival and Christmas Celebration on it to advertise these events. The covers are sorted out for the year to promote the events that are happening for the year.

Meeting closed 1658 next meeting 13/3/18, Men’s Shed

Action Plan

Person Responsible	Action	Result
Chris	Merilyn Frost re Certificate	
Chris	Letter to Arts Council	
Chris	Letter to Guardian to go with photos	
?	Gulgong Website	



## TERMS OF REFERENCE

### Mid-Western Regional Council

### Gulgong Memorial Hall Committee

*A prosperous  
and progressive  
community*

ADOPTED		REFERENCE	2.0
MIN		REVIEW DATE	NOVEMBER 2018
DATE PREPARED:	15 NOVEMBER 2017	FILE NUMBER	A0100024

## Preamble

Mid-Western Regional Council appreciates the advice, voluntary time, commitment, interest and dedication demonstrated by members of its Advisory Committees. Council will give serious consideration to recommendations stated in the minutes of Advisory Committees. Such recommendations are considered in the context of Council's Management Plan and budgetary considerations at an operational and strategic level.

## Responsibilities

The Gulgong Memorial Hall Committee will have the following responsibilities:

- Promote use of the Gulgong Memorial Hall;
- Liaise with groups who use the Hall as required;
- Represent Council in organising the Gulgong Christmas Celebrations.

## Composition of Committee

The Committee shall comprise the following members:

- One (1) elected Councillor
- Interested representatives of the Gulgong community and regular Hall users (up to 10)
- One (1) representative of the Gulgong Arts Council

## Meeting Frequency and Quorum

The Committee shall meet monthly and report the minutes from these meetings back to Council.

The quorum shall be half the current membership plus one.

## Delegations

Nil

## Council Contact and Support

The Director, Community is the Council contact officer for the Gulgong Memorial Hall Committee. No secretarial support is provided.



## 12.8 Red Hill Committee Meetings 4 October 2017 and 31 January 2018

REPORT BY THE DIRECTOR COMMUNITY  
TO 21 MARCH 2018 ORDINARY MEETING  
GOV400066, P0860011

### RECOMMENDATION

#### That Council:

1. **receive the report by the Director Community on the Red Hill Committee Meeting 4 October 2017 and 31 January 2018;**
2. **note the minutes of the Red Hill Committee meetings held on 4 October 2017 and 31 January 2018;**
3. **endorse the Red Hill Master Plan; and**
4. **endorse Maureen Hall to be a member of the Red Hill Committee.**

---

### Executive summary

This report seeks to inform Council on further progress on the Red Hill site and to seek final endorsement for the Red Hill Master Plan.

### Disclosure of Interest

Nil

### Detailed report

The Red Hill Committee support the draft Red Hill Master Plan for endorsement by Council. 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. While there were no submissions to the public exhibition period, further discussion with the Red Hill Committee has focused on providing amenities in the cottage area rather than across Tom Saunders Avenue as originally proposed.

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 at the Red Hill cottage, the development of a bus and car parking area, development of the cottage for mining displays and information and further landscaping works.

The works included will need to be included in future budget processes for consideration and it would be expected that Stage 1 may take a number of years to complete.

At the January meeting of the Red Hill Committee, Maureen Hall was recommended to be a member of the Committee. Maureen is the Coordinator of the Gulgong Gold Experience.

## Community Plan implications

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

## Strategic implications

### **Council Strategies**

Red Hill Master Plan

### **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. While the continued developed of the Red Hill site is a worthy aim, 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

8 March 2018

*Attachments:*

1. Red Hill Master Plan February 2018.
2. MINUTES - Red Hill Committee 4 October 2017.
3. MINUTES - Red Hill Committee 31 January 2018.

APPROVED FOR SUBMISSION:

BRAD CAM

GENERAL MANAGER



**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 including, public toilets and tourist information.
- 7 Provide paved bus and visitor parking

**PROPOSED FUTURE WORKS**

- 8 Excavate mine shaft work area by careful assessment of historical evidence and clearing of soil away from original rock face exploration. Install safety rail.
- 9 Make access available to the mine shafts for visitors, subject to safety issues. Shaft locations to be identified through mining maps and site exploration.
- 10 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.





SJ | P0860011

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E council@midwestern.nsw.gov.au

**MINUTES OF MEETING FOR THE RED HILL COMMITTEE HELD ON  
4 OCTOBER 2017 COMMENCING AT 3.01PM**

Present: Chris Pearson, David Warner, Cr Percy Thompson, Tony Harrison, Maurice Gaudry, Bill Murphy, Paul Blackwell (staff), Simon Jones (staff)

**1. Apologies**

Cr Paul Cavalier, Joy Harrison, Michele McFarlane

**Moved: Maurice Gaudry      Seconded: Chris Pearson      Accepted**

**2. Additional Councillor Representative**

It was noted that Council had appointed Cr Percy Thompson as an additional Councillor Representative to the Red Hill Committee.

**3. Red Hill Master Plan**

The Red Hill Master Plan is currently out on exhibition awaiting any community feedback. It will be discussed again at the December Red Hill meeting.

**4. Memorandum of Understanding with Gulgong Holtermann Museum**

There was a suggestion put that perhaps the Red Hill should be disbanded and reconstituted. Further discussions are needed on the role of the Red Hill Committee and the Memorandum of Understanding between Council and the Gulgong Holtermann Museum Inc.

**5. Discussions with Mudgee Region Tourism**

The current agreement for the Visitor Information Centre is in place until June 2018. It was suggested that the Gulgong Holtermann Museum is in a perfect location for a Visitor Information Centre, although parking may be a problem.

**6. Maintenance Issues/Works Requests/General Business**

- Path has been created and is now ready for compaction
- MasterPlan – landscaping and attractions need to be drawn up as part of the Master Plan. Office of the Environment & Heritage may be able to assist?
- More toilets are needed at Red Hill

- ClayFest is on in 2018
- There is accommodation at the Red Hill school for 70-80 people.

**Meeting closed at 3.39pm.**

**Next meeting: To be advised**



SJ | P0860011

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**MINUTES OF MEETING FOR THE RED HILL COMMITTEE HELD ON  
31 JANUARY 2018 COMMENCING AT 2.30PM**

Present: Chris Pearson, David Warner, Cr Percy Thompson, Tony Harrison, Joy Harrison, Maurice Gaudry, Maureen Hall, Bill Murphy, Paul Blackwell (staff), Simon Jones (staff)

The meeting was opened and chaired by Cr Thompson.

**1. Apologies**

Cr Paul Cavalier

**Moved: Maurice Gaudry    Seconded: David Warner    Accepted**

**2. Red Hill Master Plan**

Need to remember the history and relevance of Red Hill

We don't want a theme park

There was a Conservation Management Plan for Red Hill about 20 years ago (David Warner to provide a copy)

Seating – it would be good to have something solid made out of hardwood. Perhaps four benches about eight foot long with a black steel frame.

**Motion: That Committee members investigate the design and construction of four bench seats to go to Red Hill**

Moved: Maurice Gaudry    Seconded: Bill Murphy    **Motion Carried**

**Motion: That the Committee endorses the proposed Master Plan with minor amendments and the additional amenities at the Red Hill cottage**

Moved: David Warner    Seconded: Joy Harrison    **Motion Carried**

**3. Additional Committee member**

It was suggested that Maureen Hall, as the coordinator of the Gulgong Gold Experience should also sit on the Red Hill Committee.

**Motion: That the Committee supports the application from Maureen Hall to be a member of the Red Hill Committee**

Moved: David Warner

Seconded: Bill Murphy

**Motion Carried**

**4. Maintenance Issues/Works Requests/General Business**

- Need more bollards on the pathways
- There is a hanging branch that needs to be removed
- There is an infestation of cathead on the mullock heap
- Thank you to Mid-Western Regional Council for the additional funds for the coordinator of the Gulgong Gold Experience

**Meeting closed at 3.15pm.**

**Next meeting: To be advised**

## Item 13: Urgent Business Without Notice

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### URGENT BUSINESS WITHOUT NOTICE

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

### GIVING NOTICE OF BUSINESS

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

### BUSINESS WITHOUT NOTICE

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





## Item 14: Confidential Session

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### LOCAL GOVERNMENT ACT, 1993

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

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

#### 10D *GROUND FOR CLOSING PART OF MEETING TO BE SPECIFIED*

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

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**DISCLOSURE AND MISUSE OF INFORMATION**

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

**Maximum penalty: 50 penalty units**

## MOTION

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

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

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

## CHAIRMAN

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

### **14.1 General Manager's Performance Agreement 2017-2018 - 6 Monthly Review**

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

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

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

The General Manager will read out any written representations received.

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

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