

PUBLIC COPY

2018

MID-WESTERN REGIONAL COUNCIL
COUNCIL BUSINESS PAPERS

ORDINARY MEETING
WEDNESDAY 19 SEPTEMBER 2018



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



PO BOX 156
MUDGEES NSW 2850

86 Market Street MUDGEES
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

12 September 2018

Dear Councillor

MEETING NOTICE
Ordinary Meeting
19 SEPTEMBER 2018
Open Day at 5:30PM

Council Meeting commencing at conclusion of Open day

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

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

Yours faithfully

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

BRAD CAM
GENERAL MANAGER

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Item 1: Apologies

Item 2: Disclosure of Interest

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

Item 3: Confirmation of Minutes

3.1 Minutes of Ordinary Meeting held on 15 August 2018

Council Decision:

That the Minutes of the Ordinary Meeting held on 15 August 2018 be taken as read and confirmed.

The Minutes of the Ordinary Meeting are separately attached.

Item 4: Matters in Progress

SUBJECT	RESOLUTION NO. & DATE	RESOLUTION	ACTION
Solar Energy Options	Res. 127/17 Ordinary Meeting 17/05/17	That Council: 2. endorse the strategy of installing solar panels on appropriate Council buildings to reduce ongoing electricity costs and deliver this strategy for at least one further Council building during the 2017/18 financial year.	To be reported to Council at a future meeting.
Update on LEC Matter MA0030/2017	Res. 390/17 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.	To be reported to Council at a future meeting.
RFT 2017/21 Glen Willow Footbridge - Provision of Handrail Trusses and Piers	Res. 66/18 Ordinary Meeting 21/03/18	That Council: 1. investigate a more economical outcome and bring back a report when the cost of works are known.	To be reported to Council at a future meeting.
Rylstone Lawn Cemetery	Res. 108/18 Ordinary Meeting May 2018	1. That Council staff bring back a report on the costs and any grant opportunities, and that Council consider a lawn cemetery at Rylstone as part of a future budget initiative.	To be reported to Council at a future meeting.
Bus Access to Red Hill	Res. 131/18 Ordinary Meeting June 2018	That a report be brought back to Council on options for improving access for buses and coaches to the Red Hill Precinct.	To be reported to Council at a future meeting.
Water Modelling	Res. 132/18 Ordinary Meeting June 2018	Council obtain quotes with a view to engaging an independent consultant to provide a peer review of the modelling provided by WaterNSW on Windermere Dam, and provide assumptions on possible Blue Green Algae problems.	RECOMMENDED FOR COMPLETION
Council Representations at Funerals	Res. 133/18 Ordinary Meeting June 2018	That Council develops a Policy in relation to Council representation at Funerals.	RECOMMENDED FOR COMPLETION
Iron Barks Road	Res. 143/18 Ordinary Meeting June 2018	That the staff engage with the members of Iron Barks Road and bring back report on the best way to deal with their concerns regarding this road.	RECOMMENDED FOR COMPLETION

Item 5: Mayoral Minute

Nil

Item 6: Notices of Motion or Rescission

6.1 Camping Tree Footpath

NOTICE OF MOTION LISTED BY CR SAM PAINE
TO 19 SEPTEMBER 2018 ORDINARY MEETING
GOV400066, A0100035, P0935911

MOTION

That council investigate the viability and cost of extending the footpath network to the camping tree.

Background

This motion comes in response to a request from Brian Hobson, on behalf of the “Friends of the Historic Camping Tree.”

Officer’s comments

Council will remember that this came up as a Community Plan Proposal and Council rejected it at the time because the pathway would mean negotiating with many private land owners for pathway access. If the pathway followed on from the Putta Bucca Wetlands, then there will be a need for a Bridge over the Cudgegong River to link to the Camping Tree.

6.2 Multi-Use Art Facility - Kandos.

NOTICE OF MOTION LISTED BY CR SAM PAINE
TO 19 SEPTEMBER 2018 ORDINARY MEETING
GOV400066, A0100035, P1538911

MOTION

That council support in principle Cementa's proposal that council purchase 71 Angus Avenue, Kandos, as a multi-use art facility.

Officer's comments

Through the 2018/19 operational plan process, Council considered a different proposal from Cementa for a multi-use art facility in Kandos.

At the time of printing of the business paper, staff have not had an opportunity to review this new proposal. However, a report could be provided to Councillors at the October meeting.

Attachments: 1. Kandos Art Facility Proposal.

KANDOS ART FACILITY PROPOSAL

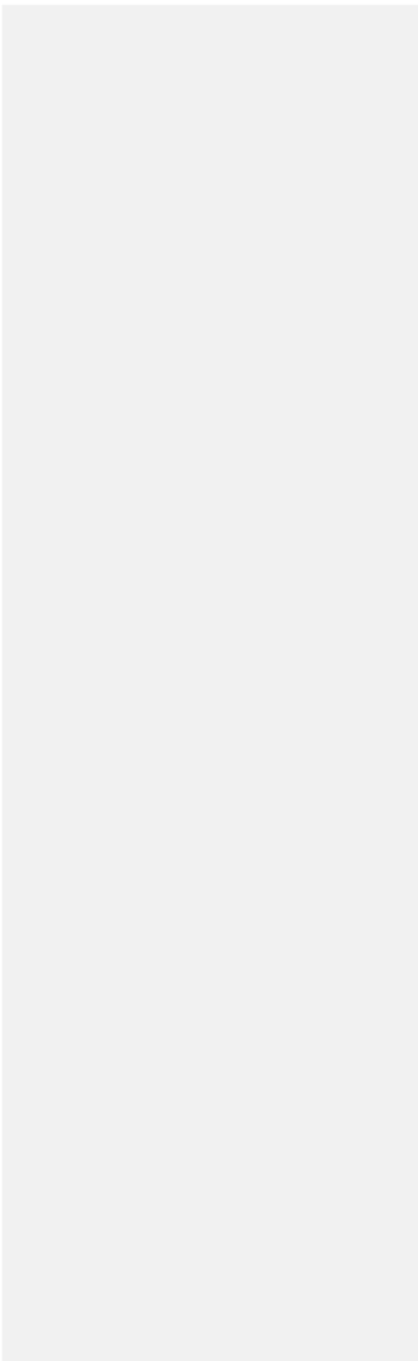
(Amended X September 2018)

CEMENTA INC. is requesting from Mid-Western Regional Council an in-principle commitment to purchase 71 Angus Avenue, Kandos (Angus Hall/Harley Davidson Museum) outright for \$180,000 for the purpose of building a multi-use Art Facility. This contribution will be contingent on the success of CEMENTA INC. in securing funding from the Regional Cultural Fund for renovation and fitting-out of the facility.

This amended proposal includes a change of location with the purchase of an existing building of historic significance to the Arts Facility.

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Proposal

Summary

An opportunity exists to create a multi-purpose not-for-profit arts facility in Kandos NSW that will turn our town into a cultural tourism destination and grow the visitor economy. This will allow Kandos' growing creative community to build on the town's reputation as a significant cultural destination, creating a distinctive, year-round, cultural experience that will draw visitation into the town and serve as an anchor for building a viable visitor economy. This facility will include artist's residences, community workshops, retail, exhibition and office space and a cafe.

Opportunity

The Regional Cultural Fund has been established by the NSW Government to ensure regional NSW has a strong cultural economy, increased regional participation in creative and cultural activities, and the associated recreational and educational benefits that flow from this. The Fund will invest \$47 million in the second round of funding to drive growth in arts, screen, cultural and heritage infrastructure for the social, cultural and economic benefit of communities in regional NSW.

The current owner of 'Angus Hall', Kandos' first community hall, has offered it for private sale to Cementa Inc. The hall is culturally and historically significant to the town, is perfectly situated on the main street and already possesses many of the functions we are looking for, such as a working café, a residency area and a large space that can be converted into exhibition and community collaborative spaces.

Our project fits all four of the Fund's aims and meets its four key objectives. With a financial contribution from Council, we have a strong chance to make this project a reality, breathing new life into our local economy and delivering to our community the cultural and social benefits that come with a vibrant creative culture. Our project is designed to combine community inclusion with a program of high-quality art activities that will deliver both economic and social benefit.

Support Requested from MWRC

We are seeking that MWRC purchase 'Angus Hall' at 71 Angus Avenue, Kandos for \$180,000. The site is ideally situated on Kandos' main street and its unique character and historic significance as Kandos' first town hall makes it an exciting candidate for conversion into a modern art and cultural centre. Our design will combine the heritage qualities of this early 20th Century working class hall with the functional and aesthetic design of a contemporary art space. We envisage the cost of renovation and fit-out for this facility will be in the region of \$800,000 (TBC) and will be predominantly funded by a grant from the Regional Cultural Fund. *We need to communicate the need for significant material support from council in order that our application be competitive.*

This is one the Board would need to agree on – both as a strategy and as an ongoing financial commitment:

Note that the application for a grant from the Regional Cultural Fund is dependent upon providing evidence of a substantial co-contribution. Whilst Cementa Inc's strong preference is for MWRC to provide support via purchase of Kandos Hall, an alternative approach would be for MWRC to provide a contribution of \$100,000

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towards the purchase of the building as well as an \$80,000 loan to be repaid in 10 years at an agreed fixed rate of interest.

Background

Since the closing of The Kandos Cement Works in 2012, Kandos has entered a period of economic and social decline that has continued through the closing of the several remaining coal mines in the area and the impending closure of our last remaining industry, the Sibelco Limeworks in Charbon. Through this period, the towns of Kandos and Rylstone have shown themselves to be resilient and adaptive, developing a vibrant visitor economy and becoming a tree-change destination with a creative community. This is exemplified in the recent decision by the State government to invest \$1m in restoring the rail line between the two towns. While Rylstone has clear tourism assets, Kandos has less attractions to draw visitors into the town and this has been identified as a clear challenge in our efforts to redefine our economic future.

Cementa Festival has played a contributing role in these changes, lifting the national profile and awareness of the two towns and helping to creating an awareness of Kandos as a creative community and a significant site within the Australian arts industry. We are committed to developing our operation into a year-round program of public activities that build on our past achievements and fulfil the potential contribution that arts and culture can make to our local community.

Objective

We believe that an art facility will create an anchor of ongoing activity that will attract and build visitation in the town. This activity will have flow on benefit to other businesses in town, including our highly successful industrial museum and will serve as a foundation, supporting the sustainability of other businesses that open.

The facility will have the following capacities:

- ~ Artist residencies to house visiting artists.
- ~ An internet hot desk office and makers area to support start-up creative businesses
- ~ A community cooperative space for local artisans to collaborate on projects, exhibit and sell their creative products.
- ~ A purpose-built exhibition space to support an ongoing schedule of exhibitions and projects for presentation to the public.
- ~ Offices for arts organisations such as Cementa Inc.
- ~ A commercial café for visitors and as an additional revenue source

The Visitor Economy

This project has been designed to build on our growing reputation as an important cultural destination, expanding our operation from a biennial festival into a constant operation that will attract visitation through a distinctive year-round program of arts and culture activities.

We will promote the art facility through our own strong art industry networks, continuing to build and promote Kandos as an arts destination of National significance. Our partnership with Mudgee Regional Tourism will continue to evolve to devise and implement strategies that will integrate our destination potential into their already highly successful campaign for building the Mid-Western visitor economy into one of the most popular regional destinations in NSW. Partnerships with other organisations are being explored, including creating an art trail that will

connect the many high-quality arts and cultural experiences in Mudgee, Gulgong and our area. Our project also dovetails with the newly achieved renewal of the train line between the two towns and will significantly add value to visitors' experience of Kandos by heritage train.

The Arts Facility, once established, will have further opportunities for funding investment from Destination NSW and can leverage existing experience and expertise from our ongoing relationship with Mudgee Region Tourism.

A recent audit of the Rylstone/Kandos/Capertee region showed over 500 beds available plus camping and caravan parks. A solid asset base to support tourism activity exists in close proximity to Kandos (including 2 motels and 2 hotels in Kandos) once activity is generated.

Projected visitation impacts:
 (Visitation assumptions of low at 10 per day and high at 30 per day)

No. Days open	Monthly Low	Monthly High	Annual Low	Annual High
3 per week	120	360	1440	4320
5 per week	200	600	2400	7200

With a low estimate of 1000 visitors per annum and a high of 3000, this Facility has the potential to generate \$500,000 to \$1.5million of economic benefit per annum.¹

Proven Track Record

Cementa has been in operation for over six years and in that time, we have mounted three ambitious, innovative and highly successful festivals with growing attendance in every iteration. In 2017 Cementa Festival attracted an audience of over 2000 people over four days to visit the town and attend its many exhibitions and events. Based on feedback from accommodation providers, we estimate approximately 25% required accommodation, generating over \$230,000² of economic benefit to our towns as a direct result of the Festival.

It is our intention to build this performance into a year-round economic benefit through the proposed art facility. Cementa Inc. is already funded to bring up to 30 artists per year to Kandos to prepare work for the festival. This resource, in combination with regional artists and community, can be extrapolated to produce a dynamic program of exhibitions, projects, workshops, performances and other cultural activities that will serve as a foundation for attracting audience and visitation into the town.

Benefits

- ~ Our project will fulfil Kandos' growing potential as a cultural destination by attracting and building visitation to the town, thus boosting the visitor economy.
- ~ Provide the broader Kandos/Rylstone community with a space for exploring and celebrating its community, culture and creativity through facilities and activities that encourage collaboration, education, and entrepreneurial initiative. This outcome is designed to allow communications between local community culture and the contemporary arts activity produced by Cementa Inc, helping to assure a

¹ _____
² Austrade LGA profile MWR 2016

rich and deep community involvement in the artworks being produced for festival and other arts outcomes.

- ~ Support Cementa Inc. to develop from a biennial festival into a fully-fledged arts organisation delivering a robust annual program of activities, exhibitions, workshops, residencies and projects across the two years, culminating in a large-scale festival celebration.
- ~ Provide hot desk office and makers' facilities to support fledgling and established businesses build online capability.
- ~ Provide a technology equipped space for conferences and meetings for community groups, services and businesses.
- ~ Provide a technology equipped space for conferences and meetings for community groups, services and businesses.

Kandos Hall

Just over a hundred years old, the Angus Memorial Hall was the first town hall of Kandos, built by the son of, and named after James Angus, the founding Chairman of the Cement Works and Colliery that brought Kandos into being. This classic early 20th century workers' hall has hosted many of the highs and lows of the community of Kandos, serving as dance hall, library and movie theatre; for church services, meetings and balls. The town congregated here for the beginning and ends of wars, for the celebrations and memorialisation of those who lived in Kandos.

Business Case

Our proposal is designed to maximise income streams generated through the direct activity of the proposed facility to meet its running costs and assure its future through a robust and sustainable business model.

Financial modelling to date indicates that the Arts Centre will have positive cash flow, allowing for running expenses. Cementa Inc has now been established and running for five years and has a viable and sustainable financial track record to run this facility. (*Balance Sheets and Expenses and Revenue attached*)

Income streams will include:

- ~ A Gallery for rental to artists to display their works.
- ~ Artist residencies for visiting artists.
- ~ Cementa offices.
- ~ The community cooperative space will allow local artists and artisans to sell their products. The facility will collect a commission on these sales.
- ~ Workspace/Hot Desk office space and high-speed internet access will be provided on a rental basis. Cementa Inc. would also rent office space on an ongoing basis.
- ~ A Coffee Shop is located within the building and can be leased out for regular ongoing revenue.
- ~ A commission on all sales of artwork at the facility will be collected. This space will also be available for hire to artists and curators wishing to exhibit or develop artwork.
- ~ Arts activity generated will also attract ticket sales for events and performances.

See Appendix A for Financial Assumptions Revenue and Expense modelling.

Appendix A**Cash Flow – Revenue and Expenses****Revenue**

Item	Monthly Low	Monthly High	Annual Low	Annual High
Workstation rentals	450	670	5800	11000
Coffee Shop	800	1000	10000	12500
Gallery	800	1500	9600	18000
Workshops/events	200	300	2000	4000
Cementa Office Rental*	400	400	4800	4800
Artist Residency Rental*	800	800	9600	9600
Totals	4610	6530	41800	59900

Expenses

MWRC Rates	150	200	1800	2400
Water Rates	80	120	960	1500
Electricity	300	500	4000	6000
Insurance	700	800	8000	10000
Internet	100	120	1200	1400
Building maintenance/cleaning	500	900	6000	11000
Gallery maintenance	100	120	1200	1400
Office equipment maintenance	200	300	2400	3600
Installations for exhibitions	200	400	2400	4800
Building Fund	250	250	3000	3000
	2580	3710	30960	45100

Financial Assumptions for Business Case**Revenue Sources****1. Workstation Rentals**

Four workstations are planned to provide hot desk facilities for local business people, creative and visitors.

Personal desk space will be available with internet access.

We have already received expressions of interest from locals in hiring these spaces.

The assumptions are the workstations will be leased at \$70 each per week or \$20 per day.

Occupancy rates are calculated at 40% and 80% take up.

2. Coffee Shop

The current building already has an established café facility. This will be leased out at \$250 per week.

Full fit out and cleaning is to be borne by the lessee.

3. Gallery

A display/exhibition space will be available for local and visiting artists to present their creative works to the public.

Two revenue options are:

- a) Commission on works of 30%
- b) Hire space at a weekly rate of \$500 or daily rate of \$300.

Occupancy assumptions are a low of 40% and high of 75%.

4. Workshops and Events

Space will be leased to host workshops and other gathering events at a cost of \$120 per day/ \$200 per weekend at an estimate of 10 to 20 workshops per year. Additionally, three events are planned each year with planned 20 to 60 attendees at a cost of approximately \$30 per head

5. *Cementa Inc Office Space and Artist Residency Rental

Cementa are currently paying \$1300 for an external property for an artist residency. The attached Financial Statements show the capacity for Cementa to fund the estimates provided in the Business Case.

Running Costs

Item	Annual Rate	Monthly Rate
MWRC Land Rates	\$1800 - \$2000	\$150
Water Rates	\$1000	\$80
Electricity	\$4000 - \$5000	\$400
Insurance Building \$2million Contents Public Liability \$20million	\$8000	\$700
Internet	\$1200	\$100
Maintenance Cleaning ³ Maintenance Allowance ⁴	\$8000	\$400 – \$600 \$100 - \$300
Gallery maintenance ⁵	\$1200	\$100
Office equipment maintenance	\$2400	\$200
Installation for exhibitions	\$2500	\$240
Building Fund ⁶	\$3000	\$250

Fit Out Costs

To be funded from Grants

Note, the initial \$700,000 Arts Grant will include significant fit out for dedicated areas

Furniture for Artist Residencies \$20,000
 Office Space furniture (includes WIFI, desks, storage, computers and chairs) \$15000

³ 4 – 6 hours per week @ \$25 per hour

⁴ Electrical, plumbing repairs

⁵ Painting, plastering, lighting replacement for exhibitions

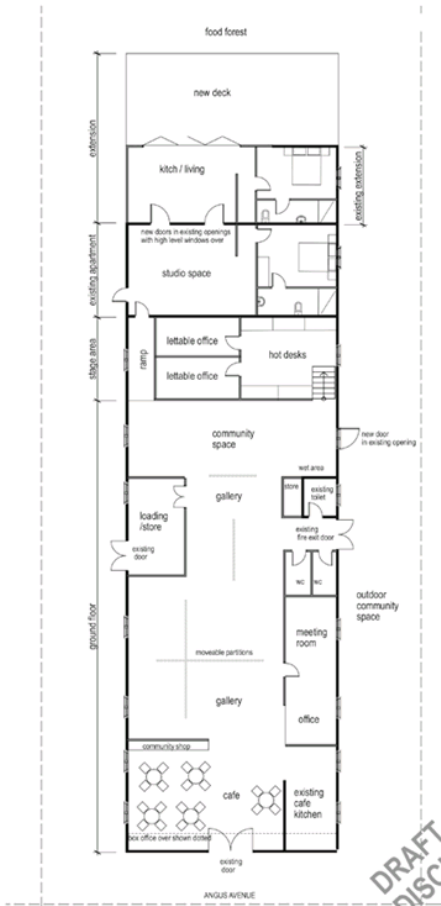
⁶ Initial allocation for ongoing building repairs and improvements

Appendix B
New photos of existing site



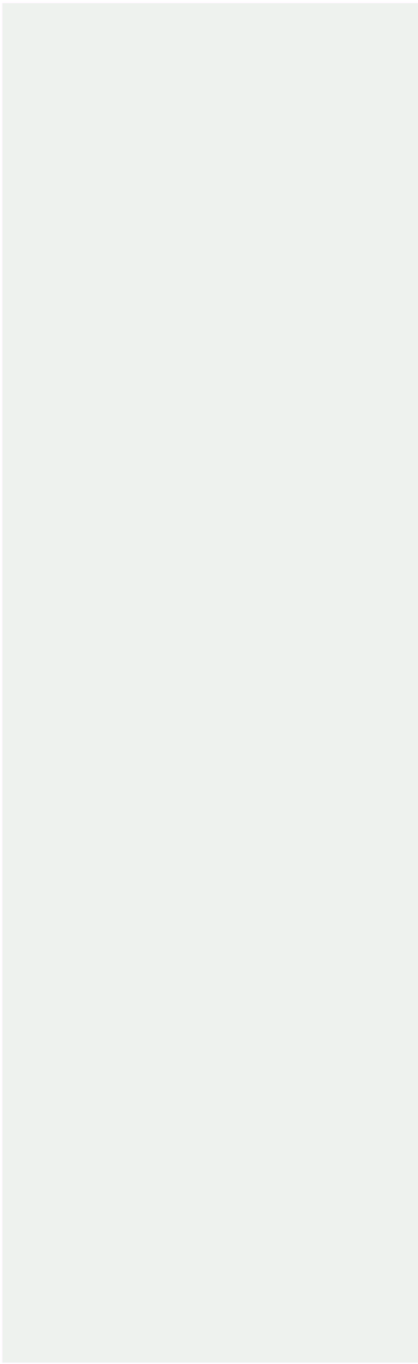


Appendix C
Architect Impressions of Redesign (concept only)



DRAFT - FOR DISCUSSION ONLY

1:200 @ A4
 SBL - 31.08.18
SK01- A Sketch Study
CEMENTA CENTRAL - 71 ANGUS AVENUE



Appendix D

Potential Regional Collaborations

Our towns and the region already are rich in cultural assets. This proposed Arts Facility will include Kandos within that growing movement and can act as a catalyst in creating a greater awareness and co-ordinated activity within the region.

This opportunity to create a multi-purpose arts facility in Kandos can work in partnership with Mudgee Region Tourism by leveraging the current successful strategies including towns and villages and culture and heritage.

Existing events and organisations can also be leveraged as collaboration partners including:

Regional Arts Trail including the Kandos Arts Facility, Mudgee Sculptures in the Garden, Sculpture Walk in Lawson Park, activities at The Stables, the proposed new Mudgee Art Gallery, Mudgee Art House, Artisan on Lewis, Gallery 47, Rylstone Sculpture Symposium

Rylstone Kandos Culture and Heritage Trail – Kandos Arts Facility, Kandos Museum, Rylstone District Museum, Rylstone and Kandos Historical Works, Gallery 47, Convent & Chapel Wool Shop, St Malachy's Church, Rylstone

Appendix E Credentials

Who We Are

Cementa Inc. is a not-for-profit incorporated association dedicated to cultivating contemporary Australian art in regional NSW. It does this through an annual program of artist residencies, exhibitions, workshops and special projects that invite artists from around Australia to create artworks about Kandos and its surrounds. All of this activity contributes to our major production, a nationally significant biennial art festival celebrating the state of contemporary art in Australia and the town and region that hosts it.

Every two years, more than sixty artists contribute to a four day, four night festival occupying over 20 venues across the town, including shopfronts, streets, scout hall, local museum, radio station, community centre, golf course, residential properties, rural properties and public parks. Video, installation, sound, performance and traditional art forms brighten the town and attract audiences of up to 3000 people from both urban and regional Australia. As a celebration of the local area, Cementa works not only to display the art, but festival goers are encouraged to explore the area, to camp at Dunn's Swamp/Ganguddy, visit the local wineries in Mudgee and explore Glenn Davis and other local attractions.

Our Achievements to Date

Founded in 2013, Cementa is now in its fifth year of operation as we work toward our fourth festival, to be held in November 2019. Over these five years the festival has grown in size and reputation and has attracted over 200 artists to the region to create and exhibit work. The festival has contributed significantly to raising the profile and improving awareness of the quality of lifestyle and the unique vacation experience available in Kandos, Rylstone and surrounds. Our activities have also encouraged a growing arts community, with a number of artists buying properties and settling into the Kandos community.

Over those five years we have been successful in attracting major funding from State, Federal and private sources. Our annual budget is over \$200,000 and our policy is to give priority to local suppliers and contractors. The majority of our funding is reinvested in our area.

Our Future

Cementa Inc, as an organisation, is currently restructuring to create a more efficient, stable and sustainable foundation. We are forming a skills-based board of management to bring oversight to the organisation and inject financial and administrative experience into its operation. This structure will assist us in applying for multi-year funding from Create NSW in 2020 and Australia Council in 2021, placing us on a firm foundation of sustained financial commitment which will allow us to develop our organisation and the festival to their full potential.

Through this work and projects such as The Kandos Cultural Centre, Cementa plans to expand its activity beyond the predominance of the festival into a full and robust annual program of activities occurring across the two years between festivals. Building on the investment that brings over 30 artists into town every year to

complete residencies, we are looking at ways of adding value by engaging these artists in conducting workshops, engaging communities, mounting special projects, and holding exhibitions not only in Kandos but across the region.

By developing into a fully -ledged, year-round arts organisation, we can offer locals and visitors to the area a rich and varied program of arts activity that will contribute significantly to the economic and cultural life of our communities.

Collaborations and Partners Supporting Kandos Multi-Purpose Arts Centre

- ~ **The Innovation in Applied Design Lab (IAD Lab)** is a collaborative cross-disciplinary research Laboratory located in the School of Architecture, Planning and Design at the University of Sydney. The IAD Lab's strategic focus on "applied design", is broadly conceived to include a wide range of R&D projects and problems spanning a range of scales and disciplines involved in the design, study and construction of the built environment.
- ~ **Dr Sarah Breen Lovett** is a Postdoctoral Research Fellow in the Innovation in Applied Design Lab at The University of Sydney, working as LAB manager and part of the research team. Prior to her academic career Sarah has worked on the architectural design and documentation of many small to medium scale projects in Sydney and London. Sarah also works as an artist, curator and teacher, where she has instigated, curated and exhibited in many exhibitions, symposiums and publications at the interdisciplinary meeting point of art and architecture. Sarah has a particular interest in the haptic and habituated ways of relating to built and landscape environments.
- ~ **Dr David Kroll** qualified as an architect in London. He has a background in professional practice, academic teaching and research, and is particularly interested in housing-related topics and sustainable design. In architectural practice, David was involved in several high-profile projects including concrete prefab housing at the Athletes' Village, the Darwin Centre Two for C.F. Moller Architects and the Brisbane airport extension for BVN. In 2015 he relocated to Australia, where he has lectured in architecture in the Construction and Environment stream at the University of South Australia.
- ~ **Dr R.J. (Buzz) Sanderson**, BE PhD MIEAust CPEng NER, is a Chartered Engineer of 35 years standing and is on the National Engineering Register. He has been engaged as technical consultant to the project. He is also president of the Kandos Museum and has been instrumental in the turnaround and updating of the Museum to becoming a major tourist attraction in Kandos. He has been instrumental in collaboration with Lithgow State Mine Railway to attract major NSW State government funding to reopen the train line between Kandos and Rylstone.
- ~ **Christine McMillan** is the Arts and Health Coordinator for Arts OutWest (AOW), a regional arts development organisation. She is a manager and co-curator for CEMENTA INC. In her role at AOW, she has coordinated the arts and culture program for the redevelopment of Bathurst, Parkes and Forbes Hospitals which includes working with NSW Health Infrastructure. She manages ongoing arts and health programs throughout 11 council areas and is on the Western NSW Local Health District Aboriginal Art

Work and Signage Strategy Working Group rolling out signage to 30 hospitals.

- ~ **Alex Wisser** is a founding co-director of Cementa Festival. He has founded and directed several art spaces in Sydney and has curated and organised numerous group and solo exhibitions of artists across his career as an independent curator. He has also designed and project managed a number of significant regional art projects and programs. He has a strong track record of securing significant State and Federal funding for Cementa inc.
- ~ **Bec Dean** is a curator of outstanding interdisciplinary contemporary art, and an innovative, adaptive leader of not-for-profit arts organisations in Australia. She has twenty years experience in curating, producing and presenting contemporary arts practice, exhibitions, events and programs, working at all levels from grassroots initiatives to contemporary institutions. She is a PhD candidate of UNSW, in the final months of curatorial practice-based research considering the intersection of art and biomedicine, and its concerns for curating and the emerging arts and health sector.
- ~ **Margot Palk BA LLB**, has decades of experience in managing major and complex projects through to implementation. With a long career in corporate law and management, Margot brings a considerable skillset to her role as project manager and a breadth of experience in designing and executing large scale, complex projects with multiple stakeholders.
- ~ **The Bawd Property Trust**, a property development company based in Dubbo with over \$40 million in assets has agreed to contribute resources toward the construction of the project. They have offered material and logistical support to the project.
- ~ **Mark Wiseman** of Mudgee TAFE has offered to contribute the volunteer assistance of his carpentry course students as a part of the course offering.
- ~ **Alejandra Rojas** is a qualified urban planner with 14 years of experience working as a planner in the NSW planning system in a range of roles within local government, State Government, and the private sector. Her company, PlanART specializes in assisting the arts and creative sector clients navigate the complex planning system.
- ~ **Chris Connellan** has practised as a solicitor in the Mudgee/Rylstone area for 38 years, specialising in the areas of Conveyancing/Commercial Law, Local Government Law and Wills and Estates. He is a partner in the firm Hannaford Cox Connellan and McFarland. He has offered to work on the project on a pro bono basis.

New Appendix

List organisations that have provided Letters of Support

Volunteer Supporters

Describe List and attach, include a section where people write their town as well as a description of their role, organisations they are members or officers of.

Item 7: Office of the General Manager

7.1 Delegations of the Mayor

REPORT BY THE MANAGER GOVERNANCE
TO 19 SEPTEMBER 2018 ORDINARY MEETING
GOV400066, GOV400054

RECOMMENDATION

That Council:

1. receive the report by the Manager Governance on the Delegations of the Mayor;
 2. pursuant to the provisions of Section 377 of the Local Government Act, 1993, delegate to the Mayor authority:
 - a) to monitor the General Manager in the exercise of the General Manager's powers, duties and functions;
 - b) to authorise expenditure on works approved in the Operational Plan for an amount up to \$20,000;
 - c) to authorise work, not approved in the Operational Plan, which in the Mayor's opinion is urgent, at a cost not exceeding \$20,000 except in the case of Bush Fire Emergency where the limit is \$50,000;
 - d) to approve the attendance of any Councillor at meetings or functions between Council meetings, that the Mayor would normally attend on behalf of Council;
 - e) to approve professional development activities, including conference attendance, within the budget limits of the Professional Development Program.
 - f) to affix and witness the Common Seal of Council, in response to a resolution of Council, to any necessary documents in conjunction with the General Manager or another councillor; and
 3. adopt the attached delegations for the Mayor.
-

Executive summary

To determine the Mayor's delegations and role statement for the period commencing September 2018.

Please note that the Local Government Amendment (Governance and Planning) Bill 2016 provides for a more defined role of the Mayor under section 226 when it is proclaimed. At that time the delegations to the Mayor will require further consideration by Council.

Disclosure of Interest

Nil.

Detailed report

This report provides some context for the role of the Mayor in the Mid-Western Regional Council community. Specifically, it is derived from Section 226 of the Local Government Act, 1993. This section relates to the role of the Mayor.

Section 377 of the Act enables the Council to delegate its functions to the Mayor.

Community Plan implications

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

Financial implications

Not applicable.

TIM JOHNSTON
MANAGER GOVERNANCE

SIMON JONES
DIRECTOR COMMUNITY

3 September 2018

Attachments:

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

7.2 Election of the Mayor

REPORT BY THE MANAGER GOVERNANCE
TO 19 SEPTEMBER 2018 ORDINARY MEETING
GOV400066, GOV400054

RECOMMENDATION

That Council:

1. **receive the report by the Manager Governance on the Election of the Mayor;**
2. **determine that the Ballot for the election of the Mayor be by Open Voting/ Ordinary Ballot/Preferential Ballot (delete two); and**
3. **designate the General Manager as Returning Officer for the election with the election to be conducted by the General Manager and the Manager Governance.**

Executive summary

This report provides the direction to elect the Mayor for the period September 2018 to September 2020. Please note that sections of the Local Government Amendment (Governance and Planning) Act 2016 were given assent on 30th August 2016, one of those amendments relates to section 230 changing the term of the Mayor from 1 year to 2 years.

Other amendments includes section 226 "Role of mayor". The amendment includes greater definition of the role (attached).

Disclosure of Interest

Nil.

Detailed report

The Mayor is elected by the Councillors from among their number.

The Local Government Act 1993 provides that where the Mayor is elected by the Councillors from among their number, the election shall be held during the month of September (Section 290) and the Mayor shall hold office for two years (Section 230).

As provided by Clause 394 of the Local Government (General) Regulation 2005, the conduct of the election of the Mayor is governed by the provisions of Schedule 7 of that Regulation.

Local Government (General) Regulation 2005 Requirements

The Returning Officer for the election of the Mayor shall be the General Manager (or a person appointed by the General Manager). The General Manager has indicated that he will act as Returning Officer and that the Manager Governance will assist.

Nominations for the Mayor shall be in writing, but may be without notice, by two (2) or more Councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.

The nomination is to be delivered or sent to the Returning Officer who is to announce the names of the nominees at the Council Meeting at which the election is to be held.

If only one candidate is nominated, that Councillor is elected.

When more than one candidate is nominated, the Council may, by resolution, decide whether the election shall be carried out by:

- a) Ordinary Ballot - Involving the marking of Ballot Papers - subsequent exclusion of one candidate; further voting and exclusions; repeated until two candidates only remain, final vote between remaining two candidates.
- b) Open Voting - Procedure identical to Ordinary Ballot, however, the voting is by show of hands or similar means, not a Ballot Paper.
- c) Preferential Ballot - The complete numbering of Ballot Papers in consecutive order of preference for all candidates, commencing with "1" as first preference.

Drawing of Lots

If this becomes necessary, it shall be done by the Returning Officer.

In any case for the purpose of excluding a candidate, the candidate's name drawn shall be excluded. In any case for the purpose of electing a candidate, the candidate's name drawn shall be elected.

Community Plan implications

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

Financial implications

Not applicable.

TIM JOHNSTON
MANAGER GOVERNANCE

SIMON JONES
DIRECTOR COMMUNITY

3 September 2018

Attachments: 1. 226 Role of Mayor.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



Australasian Legal Information Institute

LOCAL GOVERNMENT ACT 1993 - SECT 226

Role of mayor

226 ROLE OF MAYOR

The role of the mayor is as follows:

- (a) to be the leader of the council and a leader in the local community,
- (b) to advance community cohesion and promote civic awareness,
- (c) to be the principal member and spokesperson of the governing body, including representing the views of the council as to its local priorities,
- (d) to exercise, in cases of necessity, the policy-making functions of the governing body of the council between meetings of the council,
- (e) to preside at meetings of the council,
- (f) to ensure that meetings of the council are conducted efficiently, effectively and in accordance with this Act,
- (g) to ensure the timely development and adoption of the strategic plans, programs and policies of the council,
- (h) to promote the effective and consistent implementation of the strategic plans, programs and policies of the council,
- (i) to promote partnerships between the council and key stakeholders,
- (j) to advise, consult with and provide strategic direction to the general manager in relation to the implementation of the strategic plans and policies of the council,

(k) in conjunction with the general manager, to ensure adequate opportunities and mechanisms for engagement between the council and the local community,

(l) to carry out the civic and ceremonial functions of the mayoral office,

(m) to represent the council on regional organisations and at inter-governmental forums at regional, State and Commonwealth level,

(n) in consultation with the councillors, to lead performance appraisals of the general manager,

(o) to exercise any other functions of the council that the council determines.

7.3 Election of Deputy Mayor

REPORT BY THE MANAGER GOVERNANCE
TO 19 SEPTEMBER 2018 ORDINARY MEETING
GOV400066, GOV400054

RECOMMENDATION

That Council:

1. receive the report by the Manager Governance on the Election of Deputy Mayor;
2. determine that the Ballot for the election of the Deputy Mayor be by Open Voting/ Ordinary Ballot/Preferential Ballot (delete two);
3. elect the Deputy Mayor for the Mayoral term (2 years) or less; and
4. designate the General Manager as the Returning Officer for the election with the election to be conducted by the General Manager and the Manger Governance.

Executive summary

This report provides the direction to elect the Deputy Mayor for the period September 2018 to September 2020.

Disclosure of Interest

Nil.

Detailed report

The Deputy Mayor is elected by the Councillors from among their number.

The Local Government Act 1993 provides that where the Deputy Mayor is elected by the Councillors from among their number, the election shall be held during the month of September (Section 290) and the Deputy Mayor shall hold office for the Mayoral term or a shorter period (Section 231).

As provided by Clause 394 of the Local Government (General) Regulation 2005, the conduct of the election of the Deputy Mayor is governed by the provisions of Schedule 7 of that Regulation.

Local Government (General) Regulation 2005 Requirements

The Returning Officer for the election of the Deputy Mayor shall be the General Manager (or a person appointed by the General Manager). The General Manager has indicated that he will act as Returning Officer and that the Manager Governance will assist.

Nominations for the Deputy Mayor shall be in writing, but may be without notice, by two (2) or more Councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.

The nomination is to be delivered or sent to the Returning Officer who is to announce the names of the nominees at the Council Meeting at which the election is to be held.

If only one candidate is nominated, that Councillor is elected.

When more than one candidate is nominated, the Council may, by resolution, decide whether the election shall be carried out by:

- a) Ordinary Ballot - Involving the marking of Ballot Papers - subsequent exclusion of one candidate; further voting and exclusions; repeated until two candidates only remain, final vote between remaining two candidates.
- b) Open Voting - Procedure identical to Ordinary Ballot, however, the voting is by show of hands or similar means, not a Ballot Paper.
- c) Preferential Ballot - The complete numbering of Ballot Papers in consecutive order of preference for all candidates, commencing with "1" as first preference.

Drawing of Lots

If this becomes necessary, it shall be done by the Returning Officer.

In any case for the purpose of excluding a candidate, the candidate's name drawn shall be excluded. In any case for the purpose of electing a candidate, the candidate's name drawn shall be elected.

Community Plan implications

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

Financial implications

Not applicable.

TIM JOHNSTON
MANAGER GOVERNANCE

SIMON JONES
DIRECTOR COMMUNITY

3 September 2018

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

7.4 Council Meeting Schedule for 2019

REPORT BY THE DIRECTOR COMMUNITY
TO 19 SEPTEMBER 2018 ORDINARY MEETING
GOV400064, GOV400054

RECOMMENDATION

That Council:

1. receive the report by the Director Community on the Council Meeting Schedule for 2019; and
2. confirm the Council Meetings for 2019 as follows:

Wednesday 20 February 2019

Wednesday 20 March 2019

Wednesday 17 April 2019

Wednesday 15 May 2019

Wednesday 19 June 2019

Wednesday 17 July 2019

Wednesday 21 August 2019

Wednesday 18 September 2019

Wednesday 16 October 2019

Wednesday 20 November 2019

Wednesday 11 December 2019

Executive summary

The purpose of this report is to set the meeting program for the year 2019.

Disclosure of Interest

Nil.

Detailed report

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

Due to the close proximity to the Christmas period of the scheduled December Council meeting, it is suggested that the December meeting be bought forward to Wednesday, 11 December 2019.

This report confirms the meeting schedule for the year 2019.

Community Plan implications

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

Strategic implications

Council Strategies

Not Applicable.

Council Policies

Code of Meeting Practice

Legislation

Under Section 365 of the *Local Government Act 1993*, Councils are required to meet at least ten times per year. This schedule allows for eleven meetings in 2019.

Financial implications

Not Applicable.

Associated Risks

Not applicable.

SIMON JONES
DIRECTOR COMMUNITY

30 July 2018

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

7.5 Internal Audit Policy and Audit, Risk and Improvement Committee Charter

REPORT BY THE EXECUTIVE MANAGER, HUMAN RESOURCES
TO 19 SEPTEMBER 2018 ORDINARY MEETING
GOV400066, COR400001

RECOMMENDATION

That Council:

1. **receive the report by the Executive Manager, Human Resources on the Internal Audit Policy and Audit, Risk and Improvement Committee Charter;**
2. **adopt the Internal Audit Policy;**
3. **adopt the Audit, Risk and Improvement Committee Charter;**
4. **nominate the Council representative and alternate representative on the Audit, Risk and Improvement Committee;**
5. **advertise for expressions of interest for independent Audit, Risk and Improvement Committee Members; and**
6. **receive a further report following the expressions of interest to consider any applications for independent members and to appoint the independent members.**

Executive summary

Mid-Western Regional Council does not have an Audit Risk and Improvement Committee or an Internal Audit function. At the Council meeting of 16 May 2018, Council endorsed the implementation of an internal audit function and an Audit, Risk and Improvement Committee in 2018/19. This report follows the request for a report to be brought back to Council with a recommended Internal Audit Policy and Committee Charter.

Disclosure of Interest

Nil.

Detailed report

Audit, Risk and Improvement Committee

In 2016, the Local Government Amendment (Governance and Planning) Act 2016 passed Parliament. The amendment focused on improvements to the governance, strategic planning and performance frameworks under which Council's operate.

One of the changes was the insertion of a new Section 428A of the Local Government Act 1993 which states:

(1) A Council must appoint an Audit, Risk and Improvement Committee.

(2) *The Committee must keep under review the following aspects of the Council's operations:*

- a. *Compliance,*
- b. *Risk management,*
- c. *Fraud control,*
- d. *Financial management,*
- e. *Governance,*
- f. *Implementation of the strategic plan, delivery program and strategies,*
- g. *Service reviews*
- h. *Collection of performance management data by the Council,*
- i. *Any other matters prescribed by the regulations.*

(3) *The Committee is also to provide information to the Council for the purpose of improving the Council's performance of its functions.*

Internal Audit Guidelines 2010

In September 2010, the Division of Local Government developed Internal Audit Guidelines which were designed to develop and implement internal audit and risk management frameworks. The guidelines are the primary source for guidance for the establishment of the internal audit function and an Audit Committee as regulations for the new Section 428A are yet to be developed.

The Internal Audit Guidelines outline the scope of internal audit which should include:

- Reliability and integrity of financial and operational information
- Effectiveness and efficiency of operations and resource usage
- Safeguarding of assets
- Compliance with laws, regulations, policies, procedures and contracts
- Adequacy and effectiveness of the risk management framework

The 2016 changes to the Act broaden this scope to include:

- IP&R including the CSP, Delivery program and Council strategies
- Internal Service Reviews
- Collection of performance measurement data by Council

Benefits of establishing an Internal Audit Function

According to the current guidelines Council should have an internal audit function because:

- It supports good internal governance
- To ensure consistency with other levels of government
- To improve the effectiveness of risk management, control and governance processes
- Helps to instil public confidence in an organisation's ability to operate effectively

The NSW Auditor General's report recommended that the Office of Local Government should introduce the requirement for Council's to establish internal audit functions.

"Internal audit is another important element of an effective governance framework as it supports a risk and compliance culture. Internal audit provides assurance that a Council's governance practices and internal control environment are effective, and identifies where performance can improve."

NSW Auditor General's Report

In April 2018 the NSW Auditor General produced the first report on the statutory financial audits of Councils, to NSW Parliament. Amongst other things, the report highlighted findings and observations related to audit committees and internal audit. In particular:

"The combined benefit of an audit committee and internal audit function is that Councillors can obtain general assurance that internal controls and risk management are working effectively. The 36 councils that do not have an audit committee and internal audit function are operating without important safeguards and generally accepted checks and balances."

The report recommended that *"Councils should early adopt the proposed requirement to establish an audit, risk and improvement committee. An effective audit, risk and improvement committee is an important part of good governance"*.

Community Plan implications

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

Strategic implications

Council Strategies

The recommendations are supported by Council's Community Plan and Delivery Program that includes strategies to ensure that Council is providing accountable and transparent decision making for the community; pursuing excellence in service delivery; prudently managing risks associated with all Council activities and pursuing efficiencies and ongoing business improvement.

Council Policies

The recommendations are supported by Council's Fraud Control Policy which seeks to establish a robust internal audit program incorporating internal audit guidelines in order to give the policy effect.

Legislation

Section 428A of the Local Government Act states that a Council must appoint an Audit, Risk and Improvement Committee six months after the next ordinary election.

Financial implications

Currently Council has \$41,844 allocated in 2018-19 to internal audit and the risk committee and approximately \$22,000 in later years. It is anticipated that a more realistic cost would be closer to \$45,000 per annum. It is recommended that the final costs of establishing the Audit, Risk and

Improvement committee and internal audit function are reported back to Council through the QBR and budgeting process once final costs are confirmed.

Budget Year	Operating Performance Ratio	Own Source Revenue	Building & Infrastructure Renewal
2018/19	✓	-	-
Future Years	✗	-	-

Associated Risks

If Council continues to operate without an internal audit function and an Audit, Risk and Improvement Committee there is a greater chance that internal controls may not be working effectively to mitigate fraud and other risks throughout the organisation.

MICHELE GEORGE
EXECUTIVE MANAGER, HUMAN RESOURCES

28 August 2018

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

7.6 MRTI Quarterly Report - April 2018 to June 2018

REPORT BY THE GENERAL MANAGER

TO 19 SEPTEMBER 2018 ORDINARY MEETING
GOV400064, F0770077

RECOMMENDATION

That Council receive the report by the General Manager on the MRTI Quarterly Report - April 2018 to June 2018.

Executive summary

As per the funding and performance agreement entered into in July 2017 between Mudgee Regional Tourism Inc. (MRTI) and Council, MRTI is required to report quarterly to Council on their performance.

Disclosure of Interest

Nil.

Detailed report

The MRTI report for the fourth quarter of the 17/18 financial year has been delivered to Council in accordance with the funding and performance agreement. The report is attached for Council's consideration.

Community Plan implications

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

Strategic implications

Council Strategies

A key strategy in the Mid-Western Region Community Plan is to promote the Region as a great place to live, work, invest and visit. This strategy recognises the important role that tourism plays in building a strong local economy.

Council has a contract with MRTI for the supply of tourism services within the Mid-Western Local Government Area. The term of this contract is for 4 years ending on 30 June 2021. Under this contract, MRTI must provide quarterly reports to Council.

Council Policies

Not Applicable.

Legislation

Not Applicable.

Financial implications

This report is for information purposes only, as per Council's contractual arrangement with MRTI. There are no additional financial implications.

Associated Risks

This report is for information purposes only, as per Council's contractual arrangement with MRTI.

BRAD CAM
GENERAL MANAGER

6 September 2018

Attachments: 1. MRTI Quarterly Report - April to June 2018.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



Quarterly Report
Q4: Apr to June 2018

prepared for

MID-WESTERN REGIONAL COUNCIL

Executive Summary

Mudgee Region Tourism Inc (MRTI) tables this report to the Mid-Western Regional Council (MWRC) as a requirement of the contract between MWRC and MRTI 2017-21, an agreement subject to the following key performance indicators:

#	Objective	Metric/KPI	FY17-18 Q4 Result (vs. same period last year)																																	
1	Measure tourism numbers to the LGA and where they are from	<p>Analyse trends in tourism visitation in the Mudgee Region by capturing and reporting:</p> <ol style="list-style-type: none"> VIC visitation (post codes) Overnight visitation via accommodation members representing at least 30% of region's total room inventory (visitor nights x LGA average per visitor spend NVS data \$157 as at Dec 15) 	<p>Total 'Visitor Information Centre' visitors 9,644 (↑14%)</p> <p>VISITOR NIGHTS Q4 2017 v 2018 Overnight visitors* (↑22%) or \$327,816 in incremental visitor spend</p> <table border="1"> <thead> <tr> <th>Year</th> <th>Apr</th> <th>May</th> <th>Jun</th> <th>Q4 Total</th> </tr> </thead> <tbody> <tr> <td>2017</td> <td>8,758</td> <td>8,569</td> <td>7,144**</td> <td>24,471</td> </tr> <tr> <td>2018</td> <td>11,554</td> <td>10,287</td> <td>8,089**</td> <td>29,930</td> </tr> <tr> <td>Difference</td> <td>2,796</td> <td>1,718</td> <td>945</td> <td>5,459</td> </tr> </tbody> </table> <ul style="list-style-type: none"> Overall 22% increase in visitor nights Q4 2017 v 2018 Strong increase in VIC visitors (14%) in Q4 due to local radio campaign, encouraging locals to 'discover their own backyard' + Gulgong VIC outsourced and open 7 days *Q4 sample size: 41% of total inventory across the region (11 accommodation providers), with the exception of June** sample size of 33% 	Year	Apr	May	Jun	Q4 Total	2017	8,758	8,569	7,144**	24,471	2018	11,554	10,287	8,089**	29,930	Difference	2,796	1,718	945	5,459													
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2	Provide all tourism related businesses in the LGA with the opportunity for promotion	<ol style="list-style-type: none"> Maintain or increase total number and/or total value of MRTI memberships Provide a business listings page on website (for all tourism members and non-members) at no cost. Web page to be visually sponsored by MWRC (logo) 	<p>308 members (↑2%) – tier breakdown, see below \$328,353 + GST membership fees (↑11%)</p> <p>Click here for Mudgee Region business listings page</p> <p>Click here for MWRC sponsor logo (footer of every page and on 'Our Sponsors' page)</p>																																	
			<table border="1"> <thead> <tr> <th>YTD</th> <th>Platinum</th> <th>Gold</th> <th>Silver</th> <th>Copper</th> <th>Bronze</th> <th>Basic</th> <th>Friends</th> <th>Diamond Sponsors</th> <th>Ruby Sponsors</th> <th>Total Members</th> </tr> </thead> <tbody> <tr> <td>Jun-17</td> <td>17</td> <td>21</td> <td>33</td> <td>45</td> <td>80</td> <td>103</td> <td>3</td> <td>N/A</td> <td>N/A</td> <td>302</td> </tr> <tr> <td>Jun-18</td> <td>19</td> <td>30</td> <td>31</td> <td>38</td> <td>83</td> <td>98</td> <td>3</td> <td>4</td> <td>2</td> <td>308</td> </tr> </tbody> </table>	YTD	Platinum	Gold	Silver	Copper	Bronze	Basic	Friends	Diamond Sponsors	Ruby Sponsors	Total Members	Jun-17	17	21	33	45	80	103	3	N/A	N/A	302	Jun-18	19	30	31	38	83	98	3	4	2	308
YTD	Platinum	Gold	Silver	Copper	Bronze	Basic	Friends	Diamond Sponsors	Ruby Sponsors	Total Members																										
Jun-17	17	21	33	45	80	103	3	N/A	N/A	302																										
Jun-18	19	30	31	38	83	98	3	4	2	308																										
3	Attend and promote the region at events outside the region	<p>Identify at least 4 key trade and/or consumer shows annually (within specified target markets) to promote the Region. For example (these may vary year to year):</p> <ol style="list-style-type: none"> Sydney Cellar Door (Feb) Pyrmont Food & Wine Festival (May) Balmoral Mudgee Food & Wine Festival (Aug) Sydney Food + Wine Show (Oct) 	<ul style="list-style-type: none"> ✓ Balmoral – August 2017 ✓ Sydney Food + Wine Show – October 2017 ✓ The End Festival – April 2018 ✓ Sydney Good Food + Wine Show – June 2018 																																	

4	Provide monthly marketing communication to subscriber database, report on social media reach and website visitation statistics	<ol style="list-style-type: none"> 1. Annual subscriber database health check 2. Increase subscriber's year on year 3. Distribute monthly subscriber emails (maintain brand and membership activation integrity) 4. Distribute weekly member newsletters 5. Prepare monthly digital media statistics (social media + website), track trends, increase engagement and followers 	<p>17,253 subscribers (↑26%)</p> <p>✓ Subscriber EDM sent 24 Apr, 24 May & 21 Jun ✓ Member News EDM sent weekly</p> <p>Unique website visitors 41,054 (↑2.4%) Unique page views 315,592 (↑72%) *Note: stronger engagement to search our website and spend more time on multiple pages.</p> <p>Facebook 13,391 (↑22%) Instagram 8,754 (↑17%) Twitter 1,814 (↑7%)</p>
5	Promote all tourism-related council and major regional events	Promote MWRC and major events through Visitor Guide, subscriber database, digital channels, MRTI stalls (e.g. Flavours of Mudgee) and other promotional channels (e.g. radio, Mudgee Guardian articles, etc)	<p>✓ NRL match digital, social + print promotion</p> <p>✓ Various promotion of in-region events across print and digital channels</p> <p>✓ PR activation plan in place year round</p> <p>✓ Weekly radio spot on RealFM with 'what's on' and 'what's new' coverage</p> <p>✓ Provided MWRC Visitor Guides to distribute at out of region NRL matches, worked together on cooperative event opportunities (e.g. Bondi Junction Westfield and Sydney Good Food + Wine Show)</p>
6	Develop annual marketing plan providing details of all marketing and promotional activities planned to be undertaken on a monthly basis to promote LGA as a tourism destination and provide quarterly updates	<ol style="list-style-type: none"> 1. Review + update Mudgee Region DMP on a 3-yearly basis 2. Develop an annual Marketing Campaign Strategy, with measurable KPIs 3. Prepare report and meet MWRC quarterly to discuss KPI tracking and results 	<p>✓ DMP revision finalised, 3-year plan effective 01 Jul 2017</p> <p>✓ 2017 'Let's Skip Town' Campaign in market Oct-Nov, for travel through to Feb 18</p> <p>✓ PR coverage of Mudgee Region in Q4: - EAV (est. advertising value): \$658,597 - PRV (PR value): \$1,975,791</p> <p>✓ MWRC quarterly report completed + submitted</p>

Key Activity

Mudgee Region Wins Wine Australia Grant

MRT and MWA were successful in their grant application to Wine Australia for a new campaign set to launch late 2018. The campaign, which will run for three months, will concentrate specifically on driving visitation from the international VFR (visiting friends and relatives) market with a focus on VFR's from UK, Europe, USA and Canada. Our campaign will highlight the wealth of experiences available in the Mudgee Region and our exceptional food and wine offering with an aim to cement our position as 'the' go-to short break destination. Whilst the primary target will be international travellers, the campaign will also reach the domestic market encouraging city dwellers and expats from areas such as Bondi and Manly to visit Mudgee Region. The funding will see Mudgee Region Tourism (\$30K) collaborate with Mudgee Wine Association (\$20K) to match the funds from Wine Australia bringing the total campaign budget to \$100K.

2018-19 Visitor Guide

Finalised design, submitted content, advertisers confirmed, proofed and approved to go to print for launch early August.

Today Show Feature

Board member K Sutcliffe featured in a Today Show episode, showcasing Mudgee Region and our key messages.

Winners at Western NSW Business Awards

Winner of Excellence in Innovation at the 2018 Western NSW Business Awards for the second year in a row because of the regions hugely successful 'Let's Skip Town Together' campaign.

The innovative campaign was designed to encourage city-siders to take short break to Mudgee Region, to experience a sophisticated food and wine scene. The campaign generated a \$3-million boost to the region's visitor economy as well as prompted a 10% increase in overnight visitation year on year.

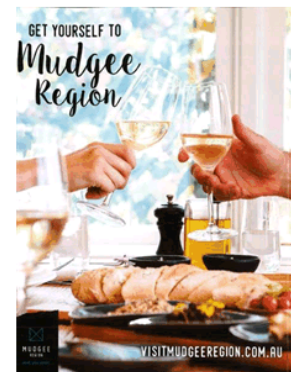
BUSINESS AWARDS
2018 REGIONAL WINNER



Mudgee Region Tourism will now progress through to the NSW Business Chamber State Awards, which will be held at the State Gala Dinner on 23 November 2017.

Australian Traveller Feature

In the May/Jun/Jul issue of Australian Traveller magazine, we engaged a 'tip-on' of our Visitor Guide across 20,000 issues. Also, promoting Mudgee Region across the nation, we took the back cover with an advert, page 51 included an advertorial feature and the region was voted not once but TWICE in the '100 Awesome Places' feature (Mudgee and Rylstone)



Mudgee Named #1 Foodie Hotspot in Australia

Mudgee was named # 1 Foodie Hotspot in Australia by Australian Traveller magazine, with Rylstone ranked # 7 Top Secret Spot to visit.

Great Australian Doorstep

Radio interview with CEO promoting Mudgee Region.

2018-19 Partnership Drive

Finalised partnership drive for VG advertising inclusion packages, secured 286 partners worth \$348,241 + GST.

2018 Regional Tourism Awards - Finalists

Mudgee Region Tourism announced finalists in both the Destination Marketing and Visitor Information Services categories, awards dinner taking place 27 July in Orange. Four other Mudgee Region businesses were also named finalists in their respective categories – Blue Wren, Kirsten Serviced Accommodation, Sierra Escape and Parkview Hotel.

2018 Mudgee Clock Awards

Entered Mudgee Clock Awards in category of 'Excellence in Innovation' for our Let's Skip Town Together campaign.

Sydney Good Food + Wine Show

MRT and MWA again collaborated, taking a taste of Mudgee Region to the iconic Sydney Good Food + Wine Show. Our activation area included a tourism stall (with Virtual Reality technology on behalf of MWRC), Bunnamagoo, De Beaurepaire, Elephant Mountain Wines, Gooree Park, Heslop Wines, Moothi Estate and Walter Wines. 2K Visitor Guides distributed, \$894 in produce sales and 246 competition entries/new email addresses obtained. New look signage worked well, with plans to make our presence even bigger and better next year.

Q4 Media Clippings – a snapshot

HIGHLIGHTS

ON THE MOVE

MUDGEE

THIS FOOD AND WINE HUB ON THE CENTRAL TABLELANDS IS A GREAT PLACE TO LIVE AND INVEST.

WITH AN INFLUENT PRODUCE AND WINE industry that dates back to the 1850s, Mudgee, 500 kilometres north-west of Sydney, has long been a favoured residential destination for a select band of affluent people – not least those who enjoy the region's golf courses. However, these days, more and more people are snapping up life for the opportunities of working, investing and living a healthy life in this charming rural town, which has a population of about 12,000 people. From dining, which offers a mix of fine and more casual venues, to beer and wine after another, the town is a vibrant and diverse community. "Mudgee has grown and become more cosmopolitan," says 34-year-old says. "It's drawn a lot more young people – people who are not just coming to the region for the wine, but for the lifestyle and the opportunities of working, investing and living a healthy life in this charming rural town, which has a population of about 12,000 people. From dining, which offers a mix of fine and more casual venues, to beer and wine after another, the town is a vibrant and diverse community."

MEDIAN HOUSE PRICE
\$520,000
MEDIAN RENTAL PRICE
\$300 per week for a standard three-bedroom dwelling

LOVE AND RISK
"The town is a vibrant and diverse community," says 34-year-old says. "It's drawn a lot more young people – people who are not just coming to the region for the wine, but for the lifestyle and the opportunities of working, investing and living a healthy life in this charming rural town, which has a population of about 12,000 people. From dining, which offers a mix of fine and more casual venues, to beer and wine after another, the town is a vibrant and diverse community."



REASONS TO VISIT
MUDGEE SPECIALS WEEK FESTIVAL. A great time to visit and experience Mudgee's finest food and wine. Includes the Mudgee Regional Council's Mudgee Regional Festival, a celebration of the town's heritage and culture. The festival features a range of wine and historic tours, live music, art exhibitions, and more. It's a great time to visit and experience Mudgee's finest food and wine.

REASONS TO STAY
COUNTRY VALLEY. The top table valley produces some of the best wine and food in the region. The region also has a number of great accommodation options, including the Mudgee Regional Hotel, the Mudgee Regional Motel, and the Mudgee Regional Backpackers. It's a great time to visit and experience Mudgee's finest food and wine.



COUNTRYSTYLE



FAMILY FOCUS
The new 1200 sq ft 2.5 bedroom detached house is a great family home. It features a large open-plan living and dining area, a modern kitchen with stainless steel appliances, and a spacious bedroom with a walk-in wardrobe. The house is located in a quiet residential area with easy access to schools and parks. It's a great time to visit and experience Mudgee's finest food and wine.

click

GOURMET TRAVELLER

The new breeds

Brewers, winemakers and distillers are creating hybrid drinks that are pushing the boundaries, writes MAX ALLEN.

There are getting a few things going on at once in the world of craft beverages. One is the rise of hybrid drinks, which are a mix of different types of beverages. These include wine and beer hybrids, such as wine and beer, and beer and wine. Another is the rise of craft spirits, which are made from natural ingredients and are often flavored with unique ingredients. These include gin and tonics, vodka, and whiskey. The third is the rise of craft cocktails, which are made with fresh ingredients and are often served in unique settings. These include mojitos, margaritas, and daiquiris. The fourth is the rise of craft coffee, which is made from high-quality beans and is often served in unique settings. These include pour-over coffee, cold brew coffee, and espresso. The fifth is the rise of craft chocolate, which is made from high-quality cocoa beans and is often flavored with unique ingredients. These include dark chocolate, milk chocolate, and white chocolate. The sixth is the rise of craft cheese, which is made from high-quality milk and is often flavored with unique ingredients. These include cheddar, brie, and gouda. The seventh is the rise of craft bread, which is made from high-quality flour and is often flavored with unique ingredients. These include sourdough, rye, and whole wheat. The eighth is the rise of craft butter, which is made from high-quality milk and is often flavored with unique ingredients. These include salted butter, unsalted butter, and cultured butter. The ninth is the rise of craft honey, which is made from high-quality honey and is often flavored with unique ingredients. These include wildflower honey, clover honey, and lavender honey. The tenth is the rise of craft vinegar, which is made from high-quality vinegar and is often flavored with unique ingredients. These include apple cider vinegar, balsamic vinegar, and rice vinegar.

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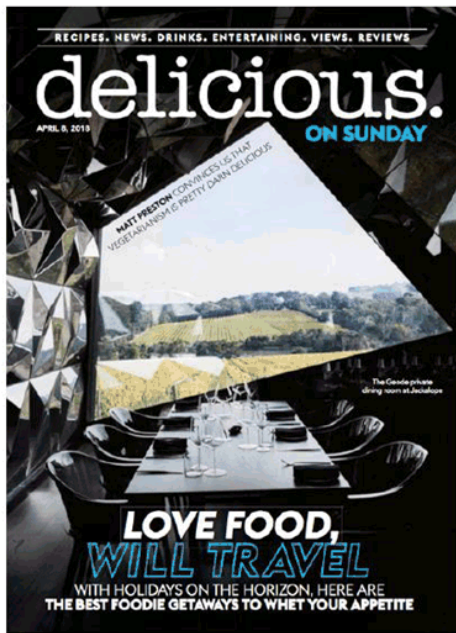


"I love how we've been freed up as distillers to do new things. And we're creating a whole lot of folks to look at beverages in a new way." The trend isn't limited to fermented drinks either. Distillers are also getting in on the act. Nathan Williams is a pioneer in this space. He's a distiller in the second-wave NSW wine region of Mudgee. Last year, he and partner Helen Baker released a hybrid mix of a spirit called Willow that, in essence, is a blend of whiskey and brandy. "To be honest, it started as a bit of a joke," says Williams. "I'd finished some wine to make one for me and accidentally ended up with some really refined malt spirit destined to become whisky. I thought, on the one hand, what are we going to do with it? I was going to make it to make money for our business, but I loved the blend and decided, actually, it's pretty good." So, Williams did a new business blend with the local spirit and used it for a year to see what would happen. The result was so good – the professor of the grapes and the sensory quality of the grain, complemented by the sweetness of the malt – that he bottled it. And the Willow was such a big hit with the distiller's customers that Williams has expanded the business. His new 1000 more barrels (B) are for release in a year or so. "I love how we've been freed up as distillers to do new things," says Williams. "And we're creating a whole lot of folks to look at beverages in a new way. We're creating with their minds that's not just slugging it down."

Drinks

click

2018 Goodby	2018 Goodby	2018 Goodby	2018 Goodby	2018 Goodby	2018 Goodby	2018 Goodby	2018 Goodby
2018 Goodby Grape, \$19 Crisp, dry, mouth-watering, with a hint of citrus. It's a great choice for a summer drink.	2018 Goodby Pineapple, \$19 One of Australia's most interesting wine grapes. It's a great choice for a summer drink.	2018 Goodby Grape, \$19 Crisp, dry, mouth-watering, with a hint of citrus. It's a great choice for a summer drink.	2018 Goodby Pineapple, \$19 One of Australia's most interesting wine grapes. It's a great choice for a summer drink.	2018 Goodby Grape, \$19 Crisp, dry, mouth-watering, with a hint of citrus. It's a great choice for a summer drink.	2018 Goodby Pineapple, \$19 One of Australia's most interesting wine grapes. It's a great choice for a summer drink.	2018 Goodby Grape, \$19 Crisp, dry, mouth-watering, with a hint of citrus. It's a great choice for a summer drink.	2018 Goodby Pineapple, \$19 One of Australia's most interesting wine grapes. It's a great choice for a summer drink.



GREAT ESCAPES

As regional Australian dining booms and the 'experience' economy grows, new front runners have emerged. Our experts speak to SHANNON HARLEY as we compile a definitive list of the best foodie weekends away

VINE TIME

Central-western NSW has gained a reputation among food fanatics, and the landscape is as breathtaking as it is bountiful. Orange is a gracious country town about three hours' drive west of Sydney, offering cool-climate wines, excellent vineyard dining and, until April 15, Australia's longest-running regional food festival, FOOD (Food of Orange District) Week. For local produce with city smarts, head to Byrg Street for breakfast, then dine among the vines at Racine in a charming rustic setting. Keep the country-chic vibe alive and stay at Black Sheep Inn, a cleverly converted shearing shed – all mod decor and corrugated iron. In Mudgee, fuel up on the Butcher Shop Cafe's legendary Butcher's Benedict or buttermilk pancakes before heading to Logan estate. The architectural cellar door is a striking fusion of glass and wood, perched on a hill with mesmerising views over the Apple Tree Flat vineyards, mountains

ATEC wine grant

THE Australian Tourism Export Council (ATEC) has been awarded a Federal Government grant to deliver a Wine Tourism Conference, to help wine businesses across the country engage with international visitors.

The \$35,000 grant will help to create high quality wine tourism experiences, with ATEC md Peter Shelley saying food and wine had become an important part of Australia's tourism offering, off the back of Tourism Australia's successful Restaurant Australia campaign over the past five years.

The conference will take place in mid-2019 - more information available via atec@atec.net.au.

MEANWHILE Mudgee Region Tourism and Mudgee Wine Association have also been successful in a Wine Australia grant application, with a planned three-month campaign focusing on driving visitation from the VFR market from the UK, Europe, USA and Canada - see also page five.

GOURMET TRAVELLER



Mudgee

STAR CELLAR DOOR
x ROBERT STEIN VINEYARD
2018-19-2019, [stein.com.au](http://www.stein.com.au)

Jacob Stein is a third generation Mudgee winemaker, inheriting his passion from his German ancestor, Johann who bought a small cottage when he migrated to Sydney in 1838. Working alongside a partner with Stein's Reserve Winery, Stein is a member of a number of award-winning wineries. Equally decorated are his olive and outdoor oases with the wall of the cellar door opening to these spaces. An equal descendant in the Piper-ley Mountains Regional wine, Andy Constant crafts produce-driven dishes of honesty and integrity. Much of the meat comes from the property with Angus cattle, Duroc sheep and Berkshire pigs fed for the table. Add the quirky Mudgee Museum and it's easy to see this is an exciting cellar door. However, the wine remains the focus with shining, seamless and precise. Stein's Reserve Winery is a unique and historic place by a unique road and Robert Stein doesn't wine and a well collection of Mudgee oak, vintage and vintage with a culinary touch. **PHOTOGRAPHY: WINE 2018 Robert Stein Winery, A&P**

klick

HIGHLIGHTS

South Coast Register

Wining and dining in Mudgee

An increasingly sophisticated scene

JOHN Rozentalis visits Mudgee Food and Wine Week, and reflects how much it has changed since he lived there in the 1960s.

It is still very much a friendly, quiet country town at heart — with wide streets, history aplenty and very obvious civic pride in fastidiously maintained and beautifully decorated public buildings.

It's grown quite a bit and become much busier, of course, but for me the most obvious change is in the increased sophistication of its food and drink scenes.

There are lots more wineries these days, there's a veritable procession of reportedly excellent restaurants, and the diversity and quality of the Saturday-morning monthly Mudgee Farmers Market shows admirably the depth and breadth of the area's excellent produce.

A couple of things leapt to our attention and gained plenty of praise from the Woman with Altitude.

Firstly, there was the hearty way that the town had embraced the concept of shared plates. Most meals

we had required food to be shared with your neighbours at the table.

Secondly, there's a consistency in the style of food, which I guess could be labelled as hearty and rustic — dishes that centred on the quality of produce, were unashamedly Mudgee in origin and that certainly didn't pretend to be anything more. No big-city airs and graces here. Nothing at all tatted up. Just good honest, very tasty country fare.

It was exemplified by the main course at the Wine Show dinner prepared

at Craigmoor Pavilion by Kim Currie — slow-cooked shoulder of lamb, balsamic grazed and served with roast pumpkin, zucchini and cous cous, and presented on plates holding enough for each to generously feed four.

The trend continued the following day when we shared a couple of long tables with about 40 others at Slowfox Wines, the district's newest cellar door and already noted for the strength and flavours of its dry red malbec.

There chef Aaron Cole had

fired up the barbie and was preparing a feast, starting with delicious sourdough grilled with olive oil and garlic, which was followed by some delicious wild-rabbit-and-pork terrine and a main course of roasted chicken served with slaw, roasted beetroot and chickpea salad. And the cheeses, produced

locally by High Valley, were quite simply outstanding.

It wasn't all about dining at special functions, though, and the standard restaurant fare that we tried was right up there is the excellent category.

Alby & Esther's is tucked away in an alley off Market Street, in the very heart of Mudgee. The emphasis is still on shared plates and we tied gamely to do justice to dishes of pork-and-fennel sliders and locally grown Leemore mushrooms, lightly sautéed and served with fresh chilli, lemon, garlic, fresh herbs and crispy sourdough. Delicious stuff.

For further information about the Mudgee district, go to www.visitmudgeeregion.com.au

John Rozentalis was a

guest of Mudgee Wine and Food Week and Destination NSW.



A great finish to a great meal ... local cheeses at Slowfox Wines' long lunch.

klick

HIGHLIGHTS

BROADSHEET

Mudgee's Sierra Escape Launches New Luxury Tents

With killer views, fire pits and an outdoor hot tub.



Luxury glamping retreat Sierra Escape has added two new tents - Dullii and Urulla - to its picturesque location.

The luxury tents are on a beautiful 280-acre property that features wildlife, ridges, hills, creeks and lots of trees in the Central West wine region of NSW. It's a 20-minute drive from Mudgee and just under four hours north-west of Sydney.

The tents are spacious. Dullii (which means "together" in Aboriginal language) accommodates seven people. And both tents have comforts you don't usually associate with camping, such as a designer kitchen, a dining table, a fireplace, large-screened windows and a bathroom with a shower and flushing toilet. Urulla, which means "home on the hill", is the premium tent; it has a fire pit and two free-standing tubs, one indoors and another on the deck. Co-founder of Sierra Escape Cameron D'Arcy says its ideal for stargazing or watching the sun set from.

The two latest lodgings join Sierra Escape's other accommodation options: high-end tents with kingsized beds and glass sliding doors to take in the views of the surrounding bush. These new tents sit on top of a hill and offer panoramic views of the valley.

"Sierra Escape is designed to provide high-quality, off-grid accommodation for those who love the outdoors but still enjoy the luxuries of a hotel," says CEO of Mudgee Tourism Cara George.

And there seems to be a lot of people looking for that type of retreat.

ELLE FASHION BEAUTY NEWS CELEBRITY HEALTH & FITNESS CULTURE

How To Uncover All Of Mudgee's Hidden Gems In A Weekend

Where to sleep, where to eat, and where to stay.

MAY 29, 2018 4:11PM BY ANA EKSOUZIAN-CAVADAS



Mudgee Region Tourism and Blue Wren Wines take out Regional Business Awards

Mudgee Region Tourism and Blue Wren Wines have taken out awards at the 2018 Western NSW Regional Business Awards held in Bathurst over the weekend.

Blue Wren Wines took out the Excellence in Sustainability Award, while Mudgee Region Tourism won the Excellence in Innovation Award for the second year in a row as a result of the regions hugely successful Let's Skip Town Together campaign.

The innovative campaign was designed to encourage citysiders to take short break to Mudgee Region, to experience a sophisticated food and wine scene. The campaign generated a \$3-million boost to the region's visitor economy as well as prompted a 10 per cent increase in overnight visitation year on year.



Mudgee Region Tourism CEO Cara George at the Western NSW Regional Business Awards. Photo: CONTRIBUTED

Vacations
& travel
MAGAZINE

Sierra Escape's new glamping tents

Luxury eco glamping destination, Sierra Escape, has unveiled two new tents, designed for premium comfort and luxury

May 28, 2018 by Josipa Kosanovic



Mudgee's first and only Luxury Eco Glamping experience, Sierra Escape, has unveiled its highly-anticipated two new tents, designed for comfort and luxury.

The additions, *Dulili* and *Uralla*, both carry aboriginal names, meaning "Together" and "Home on the Hill", retrospectively.

blink

HIGHLIGHTS

seniors

Nature escape with luxury

Yvonne Gardiner

FOR anyone who loves to be surrounded by nature and open spaces on a trip away, while enjoying the comforts of home, 'glamping' is the way to go.

Sydneysiders escaping the hustle and bustle of city living have found the perfect getaway in the Mudgee region, about four hours' drive northwest of the metropolis.

Cam and Tasch D'Arcy discovered the beauty of Mudgee more than four years ago and invested for the first time in the tourism industry.

"We love going to wine regions, so we went and checked it out," Cam said.

"It's got a lot of wineries, cafes and restaurants, and is kind of a farming township.

"It is a beautiful region,

the people are so warm and friendly.

"We got married out here and thought it'd be great to own property here."

Initially they bought Abingdon House, a well-appointed four bedroom holiday home on a scenic 10ha property only nine minutes' drive to the centre of Mudgee, which they still own.

Then 18 months ago they ventured into 'glamping' on a 113ha property, a mixture of bush and farmland, with one luxury tent as tourist accommodation.

"There's plenty of room to explore," Cam said.

"It's for those people who normally wouldn't go camping but want to be with nature."

"The business is going great and we're still very

heavily booked.

"Most of the people are from Sydney and 90 per cent of our guests are Australians."

Activities on offer at Sierra Escape include bush tucker tasting and cooking, helicopter charter flights around the region, wine tours, plenty of walks and, less energetically, building a campfire and sitting on the deck enjoying the views.

The D'Arcys have recently added two new 'eco-lodgings' at Sierra Escape, which are solar powered and take the idyllic glamping experience to a level.

Each tent is positioned discreetly away from the other, perched high on the rolling hills of Sierra with large beds, inviting panoramic views and large windows – perfect

for watching sunrises, sunsets and stargazing.

The so-called Duliti tent sleeps up to seven, while a perfect romantic getaway can be had in the Lirilla tent, which features an outdoor freestanding bathtub.

"Both Tasch and I work in the hectic commercial world. I run a film company, which means long hours and there's always a lot going on, so Mudgee provides the opportunity to relax, unplug and enjoy the best of what life has to offer," Cam says.

Their property offers solitude with undulating hills, wildlife, creeks and spectacular views, situated just 20 minutes from town and in the heart of the central-west wine region of NSW.

"We wanted people, in

particular city-dwellers, to experience Mudgee in luxury while still being close to nature," Tasch said.

"Importantly, we wanted to do something with a minimal footprint out of our respect for the land.

"Our Australian-made eco-tents use solar power, each has a fireplace and the high-quality material that has been used for the exterior insulates for warmth in winter, while the floor-to-ceiling windows make the most of the cooling summer breeze.

"Even those who hate the idea of camping love this unique, off-the-grid experience."

To find out more information about Sierra Escape, go to: sierraescape.com.au.

What's at Mudgee
 The countryside has dozens of wineries. The Colonial Inn Museum displays domestic and agricultural items from the 19th and 20th centuries. Northeast of town, Mungahon Gap Nature Reserve has abundant birdlife and is crossed by the Castle Rocks walk. Northeast, Goulburn River National Park is home to emus and red-necked wallabies. Hundreds of significant Aboriginal sites dot the park.



Experiencing Mudgee in luxury, while still being close to nature.



Fabulous views and a level of comfort that's perfect for a getaway from the city.

click

HIGHLIGHTS

Mudgee Guardian

Mudgee's wine mega-boost

The Mudgee Wine region is set to receive a \$90,000 shot in the arm with a plan to increase international tourists to the region after successfully securing the funds via the Federal Government's International Wine Tourism Competitive Grants Programme.

Federal Member for Calare, Andrew Gee congratulated Mudgee Region Tourism on their project, which will be supported by an additional \$50,000 in grant funding from the Federal Government's \$50 million Export and Regional Wine Support Package bringing the total to \$100,000.

\$90,000 is to be contributed by Mudgee Region Tourism and \$20,000 from Mudgee Wine Association.

"The aim of this grant is to help attract more international tourists to the Mudgee wine region, which is great news for local producers and the local economy," Mr Gee said.

"We've got world class wines in the Mudgee region and we want as many people to enjoy them as possible. If we can get more international tourists to come to the region and experience our wine and country hospitality first-hand, it's even better for the local economy.

"By enhancing the wine tourism experiences of international visitors, we are helping grow wine exports and further bolstering Mudgee's excellent wine reputation at an international level.

"It is essential we show our visitors a great time and they get to enjoy a first-hand our premium food and wine in the place it is made.

Acting Tourism Office Manager, Mariliza Sandy is bullish about the project's outcome.

"I think it's a fantastic opportunity to expand our geographical base of visitors to the region," Ms Sandy said.

CEO of Mudgee Region Tourism, Cara George says, "We know that there is a huge opportunity to target the expat market. Our campaign will highlight the wealth of experiences available in the Mudgee Region and our exceptional food and wine offering with an aim to cement our position as 'the' go-to short break destination."

"Our campaign will highlight the wealth of experiences available in the Mudgee Region and our exceptional food and wine offering with an aim to cement our position as 'the' go-to short break destination," Cara said.

While the primary target will be international travellers, the campaign will also reach the domestic market encouraging city dwellers and expats from areas such as Bondi and Manly to visit Mudgee.

The International Wine Tourism Competitive Grant is part of the Federal Government's \$50 million Export and Regional Wine Support Package, a three-year strategy to increase the value of wine exports to a record \$3.5 billion and attract additional international tourists to Australian wine regions.



click

HIGHLIGHTS



The perfect family glamping experience just hours out of Sydney

While families often whisk their little ones way on exciting **camping trips** any time a long weekend or school holiday comes around, I have completely avoided them.

Don't get me wrong, I absolutely LOVE camping and before I had children, I was out in the bush any chance I got. But then I became a parent - and the thought of going on a holiday where my already spirited children could completely run free didn't sound like a very **relaxing break**.

That was until I stumbled across **Sierra Escape** - the luxe camping location in **Mudgee NSW**.

The serene 280-acre property recently introduced a new family/group tent to their portfolio and when they offered up a weekend to see just how amazing "camping" with the family can be, I left all my concerns about being in the wild with my own wild tribe behind me.

Who knew glamping would be so... glam?

Now, I say "camping" because Sierra isn't quite that, let's be honest. It's glamping. You know, the kind where you actually have a sturdy, water-tight tent that could basically pass as a cabin?

When arriving at our Dulilli tent, my first reaction was: "Wow, this is way better than a good motel!" My five-year-old son was even disappointed that I had lied to him because I told him we were going camping. Ha!

He was right. With a tent boasting two queen beds, a separate bedroom with a double bed, working bathroom, kitchen, fridge, fireplace, and actual furniture, this is not quite your typical camping experience. It is so much better!

From the breakfast pancakes and marshmallows provided down to the throws and cushions on hand to snuggle next to the fire, everything has been thought out and everything you would want is already there.

Wine and nature — the best of both worlds

Sydney-based owners Cam and Tasch D'Arcy are passionate about Mudgee and first opened Sierra Escape in 2017 hoping to showcase all of the amazing things the region, located around four hours out of Sydney, offered.

"Sierra is a one-of-a-kind experience that has been crafted to give people an opportunity to escape to nature without forgoing the luxuries of a hotel," Cam says.

"Even those who hate the idea of camping love this unique, off-the-grid experience."

All tents located on the property are completely off the grid, meaning you have no choice but to disconnect from the outside world. Everything is solar-powered and your TV is replaced by the crackle of the wood in the fireplace, which I must add, in the middle of winter, heats up the whole tent surprisingly well!

In the middle of nowhere yet so much to do

While it was tempting to just stuff ourselves with toasted marshmallows and play board games in the tent, it was time for mum and dad to have some fun. So to the wineries we went! I mean, if you're in the heart of the central west wine region of NSW, it would be criminal not to, right?

After a day hopping from one winery to the next, and stopping for the occasional cheese and honey tasting, it was time to indulge in the best thing Sierra offered - our own outdoor fire pit.

I couldn't tell you how long we spent playing around the fire on the top of our secluded hill - that's the beauty of a place like this. You just stop. And time stops with you so you can just enjoy being a family again. Away from the usual mundane routine, away from technology, away from stress.

We skimmed rocks, spotted a family of kangaroos, toasted more marshmallows and drank some more wine.

Sierra truly is the perfect glamping retreat families will love. The hardest part is leaving.



HIGHLIGHTS



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averageangela • Following
Blue Wren
averageangela DUCK LIVER ICE CREAM BRULEE? only at @blue.wren.mudgee and totally worth the trip! I'm still salivating thinking about it and crying on the inside because people are making me go to chili chicken tonight (so bad with chili). On the other hand, trying to hide a smirk because @champsman1 is getting really into being an #instahusband in this pic
#rassoonome #zjoneystyle #styleinspo #styleblogger #sydneyeaston @mumanddads #bardot #bookbook #interiordesign #interiordacor #interiorgoals #blue.wren.mudgee #mudgee #mudgeefood #mudgeeregion #sydneyfood
451 likes
JUNE 5
Add a comment...



averageangela • Following
Mudgee, New South Wales
averageangela You should see the place BEFORE we cleaned up! If you're all considering staying here, the transitional seasons are probably best as it's still camping after all! It's a great little place to experience when the nights are still and the stars are shining bright. They also provide eye masks because the moon is LITERALLY LIKE SOMEONE IS SHINING A TORCH INTO YOUR EYES! how different the sky is when there's no light pollution.
@champsman1
#chasinglight #bubbles #bubbletent #bubbletentaustralia #mudgee #roadtrip #glamping #camping #tent #holiday #wegoaloveword #welltravelled #welltravelledto #nomadic
1,785 likes
JUNE 5
Add a comment...

Treasurer's Report

1. Nature of Report

- a. This is the financial report for the fourth quarter of the MRTI 2017-18 financial year, given to Mid-Western Regional Council (MWRC) under the reporting format as agreed under the contract executed between MWRC and MRTI.
- b. The report demonstrates the trading result for the financial quarter ended June 30th 2018.

2. Accounting Conventions

- a. The attached P&L and Balance Sheet have been prepared from the MYOB General Ledger (via reporting system CALXA) with no external intervention other than formatting.
- b. Accrual accounting is used under GAAP.

Overall Result

- a. Operating Profit -\$87.8K, \$39.6K below budget, due to the following:
 - o Significant drop in events/ticket sales \$13K;
 - o Reserved approach to launching new retail wine initiative and liquor licence application delay \$17K;
 - o Computer and website expenses (necessary upgrades) \$7K;
 - o Mid-year marketing opportunities (e.g. Sydney Weekender, GQ, Delicious, Australian Traveller) \$8K;
 - o Wages: staff turnover (2 x maternity leave and 1 x resignation) and increased visitors to VIC \$15K.

3. Trading Income

Retail trading income at end Q4 \$75K below budget, due to significant shortfall in anticipated wine sales. Ticket Sales Income \$1.3K ahead of revised budget. Membership income fell short by \$2.4K.

4. Total Income

Overall income 8% under budget, total cost of sales 45% below budget (due to anticipated retail wine sales and higher cost of goods for this product), resulting in Gross Profit 3% below budget.

5. Total Expenses

Total expenses 2% over budget.

- a. The organisation continues to be under financial control with a strong partnership base secured for 2018-19. We have prepared an interim 2018-19 budget (to be reviewed in 6 months) taking into consideration negative retained earnings FY2017-18. Our ambition is to rebuild retained earnings without losing momentum in market. We have so far anticipated a \$10K profit FY2018-19 with a conservative approach and will seek additional funding streams throughout the year.

6. Cash Funds

At the end of Q4 of the 2017-18 Financial Year, cash is the primary current asset \$241,896.

7. Balance Sheet

- a. A balance sheet is included as part of this report.

Mudgee Region Tourism Incorporated
Balance Sheet as of June 2018

Balance Sheet — Mudgee Region Tourism Inc 1	
Jun 2018	Jun 2018
Asset	
Current Assets	385,224
Cash on Hand	241,896
Visa Debit Cards	3,192
Debtors	103,233
Stock on Hand	12,964
Prepayments	23,940
Non-Current Assets	60,353
Motor Vehicle (Nett)	49,417
Office Furn & Equip (Nett)	5,845
Intangible Assets	5,091
Total Asset	445,577
Liability	
Current Liabilities	136,366
Trade Creditors	7,644
Sundry Creditors	8
Unidentified Revenue	240
Accruals	8,368
Chattel Mortgage (current)	50,524
GST Liabilities	40,536
Payroll Liabilities	29,045
Prepaid Income	360,869
Membership Income 2018/2019	360,869
Ticket Sales	7,730
Seat Advisor EFT	7,630
Countrylink Tickets	101
Total Liability	504,966
Net Assets	(59,389)
Equity	
Retained Earnings	28,464
Current Earnings	(87,853)
Total Equity	(59,389)

Mudgee Region Tourism Incorporated
Profit + Loss (Budget Analysis)
July through June 2018

**Budget Analysis with Full Year Budget and Variance — Mudgee Region
 Tourism Inc 1**

Jul 2017 - Jun 2018

	Actuals	Budget	Variance (\$)	Full Year Budget	Full Calendar Year Variance Jan 2018 - Dec 2018
Income					
Retail Sales	90,907	165,985	(75,078)	165,985	(75,078)
Ticket Sales Income	11,266	9,945	1,321	9,945	1,321
Membership Income	348,457	350,811	(2,354)	350,811	(2,354)
Booking Agency Fees	410	710	(300)	710	(300)
MWRC Contract	396,000	396,000	0	396,000	0
MWRC LST Campaign	75,000	75,000	0	75,000	0
International VFR Campaign	10,000	10,000	0	10,000	0
Interest Received	1,035	1,181	(145)	1,181	(145)
Total Income	933,075	1,009,631	(76,556)	1,009,631	(76,556)
Cost of Sales					
COGS Retail	58,474	105,416	46,942	105,601	47,128
COGS Ticketing	1,333	2,880	1,547	2,880	1,547
Total Cost of Sales	59,807	108,296	48,489	108,481	48,675
Gross Profit	873,269	901,335	(28,067)	901,150	(27,881)
Expense					
Advertising	3,822	3,287	(535)	3,287	(535)
Audit Fees	4,750	4,500	(250)	4,500	(250)
Bank Charges	262	58	(205)	58	(205)
Bank Charges - Merchant	2,069	1,562	(507)	1,562	(507)
Cleaning	2,588	2,200	(388)	2,200	(388)
Computer Expenses	8,349	6,578	(1,771)	6,578	(1,771)
Depreciation	19,805	19,805	0	19,805	0
Electricity	3,466	3,125	(341)	3,125	(341)
Visitors Centre Costs	1,005	1,165	161	1,165	161
Insurance	2,780	2,995	215	2,995	215
Insurance - Workers Comp	1,126	1,126	0	1,126	0
Motor Vehicle Running	7,290	6,429	(861)	6,429	(861)
MV Interest	3,043	2,851	(192)	2,851	(192)
Loss on Disposal of MV	10,530	10,530	0	10,530	0
Office Supplies	865	550	(315)	550	(315)
General Postage	436	340	(96)	340	(96)
Member Expenses	2,416	2,776	360	2,776	360
Printing & Stationery	4,979	3,953	(1,026)	3,953	(1,026)
Professional Fees	3,143	4,887	1,744	4,887	1,744
Rent Mudgee Visitors Centre	955	1,445	490	1,445	490
Gulgong Visitors Centre	60	260	200	260	200
Rylstone/Kandos running costs	16	216	200	216	200
Repairs & Maintenance	1,145	1,700	555	1,700	555
Staff Amenities & Ent	3,256	2,500	(756)	2,500	(756)
Board Meeting Expenses	525	368	(157)	368	(157)
Subscriptions & Memberships	2,552	2,963	411	2,963	411
Sundry Expenses	0	1,720	1,720	1,720	1,720
Security	535	635	100	635	100
Telephone, Fax & Internet	6,326	6,457	131	6,457	131
Travel Expenses - Non Wages	182	0	(182)	0	(182)
Website Expenses	9,254	7,675	(1,580)	7,675	(1,580)
Visitor Guide Exp	114,898	115,319	421	115,319	421
Wages and Salaries	466,357	449,694	(16,664)	449,694	(16,664)
Fringe Benefits Tax	5,627	5,893	266	5,893	266
Regional Marketing Expenditure	266,711	265,385	(1,326)	265,385	(1,326)
Total Expense	961,121	940,946	(20,175)	940,946	(20,175)
Operating Profit	(87,853)	(39,610)	(48,242)	(39,796)	(48,057)
Net Profit	(87,853)	(39,610)	(48,242)	(39,796)	(48,057)

Item 8: Development

8.1 DA0220/2018 - Change of Use - RMS Office to Valet Car Wash and Cafe - 13 Perry Street, Mudgee

REPORT BY THE SENIOR TOWN PLANNER
TO 19 SEPTEMBER 2018 ORDINARY MEETING
GOV400066, DA0220/2018

RECOMMENDATION**That Council:**

- A. receive the report by the Senior Town Planner on the DA0220/2018 - Change of Use - RMS Office to Valet Car Wash and Cafe - 13 Perry Street, Mudgee;
- B. approve DA0220/2018 - Change of Use - RMS Office to Valet Car Wash and Cafe - 13 Perry Street, Mudgee subject to the following conditions, and statement of reasons:

CONDITIONS**PARAMETERS OF CONSENT**

1. 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 herein.

Title/Name	Drawing No/ Document Ref	Revision/ Issue	Dated	Prepared by
Existing and Demolition Overall Plan	SK-01	P4	14/06/18	Michael Carr Architect
Proposed Overall Plan	SK-02	P4	14/06/18	Michael Carr Architect
Proposed Local Plan	SK-03	P4	14/06/18	Michael Carr Architect
Elevations	SK-04	P3	14/06/18	Michael Carr Architect
Title Sheet & Site Locality	C001	C	12/06/18	Geolyse
Proposed Site Layout Plan	C003	C	12/06/18	Geolyse
Vehicle Turning Paths, Sheet 1 of 2	C004	C	12/06/18	Geolyse
Vehicle Turning Paths, Sheet 2 of 2	C005	C	12/06/18	Geolyse
Proposed Stormwater	C006	C	12/06/18	Geolyse

Layout Plan				
Proposed Trade Waste Treatment Layout Plan	C007	C	12/06/18	Geolyse
Trade Waste Process Flow Chart for Café Kitchen	C008	C	12/06/18	Geolyse
Trade Waste Process Flow Chart for Car Washing Area	C009	C	12/06/18	Geolyse

2. 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.
3. This development consent does not include approval for any signage for the approved development. A separate Development Consent or Complying Development Certificate may be required for signage, if the signage is not exempt development.

Note: Only business identification signs are permissible on the subject site.

4. This approval includes approval for:
 - a) The use and development of the site for the purposes of a valet car washing service and ancillary café.
 - b) The provision of on-site parking and vehicle holding bays to accommodate the needs of the development.
 - c) The widening of driveway crossovers.
 - d) The use of 2 on-street car parking spaces, directly in front of the site, for the purposes of the approved development.
 - e) Connection of water, sewer and stormwater services to the development.
5. This consent does not permit commencement of any site works. Works are not to commence until such time as a Construction Certificate has been obtained and the appointment of a Principal Certifier.

GENERAL

6. All building work is to comply with the requirements of the Access to Premises Standard.
7. Notwithstanding the approved plans, the structure is to be located clear of any easements and/or 1.5 metres from any water and sewer mains in accordance with Council Policy.
8. All building, earth and pavement work must be carried out in accordance with the provisions of the National Construction Code, the *Environmental Planning & Assessment Act 1979* and Regulations and all relevant Australian Standards.
9. All earthworks, filling, building, driveways or other works are to be designed and constructed (including stormwater drainage if necessary) to ensure that at no time any ponding of stormwater occurs on the subject site or adjoining land as a result of this development. Design must also ensure that no diversion of runoff onto other adjacent properties occurs.
10. The car wash facility must be designed and operated in accordance with the following:

- a) Staff are to undertake all washing of vehicles on the premises.
 - b) No self-serve customer washing of vehicles is to occur.
 - c) No coin operated car washing facilities are to be provided on the subject site.
 - d) The car wash facility is to be operated in conjunction with the on-site café at all times.
 - e) A late fee, or alternative deterrent, is to be used to ensure that customers remove cleaned vehicles from the site in a timely manner.
 - f) Only two (2) car washing bays are to be in use at any one time.
11. Costs associated with all development works including any necessary alterations to, or relocation of services, public utility mains or installations must be met by the developer. The developer is responsible to accurately locate all existing services before any development works commence to satisfy this condition.
12. Any damage which is caused to Council's infrastructure as a result of the proposed development must be repaired immediately to Council's satisfaction and at no cost to Council.

PRIOR TO ISSUE OF THE CONSTRUCTION CERTIFICATE

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

Building

13. Prior to release of the Construction Certificate, approval pursuant to Section 68 of the *Local Government Act 1993* to carry out water supply, stormwater and sewerage works is to be obtained from Council.
14. Consent from Council must be obtained for all works within the road reserve pursuant to Section 138 of the *Roads Act 1993*, prior to the issue of a Construction Certificate.
- a) Details of the provision of tactile surface indicators for the blind, located at all edges between the concrete footpath and the driveway crossovers for the development. The details of the tactile surface indicators must comply with the provisions of *Australian Standard AS/NZS 1428.4.1:2009 – Design for access and mobility – Means to assist the orientation of people with vision impairment – Tactile ground surface indicators*.
 - b) The works to be covered by this approval are to include alteration of crossovers and drainage works.

Note: A separate fee is payable for the Section 138 application.

15. Pursuant to clause 94 of the *Environmental Planning and Assessment Regulation 2000*, the existing building shall be brought into conformity with the following Performance Requirements of the BCA, Volume 1:
- a) DP4 – Exits must be provided to allow occupants to evacuate safely.
 - b) DP6 – So that occupants can safely evacuate the building, paths of travel to exits must have dimensions appropriate to:
 - (i) the number, mobility and other characteristics of occupants; and
 - (ii) the function or use of the building.
 - c) EP1.2 – Fire extinguishers must be installed to the degree necessary to allow
-

occupants to undertaken initial attack on a fire appropriate to:

- (i) the function or use of the building; and
 - (ii) the fire hazard.
- d) EP4.2 – To facilitate evacuation, suitable signs or other means of identification, must, to the degree necessary, be provided to:
- (i) identify the location of exits;
 - (ii) guide occupants to exits;
 - (iii) be clearly visible to occupants; and
 - (iv) operate in the event of a power failure of the main lighting system for sufficient time for occupants to safely evacuate.

Plans and specifications demonstrating conformity shall be submitted to and approved by the Certifying Authority prior to the issue of a Construction Certificate for the building.

Pedestrian Link

16. Prior to the issue of a Construction Certificate involving above-ground building works, details of the pedestrian link between the car-holding bays at the Perry Street entrance to the property and the al-fresco café area are to be submitted to and approved by Council.

Heritage

17. Prior to the issue of a Construction Certificate involving above-ground building works, the details of the external materials and colours used for the following building elements are to be submitted to and approved by Council:
- a) Shade structure.
 - b) Car wash roof structure.
 - c) Pergola over al fresco area.
 - d) Changes to the façade of the existing building.
 - e) Pedestrian link between the holding bays and the pergola.

Note: The proposed use of yellow on the columns and fascia is not supported.

Trade Waste

18. A Construction Certificate for the approved use is not to be issued until any necessary approvals under Section 68 of the *Local Government Act 1993* to *dispose of waste into a sewer of the council (eg liquid trade waste)* have been obtained.

Contributions and Levies

19. Long service levy must be paid to the Long Service Payment Corporation, prior to the issue of any Construction Certificate. The amount payable is currently based on 0.35% of the cost of work. This is a State Government Levy and is subject to change.
20. Prior to the issue of any Construction Certificate, the developer shall obtain a Certificate of Compliance under the *Water Management Act 2000*. This will require:
- a) Payment of contributions for water and sewerage headworks at the following rate, subject to adjustment:
-

Section 64 Contributions			
Proposed Car Wash Service and Café			
	<i>ET's</i>	<i>2018-2019 Rate</i>	<i>Contribution Payable</i>
Water Headworks	3.844	\$8,407.00	\$31,316.50
Sewer Headworks	3.844	\$3,838.00	\$14,753.27
Total Headworks			\$46,069.77

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

Note: Section 64 Developer Contributions are subject to the Consumer Price Index increase at 1 July each year. Please contact Council's Development Directorate regarding any adjustments.

21. In accordance with the provisions of Section 7.11 of the *Environmental Planning & Assessment Act 1979* and the Council's *Section 94 Development Contributions Plan 2005-2021*, a contribution shall be paid to Council in accordance with this condition as detailed in the table below. The contribution shall be paid to Council prior to the issue of a Construction Certificate. Contributions are subject to increase in accordance the consumer price index and are payable at the rate applicable at the time of payment.

Section 94 Contributions		
Commercial (increase in commercial floor area of 68m² – pergola for café)		
<i>Mudgee Town Centre (Catchment 1)</i>	<i>Per m²</i>	<i>68m²</i>
Civic Improvements		
Civic Improvements	\$192.00	\$13,056.00
Administration		
Plan Administration	\$10.00	\$680.00
Total	\$202.00	\$13,736.00

Note - any unpaid Contributions or charges nominated in the development consent will be indexed to CPI at the beginning of each new financial year.

Stormwater

22. Details of the drainage and pavement works are to be submitted to and approved by Council, prior to the issue of a Construction Certificate for civil works.
23. A detailed Operational Management Plan is to be submitted to and approved by Council, prior to the issue of a Construction Certificate involving civil works. The Operational Management Plan must specifically provide procedures and control measures to address, but not be limited to, the following matters:
- a) A schedule for the inspection, servicing and cleaning of waste water treatment, oil separation and grease trap devices installed for both the café and car wash areas;

and

- b) A specific procedure to be carried out, including control measures, in the event of failure or blockage of the collection sump, solids settlement tank, wash bay pump and oil/water separator that may result in overflow or discharge of contaminated liquids entering Council's stormwater drainage system; and
- c) The steps to be taken to prevent bunded wash areas filling and overflowing into the stormwater drainage system in the event of failure or blockage.

Food Premises

- 24. To ensure that adequate provision is made for the cleanliness and maintenance of all food preparation areas, all work involving construction or fitting out of the premises shall comply with the requirements of *Australian Standard 4674-2004 – "Design, Construction and Fit-Out of Food Premises"*, *Food Act 2003*, the provisions of the *Food Safety Standards Code (Australia)* and the conditions of development consent. Details demonstrating compliance are to be submitted to the Principal Certifier prior to release of the Construction Certificate.

Access and Parking

- 25. The aisle widths, internal circulation, ramp widths and grades of the car park are to conform to the Roads and Maritime Services (RMS) guidelines and Australian Standard AS 2890.1 – 1993. Details of compliance are to be shown on the relevant plans and specifications.
- 26. Each access provided must comply with Council's Access to Properties Policy, AUSTRROADS Part 4/4A and any associated RMS supplements.

Waste Management

- 27. Prior to the issue of a Construction Certificate that involves above ground works, a Waste Management Plan is to be submitted to and approved by Council. The Waste Management Plan is to include the following details:
 - a) Waste management during construction.
 - b) A plan of the garbage bin storage area.
 - c) Details of the method and regime for washing down the bin storage area.
 - d) Details of the method and regime for washing bins.
 - e) Details of how and where refuse will be collected from the bins. Refuse collection must involve no conflict with pedestrian pathways.
 - f) Details of the amount and type of expected waste generation and storage and collection requirements of each waste stream.
 - g) Details of waste collection arrangements from the site, including volume and frequency.
 - h) Details of the location of the destination of the waste.
 - i) Details of odour control.
 - j) A monitoring and review regime for the Waste Management Plan.

Following commencement of the use, any amended versions of the Waste Management Plan are to be approved by Council.

Noise

- 28. Prior to the issue of a Construction Certificate for any above ground works, details of the acoustic barrier fencing are to be submitted to and approved by Council. The acoustic
-

barrier fencing is to comply with the recommendations of *Development Application (DA) Noise Assessment, Report No BA180507, Version B* (Blackett Acoustics, June 2018) [the Blackett Acoustics Report], including:

- a) The acoustic barrier fence is to be located as shown in Figure 6-2 of the Blackett Acoustics Report. The fence may extend further than the extent shown in Figure 6-2, but not lesser than the extent shown in Figure 6-2.
- b) The acoustic barrier fence shall have a minimum height of 1.8m above the finished surface level of the adjacent vacuum bay.
- c) The acoustic barrier fence is to be constructed from any of the following materials:
 - (i) Solid brick masonry;
 - (ii) Aerated concrete masonry;
 - (iii) Fibre cement sheet at least 6mm thick;
 - (iv) 20mm thick solid plywood;
 - (v) Minimum 15mm thick acrylic;
 - (vi) Minimum 6mm thick glass;
 - (vii) Other material with a mass-per-unit-area of at least 10kg/m²; or
 - (viii) Any combination of the above.
- d) The details of the acoustic barrier fencing are to be approved and included in any Construction Certificate issued for any above ground works.

PRIOR TO THE COMMENCEMENT OF WORKS - BUILDING

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

- a) the appointment of a Principal Certifier; and
- b) the date on which work will commence.

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

30. A sign must be erected in a prominent position on any work site on which the erection or demolition of a building is carried out:

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

31. If the work involved in the erection/demolition of the building:

- a) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient; or
- b) building involves the enclosure of a public place, then

a hoarding or fence must be erected between the work site and the public place. If

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

32. The site shall be provided with a waste enclosure (minimum 1800mm X 1800mm X 1200mm) that has a lid or secure covering for the duration of the construction works to ensure that all wastes are contained on the site. The receptacle is to be emptied periodically to reduce the potential for rubbish to leave the site. Council encourages the separation and recycling of suitable materials.
NOTE: ALL WASTE GENERATED FROM THE CONSTRUCTION PROCESS IS TO BE CONTAINED ON-SITE.
33. Prior to the commencement of works on site, the applicant shall advise Council's Operations Directorate, in writing, of any existing damage to Council property.

DURING CONSTRUCTION

Demolition

34. Demolition works are to be carried out in accordance with the relevant provisions of *Australian Standard AS2601:2001: Demolition of structures*.

Building and General Works

35. All plumbing and drainage work must be carried out by a licensed plumber and drainer and must comply with the Plumbing Code of Australia.
36. All mandatory inspections required by the *Environmental Planning & Assessment Act 1979* and any other inspections deemed necessary by the Principal Certifier being carried out during the relevant stage of construction.
37. All stormwater is to discharge to the street with the use of non-flexible kerb adaptors. Please note this can be achieved by connecting to existing stormwater lines.
38. Construction work noise that is audible at other premises is to be restricted to the following times:
• Monday to Saturday - 7.00am to 5.00pm
No construction work noise is permitted on Sundays or Public Holidays.
39. The list of measures contained in the schedule attached to the Construction Certificate are required to be installed in the building or on the land to ensure the safety of persons in the event of fire in accordance with Clause 168 of the *Environmental Planning and Assessment Regulation 2000*.
40. The development site is to be managed for the entirety of work in the following manner:
- Erosion and sediment controls are to be implemented to prevent sediment from leaving the site. The controls are to be maintained until the development is complete and the site stabilised with permanent vegetation;
 - Appropriate dust control measures;
 - Construction equipment and materials shall be contained wholly within the site unless approval to use the road reserve has been obtained; and
 - Toilet facilities are to be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.
-

41. All public footways, foot paving, kerbs, gutters and road pavement damaged during the works are to be restored to match existing conditions at the Developer's/Demolisher's expense.
42. If the development involves an excavation that extends below the level of the base of the footings of a building, structure or work (including any structure or work within a road or rail corridor) an adjoining land, the person having the benefit of the development consent must, at the person's own expense:
 - a) Protect and support the building, structure or work from possible damage from excavation; and
 - b) Where necessary, underpin the building, structure or work to prevent such damage.

This condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

Access and Parking

43. The footpath and driveway levels are not to be altered outside the property boundary without Council's permission. Driveways installed over public footpaths must match the existing footpath profile.
44. Vehicular entrances comprising kerb laybacks (where roll kerb and gutter does not exist) and concrete footway crossings are to be provided in accordance with the approved plans. These should be constructed in accordance with Aus-Spec #1, Council's "Access to Properties" Policy and any approval issued in accordance with Section 138 of the *Roads Act 1993*.

Concrete must not be poured until the excavation, formwork and reinforcing has been inspected by Council. The contractor/owner must arrange an inspection by contacting Council's Operations Directorate between 8.00am and 4.30pm Monday to Friday, giving at least twenty four (24) hours notice.

Failure to have the work inspected may result in the access being removed and reconstructed at the contractor's/owner's expense.

45. A total of 17 on-site car parking spaces, including one disabled access parking space are to be provided within the site of the development and comply with AS 2890.1:2004 and AS2890.6:2009 and the following requirements:
 - a) All vehicles must be provided adequate means to exit the lot in a forward direction.
 - b) Each car parking space is to have minimum dimensions of 5.4m x 2.6m;
 - c) Each disabled car parking space is to be in accordance with the provisions of AS 2890.6:2009;
 - d) All car parking spaces, accesses and vehicle manoeuvring areas are to be line-marked and sealed with bitumen or concrete; and
 - e) The aisle widths, internal circulation, ramp widths and grades of the car park are to conform to the Roads and Traffic Authority *Guide to Traffic Generating Developments 1992* and Australian Standard AS2890.1 – 2004.

PRIOR TO ISSUE OF THE OCCUPATION CERTIFICATE

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

46. Prior to the occupation of a new building, or occupation or use of an altered portion of, or an extension to an existing building, an Occupation Certificate is to be obtained from the Principal Certifier appointed for the erection of the building.
 47. Prior to the issue of an Occupation Certificate or the commencement of use, the following works in relation to access, car parking, associated manoeuvring areas and pedestrian safety are to be completed:
 - a) The car parking area must be set out and clearly delineated in accordance with the requirements of *Australian Standard AS 2890.1:2004 Parking Facilities Part 1: Off-street Car Parking*.
 - b) Signage to indicate that an 8.8m long vehicle is the largest vehicle that may enter the site is to be erected so that it is clearly visible from the Perry Street entry into the property.
 - c) Signage (external and internal) to indicate direction of traffic flow and the entry and exit points is to be provided. The signage must be provided in accordance with the standards and requirements set out in *Australian Standard AS 1742.1-2014 Manual of uniform traffic control devices, Part 1: General introduction and index of signs*.
 - d) Driveway accesses are to be widened in accordance with the Section 138 *Roads Act 1993* approval.
 - e) Tactile surface indicator for the blind are to be provided at the edges between the footpath and driveway crossovers in accordance with the Section 138 *Roads Act 1993* approval.
 48. Prior to occupation or the issue of the Occupation Certificate the owner of the building must cause the Principal Certifier to be given a fire safety certificate (or interim fire safety certificate in the case of a building or part of a building occupied before completion) in accordance with Clause 153 of *the Environmental Planning and Assessment Regulation 2000* for each measure listed in the schedule. The certificate must only be in the form specified by Clause 174 of the Regulation. A copy of the certificate is to be given to the Commissioner of Fire and Rescue NSW and a copy is to be prominently displayed in the building.
 49. Prior to the issue of an Occupation Certificate, for any buildings on site, the building is to be connected to reticulated water supply, stormwater and sewerage in accordance with the relevant Section 68 approval/s.
 50. Prior to the commencement of use, the Developer must construct all stormwater drainage and systems for the collection of wash bay runoff in accordance with the details as shown on the approved plans.
 51. Prior to commencement of use, water efficient tapware and water closets are to be installed within the development. The pressure washers provided for the wash bay are to be high pressure washers, such as Kerrick EI151CW pressure washers.
 52. All unsealed open spaces on the site are to be landscaped, prior to commencement of the use.
 53. Acoustic fencing is to be erected in accordance with recommendations contained in *Development Application (DA) Noise Assessment, Report No BA180507, Version B* (Blackett Acoustics, June 2018) [the Blackett Acoustics Report], as superseded by the
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acoustic barrier details approved as part of the Construction Certificate - prior to occupation of the development and/or commencement of the use.

GENERAL/OPERATIONAL CONDITIONS

54. 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 Fire and Rescue NSW with a copy of an Annual Fire Safety Statement certifying that each specified fire safety measure is capable of performing to its specification.
 55. 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 Fire and Rescue NSW 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.
 56. The hours of operation of the whole development are to be limited to the following:
 - a) 7am to 6pm, seven (7) days per week.
 57. The hours of operation of the café component of the use are to be at least the following:
 - a) 7am to 3pm, seven (7) days per week.
 58. The operator shall ensure that perimeter gates to the development site are to be closed and locked outside the operating hours of the development.
 59. All vehicles are required to enter and leave the site in a forward direction at all times. Signage to this effect is to be appropriately located within the site.
 60. The pavement surface for the on-site car parking and associated manoeuvring areas are to be maintained in a workable condition at all times. Any damage to the pavement surface is to be repaired as soon as practicable.
 61. All line-marking for the on-site car parking spaces and footpath areas are to be maintained in a visible condition, at all times.
 62. All loading and unloading in connection with the premises shall be carried out wholly within the site. This condition does not apply to garbage collection.
 63. All vehicles for cleaning and being stored for pick up are to be stored within on-site parking spaces. Parking spaces within Byron Place public car park are not to be used for the car washing operation.
 64. All exterior lighting associated with the development shall be designed and installed so that no obtrusive light will be cast onto any adjoining property or roadways, in accordance with *Australian Standard 4282: Control of the Obtrusive Effects of Outdoor Lighting*.
 65. Garbage areas are to be adequately screened from public view with an opaque fence and/or adequate landscaping.
 66. All requirements of the Operational Management Plan must be implemented prior to the commencement of use and maintained to Council satisfaction for the duration of the approved activities on the premises.
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67. Car washing operations are to be undertaken in such a manner that adjoining roads, parking areas and developments are not adversely affected by spray drift.
68. All waste and waste areas are to be managed in accordance with the approved Waste Management Plan. Should any amenity impacts arise as a result of the bin storage or bin collection, an amended Waste Management Plan, providing solutions to address the identified impacts, is to be submitted to and approved by Council.
69. Bulk detergents, degreasers and any other volatile substances used in the car wash facility must be kept in a bunded area/container with a storage capacity equal to 110% of the volume of liquid to be stored.
70. The development is to be maintained in a clean and tidy manner, at all times.

Food Safety

71. The premises shall, at all times, be operated and maintained in accordance with Food Safety Standards 3.1.1, 3.2.2 and 3.2.3 prescribed in chapter 3 of the Australia and New Zealand Food Standards Code.

ADVISORY NOTES

- 1 The removal of trees within any road reserve requires the separate approval of Council in accordance with the policy "Tree Removal and Pruning – Public Places".
 - 2 The land upon which the subject building is to be constructed may be affected by restrictive covenants. This approval is issued without enquiry by Council as to whether any restrictive covenant affecting the land would be breached by the construction of the building, the subject of this approval. Persons to whom this approval is issued must rely on their own enquiries as to whether or not the building breaches any such covenant.
 - 3 Sections 8.2, 8.3, 8.4 and 8.5 of the *Environmental Planning and Assessment Act 1979* gives you the ability to seek a review of the determination. This request is made to Council and must be made within 6 months after the date on which you receive this notice. The request must be made in writing and lodged with the required fee; please contact Council's Planning and Development Department for more information or advice.
 - 4 If you are dissatisfied with this decision Sections 8.7 and 8.10 of the *Environmental Planning and Assessment Act 1979* gives you the right to appeal to the Land and Environment Court within 6 months after the date on which you receive this notice.
 - 5 To ascertain the date upon which the consent becomes effective, refer to Sections 4.20 and 8.13 of the *Environmental Planning and Assessment Act 1979*.
 - 6 To ascertain the extent to which the consent is liable to lapse, refer to Section 4.53 of the *Environmental Planning and Assessment Act 1979*.
 - 7 The development is to operate so as to not emit offensive noise, as defined in the *Protection of the Environment Operations Act 1997*.
 - 8 The development is to operate so as to not emit offensive noise, as defined in the *Protection of the Environment Operations Act 1997*.
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STATEMENT OF REASONS

The determination decision was reached for the following reasons:

1. The proposed development complies with the requirements of the applicable environmental planning instruments and Mid-Western Regional Development Control Plan 2013.
2. The proposed development is considered to be satisfactory in terms of the matters identified in Section 4.15 of the *Environmental Planning & Assessment Act 1979*.
3. The proposed development satisfactorily addresses the issues raised in objections received in response to public notification of the proposed development, as follows:
 - (a) The traffic and parking impacts of the development are acceptable.
 - (b) Vehicle access into and out of the site will be safe.
 - (c) There will be no unreasonable impact on pedestrian safety.
 - (d) Conditions on the development consent will require the provision of tactile surface indicators in the footpath to improve the safety of blind people.
 - (e) Sufficient detail has been provided to enable an assessment of the application.
 - (f) The proposed development will not have an adverse impact on heritage character or aesthetic impact, subject to conditions.
 - (g) The proposed development will not have an adverse noise impact, subject to conditions.
 - (h) The proposed development is suitable for the site.
 - (i) The proposed development will not have an adverse impact on tourism.
 - (j) The proposal development will not have an adverse economic impact.

Executive summary

OWNER/S:	Mr Wouter G Dussledorp & Mr David Morris
APPLICANT:	Mr Wouter G Dussledorp & Mr David Morris
PROPERTY DESCRIPTION:	13 Perry Street, Mudgee (Lots 40 & 42 DP240238)
PROPOSED DEVELOPMENT:	Valet Car Wash and Café
ESTIMATED COST OF DEVELOPMENT:	\$30,000
REASON FOR REPORTING TO COUNCIL:	More than seven (7) objections received
PUBLIC SUBMISSIONS:	A total of 15 objections, over 2 exhibition rounds. One (1) petition with 45 signatures has been submitted in support of the proposal.

Council is in receipt of a development application that seeks approval to convert the old Roads and Maritime Services building to a Valet Car Wash Facility and Café at 13 Perry Street, Mudgee.

The proposed development will involve the internal refurbishment of the existing building for the purposes of a café and reception/office components of the car wash business. An al fresco area with pergola is proposed to be added to the Perry Street frontage of the property, as an extension of the proposed café use. A roofed car washing bay will be erected within the existing car park at the rear of the premises, near the southern boundary. An area covered by shade sails will be erected on the eastern side of the existing car park – to be used for vacuuming and detailing bays. The valet car wash business will involve only staff receiving and cleaning vehicles, while customers wait in the café or shop elsewhere. The car wash will not be a self-service or coin operated facility.

The application has been placed on public exhibition in accordance with Council policy, on two occasions. The first exhibition period ended on 16 April 2018, with a total of 11 submissions from the public. One of the major issues associated with the first version of the proposal was that it did not convincingly present as a business premises, as it was a car wash only. The applicant submitted an amended proposal, adding the café component to the development and clarifying that the car wash will not be a self-service facility. The exhibition period for the amended proposal ended on 13 July 2018, with a total of four (4) submissions received. A petition in support of the proposed development was also received.

As the application has attracted more than seven (7) submissions in response to public exhibition, the application cannot be determined by delegated staff – Council is required to determine the application.

The application is recommended for approval.

Disclosure of Interest

Nil.

Detailed report

PROPOSED DEVELOPMENT

Council has received a development application for a car wash facility and café at 13 Perry Street, Mudgee. The site is better known as the old Roads and Maritime Services office, located on the corner of Byron Place and Perry Street. The site is located within the Mudgee heritage conservation area and is not listed as a heritage item.

The proposed development seeks to convert the old Roads and Maritime Services Office to a car wash facility with associated café. The building works associated with the proposed development are:

- Internal refurbishment of the existing building to provide a reception area, lounge, café and bi-fold doorway to the alfresco area. The internal refurbishment will entail upgrades to the toilet facilities.
- No increase in the internal floor area of the existing building is proposed.
- The erection of a pergola at the front of the building, to operate as an al fresco area for the proposed café.
- The erection of a roof car wash bay structure at the rear (ie southern side) of the site.
- The erection of a shade sail structure over the vacuum bays and associated car parking spaces at the rear (ie eastern side) of the site.
- Associated widening of the property accesses and stormwater drainage works.

The proposed car wash facility will operate as a valet service only. Customers will enter the site at Perry Street and hand their keys to one of the staff members. Staff will then drive the car to the rear of the site to undertake the requested cleaning services. In the meantime, the customer enters the building, orders the wash and uses the café. After the vehicle is cleaned, the customer will pay for the service and pick up their vehicle from the rear of the building. The customer will then exit the site via the Byron Place exit from the site. No washing of vehicles will be undertaken by the customer.

It is intended that the café will provide food and refreshment to both car wash customers and the general public.

The proposed hours of operation are 7am to 6pm, 7 days per week.

The proposal does not involve a variation to the requirements prescribed within *Mid-Western Regional Development Control Plan 2013*.

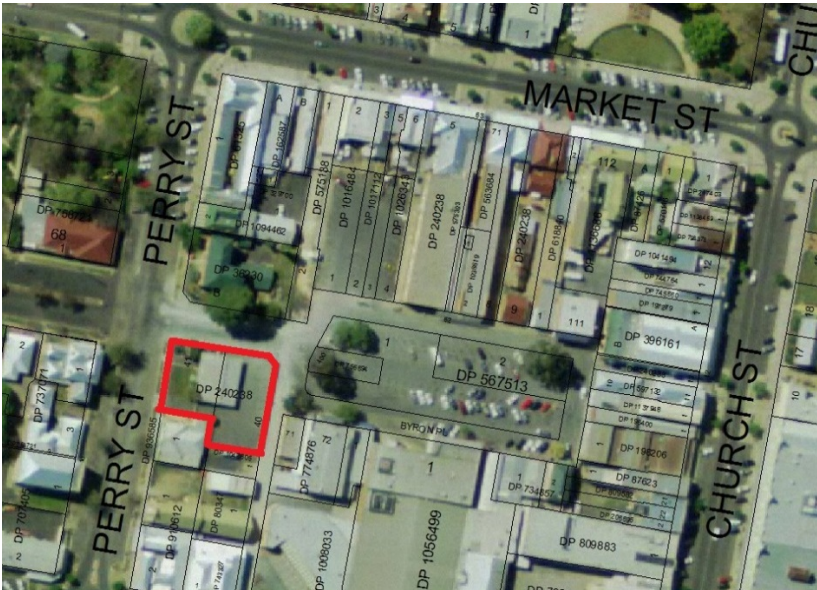


Figure 1: Subject Site

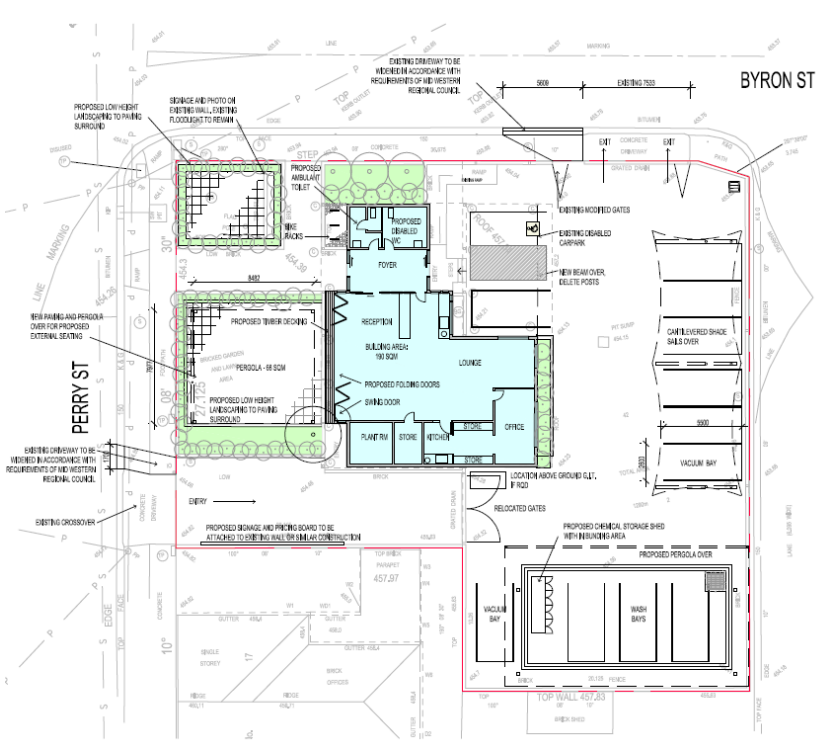


Figure 2: Proposed development

SECTION 4.15(1) – MATTERS FOR CONSIDERATION – GENERAL

The application has been assessed in accordance with Section 4.15(1) of the *Environmental Planning & Assessment Act 1979*. The main issues are addressed as follows.

- (a) **Provisions of any Environmental Planning Instrument and any draft EPI – 4.15(1)(a)(i) and (ii)**

State Environmental Planning Policy No 55 – Remediation of Land

A review of Council's records and site inspection did not reveal any evidence of a potentially contaminating activity. Accordingly, no further consideration is necessary.

SEPP (Infrastructure) 2007

Not applicable.

Short Street, located approximately 240m to the south of the site, is a classified road. As the site is not adjacent to the classified road nor triggers car parking for 50 or more cars, the considerations contained within this SEPP are not applicable to the proposed development.

There are no easements for electricity line purposes evident on the Deposited Plan for the lots making up the site.

SEPP 64 – Advertising Signs

The proposed development includes two signs, being:

- New signage content to be applied to the existing free standing masonry wall located near the north-west corner of the site; and
- A new free-standing signage structure, comprising 3 panels. The overall dimensions of the signage structure are 1.9m high and 4.9m long.

Under the provisions of SEPP 64 – Advertising Signs, advertisements other than the following are prohibited in heritage conservation areas:

- a) business identification signs,
- b) building identification signs,
- c) exempt signs; and
- d) signage on vehicles.

The proposed signs do not fall within the category of the last three (3) types of signs – so the only signs that are permissible on the site are business identification signs.

The application has not provided full details of the content of the signs to be erected in association with the proposed car wash and café. Consequently, it is not possible to assess the proposed signs against all the applicable requirements for signage. A condition is included in the recommendation requiring a new development application for signage and advising that only business identification signs may be considered.

Mid-Western Regional Local Environmental Plan 2012 (the LEP)

The land is zoned B3 – Commercial Core pursuant to Mid-Western Regional Local Environmental Plan 2012.

The following clauses of the LEP have been assessed as being relevant matters for consideration in the assessment of the Development Application.

1.4 Definitions

The appropriate definition to apply to car wash facilities is determined by the nature and character of the use. Typical self-serve car wash facilities, such as Car Lovers, have three to four washing bays and provide no (or limited) service to the public, in that they are generally self served. In addition, these type of car wash facilities are stand-alone and do not have secondary commercial

uses attached to them. These typical car wash facilities are appropriately defined as *industry* in accordance with the definitions of the LEP.

The proposed car wash facility is combined with a café and provides valet car washing only – thereby providing a service to the public. The character of the proposed operation is closer to a commercial use than an industrial use. This type of car wash is appropriately defined as a *business premises* in accordance with the definitions of the LEP.

2.3 Zone Objectives and Land Use Table

The land is zoned B3 – Commercial Core pursuant to the LEP. The proposed *business premises* is permissible with the consent of Council in the zone.

The proposed development is considered to be consistent with the objectives of the zone, as follows:

- *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 valet service car wash and café will serve the needs of the local and wider community.

- *To encourage appropriate employment opportunities in accessible locations.*

Comment – the proposed development will provide employment opportunities for at least 4 staff within the Mudgee CBD.

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

Comment – the proposed development utilises an existing building and the proposed refurbishment and al fresco pergola will enhance the connection of the building to the pedestrian path on Perry Street. The proposed development will be readily accessible for pedestrians.

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

Comment – the proposed use is a commercial use located within the CBD of Mudgee.

- *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 proposed commercial use is located in the Mudgee CBD, as opposed to surrounding residential areas.

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

Comment – the proposed development is an adaptive re-use of an existing building. The proposed pergola and al fresco area at the front of the building will be compatible with the character of the streetscape and the character of the heritage conservation area. The more modern building elements, being the car wash bay structure and shade sails, will be erected to the rear of the site where they will not be readily visible from Perry Street.

- *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 proposed development will improve the pedestrian connectivity between the existing building and the street. The proposed development will not impact on the wider pedestrian network within the CBD.

4.3 Height of Buildings

Complies.

The maximum building height mapped for the subject land is 8.5m. The highest part of the proposed development is to the pole supporting the new shade structure, which has a height of 6.5m.

5.10 Heritage Conservation.

Complies.

The site is located in the Heritage Conservation Area but is not identified as a Heritage Item in the LEP.

The proposal involves external alterations to the existing building and the erection of new structures on the site. These components of the development trigger the need for development consent in accordance with Clause 5.10(2).

In accordance with Clause 5.10(4), Council is required to consider the effect of the proposed development on the heritage significance of the heritage conservation area. These matters have been taken into consideration as follows:

- The proposed development includes a pergola structure to be attached to the front of the building. This structure is considered to be generally sympathetic to the heritage character of the area.
- The proposed shelter over the car wash bays and the proposed shade sail structure are both small, located to the rear of the site and will not be readily visible from Perry Street. These structures will not have a significant impact on the heritage character of the area.
- The development application has not provided clear details of the materials and colours to be used in the pergola, car wash shelter and shade sail structure. A condition is included in the recommendation to require submission and approval of the external materials and colours of these building elements.
- Council's Heritage Advisor has advised that the proposed use of yellow on the columns and fascia is not supported. The condition mentioned in the previous point will ensure more appropriate colours are approved prior to construction.
- A panel of 2m high signs are proposed along the Perry Street driveway into the property. These signs are located behind the predominant building line along Perry Street and are unlikely to have a significant adverse impact on the heritage character of the area.
- New signage is proposed on the previously mentioned signs and existing free standing masonry wall. However, no details of the content of the signs have been provided and it is not possible to assess the visual impact of the signs and their impact on the heritage conservation area. A condition will be applied requiring a new development application for signs.

The proposed development will not have an adverse effect on the significance of the Heritage Conservation Area, subject to conditions addressing detailed aspects of the proposed development.

6.3 Earthworks

Complies.

A minor amount of earthworks will be required for the footings of the proposed pergola, shade sail structure and car wash canopy. The proposed earthworks will not be significant in terms of the matters for consideration identified in this clause. Conditions are included in the recommendation for sediment erosion control measures during construction.

6.4 Groundwater Vulnerability

Complies.

The proposed footings for the ancillary structures to be erected will be relatively shallow. The proposed use is unlikely to result in significant pollution, subject to compliance with Trade Waste approvals for the disposal of waste water from the washing process and kitchen wastes to Council's sewer system. Consequently, the proposed development is unlikely to lead to groundwater contamination, will not have adverse impacts on groundwater dependent ecosystems, and is unlikely to have any significant cumulative impact on groundwater.

6.7 Active Street Frontages

Complies.

This clause requires Council to ensure that a change of use on the site has an active street frontage. An active street frontage means that all uses on the ground floor and facing the street are used for business premises or retail premises. The proposed café component of the use constitutes a retail use and will be readily accessed by pedestrians from Perry Street.

6.8 Airspace Operations

Complies.

The ground level at the site is approximately 56.3m below the airport OLS and the proposed development will not penetrate the OLS.

6.9 Essential Services

Complies.

The proposed development may connect to the reticulated water supply available to the site.

The proposed development may be connected to existing electricity infrastructure servicing the site.

The proposed development may connect to the existing sewer connection to the site. The application includes a waste water treatment process prior to disposing of the liquid waste to Council's sewer system. Changes are proposed internally to convert two of the water closets to a disabled water closet. Conditions for Section 68 approval for connection to the sewer and for a Trade Waste approval for disposal of liquid waste to Council's sewer are included in the recommendation.

The proposed development includes the provision of new stormwater lines to drain the roof over the car wash bays and the roof of the pergola area. These additional arrangements are considered satisfactory, subject to conditions to address detailed stormwater matters. Conditions are included

in the recommendation requiring connection of new stormwater lines to inter-allotment drainage system or the street kerb. In addition, a condition is included in the recommendation for a Section 68 approval for connection to stormwater, prior to issue of a Construction Certificate.

Widening of the existing driveways into the property is proposed to ensure that there is sufficient room to accommodate the turning movements of all vehicles expected to use the site. The proposed access upgrade will provide suitable access to the site. A condition is included in the recommendation for a Section 138 approval for works within road reserve, prior to issue of a Construction Certificate.

(b) The provisions of any Development Control Plan or Council Policy – 4.15(1)(a)(iii)

Mid Western Regional Development Control Plan 2013 (the DCP)

4.4 Signs

Not applicable.

The assessment of the signs against SEPP No.64 – Advertising and Signage concluded that a new development application for the signage components of the development will be required.

This section of the DCP does not include any requirements that would prevent the approval of a future application for the required signage. The main consideration for the future application will be the compatibility of the signage with the character of the Heritage Conservation Area.

4.5 Commercial Development

<p>Building Setbacks</p> <ul style="list-style-type: none"> • No front boundary setback requirement. • Side and rear boundary setbacks must comply with the BCA. 	<p>Complies.</p> <p>The pergola is set back approximately 0.6m from the property frontage. The side and rear setbacks of the shade sail structure and the roof over the car wash facility comply with BCA requirements, subject to the conditions included in the recommendation.</p>
<p>Design</p>	<p>Complies.</p> <p>The proposed development complies with the design requirements of the DCP, as follows:</p> <ul style="list-style-type: none"> • The proposal provides active street frontages, as required. • The proposal provides windows and doors facing Perry Street. • The existing building façade is articulated through a mixture of materials. • Existing plant (eg air-conditioning) is generally screened from public view.
<p>Scale Form and Height</p>	<p>Complies.</p> <p>The proposed development:</p> <ul style="list-style-type: none"> • Does not exceed the 8.5m height limit of the LEP; and • Is generally consistent with the character of the Mudgee Heritage Conservation Area.

Mortimer & Church Street Mudgee	Not applicable.
Articulation and Façade Composition	Complies. The proposed development provides articulation in the façade through a mixture of material and building elements. Extensive blank walls are avoided.
Post supported verandahs and balconies	Not applicable. These requirements refer to verandahs and balconies built over the footpath reserve.
Residential-Commercial Interface	Not applicable. The subject site does not adjoin a residential property.
Utilities and Services	Complies. The proposed development includes alterations to sewer and stormwater services to the site. Conditions are included in the recommendation in relation to the Section 68 approvals for stormwater, sewer and trade waste works.
Traffic and Access	Complies. <ul style="list-style-type: none"> • All vehicles can enter and leave in a forward direction. A condition is included in the recommendation to ensure compliance. • There is existing seal on all vehicle movement paths. • The driveways will comply with AS2890.1. A condition is included in the recommendation for a Section 138 approval for driveway widening works. • A condition is included in the recommendation for all loading/unloading to be undertaken within the site.
Pedestrian Access	Complies. Existing pedestrian routes within the site comply with the DCP requirements. There are no details of the direct pedestrian link between the car drop off area in the Perry Street driveway and the outdoor café deck. A condition is included in the recommendation for details of a pedestrian link in this area, prior to the issue of a Construction Certificate.
Landscaping	Not applicable. No change proposed to existing sealed car parking surface on the site. Therefore, no scope to require additional landscaping.

5.1 Car Parking

There is no specific car parking rate for a car wash facility, with combined cafe within the DCP or the RTA *Guide to Traffic Generating Developments (2002)*. As such a merit assessment on car parking will be undertaken.

In undertaking a merit assessment it is important to note -

- The parking rate for a café is 1 space per 7sqm of gross floor area, including outdoor seating.
- The construction of the RMS building, and ongoing operation were not subject to Council approval, and were likely approved using the Crown's self-approval powers. Accordingly, Council has no records of required/provided parking approved as part of the original RMS development.
- The use as a RMS registry would be likely classified as an office, which would have required a car parking rate of 1 space per 30sqm of gross floor area. In practice it is likely that a much higher car parking rate would have been needed owing to the high level of customer turnover.

Merit Assessment

The subject site, following driveway widening, has a frontage credit for two (2) car parking spaces.

The traffic report submitted with the application provides the following information:

- The whole facility will have 4 staff.
- The 2 car wash attendants can wash 6 cars per hour.
- The application states that 4 cars can be held in the entrance driveway. However, it is considered that only 3 cars can be held in the entrance driveway if the parking spaces are to comply with the Australian Standards.
- There are 2 vacuum bays.
- There are 3 car wash bays, with only 2 being actively used at any one time.
- There are an additional 6 on-site parking spaces plus one (1) disabled parking space.

The car parking requirement for the proposed development, based on the information provided with the development application, is summarised as follows:

- (i) Four (4) spaces are required for staff parking at a rate of one space per staff member. The two (2) on-street spaces in front of the site may be used for staff. The remaining 2 spaces are located on site.
- (ii) If 6 cars can be washed in one hour, then these 6 cars can be accommodated in the 2 vacuum bays, the 3 wash bays and 1 of the holding bays.
- (iii) The combination of (i) and (ii) results in a requirement for 10 parking spaces, to service the car wash component of the development.
- (iv) Approximately 70 sqm of the internal floor area of the refurbished building will be used for café purposes. The remaining floor area will be taken up by reception, storage, kitchen, toilet and office functions. This 70 sqm of internal floor area for a café will generate a requirement of $70\text{sqm} / 7\text{sqm} = 10$ parking spaces.
- (v) The proposed pergola attached to the front of the building will have a floor area of 68sqm and will be used for café purposes. Based on the floor area, the pergola will generate a requirement of 10 car parking spaces.
- (vi) The combination of (iii), (iv) and (v) above results in a requirement for 30 parking spaces, adjusted as per the following.
- (vii) It is assumed that the 6 people having their car washed will be using the café. This means that 6 of the car wash parking spaces will be shared with 6 of the café parking spaces. The overall 30 spaces minus 6 shared spaces results in a requirement for 24 parking spaces.

- (viii) It is considered that 3 holding spaces may be provided in the Perry Street driveway for the car wash. There will be 2 spaces provided on the street directly in front of the development. A total of 17 parking spaces may fit within the proposed layout for the development, including the 2 on-street parking spaces.
- (ix) The 24 spaces required minus the 17 spaces available for the development results in a shortfall of 7 parking spaces.
- (x) The parking layout at the rear of the site may be amended to provide an additional 2 parking spaces in the north-east corner of the site, as confirmed by Council's Development Engineer. A condition is included in the recommendation for this change to be incorporated, prior to the issue of a Construction Certificate.
- (xi) The 24 spaces required minus the 19 spaces available in an amended layout results in a shortfall of 5 parking spaces.
- (xii) The shortfall of 5 parking spaces may be provided by parking generally provided in the Mudgee CBD, as drop-in café customers may work within the CBD, may be undertaking shopping or other errands in the CBD. It is reasonable to assume that a high proportion of café customers will walk to the café. It is noted that many cafes in the Mudgee CBD do not provide on-site parking in accordance with the DCP parking rate.
- (xiii) The approach taken in (xii), whereby cafes and restaurants do not have to provide on-site car parking, is provided in the DCP which allows, that *where it is proposed to change the use of an existing retail/premises/floor space to a restaurant, dining, and/or take food bar, additional parking shall not be required where car parking cannot be provided on site*. This approach recognises that patrons of cafes and restaurants may work within the CBD, and or may be undertaking shopping or other errands in the CBD, and have parked elsewhere.
- (xiv) It should be noted, in reference to the above, although not strictly a retail use, pursuant to the *State Environmental Planning Policy (Exempt and Complying Development)* it would be permissible for the same building to change from an office use to a shop use (retail) without the need for development consent. Accordingly it might be appropriate to expand the definition of retail premises to include offices in this instance as these change of uses are not subject to any form of approval, and can occur anytime. For example, the applicant could withdraw the application today, commence use of the site as a shop tomorrow, and then lodge the subject DA the next day – taking advantage of the parking exemptions noted above.

By incorporating the proposed amendment to provide an additional 2 parking spaces on-site, the proposed development will provide a total of 19 parking spaces, including the 2 on-street parking spaces and the 3 holding spaces available within the driveway. Based on the merit assessment, it is considered that the proposed number of on-site parking spaces will satisfy the needs of the café floor area and the car wash component of the use. The merit assessment is based on the business operating at full capacity, being the worst case scenario. It is noted that the former RTA Registry on the site operated with a high customer turnover whilst having no significant impact on parking within the vicinity of the site.

No changes are proposed to the amount of hard-stand area in the existing car park. Consequently, no additional landscaping in the car park is possible.

5.3 Stormwater Management

Complies.

A condition is included in the recommendation to ensure that sediment erosion controls are used during construction.

The application indicates that they can achieve a 30% reduction in water usage, benchmarked against a similar development that does not use water conservation measures, by using:

- Modern water efficient tapware within the building;
- More water efficient water closets;
- High pressure Kerrick EI151CW cold pressure washers (as opposed to low pressure washers normally used in other car wash developments).

A condition is included in the recommendation to ensure that the above-mentioned for low-flow fittings are installed in the development.

5.4 Environmental Controls

Complies.

The proposed development has provided a treatment train for wastewater from car washing operations, a trade waste application for the car wash and a trade waste application for the kitchen component of the use.

The details are satisfactory and compliance will be regulated by conditions included in the recommendation.

Council Policy – Access to Property Policy

Council Policy – Access to Property Policy applies to the widening of the driveway crossovers required for the proposed development. A condition is included in the recommendation to ensure the proposed driveway widening complies with this policy.

Mid-Western Regional Development Contributions Plan 2005-2021

The proposal is subject to the payment of contributions pursuant to Council's *Section 94 Development Contributions Plan 2005-2021* (the Section 94 Plan) and Section 7.11 of the *Environmental Planning & Assessment Act 1979*.

As the development is Commercial (as defined in the Section 94 Plan) and located in Catchment 1 (Mudgee Town Centre), a contribution per additional metre square would be payable prior to the issue of a Construction Certificate. The additional floor area is 68 sqm, for the pergola extension to the café, requiring a contribution of \$13,736 based on the 2018-2019 contribution rate of \$202/sqm.

A condition requiring the payment of Section 7.11 contributions is included in the recommendation.

Development Servicing Plan for Water & Sewer (Section 64 Contributions)

The application will require the payment of Section 64 contributions prior to the issue of a Construction Certificate. These are upfront payments levied by Council to recover part of the infrastructure costs incurred in servicing new developments or additions/changes to the existing developments which impose a loading on Council's water supply and/or sewerage infrastructure. In the case of this development application, the contribution is generated by the new floor area for the café and the amount of water to be used in car washing operations. A condition is included in the recommendation in relation to the payment of water and sewer headworks contributions.

(c) Provisions of any Planning Agreement or Draft Planning Agreement – 4.15(1)(a)(iia)

No planning agreement applicable.

(d) Regulations – 4.15(1)(a)(iv)

Environmental Planning & Assessment Regulation 2000

Clause 92 – Additional matters that consent authority must consider

The proposal involves the partial demolition of existing windows on the Perry Street frontage of the building, an internal wall and an existing WC. A condition is included in the recommendation to ensure that demolition complies with AS 2601.

Clause 93 – Fire safety and other considerations

The proposal does not involve a change of use of an existing building with no associated alterations or building works. Accordingly, no further consideration is necessary.

Clause 94 – Consent authority may require buildings to be upgraded

The proposed building works involve a new pergola, external doorways, demolition of internal walls and reconfiguration of sanitary facilities.

In accordance with Clause 94 of the *Environmental Planning and Assessment Regulation 2000*, Council is required to determine if the fire safety measures contained within the building are adequate to protect persons using the building, and to facilitate their egress from the building in the event of a fire, or restrict the spread of fire to nearby buildings.

The application indicates that the current fire safety measures installed within the building consist of two (2) portable fire extinguishers and no additional measures. These measures on their own are inadequate.

It has been recommended by Council's Health and Building Officer that a fire safety upgrade be required, to bring the building into conformity with the applicable Performance Requirements of the *Building Code of Australia*. Part of the required upgrade will be provision of exit signage.

The *Disability (Access to Premises – Building) Standards* (the Access Standards) is applicable. In accordance with section 2.1(5) of the Access Standards, as the proposal is not a new building and contains a series of affected new parts, the Access Standards apply to:

- The principal pedestrian point of access;
- The affected new parts; and
- The continuous accessible paths of travel between the principal pedestrian entry and new parts.

It is considered that the proposed development is capable of achieving compliance with the Access Standards.

The above matters are regulated by conditions included in the recommendation.

Clause 94A – Fire safety and other considerations applying to erection of temporary structures

The proposal does not involve a temporary structure. Accordingly, no further consideration is necessary.

IMPACT OF DEVELOPMENT

Context and Setting, Site Design and Internal Design

The proposed development is commercial in nature and fits within the commercial setting of the Mudgee CBD. The proposed refurbishments and additions will be generally compatible with the heritage conservation area. Conditions are included in the recommendation to ensure the details of the proposed additions are submitted to and approved by Council.

Access, Transport and Traffic

Accesses

The proposed development will utilise two (2) existing accesses. These accesses will be widened to comply with the relevant Australian Standards and to accommodate the largest vehicle anticipated to enter the site (ie. a 8.8m long service vehicle).

It is noted that the additional access to the laneway leading to Mortimer Street has been removed from the proposal.

The Perry Street access will be entry only and the access to Byron Place will be used for left-turn exit only. This will have the effect of alleviating any potential for vehicles to queue along Byron Place and subsequently block the roundabout at the intersection of Byron Place and Perry Street.

Traffic Impacts

The traffic report submitted with the application provided traffic volume figures to demonstrate that the roundabout at the intersection of Byron Place and Perry Street will operate well at a Level of Service A, based on SIDRA software modelling.

It is anticipated that the proposed car wash facility will draw customers from the existing traffic passing the site, as opposed to generating its own traffic. However, the traffic assessment modelled the effects of the car wash facility generating its own traffic and adding that new traffic to the existing flow. Based on this assumption, it was found that the increase in local traffic would be between 1.1% and 1.4%. This increase in local traffic is insignificant and will not result in a noticeable effect on traffic.

The traffic assessment identified that the largest vehicle that can move through the site is an 8.8m long service vehicle. It is proposed to install a sign at the access driveway stating that an 8.8m service vehicle is the largest vehicle permitted to enter the site. A condition is included in the recommendation to ensure that this sign is installed.

Car Parking

A merit assessment of the car parking requirements was detailed in the DCP section of this report. The merit assessment concluded that at peak capacity, the development will generate the need for 24 parking spaces. The proposed development may provide 19 parking spaces. The development will rely on using 5 parking spaces within the CBD for drop-in customers. This is considered acceptable as drop-in café customers are likely to visit a number of premises while they are in the Mudgee CBD.

It is possible for on-site parking to become congested if customers do not pick up their vehicles in a timely fashion, following the wash. The application states that there will be a late pick up penalty fee applied. A condition is included in the recommendation to ensure that cleaned vehicles are collected in timely manner.

Public Domain

Not applicable.

Utilities

The proposed development is to be constructed in a built-up area and will have access to water, reticulated sewerage, electricity and stormwater infrastructure available to the site.

Heritage

The proposed development includes some internal refurbishment of the existing building, the addition of a pergola to the front of the building, a shade sail structure to the rear of the site and a roofed car wash bay area to the rear of the site.

The subject site is not listed as a heritage item but the site is located within a heritage conservation area. The adjacent site is not listed as a heritage item. However, some heritage items are located near the site.

The proposed internal refurbishment and the pergola will not have a significant impact on the heritage character of the street, or nearby heritage items. Council's Heritage Advisor has raised no objections to the proposed development, with the exception of the use of yellow in the exterior. The application provided very little information in terms of the colours and materials to be used in the proposed structures. A condition is included in the recommendation requiring the submission and approval of details of external materials and colours, prior to the issue of a Construction Certificate.

The proposed shade sail structure and the roofed car wash bays are located to the rear of the site and will not be readily visible from the street. Conditions are included in the recommendation to ensure the details of external materials and colours are submitted to and approved by Council, prior to the issue of a Construction Certificate.

The application provided no detail in relation to the content and appearance of the proposed advertising, precluding an assessment of the proposed advertising. A condition is included in the recommendation requiring the submission of a separate development application for advertising signs.

Other Land Resources

Not applicable.

Water**Stormwater**

Some new stormwater lines, servicing the new roofed pergola and the roof from the car wash bays, will be installed as part of the construction works. These stormwater lines will collect clean stormwater and will be connected to the existing stormwater system servicing the site.

Waste Water Treatment

The proposed car wash bays will be roofed and the floor will be bunded in order to prevent the rain/stormwater from entering the wash bay system. Wastewater from the washing operation will be directed through a treatment train, prior to being discharged to the sewer. The treatment train will consist of:

- A collection sump pit, with a dry basket arrestor and 1200 litre of silt storage.

- A solids settlement tank (1000 litres).
- An above-ground oil and water separator.

A condition is included in the recommendation, for a trade waste approval to be obtained, prior to the issue of a Construction Certificate.

Water Conservation

The water conservation measures to be used in the proposed development include replacing all tapware and toilets with water-efficient equivalents, and using high pressure washers as opposed to low pressure washers. The applicant estimates that this will result in a 30% reduction in water consumption, as compared to not using the water efficient appliances.

Soils

The majority of the existing site has a sealed surface. Consequently, it is considered that there will be no significant impact on soils.

Air and Microclimate

The proposed development is not expected to emit any dust, particulates, odours, fumes, gases or pollutants to any significant degree.

Flora & Fauna

Not applicable.

Waste

No significant impact. The application states that a waste management plan will be prepared for the construction phase of the development. A condition is included in the recommendation requiring submission and approval of a waste management plan.

Energy

Not applicable.

Noise & Vibration

An Acoustic Assessment Report was submitted with the application to address the noise impacts of the proposed development. The acoustic assessment report modelled the impacts of the development on the neighbouring commercial and residential land uses.

The acoustic report took into consideration the following noise sources:

- 1 vacuum bay.
- 1 upholstery cleaner bay.
- 2 pressure cleaning bays.
- Low speed vehicle noise.

The acoustic report indicates that without noise attenuation measures, the applicable noise criteria at the adjoining commercial premises (to the south) would be exceeded and all other neighbouring uses would comply. In order to bring the noise impacts on the adjoining commercial premises into compliance, a 1.8m high acoustic barrier will need to be constructed around the vacuum bay closest to the adjoining commercial premises. Conditions are included in the recommendation to ensure the required acoustic barrier is erected.

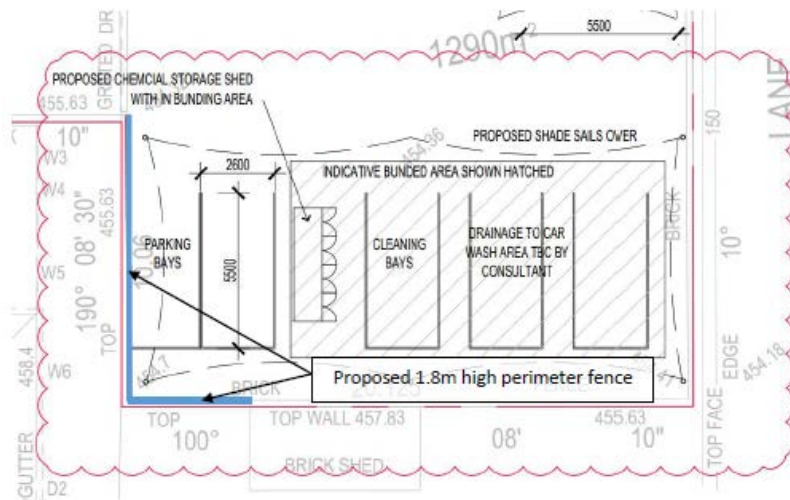


Figure 3: Location of Acoustic Barrier Fencing

Natural Hazards

No impact. The site is not identified as being effected by geological/soil instability, flooding or bushfire.

Industrial and Technological Hazards

The proposed car wash facility is not expected to involve industrial hazards that will place people, property and the biophysical environment at any significant risk.

Safety, Security and Crime Prevention

The design of the proposed development provides for suitable access control and generally conforms to the principles of Crime Prevention Through Environmental Design (CPTED). The application states that after hours, the car park to the development will be gated and locked.

Social Impact in the Locality

The proposed commercial development is appropriately located in the commercial centre of Mudgee. The re-development of the existing building will cater for people with a disability.

Economic and Impact in the Locality

The proposed development will provide employment opportunities during construction and on an ongoing basis. In addition, the proposed development will utilise an unused building within the Mudgee CBD.

Construction

The impacts of construction activities may be regulated by conditions.

Cumulative Impacts

The proposed development is not expected to contribute to cumulative impacts.

SUITABILITY OF SITE FOR DEVELOPMENT

Does the proposal fit in the locality

The proposed development fits into the commercial context within which it sits. Utility services have the capacity to service the development. Noise impacts associated with the development may be mitigated by the construction of an acoustic barrier between the wash bays and the adjacent commercial site.

Are the site attributes conducive to development

Yes. The site is not subject to natural hazards such as flooding and bushfire. The proposed development is generally compatible with the character of the heritage conservation area and the commercial nature of the area.

SUBMISSIONS MADE IN ACCORDANCE WITH ACT OR REGULATIONS

Public Submissions

The application was advertised and notified in accordance with the provisions of *Mid-Western Regional Development Control Plan 2012*, Section 1.12 Community Consultation, on two occasions. The submission periods and number of submissions in each round are summarised in the following table.

Exhibition Round	Exhibition Period	Number of Submissions
Round 1	23 March 2018 to 16 April 2018	11
Round 2	23 June 2018 to 13 July 2018	5 (including one petition in support of the proposal) 1 late submission

An information request was sent to the applicant during the first notification period, requesting further details of the proposed development. The response to Council's information request addressed some of the issues/objections raised in response to the first notification round.

The issues raised in the submissions are summarised and addressed as follows:

Traffic and Parking

Comment: Various concerns have been raised regarding road safety, traffic volumes, the shortfall in on-site parking and the impacts of consequent on-street parking. The assessment of traffic and parking impacts is provided previously in this report, under the heading of "Traffic, Access and Parking". In summary, the assessment indicates:

- There is sufficient on-site parking;
- It is unlikely that there will be significant adverse impacts associated with on-street parking;
- The proposed development will not have a significant impact on the capacity of the local road network.

Another concern related to car parking provided within the front setback in the original design. The most recent version of the plans have removed parking within the front lawn area and replaced this parking with an al fresco pergola.

Access

Comment: The original design provided three (3) access points to the site, with a new access to the laneway leading to Mortimer Street. Concerns were raised in relation to the safety of the exit into the laneway and the entry into Byron Place having the potential to cause congestion by queuing vehicles. The re-designed development alleviates these concerns by removing the access

leading to the laneway, providing entry only at the Perry Street access and providing left-out exit only at the Byron Place access.

Pedestrian Safety

Comment: The concerns regarding pedestrian safety focus on the roundabout at the intersection of Perry Street and Byron Place. The safety impacts will affect pedestrians using the Perry Street footpaths and those pedestrians visiting the child care centre on the opposite side of Perry Street. The increase in traffic generation was given as the cause for the pedestrian concerns. The traffic assessment identified that there is likely to be only a slight increase in traffic. Consequently, there is no significant change expected to pedestrian safety, compared to the existing situation. Should the need for improved pedestrian crossing facilities become evident in future, such works may be included in Council's works program.

Blind Pedestrians

Comment: A concern was raised in relation to the lack of tactile surface indicators at the edge of the concrete footpath and accesses into the property. Tactile surface indicators are used as a warning for the blind to pay extra attention where vehicles cross the pedestrian pathway. A condition is included in the recommendation for the tactile surface indicators to be provided within the footpath, similar to the tactile surface indicators provided at Big W.

Inadequate Detail Provided in Application

Comment: The original application provided inadequate detail. In response, an information request was issued. The applicant's response included a full description of the use, a traffic report, a noise report, water cycle management details, stormwater management details, and waste management details. The level of detail provided has enabled an assessment of the application to be undertaken.

Heritage

Comment: Concerns were raised that the proposed development is not in keeping with the heritage character of the Mudgee CBD and nearby buildings. Council's Heritage Advisor has examined the proposal and provided no objections to the proposed development. Conditions are included in the recommendation to ensure detailed aspects of the proposal are submitted to Council for approval, in order to ensure that the final appearance of the development is in keeping with the heritage character of the area.

Aesthetic

Comment: Issues raised were that no details of signage were provided, no landscaping is proposed for car parking and the development does not look good. A condition is included in the recommendation requiring a new development application for signage. The majority of the site is hard stand area and there is no scope to provide additional landscaping. An assessment of the heritage impacts has been undertaken and concluded that there is no adverse visual impact on the streetscape, subject to further consideration of details such as the colours used in the finishes.

Noise

Comment: Concerns were raised that the proposed development would have an adverse noise impact on neighbouring residences and adjacent commercial premises. A noise report was submitted with the response to Council's information request, demonstrating that noise levels would be mitigated to an acceptable level if an acoustic barrier is erected between the car wash bays and adjoining commercial premises. Conditions are included in the recommendation to ensure the acoustic barrier is provided.

Suitability of the Use and Permissibility

Comment: Concerns were raised that the proposed development is better suited to an industrial area, is not consistent with the objectives of the B3 – Commercial Core zone and is prohibited in the zone. The original application presented a car wash only and the question of the definition of the use and permissibility was addressed in the initial assessment. In response, the applicant has provided an amended proposal which incorporates a café and valet car wash service. The amended proposal is considered to be a business premises and is permissible and consistent with the objectives of the zone.

Impact on Tourism

Comment: Some submissions contend that the proposal will have an adverse impact on the CBD and in turn have an adverse impact on tourism to the town. No evidence has been provided on which to base such a position. It is considered unlikely that the proposed development will have a significant impact on tourism in the region.

Economic Impacts

Comment: Some submissions contend that the proposed development will have a negative impact on other car washes and car detailers in town. In addition, the submissions state that there are enough cafes in town. There is no evidence to suggest that the economic impacts on other car washing/detailing and cafe businesses will be significant. Furthermore, competition that may occur with similar industries is considered to be at the influence of conventional market forces and is not a planning matter.

Financial Viability

Comment: A late submission was received advising that the financial viability of the proposed car wash was modelled and it indicated that using an average sale of \$50 per car wash, and 7 day per week operation, the car wash would not be viable. The submission states...*this business model in the carwash industry is proving unviable primarily from a cost of labour perspective and is being driven out of the industry in favour of mechanical based cleaning options.* The economic viability of a proposed development is not a matter included in the heads of consideration for development assessment.

Submissions from public authorities

Not applicable.

THE PUBLIC INTEREST

Federal, State and local government interests and community interests

There are no matters other than those discussed in the assessment of the Development Application above that would be considered to be contrary to the public interest.

CONSULTATIONS

Health & Building

Council's Health and Building section have recommended conditions to address the detailed building matters. These conditions are incorporated in the recommendation.

Development Engineer

Council's Development Engineer has provided conditions to address the detailed engineering matters. These conditions are incorporated in the recommendation.

Heritage Advisor

Council's Heritage Advisor provided the following comment in relation to the proposed development:

The building is a good example of a small modern post-war Government office. It is good to see it having an adaptive re-use. The proposal is supported with the exception of the yellow painting of the columns and fascia. These can be black or a colour approved by Council's Heritage Advisor. Signage also to be approved by the Advisor.

Conditions are included on the recommendation requiring submission and approval of details of external materials and colours, prior to the issue of a Construction Certificate. In addition, a condition is included in the recommendation, requiring a new development application for advertising signs.

Access Committee

The Access Committee provided the following comments in relation to the proposed development:

- (i) *The toilets need to be updated to meet current accessibility standards. The Committee also recommends the installation of baby change facilities.*

The amended application submitted prior to the second round of notification provided disabled accessible toilets, in accordance with the *Access to Premises Standards 2010*.

- (ii) *The Committee has concerns regarding chemical drift (and car fumes) and wished the Applicant to ensure these won't affect the air quality for neighbouring premises.*

The proposed car wash bays are located towards the southern end of the site, maximising the distance to the nearest residential premises. It is anticipated that normal detergents and cleaning solvents will be used in the washing process and the potential for spray drift of harmful substances is considered to be very low. A condition is included in the recommendation to regulate the nuisance effects of spray drift.

Trade Waste

Council's Senior Water and Sewer Engineer has raised no objections to the proposed development, subject to a condition requiring a trade waste application. A condition to this effect is incorporated in the recommendation.

Community Plan implications

Theme	Protecting Our Natural Environment
Goal	Protect and enhance our natural environment
Strategy	Ensure land use planning and management enhances and protects biodiversity and natural heritage

Strategic implications

Council Strategies

Mid-Western Regional Local Environmental Plan 2012
Mid-Western Regional Development Control Plan 2013
Mid-Western Regional Development Servicing Plan

Council Policies

Access to Properties Policy

Legislation

Environmental Planning and Assessment Act 1979

Financial implications

The developer will be required to pay Section 64 and Section 7.11 developer contributions.

Associated Risks

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

ILIJA SUSNJA
SENIOR TOWN PLANNER

LINDSAY DUNSTAN
MANAGER, STATUTORY PLANNING

JULIE ROBERTSON
DIRECTOR DEVELOPMENT

28 August 2018

- Attachments:*
1. Plans. (separately attached)
 2. Traffic Report. (separately attached)
 3. Noise Report. (separately attached)
 4. Submissions - First Round. (separately attached)
 5. Submissions - Second Round. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

8.2 DA0305/2018 - Home Industry - Butcher - 226 Melrose Road,
Mount Frome

REPORT BY THE TOWN PLANNER
TO 19 SEPTEMBER 2018 ORDINARY MEETING
GOV400066, DA0305/2018

RECOMMENDATION

That Council:

- A. receive the report by the Town Planner on DA0305/2018 - Home Industry - Butcher - 226 Melrose Road, Mount Frome;
- B. approve DA0305/2018 - Home Industry - Butcher - 226 Melrose Road, Mount Frome subject to the following conditions, and statement of reasons:

APPROVED PLANS

1. 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 herein.

<i>Title/Name</i>	<i>Plan No.</i>	<i>Rev</i>	<i>Dated</i>	<i>Prepared by</i>
Site Plan (as amended in red)	-	-	-	Applicant
Floor Plan (as amended in red)	-	-	-	Applicant

2. This development consent provides approval for a home industry - butcher, only.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

3. To ensure that adequate provision is made for the cleanliness and maintenance of all food preparation areas, all work involving construction or fitting out of the premises shall comply with the requirements of *Australian Standard 4674-2004 – "Design, Construction and Fit-Out of Food Premises"*, *Food Act 2003*, the provisions of the *Food Safety Standards Code (Australia)* and the conditions of development consent. Details demonstrating compliance are to be submitted to the Principal Certifier prior to release of the Construction Certificate.
4. Prior to release of the Construction Certificate, approval pursuant to Section 68 of the *Local Government Act 1993* to carry out water supply, stormwater and sewerage works is to be obtained from Mid-Western Regional Council.

PRIOR TO THE COMMENCEMENT OF BUILDING WORKS

5. No work shall commence until a Construction Certificate has been issued and the applicant has notified Council of:
 - a) the appointment of a Principal Certifier; and
 - b) the date on which work will commence.

Such notice shall include details of the Principal Certifier and must be submitted to

Council at least two (2) days before work commences.

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

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

7. A sign must be erected in a prominent position on any work site on which the erection or demolition of a building is carried out:
 - a) stating that unauthorised entry to the work site is prohibited;
 - b) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours;
 - c) the name, address and telephone number of the Principal Certifier for the work; and
 - d) the sign shall be removed when the erection or demolition of the building has been completed.

BUILDING CONSTRUCTION

8. All building work must be carried out in accordance with the provisions of the National Construction Code, the *Environmental Planning & Assessment Act 1979* and Regulations and all relevant Australian Standards.
9. All plumbing and drainage work must be carried out by a licensed plumber and drainer and must comply with the Plumbing Code of Australia.
10. Construction work noise that is audible at other premises is to be restricted to the following times:
 - a) Monday to Saturday – 7.00am to 5.00pm

No construction work noise is permitted on Sundays or Public Holidays.

11. All mandatory inspections required by the *Environmental Planning & Assessment Act 1979* and any other inspections deemed necessary by the Principal Certifier being carried out during the relevant stage of construction.
12. The list of measures contained in the schedule attached to the Construction Certificate are required to be installed in the building or on the land to ensure the safety of persons in the event of fire in accordance with Clause 168 of the *Environmental Planning & Assessment Regulation 2000*.

GENERAL

13. 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.
 14. The approved hours of operation for the home industry – butcher are restricted to:
 - 6am - 8pm Monday – Sunday.
-

15. The premises shall be limited to processing a maximum of four (4) beasts per week. All work and storage is limited to the approved 22m² floor area.
16. Any sink associated with the home industry shall be fitted with a commercial grade sink arrestor.
17. Any excess solid waste, including that collected from sink arrestors, is to be disposed of at a licensed waste facility.
18. The premises shall be at all times operated and maintained in accordance with the *NSW Food Act 2003, Food Regulation 2015, Australia & New Zealand Food Standards Code* and any other requirements of the NSW Food Authority.
Note. The applicant is required to conform should the Food Authority require any amendments or improvements to the fitout of the premises
19. This approval does not provide any indemnity to the owner or applicant under the *Disability Discrimination Act 1992* with respect to the provision of access and facilities for people with disabilities.
20. 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 Fire and Rescue NSW with a copy of an Annual Fire Safety Statement certifying that each specified fire safety measure is capable of performing to its specification.
21. 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 Fire and Rescue NSW 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.

PRIOR TO ISSUE OF THE OCCUPATION CERTIFICATE

22. Prior to the occupation of a new building, or occupation or use of an altered portion of, or an extension to an existing building, an Occupation Certificate is to be obtained from the Principal Certifier appointed for the erection of the building.
 23. Prior to occupation or the issue of the Occupation Certificate (or Interim Occupation Certificate) the owner of the building must cause the Principal Certifier 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 Fire and Rescue NSW and a copy is to be prominently displayed in the building.
 24. Occupation of the premises shall not occur until:
 - Notification of the food premises to the NSW Food Authority under Standard 3.2.2 Division 2 Section 4 Notification. This requirement is to be met by notifying through the following website www.foodnotify.nsw.gov.au; and
 - Evidence of compliance of the above shall be submitted to Council prior to commencement of business.
-

STATEMENT OF REASONS

The determination decision was reached for the following reasons:

1. The proposed development complies with the requirements of the applicable environmental planning instruments and *Mid-Western Regional Development Control Plan 2013*.
2. The proposed development is considered to be satisfactory in terms of the matters identified in Section 4.15 of the *Environmental Planning & Assessment Act 1979*.

Executive summary

OWNER/S:	Craig & Susan Cunningham
APPLICANT:	Craig & Susan Cunningham
PROPERTY DESCRIPTION:	Lot 22 DP 1080529 226 Melrose Road, Mount Frome
PROPOSED DEVELOPMENT:	Home Industry - Butcher
ESTIMATED COST OF DEVELOPMENT:	\$3,000
REASON FOR REPORTING TO COUNCIL:	Councillor Call Up
PUBLIC SUBMISSIONS:	2

Council received a development application on 20 June 2018 for a home industry – butcher, on Lot 22 DP 1080529 known as 226 Melrose Road, Mount Frome. It is intended to utilise a corner of an existing shed to carry out the home industry, which is located in the northern corner of the property fronting Melrose Road.

The home industry will not involve the slaughtering or dressing of any animals on the site – this will occur at a licensed abattoir, using animals produced on the property. Any solid excess or waste will be sold as dog meat. In the event any waste remains, the consent will be conditioned so that disposal occurs lawfully at a licensed landfill. Carcasses will be dressed off-site and meat will be sold over the phone and internet, on-site and delivered to customers.

To ensure impacts to the amenity of the area are kept to a minimum, the number of beasts processed per week will be limited to 4.

Development Details:

- 22m² floor area within an existing shed comprising of a cool room, cutting bench, bandsaw and sink;
- 4 x cattle or sheep to be received and cut up per week;
- All meat product, including excess fat and bones are to be sold and taken off-site. Any storage will be within the cool room on a temporary basis. Any excess waste to be disposed of lawfully;
- Hours of operation: 6am – 8pm.

Two (2) submissions were received by Council, against the proposal. The issues raised relate to a lack of details in the application, disposal of waste, increase of traffic, proximity to adjoining

residences, noise and odour, potential for expansion, food health and safety, and financial viability. These issues have been addressed later in this report.

In accordance with staff delegations, as two submissions were received during the notification period, the application was circulated to all Councillors. During the circulation period the application was called up to be determined by Council at their Ordinary Meeting.

The proposed home industry – butcher is considered a low impact development, is permissible in the RU4 zone, and is generally compliant with the provisions of Mid-Western Regional Council Local Environmental Plan 2012 (MWRLEP2012) and Council’s Development Control Plan 2013 (DCP 2013). No issues have arisen that would warrant refusal of the application.

The proposal is recommended for approval subject to conditions.

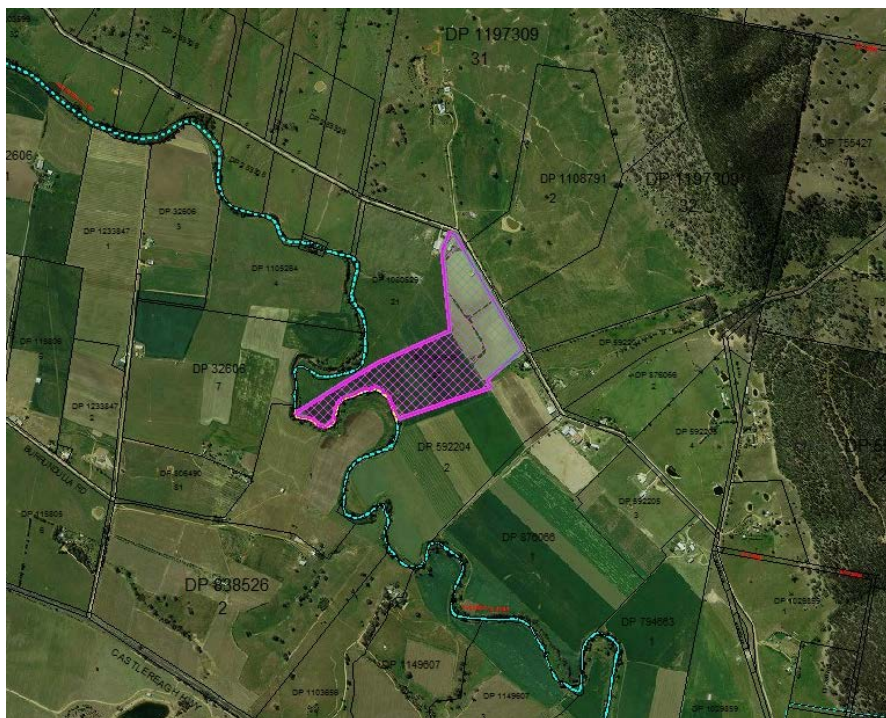


Figure 1: Location Plan

Disclosure of Interest

Nil

Detailed report

The application has been assessed in accordance with Section 4.15(1) of the *Environmental Planning & Assessment Act 1979*. The main issues are addressed below as follows.

REQUIREMENTS OF REGULATIONS AND POLICIES

Mid-Western Regional Local Environmental Plan 2012

The land is zoned RU4 Primary Production Small Lots pursuant to MWR LEP 2012.

The proposal being a Home Industry - is permissible with consent in the zone and is consistent with, and not contrary to, the zone objectives, as addressed below.

Objectives RU4 Primary Production Small Lots

- To enable sustainable primary industry and other compatible land uses.

Comment: The proposal does not significantly impact upon the ability of the land to be used for the purposes of primary production or other compatible land uses.

- To encourage and promote diversity and employment opportunities in relation to primary industry enterprises, particularly those that require smaller lots or that are more intensive in nature.

Comment: The proposal will promote diversity in relation to primary industry enterprises.

- To minimise conflict between land uses within this zone and land uses within adjoining zones.

Comment: The proposal will not result in any significant conflict with adjoining land uses subject to compliance with conditions of the consent.

- To ensure that land is available for intensive plant agriculture.

Comment: The proposal will not hinder the use of the site for the purposes of intensive plant agriculture.

Clause 1.4 Definitions

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

home industry means a dwelling (or a building ancillary to a dwelling) used by one or more permanent residents of the dwelling to carry out an industrial activity that does not involve any of the following:

- (a) the employment of more than 2 persons other than those residents,
- (b) interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise,
- (c) the exposure to view, from any adjacent premises or from any public place, of any unsightly matter,
- (d) the exhibition of any signage (other than a business identification sign),
- (e) the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail, except for goods produced at the dwelling or building, but does not include bed and breakfast accommodation or sex services premises.

For clarity, an **industrial activity** as defined in the MWRLEP 2012; means the manufacturing, production, assembling, altering, formulating, repairing, renovating, ornamenting, finishing, cleaning, washing, dismantling, transforming, processing, recycling, adapting or servicing of, or the research and development of, any goods, substances, **food**, products or articles for commercial purposes, and includes any storage or transportation associated with any such activity.

Clause 5.4 Controls relating to miscellaneous permissible uses

Pursuant to subclause (3) *Home industries*, if development for the purposes of a home industry is permitted under this Plan, the carrying on of the home industry must not involve the use of more than 40 square metres of floor area.

The proposal is to enclose 22 square metres within the corner of an existing shed. This area will incorporate a cool room, cutting bench, band saw and sink. All of the product can be stored entirely in the cool room before being sold to consumers. The proposal complies with this clause.

Clause 5.10 Heritage Conservation

The site is not within a Heritage Conservation Area, is not Heritage Listed, and is not known to contain any items of aboriginal significance.

Clause 6.1 Salinity

The proposal will utilise the existing shed only, and is not expected to affect the process of salinisation.

Clause 6.2 Flood planning

The site is located along the Cudgegong River. Some localised flooding may be experienced, however this is not expected to impact the site infrastructure, with the proposed development located well away from the river, within an existing shed.

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 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 6.9 Essential Services

All essential services are connected to the site. Liquid waste may be disposed of from the existing on-site septic system. Disposal will be contained within the existing disposal area.

The septic system sits close to the primary site infrastructure including the dwelling and sheds in the top corner of the property, away from the waterway.

State Environmental Planning Policy

State Environmental Planning Policy No 44 – Koala Habitat Protection

SEPP 44 applies to the proposal as Mudgee Shire Council is listed within Schedule 1 of the SEPP and the area of land associated with the proposal in the same ownership is greater than 1 hectare in size. However, the proposal does not involve the clearing of any trees and therefore no further consideration is warranted.

State Environmental Planning Policy No 55- Remediation of Land

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

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.

5.1 Car Parking

The DCP is silent on parking standards for home industries and therefore a merit based assessment has been undertaken. The site is approximately 22ha with the majority of the area around the sheds and residential dwelling being hardstand gravel, providing ample space for any parking required. Retailing of goods produced from the site is permitted as per the home industry definition, however the limit of 4 beasts per week will inadvertently restrict the number of vehicles visiting the site. Further, the majority of sales will be by delivery and therefore the use as a home industry will not require any significant parking, but with ample room available, can be accommodated on site.

5.3 Stormwater Management

No new buildings, or impervious areas proposed.

5.4 Environmental Controls

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

Mid-Western Regional Development Contributions Plan 2005 - 2021

Section 94A Contributions

Council's Section 94A Development Contributions Plan 2005-2021 is applicable to the proposed development. Section 94A contributions are applicable to commercial development where the cost of works exceeds \$100,000. The cost of works for the proposed home industry - butcher is \$3,000. Consequently, no s94A contribution is applicable to the proposed development.

IMPACT OF DEVELOPMENT

Context and Setting

The area is characterised by relatively small scale grazing and cropping properties. Lucerne hay farms are typical along Melrose Road, with sales occurring by delivery and pick-up.

Access, transport and traffic

Sales will primarily be over the phone or internet and delivered to the purchaser. Whilst retail sales from the site may occur, these sales are not anticipated to be significant. The restriction to processing four beasts per week will inadvertently restrict vehicle movements.

Public domain

The low intensity of the site will not impact on the public domain. The development has been conditioned that the home industry should not interfere with the amenity of the area.

Utilities

No significant impact – all relevant utilities are connected to the site.

Heritage

The site is not within a Heritage Conservation Area, is not Heritage Listed, and is not known to contain any items of aboriginal significance.

Other land resources

No impact expected on the conserving and the use of valuable land, such as productive agricultural land, mineral or extractive resources, or water supply catchments.

Water

No significant impact expected.

Soils

No significant impact expected – existing septic system capable of accommodating new use.

Air and Microclimate

No significant impact expected – odour expected to be minimal due to all slaughtering and dressing occurring off-site, and all product stored in the cool room prior to sale. Further, a condition has been applied that no interference with the amenity should occur by emission of offensive smell.

Flora & fauna

No impact – no vegetation removal is required for the proposed home industry. No threatened species will be impacted by the proposed development.

Waste

The carcasses will arrive on the site dressed, and will be cut up to be on sold. No slaughter waste will be generated on-site. It is therefore anticipated that excess waste will be relatively low, and able to be managed so as not to impact on the amenity of the area, particularly in regards to smell.

Any excess fats and bones will be sold as dog meat. The application has been conditioned that any excess waste, including that collected in the sink arrestors or fat and bones not able to be sold, is to be disposed of lawfully, at a licensed waste facility.

Liquid waste may be disposed of from the existing on-site septic system. The geotechnical report provided by Barnson confirms that this system has the capacity to accommodate the increase in load. Disposal will be contained within the existing disposal area. Sink arrestors are required to be installed into all sinks.

Packaging waste should be minimal, however must be disposed of lawfully.

Energy

No significant impact – the proposed development will not use significantly more energy than the existing dwelling and sheds.

Noise & vibration

No significant impact – the proposal is not a use that will generate significant noise. Both the mincer and bandsaw are electrical, which ensures that noise emission is low. The mincer is a household appliance. These meat cutting devices are not anticipated to generate more noise than any typical farm machinery and tools.

The limitation to the hours of operation between 6am and 8pm, and the restriction on the number of beasts will ensure the use of the home industry will be sporadic and done at reasonable times. The operation is contained entirely within an existing shed, approximately 75m from the nearest residence, between which sits another large shed.

Noise **conditions** will be imposed to regulate any offensive noise.

Natural Hazards

The site is identified as bushfire prone, grasslands. In this regard, the shed is existing, is not proposed to be used for residential purposes, is surrounded by managed land associated with the dwelling, and has ready access to Melrose Road, located only a short distance away, providing a safe evacuation route, and ready access to the site by emergency vehicles. No further consideration is required.

The site may be flood prone, however Council does not have any data for this particular site. Notwithstanding this, it is considered given that the shed is existing and will not cause any displacement of floodwaters, located in the top corner of the site, away from the river, in close proximity to Melrose Road (evacuation route), and occupied by the resident of the dwelling and would likely be on-site regardless, minimum flood risk to property and life, associated with the proposed home occupation, is expected. No further consideration is required.

Technological hazards

There are no known risks to people, property or the biophysical environment, resulting from technological or industrial hazards, or building fire risk.

Safety, security and crime prevention

No change. Existing passive surveillance will be maintained.

Social impact in the locality

Generally positive, subject to limitations on the intensity of the use and compliance with the conditions of consent. Hours of operation are limited to 6am – 8pm. Intensity is limited to 4 beasts/week.

Economic impact in the locality

The home industry provides an opportunity for the owner to sell home grown beef directly to the consumer. This provides diversification to the Mudgee economy.

Site design and internal design

No change to the existing site design. The location of the home industry is within an existing shed that will be separated from the remaining floor area. All works will be contained within this proposed 22m² space.

Construction

To comply with the BCA where relevant. Appropriate **conditions** will be applied to regulate noise and waste management during construction.

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?

Yes. There are no hazardous land uses or activities nearby, there are no constraints posed by adjacent developments.

Are the site attributes conducive to development?

Yes. The project will not impact any critical habitat, threatened species, populations, ecological communities or endangered habitats on the site.

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

The proposed development was neighbour notified in accordance with Part 1.12 Community Consultation in DCP 2013. Two (2) objections were received within this period, which have been discussed below:

General**1. Lack of details - plans do not show the distance boundaries or proximity to adjacent private residences.**

Comment: An amended site plan showing distances to adjoining property and buildings, as well as a new floor plan shown in the context of the whole building has been provided by the applicant. There is approximately 75m separating the home industry and neighbouring residential building. A large farm shed on the adjoining land separates the two buildings.

The development will be conditioned that a maximum of 4 beasts may be processed per week. This will ensure that the home industry will not be operating continually, rather sporadically on an as needs basis. Carcasses are completely dressed and prepared for butchering off-site, which ensures the on-site cutting will not be a lengthy process.

The applicant will utilise a new 440mm x 570mm bandsaw and household grade mincer to prepare the meat cuts. These are relatively innocuous tools that will not disturb the amenity of the area. Further, a condition will be applied that the operation should not interfere with the amenity by way of noise etc., and restrict operating hours to 6am – 8pm.

2. Increased throughput will increase waste, Melrose Road traffic, dust generation, road deterioration and maintenance costs. The proposal refers to future retail outlet – is this a DA for wholesale or retail?

Comment: All sales are proposed to be done over the phone or internet and the product will be delivered. Home industries permit the sale of goods produced on the property by retail, which would allow consumers to purchase meat directly from the site should the applicants choose to do so. This is not dissimilar to lucerne farms typical of the area, who sell hay by delivery or pick-up from their site. There may be some occasions when customer's pick-up their order, however the restriction on beasts processed per week will inadvertently restrict vehicle movements. Therefore, no significant increase in traffic, associated dust or road degradation is expected.

3. Concerns that to achieve 2 cattle and 2 sheep per week will result in a feedlot (104 lambs + 104 steers).

Comment: 104 grazing steers and 104 grazing lambs do not constitute a feedlot. According to the DPI, a feedlot is defined below:

'A beef feedlot is a confined yard area with watering and feeding facilities where cattle are completely hand or mechanically fed for the purpose of production. This definition does not include the feeding or penning of cattle in this way for weaning, dipping or similar husbandry purposes or for drought or other emergency feeding, or at a slaughtering place or in recognised saleyards.'

S6(1)(a) of SEPP No 30—Intensive Agriculture specifies that a feedlot may not be carried out without consent that has a capacity to accommodate 50 or more head of cattle.

There is no infrastructure existing or proposed to suggest that stock will be kept in a feedlot arrangement, as described above. Instead will be grazed over the 22ha property.

Furthermore, the applicant has provided verbal advice that the number of stock will not change on the site. The applicant has 3 grazing properties where stock will be sourced from.

The development will be conditioned that the premises shall be limited to processing a maximum of four (4) beasts per week.

4. Concerns in relation to the financial viability of the industry and the ability to increase

Comment: This is not a planning consideration. The financial viability is a matter for the applicant to make judgment on.

Hygiene and Sanitation

5. Suitability of the residential waste disposal system for waste generated from the development. Missing details in relation to drainage waste – plan, septic size, details of plumbing & grease trap, disposal of excess waste – fat, bones etc.

Comment: The applicant has submitted a report from a geotechnical engineer confirming that the residential system is capable of handling the waste water subject to the installation of sink arrestors. Waste water is anticipated to be low due to the carcasses arriving dressed. The level of cleaning and washing would therefore be less than that of a slaughter house or typical butcher. All product is intended to be distributed, including bones and fat that will be sold as dog meat. Any excess waste will be conditioned to be disposed of lawfully at a licensed waste facility.

6. Carcass storage. The premises has no permanent electricity, relying on solar with generator backup. Power loss through generator failure, or lack of sunlight in the winter months, could compromise hygiene and sanitation standards.

Comment: Council cannot pre-empt a power failure. The site, including the nearby dwelling is connected to power.

Appropriate conditions have been imposed to ensure that adequate provision is made for the cleanliness and maintenance of all food preparation areas, all work involving construction or fitting out of the premises shall comply with the requirements of *Australian Standard 4674-2004 – “Design, Construction and Fit-Out of Food Premises”*, *Food Act 2003*, the provisions of the *Food Safety Standards Code (Australia)*.

The NSW Food Authority confirmed they have no specific requirements at DA or CC stage for Licensed Premises and they will only inspect the premises once the business owners make application for a license. This will be incorporated into the conditions of consent.

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

A referral was received from the Senior Health & Building Surveyor who recognised the proposed home industry as a Class 8 building, which requires Type C Construction. A Construction Certificate is required so BCA relevant matters may be addressed during the assessment of that application. Appropriate conditions have been recommended and included.

Food health requirements have been addressed and have been captured in the conditions of consent.

Development Engineer

Council's Development Engineer did not have any comments or recommended conditions with regard to this proposal.

Heritage Advisor

No consultation necessary.

Community Plan implications

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

Strategic implications

Council Strategies

Mid-Western Regional Local Environmental Plan 2012
Mid-Western Regional Development Control Plan 2013

Council Policies

Not Applicable

Legislation

Environmental Planning & Assessment Act 1979
Food Act 2003

Financial implications

Not Applicable

Associated Risks

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

CAMERON AMOS
TOWN PLANNER

LINDSAY DUNSTAN
MANAGER STATUTORY PLANNING

JULIE ROBERTSON
DIRECTOR DEVELOPMENT

16 August 2018

Attachments: 1. Site Plan, Shed Plan, Home Industry Floor Plan.
2. Submissions x 2.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



Map Scale: 1:1,892

Disclaimer

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

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

Legend



Parcel
 Crown Land
 Railway



Parish
 Localities
 LGA Boundary

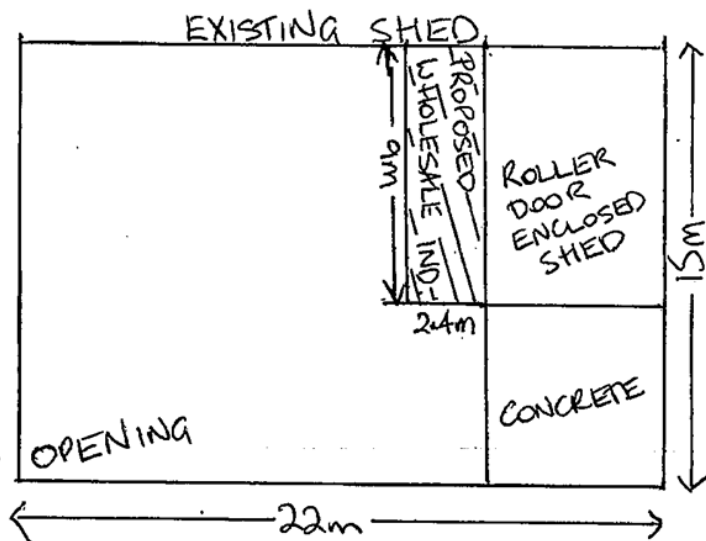


Road
 State Forest
 Waterway

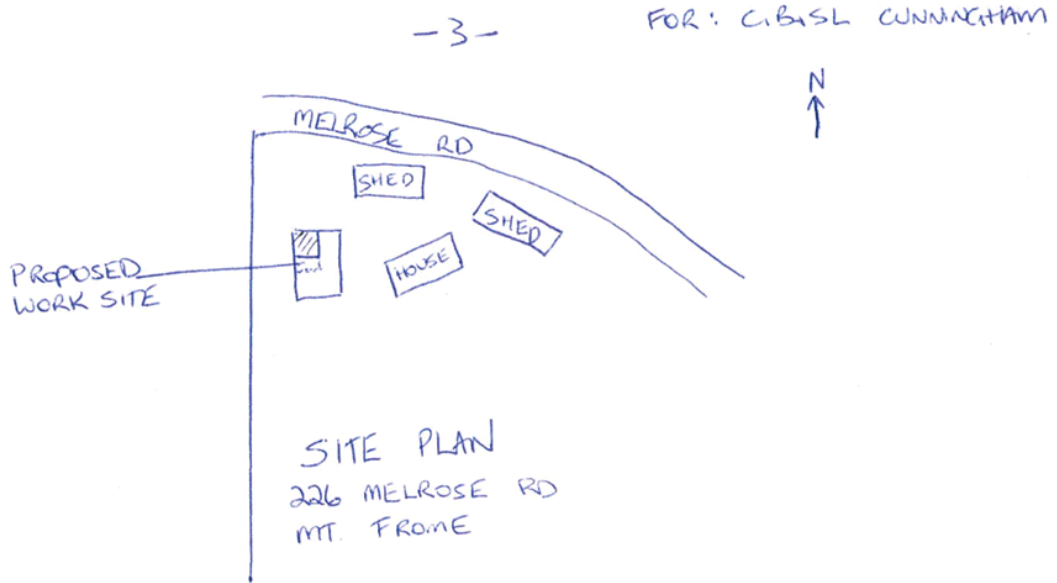
NORTH



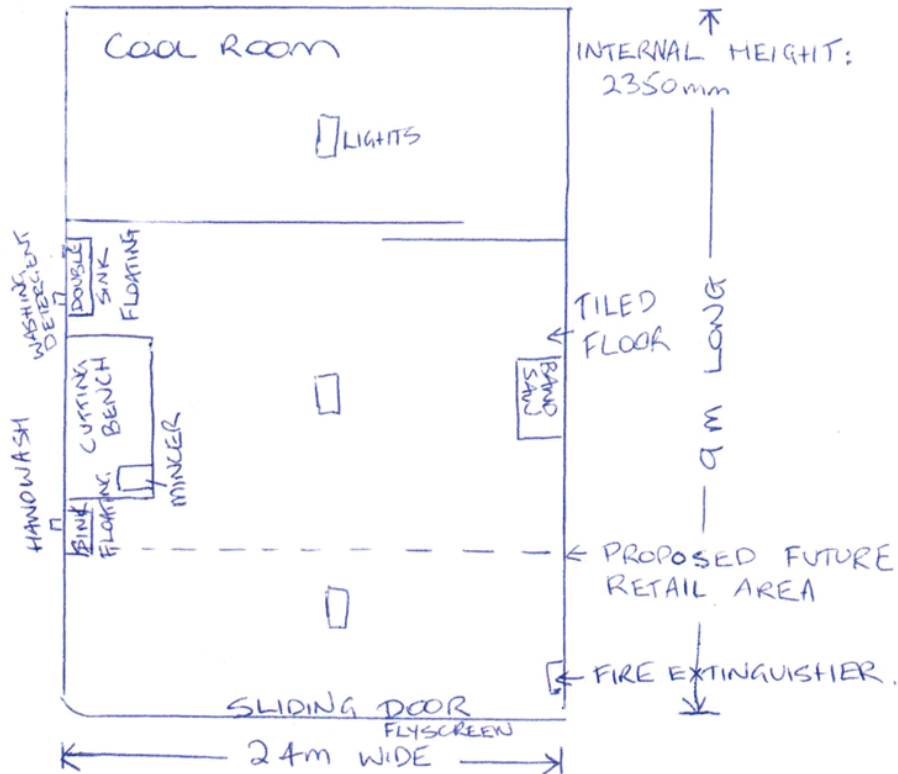
Printed on Wednesday, 20 June 2018



SCALE 50m = 1m



LAYOUT PLAN

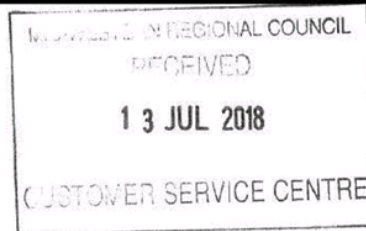


FITOUT TO AS 4696(2007).



10th July 2018

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



Dear Sir/Madam

Re : Development application DA0305/2018 – Proposed Home Industry (Butchery)
226 Melrose Road, Mount Frome NSW 2850 - Lot 22 DP 1080529

We write in connection with the above development application. [redacted]
[redacted] We wish to object to the development of this Proposed home Butchery. In the location they are proposing.
We would also like to request that our personal information be suppressed [redacted]

Melrose Road has the majority of the property owners being Lucerne farmers, small livestock farmers, vineyard, lifestyle living blocks with a few B & B 's. The properties on the river side of the road adjacent to the river all zoned intensive agriculture.

In the Mid-Western Regional Interim Local Environment Plan 2008 – Land Zoned **Intensive Agriculture** -
In **Item 4 - Prohibited** - one of the prohibited items is - **Livestock Processing Industries**

- 1 .Concerns about the lack of details with the submission - The plan doesn't have details of the distance to the boundary nor the closeness of the neighbour's house [redacted] shed, drainage details, plan of the septic nor the location of the septic. The photograph of the property is very old and does not have our dwelling on the site.

Our property has a Residential/Building envelope to stay above the 1 in 100 flood zone, this zone adjoins the boundary To the [redacted] property and is the only building envelope we have which happens to be in the corner next to the proposed butchery.
Any future proposed building that we were planning to do on our property puts this extremely close to this boundary.
- 2 WASTE PRODUCT to SEPTIC???? Having conferred with both a plumber and a butcher, the waste should not be able to simply go to a septic system, they should have to install a grease trap as the fat and meat waste doesn't break down. The knowledge we have of Grease traps since a family member has been in the meat industry they are considerably smelly. This is one of our major concerns as well as this becoming a larger business than just 2 steers and 2 lambs per week. We also note the amount of waste that would be coming off this many animals being cut up and are wondering where this will end up.
- 3 As stated in the proposal in the **Background Paragraph** :- with abundant amount of rainfall in the area will help them to have healthy grass fed animals, also they will grow their own fodder on 50 acres of land. For this scenario they will require 104 steers & 104 lambs to produce what they are proposing all of varying age. The fodder and grass feed, sounds like a small feed lot!! We have great concerns that this could end up as a feed lot scenario.
- 4 In the Proposal it refers to FUTURE RETAIL outlet? Is this a DA for Wholesale or Retail?

5 Trading Times??

6 Their needs to be more information done with this proposal, I am surprised that with such little information and research pertaining to this DA -that the council has even sent out the notification.

Details - Missing

Drainage/Waste - Plan

Septic Size

Details of Plumbing & Grease Trap

Excess waste -Fat bones etc – how are these being disposed of

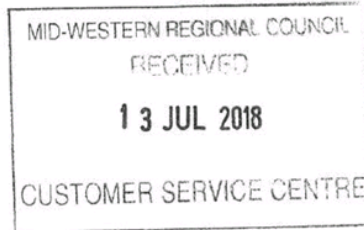
7 Another area of concern – [redacted] depending on where
The septic is located overflow could end up in [redacted] and into the river.

We trust that the council will see reason as to why our area should be free of such a business being carried out on our farm strip and Decline the DA proposal.

Yours Sincerely,

[redacted signature block]

The General Manager
Mid-Western Regional Council
86 Market Street
Mudgee 2850



12 July 2018

Development Application DA0305/2018 Proposed Home Industry (Butcher)

226 Melrose Road MOUNT FROME NSW 2850 Lot 22 DP 1080529

Submitted by:



We are in receipt of a letter from council dated 26 June 2018 regarding DA0305/2018. This letter invited submissions be on this application. Our comments are listed below.

Objections to the DA

- 1. Objection 1.** This objection is based on the potential shift in scope of the application. The application lists the proposed throughput at "possibly 2 cattle and 2 sheep per week". This is a very vague and non-specific throughput number. The proposal to send 2 cattle and 2 sheep to a Sydney abattoir and then drive "down in our refrigerated van and collect the deceased dressed carcasses" is not financially feasible. This objection is on ability for the applicant to increase the throughput of the butchery. The cost associated with treating the small number of carcasses will not be covered by the revenue. Therefore the true throughput may be significantly increased to provide a profitable venture. Without hard limits specified and controls in place to measure actual throughput, the limits may be exceeded.
- 2. Objection 2.** This objection is based on hygiene and sanitation. Realistically the application is for a commercial butchery. The diagram provided on page 3 includes a "proposed future retail area". The application states that carcass waste will be disposed of via the existing domestic septic system. A commercial butchery proposal should warrant a commercial waste disposal system consistent with standards specified for commercial butchers. Linked to the expansion listed as Objection 1, this concern is magnified.
- 3. Objection 3.** Carcass Storage. The premises have no permanent electricity, relying on solar with generator backup. Power loss through generator failure, or lack of sunlight in the winter months, could compromise hygiene and sanitation standards.



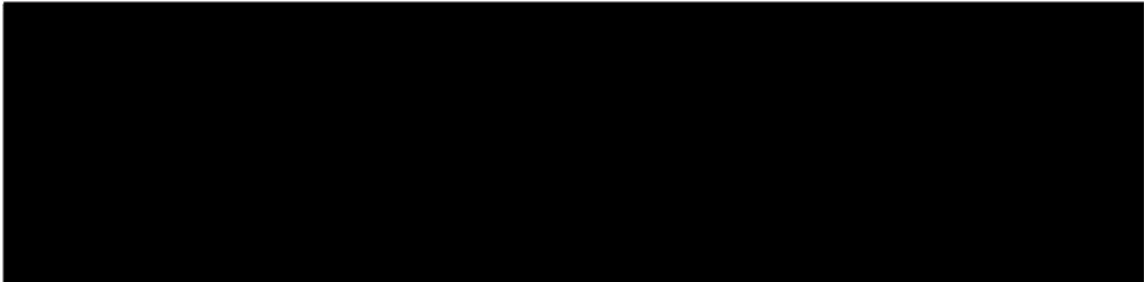
- 4. **Objection 4.** Proximity to adjacent private residences. The shed proposed to contain the butchery is adjacent to a private home. Increased throughput will increase waste, increase Melrose Road traffic, increase dust generated, increase road deterioration and road maintenance costs, whilst providing no additional MWRC revenue.



In accordance with the Privacy Note provided by the council, we request that our personal information be suppressed. The personal information to be suppressed is:

Our name, and

Our address



8.3 DA0225/2018 - Residential Subdivision - 77 and 81 Bellevue Road, Mudgee

REPORT BY THE SENIOR TOWN PLANNER
 TO 19 SEPTEMBER 2018 ORDINARY MEETING
 GOV400066, DA0225/2018

RECOMMENDATION

That Council:

- A. receive the report by the Senior Town Planner on the DA0225/2018 - Residential Subdivision - 77 and 81 Bellevue Road, Mudgee;
- B. approve the request to defer payments of S94 and S64 contributions for a maximum period of 6 months as specified in recommended condition 56; and
- C. approve DA0225/2018 - Residential Subdivision - 77 and 81 Bellevue Road, Mudgee subject to the following conditions, and statement of reasons:

GENERAL CONDITIONS

1. Development is to be carried out generally in accordance with the following stamped plans, except where amended as required by following conditions. Approved documentation may include any Planning or Engineering reports submitted with and in support of the Application as detailed below.

Plan / Drawing No.	Plan Title	Rev.	Date	Prepared by
28469_P02	Existing Site Plan Sheet 1 of 4	F	12.06.2018	Barnson
28469_P02	Plan of Proposed Subdivision Sheet 2 of 4	F	12.06.2018	Barnson
28469_P02	Proposed Water Reticulation Plan Sheet 3 of 4	F	12.06.2018	Barnson
28469_P02	Proposed Sewer Plan Sheet 4 of 4	F	12.06.2018	Barnson
118186	Proposed Stormwater Management Plan – Sheet C001 of C003	01E	31.05.2018	Geolyse
118186	Upstream Stormwater Catchments Sheet C002 of C003	01E	31.05.2018	Geolyse
118186	Subdivision Stormwater Pre & Post development Catchment Plans – Sheet C003 of C003	01E	31.05.2018	Geolyse

Any minor modification to the approved plans other than as required by the following conditions will require the lodgement and consideration by Council of amended plans. Amended plans will need to be accompanied with supporting documentation and calculations where necessary. Major modifications will require the lodgement of a new development application.

2. The Proposed Concrete (or similar) Protection Wall (variable height) running along the southern and western boundaries of proposed Lot 1 and Lots 19 – 28, as shown on the approved Proposed Stormwater Management Plan, prepared by GEOLYSE do not form part of this approval.
3. Notwithstanding approved plans, no structures or earthworks are permitted to encroach within any easements for the purposes of utility infrastructure as specified in Council's Development Control Plan.
4. The plan of proposed subdivision must be amended to the satisfaction of Council to provide only sufficient area of land required for stormwater control and construction of detention basin to be included in the drainage reserve lot. Any land not to be included in the drainage reserve lot is to be consolidated with proposed lot 5.

ROAD CONSTRUCTION

5. The Developer must provide for the design and construction for an upgrade of Bellevue Road for the full frontage of the proposed subdivision, such that the constructed road pavement has the following characteristics:

Item	Requirement
Road Pavement Width	11 m (Invert to Invert)
Seal	Two-coat flush seal -14/7 mm (Double/ Double) as required
Kerb & Gutter	Roll back concrete kerb & gutter
Subsoil Drainage	Behind kerb if required
Underground Drainage	Where gutter flow exceeds 2.5m during minor events or adjacent to intersections.
Footpath	1.2m

6. The Developer must provide for the design and construction of all new roads in the subdivision in accordance with the following:

Item	Requirement
Road Pavement Width	9 m
Footpath Width	2 x 4.5 m
Concrete Footpaths	1.5 m wide
Seal	Two-coat flush seal -14/7 mm (Double/ Double) as required
Kerb & Gutter	Roll back concrete kerb & gutter
Subsoil Drainage	Behind kerb if required

Underground Drainage	Where gutter flow exceeds 2.5m during minor events or adjacent to intersections.
Footpath (Road 1 only)	1.2m

7. The intersection of the new internal road with Bellevue Road is to be designed and constructed to include a median splitter island with signage to provide traffic control.
8. All road crossings for services and utilities are to cross perpendicular to the road alignment and must be installed prior to the commencement of construction of base course and kerb and channel.
9. The internal road network must be designed with sufficient width to accommodate turning paths for service vehicles, with particular attention to cul-de-sac court bowls that must be provided with a radius suitable for rubbish collection vehicles and that require no reversing movements for collection of rubbish.
10. The finished surface of all nature strips and verges must be graded to fall toward the kerb and channel and formed with a minimum 100 mm thick layer of clean topsoil free of stones and other impurities. Nature strips and verges are to be seeded or hydro-mulched with an approved grass prior to the issue of a Certificate of Practical Completion.
11. Street trees of an approved species are to be provided at a minimum rate of two trees per allotment.
12. Street signs necessitated by the subdivision are to be installed in accordance with Aus-Spec #1 and Council standards.

STORMWATER

13. The Developer must provide for the design and construction of all stormwater drainage infrastructure to service the development. Drainage design must provide for control of runoff from all external upstream catchments. Drainage design must provide for sufficient detention capacity and restricted outlets to limit the rate of runoff from the development to existing un-developed levels for all large storm events up to and including a 1:100 year ARI storm event.
14. Drainage design for the proposed detention basin must be accompanied by fully detailed runoff calculations and a structural design for the proposed wall certified by a suitably qualified professional Engineer.
15. Drainage design must also incorporate suitable and appropriate water quality controls to prevent pollution or contamination of downstream environments.
16. Drainage design must ensure that no stormwater runoff is permitted to discharge over adjoining properties. Discharge of runoff onto adjoining properties and any works associated with the control of stormwater discharge over any adjoining property must not occur without the consent of the owner of any affected property.
17. Inter-allotment drainage is to be provided to remove stormwater from any lots that cannot discharge to the street in accordance with Aus Spec #1. Easements not less than 3 metres wide shall be created over inter-allotment drainage in favour of upstream allotments.
18. A minimum of two (2) approved roof-water outlets per allotment are to be provided in the kerb and gutter at the time of installation of kerb and gutter. Such outlets shall be located

near the projected line of allotment side boundaries.

WATER AND SEWER SERVICES

19. The applicant is to provide separate water and sewer reticulation services to each allotment within the subdivision.
20. The developer is to extend and meet the full cost of water reticulations to service the development plus the cost of connecting to existing services. All water supply work is required to be carried out in accordance with the requirements of Mid-Western Regional Council (as the Water Supply Authority under the Local Government Act, 1993) and in accordance with the National Specification – Water Supply Code of Australia.
21. The developer is to extend and meet the full cost of sewer reticulations to service the development plus the cost of connecting to existing services. All sewerage work is required to be carried out in accordance with the requirements of Mid-Western Regional Council (as the Water Supply Authority under the Local Government Act, 1993) and in accordance with the National Specification – Sewerage Code of Australia.
22. The developer is to provide a water service and meter for each lot in the subdivision. This can be achieved by making a payment to Council of \$1844 per lot to cover the cost of installing both the service and a 20mm meter on the water main.

Note: Council does not permit other bodies to insert new connections into 'live' water mains.
23. In the case of any lots that will be serviced by a water main constructed by the developer, a full water service is not required and the developer can elect to pay for a meter assembly only at a cost of \$390 for a 20 mm water meter.
24. In the case of any lots that will be serviced by a sewer main constructed by the developer the sewer junctions required to service the proposed lots must be installed by the developer.

CULTURAL HERITAGE

25. If any aboriginal artefacts are uncovered or identified during construction earthworks, such work is to cease immediately and the local aboriginal community and National Parks and Wildlife Service are to be notified.

(Note: A suitably qualified person is required to be present during earthworks to identify whether any artefacts were uncovered).

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE – CIVIL

26. A Construction Certificate is required for but not limited to the following civil works:
 - Water and sewer main extensions
 - Stormwater drainage such as inter-allotment drainage and detention basins
 - Road construction
 - Footpath and kerb & gutter
 - Landscaping of public reserves
-

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

NOTE: Additional permits and approvals may also be required under other legislation, e.g. Plumbing and Drainage Act 2011, and Plumbing and Drainage Regulation 2017 for water and sewer infrastructure works.

27. Prior to the issue of a Construction Certificate a detailed engineering design, specifications, supporting documentation / reports and calculations, and schedules are to be submitted to and approved by Council. The engineering design is to comply with the technical and performance requirements of Council's Development Control Plan and the Standards referenced within Appendix B and D of that document.

Detailed documentation including, but not limited to the following matters, must be submitted with the detailed design. These documents include:

- Pavement design calculations (including an assessment of wearing surface)
 - Runoff calculations
 - Structural design for the proposed Stormwater detention basin certified by a suitably qualified professional Engineer
28. A Drainage Report submitted in support of detailed drainage design must be prepared in accordance with the Institution of Engineers publication Australian Rainfall and Run-off to the Principal Certifying Authority for approval prior to the issue of a Construction Certificate. The report must demonstrate that stormwater runoff from the site is not increased beyond the existing undeveloped state up to and including a 1.5, 5, 20 and 100 year ARI event. All stormwater detention details including analysis shall be included with the drainage report.
29. Prior to the issue of a Construction Certificate a Traffic Control Plan (TCP) completed by a "Certified Person" for implementation during works is to be submitted to Mid-Western Regional Council. All requirements of the Traffic Control Plan must be put in place and implemented prior to any work commencing.
30. Prior to the commencement of any works a copy of the Contractor's public liability insurance cover for a minimum of \$20,000,000 (twenty million dollars) is to be provided to Mid-Western Regional Council. Mid-Western Regional Council is to be indemnified against any works carried out by the contractor.
31. The detailed design plans submitted for the issue of a Construction Certificate must show all finished surface levels. Where it is proposed to import fill, the material shall be certified as free of hazardous materials and contamination by a suitably qualified geotechnical engineer. Fill placed in residential or commercial lots shall be compacted in accordance with AS3798-2007 Guidelines on Earthworks for Commercial and Residential Developments.
32. All earthworks, filling, building, driveways or other works, are to be designed and constructed (including stormwater drainage if necessary) to ensure that at no time any ponding of stormwater occurs on the subject site or adjoining land as a result of this development. Design must also ensure that no diversion of runoff onto other adjacent properties occurs.
33. An Erosion and Sediment Control Plan for the development is to be prepared and implemented in accordance with the LANDCOM guidelines and requirements as outlined in the latest edition of "Soils and Construction – Managing Urban Stormwater". Points to be considered include, but are not limited to:

-
- Saving available topsoil for reuse in the revegetation phase of the development;

- Using erosion control measures to prevent on-site damage;
 - Rehabilitating disturbed areas quickly; and
 - Maintenance of erosion and sediment control structures.
34. Prior to the issue of the Construction Certificate, Council is to be provided with the certified copies of the Electrical and Telecommunications distribution network design for the subdivision.
35. Prior to the commencement of any works within 40 metres of a prescribed waterway or creek (as defined in the Water management Act 2000), the proponent shall obtain a Section 91 Activity Approval under the Water Management Act 2000 to carry out those works.
Note: Please contact the NSW Office of Water for more information in relation to this matter.

PRIOR TO COMMENCEMENT OF WORKS – CIVIL

36. The development site is to be managed for the entirety of work in the following manner:
- Erosion and sediment controls are to be implemented to prevent sediment from leaving the site. The controls are to be maintained until the development is complete and the site stabilised with permanent vegetation;
 - Appropriate dust control measures;
 - Construction equipment and materials shall be contained wholly within the site unless approval to use the road reserve has been obtained;
 - Toilet facilities are to be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.
37. Any necessary alterations to, or relocations of, public utility services to be carried out at no cost to council and in accordance with the requirements of the relevant authority including the provision of easements over existing and proposed public infrastructure.
38. Prior to commencement of works, the submission of three possible street/road names in order of preference, for the proposed new road within the subdivision, are to be submitted to Council for approval.
39. Prior to the commencement of subdivision works, the following actions are to be carried out:
- A site supervisor is to be nominated by the applicant;
 - Council is to be provided with two (2) days' notice of works commencing; and
 - Council is to be notified in writing of any existing damage to Council's infrastructure.
- Note: Failure to comply with these conditions may result in damage to Council's infrastructure. Any damage will be rectified at the applicant's cost.
40. Runoff and erosion controls shall be installed prior to clearing and incorporate:
- a) diversion of uncontaminated upslope runoff around cleared and/or disturbed areas and areas to be cleared and/or disturbed;
 - b) sediment control fences at the downslope perimeter of the cleared and/or disturbed area to prevent sediment and other debris escaping from the land to pollute any stream or body of water; and
-

- c) maintenance of all erosion control measures at maximum operational capacity until the land is effectively rehabilitated and stabilized beyond the completion of construction.

ENGINEERING CONSTRUCTION

41. The subdivision works are to be inspected by the Council (or an Accredited Certifier on behalf of Council) to monitor compliance with the consent and the relevant standards of construction, encompassing the following stages of construction:
- Installation of sediment and erosion control measures
 - Water and sewer line installation prior to backfilling
 - Establishment of line and level for kerb and gutter placement
 - Road Pavement construction
 - Road Pavement surfacing
 - Practical Completion
42. The footpath and driveway levels are not to be altered outside the property boundary without Council's permission. Driveways installed over public footpaths must match the existing footpath profile.
43. No trees on public property (footpaths, roads, reserves etc.) shall be removed or damaged during construction of the subdivision works including the erection of any fences or hoardings.
44. The applicants shall, at their own expense, engage a registered surveyor to relocate any survey mark that may be disturbed by the development or any associated work. Any information regarding relocation should be supplied to the Land Titles Office and Council.
45. All works are to be constructed at the full cost of the developer, in a manner consistent with Aus-Spec #1 and Council's standard drawings.
46. All public footways, foot paving, kerbs, gutters and road pavement damaged during the works are to be restored to match existing conditions at the Developer's/Demolisher's expense.
47. The works are to be undertaken in accordance with any Transgrid requirements.

DEVELOPMENT CONTRIBUTIONS

48. In accordance with the provisions of the *Environmental Planning and Assessment Act 1979* and the Mid-Western Regional Council Section 94 Development Contributions Plan, a contribution shall be paid to Council in accordance with this condition (annually adjusted for CPI) for the purpose of:

Catchment No. 2

Mudgee Catchments 1 & 2

Section 94 Contributions *Per Lot*

Transport Management

Traffic Management \$1,282.00

Open Space

Local Open Space \$2,013.00

District Open Space	\$2,732.00
Community Facilities	
Library Buildings	\$263.00
Library Resources	\$316.00
Drainage	
Drainage Works	\$0.00
Administration	
Plan Administration	\$614.00
Total Per Lot	\$7,220.00

49. The developer shall obtain a Certificate of Compliance under the *Water Management Act 2000*. This will require:

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

Water Headworks	\$197,564.50
Sewerage Headworks	\$85,011.70
Total	\$282,576.20

Note: The above figures are calculated on the final number and sizes of lots and have included credits for the original two lots. Should only a partial number of the lots be released it will be necessary to obtain a quote from Council prior to payment.

PRIOR TO THE ISSUE OF SUBDIVISION CERTIFICATE

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

(Note: The fee to issue a Subdivision Certificate is set out in Council’s Fees and Charges)

#. The final inspection report shall be submitted to Council with the Subdivision Certificate application.

51. A linen plan and two (2) copies are to be submitted to Council for approval and endorsement by the General Manager or other authorised person.

52. Three metre wide easements, including associated Section 88B instruments, are to be created in favour of Council over any existing or newly constructed water or sewerage reticulation components located within the subject property, or extended through adjoining private properties as a result of this subdivision.

53. Following completion of the subdivision works, work-as-executed plans (WAE) are to be provided to Council in the following formats:

- PDF
- Dwg format or “Autocad compatible”

All work-as-executed plans shall bear the Consulting Engineer's or Consulting Surveyor's certification stating that all information shown on the plans is accurate.

54. Following completion of all engineering works a Defects Liability bond in a form acceptable to Council to the value of 5% of the value of all works must be lodged with Council to be held for a period of twenty-four (24) months to ensure any defects that become apparent

during that time are remedied by the developer.

55. Any unpaid Contributions or charges nominated in the development consent will be indexed to CPI at the beginning of the new financial year.
56. Prior to issue of the Subdivision Certificate, Council is to be supplied with:
- a) A certificate of acceptance from the appropriate power authority indicating that satisfactory arrangements have been made for provision of reticulated electricity supply to each lot in the subdivision;
 - b) Satisfactory evidence that arrangements have been for the installation of fibre-ready facilities to all individual lots so as to enable fibre to be readily connected to any premises that may be constructed on those lots. This will need to include confirmation in writing from the carrier that they are satisfied that the fibre ready facilities are fit for purpose;
 - c) Satisfactory evidence (usually by way of an agreement with a carrier) that arrangements have been made for the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots; and
 - d) All contributions must be paid to Council and all works required by the consent be completed in accordance with the consent. Alternatively, Council receives a bank guarantee for the contributions payable in respect of a stage which meets the requirements set out in clause 1.10 of the CP (94 & 64 plans) the contributions for that stage will be payable 6 months after the date of issue of the Subdivision Certificate for the stage.
57. Underground electricity, street lighting and telecommunications are to be supplied to the Subdivision in accordance with the relevant authorities' standards.
58. The adjustment of existing services or installation of new services and meters, as required, in compliance with Australian Standard 3500: National Plumbing and Drainage Code. All costs associated with this work shall be borne by the developer.
59. The developer is to grant Council unrestricted access to the site at all times to enable inspections or testing of the subdivision works.
60. The developer must provide Council and land purchasers with a site classification for each vacant lot within the subdivision. The classification is to be carried out at a suitable building site on each lot and is to be carried out by a NATA registered laboratory using method (a) of Clause 2.2.3 of AS 2870 - 1996. Results are to be submitted to Council prior to issue of the Subdivision Certificate.

STATEMENT OF REASONS

The determination decision was reached for the following reasons:

1. The proposed development complies with the requirements of the applicable environmental planning instruments and *Mid-Western Regional Development Control Plan 2013*.
 2. The proposed development is considered to be satisfactory in terms of the matters identified in Section 4.15 of the *Environmental Planning & Assessment Act 1979*.
-

Executive summary

OWNER/S:	Maas Group Family Properties
APPLICANT:	Maas Group Family Properties
PROPERTY DESCRIPTION:	77 and 81 Bellevue Road, Mudgee
PROPOSED DEVELOPMENT:	Subdivision to create 27 residential lots
ESTIMATED COST OF DEVELOPMENT:	\$910,000
REASON FOR REPORTING TO COUNCIL:	Subdivision creating more than 20 lots
PUBLIC SUBMISSIONS:	1

Council is in receipt of Development Application DA0225/2018, lodged 26 March 2018, which seeks approval to subdivide land known as 77 and 81 Bellevue Road, Mudgee, being Lot 7 of DP842242 and Lot 8 of DP1096591, into 27 residential lots and one residue lot, which will form the detention basin, and the demolition of a single shed. The proposal seeks to create lots ranging from 600m² to 1,750m².

The subject land is generally a regular shape with two road frontages. The land has frontage to both Kilkenny Avenue and Bellevue Road. Kilkenny Avenue will be extended to create a junction with Bellevue Road and a short internal cul-de-sac will create a new secondary internal road.

The detention basin is proposed to be constructed using sandstone block walls to a maximum height of 2m on a section of the Bellevue Road frontage. Additionally, the proposal includes protection barriers along the western edge of the site to prevent surface flow stormwater spreading across the site from the catchment to the west.

The site is heavily constrained by a Transgrid power line and associated 45m wide easement. A dwelling exists on the site, and will be contained within proposed lot 1 (subject to demolition of older shed).

The application also seeks approval for the deferral of developer contributions (S94 and S64) for a period of 6 months to assist in relieving cost pressures associated with the upfront cost of infrastructure provisioning.

The application was advertised and notified in accordance with Council's Development Control Plan 2013, ending 20 April 2018. One submission was received.

The application is recommended for approval.



Figure 1: Proposed lot layout

Disclosure of Interest

Nil

Detailed report

The application has been assessed in accordance with Section 4.15(1) of the *Environmental Planning & Assessment Act 1979*. The main issues are addressed below as follows.

S4.15 (1)(a) REQUIREMENTS OF REGULATIONS AND POLICIES

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

State Environmental Planning Policy No 44 – Koala Habitat Protection

SEPP 44 applies to the proposal as Mudgee Shire Council is listed within Schedule 1 of the SEPP and the area of land associated with the proposal in the same ownership is greater than 1 hectare in size.

The proposal involves the removal of several trees spread out sporadically across the site. One of the trees proposed to be removed (River Red Gum) is identified within schedule 2 of the SEPP. However, as this single tree does not make up more than 15% of the canopy on the site, the vegetation is not defined as potential koala habitat by the SEPP and no further consideration is necessary.

State Environmental Planning Policy No 55- Remediation of Land

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

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

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

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

The application has included a flora & fauna report prepared by Lesryk Environmental Pty Ltd confirming the species identified on the site.

State Environmental Planning Policy (Infrastructure) 2007

Clause 45 requires a consent authority to give notice to an electricity supply authority when a development is in close proximity to an overhead power line and consider any comments received.

The application was referred to Transgrid for comment in relation to the Transgrid power lines that traverse the site. Initially concern was raised regarding the location of the detention basin and the proximity to the power lines, however the proposal was amended in response to these concerns, with the relocation of the detention basin. Transgrid have now indicated they are in support of the proposal.

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 not defined in accordance with the MWRLEP 2012, however, is defined under Part 6 of the EP&A Act as:

***subdivision** of land means the division of land into 2 or more parts that, after the division, would be obviously adapted for separate occupation, use or disposition.*

Permissibility is granted through Clause 2.6 Subdivision – consent requirements.

Clause 2.3 Zone objectives and Land Use Table

The land is zoned R1 General Residential pursuant to MWRLEP 2012. The proposal being a subdivision is permissible with consent in the zone.

The objectives of the zone and how the proposal satisfies the objectives is addressed below:

R1 General Residential

- To provide for the housing needs of the community.

Comment: The proposal will contribute to the housing needs of the community.

- To provide for a variety of housing types and densities.

Comment: The proposal will contribute to the variety of housing types and densities within the R1 zone.

- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

Comment: The proposal is not expected to hinder other possible permissible land uses within the immediate area.

Clause 2.6 Subdivision – consent requirements

In satisfaction of this clause, the development application seeks approval for the subdivision of land known as 77 and 81 Bellevue Road.

Clause 2.7 Demolition requires development consent

In satisfaction of this clause, the development application seeks approval for the demolition of a shed.

Clause 4.1 Minimum subdivision lot size

The minimum lot size pursuant to the MWRLEP 2012 mapping is 600m². The proposed lots have an area of between 600m² to 1750m², and accordingly complies with the development standard.

Clause 4.6 Exceptions to development standards

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

Clause 5.4 Controls relating to miscellaneous permissible uses

The proposal does not include any of the listed uses contained under this clause.

Clause 5.10 Heritage Conservation

No items of aboriginal significance are recorded on the site or in the vicinity. The site is not heritage listed, or located in a heritage conservation area. Notwithstanding this, a condition will be placed upon the consent ensuring that work is ceased should an item be discovered during construction.

Clause 6.1 Salinity

The subject land is not known to be affected by the processes of salinisation. In addition, the proposal involves only minimal earthworks for the construction of the road, and associated infrastructure. These works will not impact salinity processes, and the development does not require specific measures to avoid, minimise, or mitigate the impacts of salinity.

Clause 6.2 Flood planning

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

Clause 6.3 Earthworks

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

Clause 6.4 Groundwater vulnerability

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

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

Not applicable. The site is not located within the area mapped as 'Active street frontage'.

Clause 6.8 Airspace operations – Mudgee Airport

The proposal does not penetrate the Airport OLS.

Clause 6.9 Essential Services

As per Council's Manager Development Engineering referral, water, sewer, electricity and telecommunications infrastructure is available in existing road reserves to service the proposed development.

Construction approvals will be required for the construction of extensions to existing mains / trunk networks.

Clause 6.10 Visually sensitive land near Mudgee

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

(ii) Draft environmental planning instruments (EPI)

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

(iii) Any development control plans,

Mid-Western Regional DCP 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.

5.3 Stormwater Management

Council's Development Engineer has provided comments and conditions concerning adequate disposal of stormwater.

To achieve required storage capacity the proposed detention basin is to be constructed with sandstone block retaining walls or similar. Due to the varying height of this wall (up to a maximum of 2 metres high) detailed engineering design will be required, and has been conditioned appropriately.

The applicant has proposed concrete protection walls (variable height) along the southern and western boundary of Lot 1 and Lots 19 – 28 to assist with diverting/minimising impacts of surface stormwater from the adjacent catchment. Such walls would likely lead to the scouring and build-up of stormwater on adjacent land, and for this reason have been removed from the consent. Instead, Council will be relying on the applicant submitting detailed stormwater designs at the Construction Certificate stage, addressing surface stormwater, to ensure the protection of future development of adjoining lots.

Possible alternatives, subject to detailed designs, could include the relocation of the wall 500mm off the boundary, between which would sit a gravel rock filled trench, accommodating a pipe, lined with geofabric to collect surface runoff from adjacent undeveloped land. In addition a surface collection pit connected to underground drainage, with pit to be constructed with stub / capped pipe to allow for possible inter-allotment drainage if land is developed in the future. At no time are works to be undertaken on adjacent land.

5.4 Environmental Controls

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

Part 7.1 Urban Subdivision

Part 7.1 Urban Subdivision	Requirement	Compliance/Comment
	Applies to land zoned residential village zones rural residential lots up to 2 hectares	Land is zoned R1 General Residential.
Lot size	Minimum lot size as determined by MWRC LEP 2012	Complies. All lots greater than 600m ² .
	All lots have street frontage.	All lots have frontage to a road.
	Lots increase in size relative to slope as follows: 0-10 degrees: 600m ² 10-15 degrees: 700m ² 15-20 degrees: 800m ² >20: subdivision prohibited	The slope of the land does not generally exceed 10 degrees.
	All lots have 16m width at building line in residential and	Yes where relevant (cul-de-sac and battle-axe lots not

Part 7.1 Urban Subdivision	Requirement	Compliance/Comment
	village zones.	applicable). Lots are of ample size and dimension.
	Battle-axe handles in R1, R3 & RU5 Village have width of 4m.	Yes. Handle width is 4m.
	Battle-axe handles in R2 & R5 residential zones have width of 6m	N/A
Lot Design	For infill subdivision lot orientation maximises solar access and takes account of existing pattern of development.	N/A
	For new release subdivision lot orientation maximises solar access by maximising north-south lots.	The lots have a mixture of orientation with the majority achieving good solar access. The lots are of a size conducive to erecting a dwelling with good orientation.
	For new release subdivision east-west orientated lots have increased width and midpoint.	As discussed above.
	Lots generally rectangular in shape.	The development includes a majority of rectangular lots. The lots are all of sufficient size to accommodate a substantial building envelope.
	Lots on southern side of road provide greater frontage width for better solar orientation of future dwelling.	Generally achieved.
	Corner lots have sufficient area to allow dual occupancy and independent utility connection points.	Yes
Street Layout & Design	Traffic Impact statement submitted for 5+ lots	Assessment provided by applicant within SEE. Discussed elsewhere in report
	Traffic Impact Statement submitted for all subdivisions where new road required.	Assessment provided by applicant. Discussed elsewhere in report
	Subdivision integrates with existing residential area.	Yes

Part 7.1 Urban Subdivision	Requirement	Compliance/Comment
	New roads must provide "through road" connections to surrounding roads and road heads where they exist in the locality.	Yes provided.
	Where cul-de-sac treatment unavoidable pedestrian linkages between streets provided.	Small cul-de-sac provided, which is considered minor enough to not warrant further pedestrian linkages.
	Multiple cul-de-sacs and "no through roads" discouraged.	Minimal cul-de-sacs provided.
	Maximum number of lots in cul-de-sac is 12 lots.	Yes. 7 lots provided.
	Subdivision >80lots should not require backtracking.	N/A.
Road Standards for New Development.	Urban Road Standards required. 1x1.2m footpath, barrier kerbing.	Council's Development Engineer has provided conditions to ensure compliance.
	Commercial & Industrial Subdivision Roads: 22m road reserve, 13m carriageway, 2x4.5m nature strip, 1x1.2m footpath, barrier /roll over kerbing.	N/A.
Cycle ways and footpaths	Cycle ways and pedestrian networks included in new subdivisions.	Concrete footpaths will be provided in layout where appropriate.
	If subdivision site identified in council cycleway plan or pedestrian strategy subdivision needs to respond to strategy.	Yes PAMP has been accounted for. Footpath to be extended along Bellevue Road.
	New subdivisions provide direct, convenient and safe access to major facilities.	Yes subdivision layout will extend to the existing connections to Mudgee.
	Cul-de-sacs may be required to include 10m wide shared overland flow/pathway.	N/A
	Developer to provide contribution to council for	Developer to construct.

Part 7.1 Urban Subdivision	Requirement	Compliance/Comment
	installation of cycle ways and footpaths prior to release of subdivision certificate.	
Open Space	Greenfield sites >20 lots ensure that lots are <400m from local park, playground or passive open space.	No additional land dedicated for public reserve is considered necessary.
	Where on-site detention basins double as open space must include raised level area which incorporates playground or fitness equipment etc. and shading landscaping.	N/A. No public reserve area to be dedicated. Refer to condition 4.
Landscaping	Landscape plan provided detailing treatment of public domain.	N/A. Public reserve not conducive to landscaping due to electricity easement.
	Land dedicated as public reserve top soiled, levelled, turfed prior to release of subdivision certificate and maintained by developer for period of two years.	To be conditioned.
Street Trees	2 street trees provided per lot.	To be conditioned.
	Developer provides levy to council to provide these trees after 80% of works carried out.	N/A
Utility Services	Servicing plan submitted showing provision of underground electricity, sewer, water, drainage and telecommunications to the development.	Lots to be connected to reticulated water, sewer, electricity and telecommunications.
	Evidence of consultation with relevant authorities submitted with application.	N/A
Drainage	As per Section 5.3 Stormwater & Drainage.	Detailed stormwater plan to be lodged at CC stage. Concept plan adequate.

Mid-Western Regional Development Contributions Plan 2005 - 2021

Pursuant to Council's Section 94 Development Contributions Plan 2005 – 2021, the site is located within Catchment 2, and with the proposal resulting in additional residential allotments will therefore be required to pay developer contributions.

However, as allowed under clause 1.7 of the plan the applicant has requested deferral of the payments for a period of 6 months after registration of each lot with the lodgement of a bank guarantee to facilitate this deferral.

The request is justified on the basis that the upfront cost of works to provide initial infrastructure to the subdivision (lead in works) will impede cash flow and that there will be no immediate draw on Council's resources until the dwellings are built and occupied.

The amount payable per lot (subject to CPI) is outlined below:

Catchment No. 2

Mudgee Catchments 1 & 2	
Section 94 Contributions	Per Lot
Transport Management	
Traffic Management	\$1,282.00
Open Space	
Local Open Space	\$2,013.00
District Open Space	\$2,732.00
Community Facilities	
Library Buildings	\$263.00
Library Resources	\$316.00
Drainage	
Drainage Works	\$0.00
Administration	
Plan Administration	\$614.00
Total Per Lot	\$7,220.00

Mid-Western Regional Development Servicing Plan (Water & Sewer)

The applicant has similarly requested that the water and sewer headworks be deferred for a period of 6 months as allowed for under clause 5.3.2 of the respective DSP's. The same justification has been provided as above. As the existing plans allow the developer to request a deferral, staff are supportive of the request to defer 6 months subject to bank guarantee.

The total amount that would be payable over the whole subdivision based on the 18/19 financial year is outlined below:

Water Headworks	\$197,564.50
Sewerage Headworks	\$85,011.70
Total	\$282,576.20

S4.15(1)(a) Provisions of any Planning Agreement or Draft Planning Agreement – 4.15(1)(a)(iiia)

No planning agreement applicable.

(d) Regulations – 4.15(1)(a)(iv)

Environmental Planning & Assessment Regulation 2000

No matters prescribed by the Regulations impact determination of the development application.

2. LIKELY IMPACTS OF THE DEVELOPMENT, INCLUDING ENVIRONMENTAL IMPACTS ON BOTH THE NATURAL AND BUILT ENVIRONMENTS, AND SOCIAL AND ECONOMIC IMPACTS IN THE LOCALITY – 4.15(1)(b)

(a) Context and Setting

The proposal is appropriate with regards to the surrounding context and setting.

(b) Access, transport and traffic

The implications of additional traffic and suitable access are discussed throughout this report. The proposal is considered appropriate.

(c) Public domain

The development will not impact the public domain in terms of recreation opportunities, the amount, location, design, use and management of public spaces, or pedestrian linkages between public spaces.

(d) Utilities

All relevant utilities are available or can be made readily available to the site.

Water, sewer, electricity and telecommunications infrastructure is available in existing road reserves to service the proposed development. Construction approvals will be required for the construction of extensions to existing mains / trunk networks.

(e) Heritage

No items of aboriginal significance are recorded on the site or in the vicinity. The site is not heritage listed, or located in a heritage conservation area

(f) Other land resources

No impact expected on the conserving and the use of valuable land, such as productive agricultural land, mineral or extractive resources, or water supply catchments.

(g) Water

No significant impact expected. The proposed protection barriers will result in surface stormwater being retained on adjacent properties. This may cause adverse impacts with regards to scouring and therefore a condition has been recommended requiring owners consent be obtained prior to erection of these structures.

(h) Soils

No significant impact expected. The land is not known to be affected by subsidence, slip or mass movement, subject to contamination, and will not result in significant soil erosion or degradation.

(i) Air and Microclimate

The development is not expected to impact air quality or microclimatic conditions.

(j) Flora & fauna

The vegetation proposed to be removed has been discussed previously in this report.

(k) Waste

Waste service available.

(l) Energy

Electricity to be connected, with the energy needs of the development is not expected to place significant demands on the local infrastructure capacity/operation.

(m) Noise & vibration

Residential subdivision, expected and planned for in the locality.

(n) Natural Hazards

The development site is not identified as bushfire prone or flood prone, there are no known subsidence, slip or mass movement issues.

(o) Technological hazards

Transgrid is in support of the proposal. Each lot has a demonstrated area for a dwelling envelope that is located outside of the electricity easement.

(p) Safety, security and crime prevention

Increased passive surveillance as a result of the proposed development.

(q) Social impact in the locality

Generally positive.

(r) Economic impact in the locality

Generally positive.

(s) Site design and internal design

Adequate as discussed throughout this report.

(t) Construction

Typical construction impacts anticipated, that will be regulated by the Construction Certificate, associated Acts and Regulations.

(u) Cumulative Impacts

Nil. There are no know 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.

3. SUITABILITY OF SITE FOR DEVELOPMENT – 4.15(1)(c)

(a) Does the proposal fit in the locality

Yes. There are no hazardous land uses or activities nearby, there are no constraints posed by adjacent developments and there are adequate utilities and transport facilities in the area available for the development.

(b) Are the site attributes conducive to development

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

4. SUBMISSIONS MADE IN ACCORDANCE WITH ACT OR REGULATIONS – 4.15(1)(d)

(a) Public Submissions

The proposal was required to be notified and advertised for a period of 14 days in accordance with MWRDCP 2013 and the Regulations. The submission period ended on 20 April 2018 and 1 submission was received.

The submission raised the following concerns:

Minimum lot size

Concern was raised that the minimum lot size should be similar to the land to the south. In particular proposed lots 18 & 19.

Comment: The subject site has a minimum lot size of 600m² as it is located within the R1 General Residential zone. The adjacent land to the south has a minimum lot size of 2,000m² (if serviced) as it is located in a different zone, that being R2 Low Density Residential.

Kilkenny Avenue

Concern was raised that Kilkenny Avenue should remain as a cul-de-sac.

Comment: The extension of Kilkenny Avenue is a logical approach to development of the site to facilitate efficient traffic movements in accordance with the DCP 2013, and supports the orderly development of land, being one of the objectives of the *Environmental Planning & Assessment Act 1979*.

Power line hazards

Concern was raised as to the health hazards of the transmission lines.

Comment: The proposal was referred to Transgrid who have indicated support to the proposal in line with their guidelines around development in close proximity to these lines. In accordance with the guidelines, every lot created has sufficient area in which to accommodate a dwelling, outside of the 45m transmission easement. This being the most practical way to achieve “*prudent avoidance*” as identified by the Right Honourable Garry Gibbs Report.

In the event that development is to occur within the easement, as per Transgrid's Easement Guidelines, the applicant will be required to undertake an Impact Assessment, which is to be provided to Transgrid, that covers the changes in risk and mitigation measures proposed.

It should be noted that Council has already approved extensive residential subdivisions under the same powerlines, including Caerleon, Bellevue Road, Melton Road, and Broadview Estate, off Broadhead Road.

Property values

Concern was raised as to the impacts upon property values in the area.

Comment: Property values are not a matter for consideration pursuant to the *Environmental Planning & Assessment Act 1979*.

The applicant lodged amended plans/details during the assessment process. However, the changes were not considered significant enough with regards to implications on adjoining neighbours and re-notification of the proposal was not considered necessary.

(b) Submissions from public authorities

No public authorities were required to be consulted in accordance with the relevant legislation, excepting Transgrid, who were consulted pursuant to cl 45 of the ISEPP.

5. THE PUBLIC INTEREST – 4.15(1)(e)

(a) 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.

6. CONSULTATIONS

(a) Health & Building.

No consultation necessary.

(b) Technical Services

Council's Manager Development Engineer has recommended approval of the application, subject to conditions. These conditions have been included in the recommendation.

(c) Heritage Advisor

No consultation necessary.

Community Plan implications

Theme	Protecting Our Natural Environment
Goal	Protect and enhance our natural environment
Strategy	Ensure land use planning and management enhances and protects biodiversity and natural heritage

Strategic implications

Council Strategies

Mid-Western Regional Local Environmental Plan 2012
Mid-Western Regional Development Control Plan 2013
Mid-Western Regional Development Servicing Plans

Council Policies

Access to Properties Policy

Legislation

Environmental Planning & Assessment Act 1979

Financial implications

The applicant is seeking to delay the timing of the payment of Section 94 contributions and Section 64 water and sewer headworks contributions for a maximum period of 6 months after the release of each subdivision certificate. The applicant has proposed the use of bank guarantees in lieu of the payment.

Council has the ability to consider these requests within the relevant Section 94 Contributions Plan and Development Servicing Plans (DSP).

In accordance with Section 5.3.2 of the Water and Sewerage DSP:

The deferral of payment of contributions is only permissible subject to formal resolution by Council prior to this occurring. Any request should provide detailed reasons and should agreement be granted, deferral will be subject to the following requirements:

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

In accordance with Section 1.10 of Council's Section 94 Development Contributions Plan 2005 – 2021, Deferred or Periodic Payments:

Council may accept the deferred or periodic payment of a contribution if the applicant or any other person entitled to act upon the relevant consent satisfies the Council that:

- a) *Compliance with the provisions relating to when contributions are payable is considered unreasonable or unnecessary in the circumstances of the case; and*
- b) *The deferment of payment or allowing periodic payments does not prejudice the timing or the manner of the provision of the public facility or service for which the contribution was required as outlined in the Capital Works Program, and*
- c) *The full amount of the contributions being deferred is paid within 2 years.*

The decision to accept a deferred or periodic payment is at the sole discretion of Council.

The applicant has provided the following reasons for the request that relate to this particular subdivision.

- *High cost of stage 1 works, due to major works on the infrastructure. Traditionally stage 1 works are the highest expense of any release in subdivision works due to lead in works from mains to the site, i.e. Electrical, NBN, roads, sewer, stormwater and watermains.*

Using a bank guarantee makes available cash flow to allow initial infrastructure works to be delivered.

- *The Council owned mains is unlikely to be impacted during this time period (or the greater system) as build programs for residences are generally in the order of 20 weeks.*
- *It is unlikely that all properties will be yielded in the first 24 weeks, and therefore draw on the mains to which section 64 and 94 are designed to fund.*
- *It is noted that bank guarantees provide deferment of 6 months, however should all properties be occupied prior to this date, MWRC would be legally entitled to call the bank guarantee with a notice of 14 days to ensure Section 64 and Section 94 payments are received by Council.*

The deferment in payment of contributions will result in reduced interest income for the Section 64 and Section 94 funds for the 6 month period. For example, based on the release of 20 lots in one stage of the development, the total contributions payable would be \$489,260. The interest income for the 6 months period would be approximately \$6,000 (i.e. this is the amount of interest that Council would forgo as a result of the deferred payment).

There are positive economic benefits for the Region in encouraging new development activity. For example, a release of 20 lots with an average construction cost of \$300,000, generates an additional \$6,000,000 in construction output for the local economy.

It is recommended that deferral of all Section 64 and Section 94 payments be applied for the above reasons for a maximum period of 6 months and covered by a bank guarantee.

Associated Risks

Should Council refuse the development application, the applicant may seek a further review of this decision or appeal through the Land & Environment Court.

DREW ROBERTS
SENIOR TOWN PLANNER

LINDSAY DUNSTAN
MANAGER, STATUTORY PLANNING

JULIE ROBERTSON
DIRECTOR DEVELOPMENT

22 August 2018

Attachments: 1. Submission.
2. Plans.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

12 Killkenny Avenue
MUDGEE NSW 2850

Email – furnville@iinet.au

16 April 2018

The General Manager
Mid-Western Regional Council
Administration Centre
86 Market Street
MUDGEE NSW 2850

Dear Sir,

re: **DEVELOPMENT APPLICATION DA0225/2018**
PROPERTY – 77-79 AND 81-87 BELLEVUE ROAD, MUDGEE
APPLICANT – MAAS GROUP FAMILY PROPERTIES



We refer to your letter of 4 April 2018 in relation to the abovementioned matter and would like to express our concerns in relation to the proposed subdivision.

We are the owners of Lot 6 number 12 Killkenny Avenue and have been since March 2011. At the time we purchased our block which has an area of 4018 square metres, we were told the neighbourhood would have blocks of approximately the same area with rural style fencing as our current neighbours all have. We understood the road would be kept as a cul-de-sac, not a through road connecting it to the Bellevue Estate subdivision. It is our opinion that the proposed 600 square metre blocks are not conducive with our area. We feel this area should be kept as a more exclusive area with larger block sizes and not be an extension to the Bellevue Estate high density area with colourbond style fencing.


Our main concern is in respect to the proposed Lots 19 and 20 of the proposed subdivision, which border our boundary. We feel this should be combined to form one larger block as battle axe blocks will be extremely small which is not in keeping with the area.

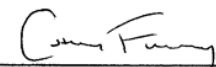
Our other concern is the power lines running diagonally through the proposed development. We understand they are larger blocks with adequate space for a home to be built in the corner of each block leaving the power line exclusion area as family backyards. Is this a healthy environment for adults or children to be exposed to high voltage power lines as part of their everyday life?

We feel that Mudgee has a lot of developments already approved with high density living on small blocks. We feel it is not necessary to have more in an area which currently has large houses on larger blocks. The demand in our community seems to be for families looking to purchase 1000 to 2000 square metre blocks which are not as plentiful. Maas Group Properties is not a local development company so no doubt have no real interest in anything else but developing as many blocks as possible for further financial gain regardless of the current environment or community.

In closing if this subdivision is approved in its current form it will not only de-value our property but the surrounding existing properties. Please note our formal objection.

Yours faithfully


G Furney


C Furney



Offices Located
 Dubbo, Mudgee, Bathurst & Tamworth

Contact Us
 T 1300 BARNSON (1300 327 4784)
 E enquiries@barnson.com.au
 W www.barnson.com.au



Client: **MAAS GROUP FAMILY PROPERTIES**

Project: **PROPOSED SUBDIVISION OF LOT 7 IN DP 842243 AND LOT 8 IN DP 1096571 77-81 BELLEVUE ROAD, MUDGEE, N.S.W. 2850**

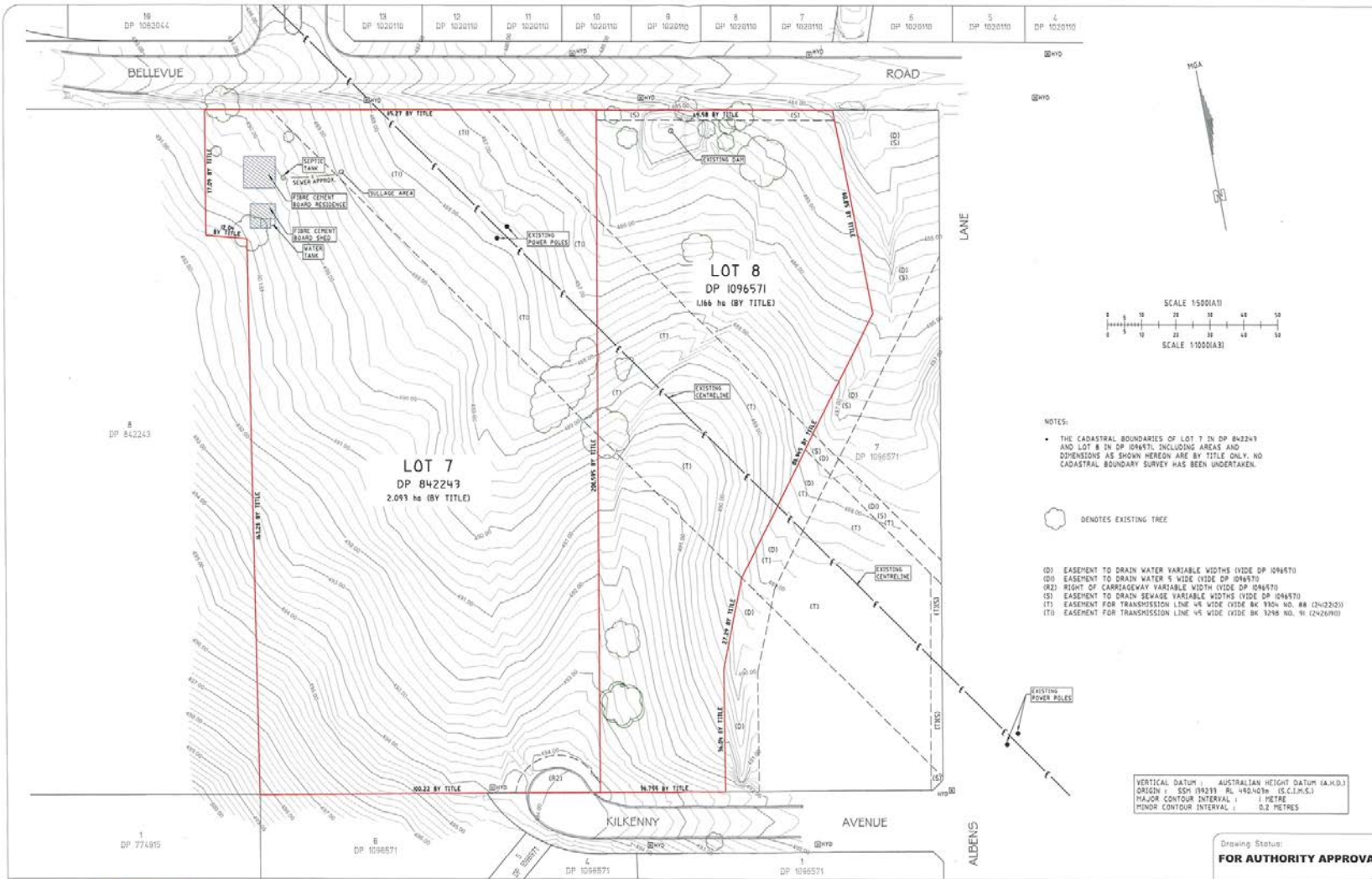
Drawing Title:
PLAN OF PROPOSED SUBDIVISION

Design: ES/rsd
 Drawn: JS
 Check: OA
 ED: ED

Drawing Sheet:
 41 - Original - Same as noted
 42 - Memorandum - look to page

Rev	Date	Amendment
F	13/06/2018	ISSUED FOR AUTHORITY APPROVAL
E	29/05/2018	REMOVE BASH AND NOTE TREES TO BE REMOVED
D	19/05/2018	ADDED LOCATIONS OF EXISTING TREES
C	19/03/2018	ISSUED FOR AUTHORITY APPROVAL
B	15/02/2018	AMEND LAYOUT AND PROPOSED SERVICES PLANS
A	08/02/2018	ISSUED FOR CLIENT REVIEW

Sheet 2 of 4
 Drawing Number: **28469_P02**
 Revision: **F**



Offices Located
Dubai, Mudgea, Belmont & Tamworth

Contact Us
 T 1300 849000 (1300 227 6784)
 E enquiries@barnson.com.au
 W www.barnson.com.au



Client: **MAAS GROUP FAMILY PROPERTIES**

Project: **PROPOSED SUBDIVISION OF LOT 7 IN DP 842243 AND LOT 8 IN DP 1096571 77-81 BELLEVUE ROAD, MUDGEA, N.S.W. 2850**

Drawing Title:
EXISTING SITE PLAN

Design: ED/RSB
 Drawn: JC
 Check: ED/RSB
 Drawing Sheet: 11
 01: Original Issue - Issues to Client
 02: Minor Issues - Issue to Client

Rev	Date	Amendment
F	12/09/2018	ISSUED FOR AUTHORITY APPROVAL
E	26/09/2018	REMOVE BASH AND NOTE TREES TO BE REMOVED
D	15/09/2018	ADDED LOCATION OF EXISTING TREES
C	15/09/2018	ISSUED FOR AUTHORITY APPROVAL
B	15/09/2018	AMEND LAYOUT AND PROPOSED SERVICES PLANS
A	08/02/2018	ISSUED FOR CLIENT REVIEW

Sheet 1 of 4
 Drawing Number:
28469_P02

Revision:
F



NOTES:

- THE PROPOSED BOUNDARIES BETWEEN PROPOSED LOTS 1 - 24 AS SHOWN HEREON ARE SUBJECT TO REGULATORY APPROVAL AND FINAL SURVEY.
- PROPOSED LOTS 1 - 29 SHOWN HEREON ARE NOT REGISTERED LOTS UNTIL A DEPOSITED PLAN OF SUBDIVISION IS PREPARED AND REGISTERED AT LAND AND PROPERTY INFORMATION NSW.
- EASEMENTS ARE PROPOSED TO BE CREATED WHICH HAVE NOT BEEN SHOWN ON THIS PLAN.
- EXISTING EASEMENTS HAVE NOT BEEN SHOWN ON THIS SHEET.

LEGEND

- UNDERGROUND WATER MAIN
- FIRE HYDRANT
- STOP VALVE
- WATER METER AND CONNECTION
- DENOTES EXISTING TREE TO BE REMOVED

NOTE: PROPOSED SERVICES ARE SHOWN IN RED, EXISTING SERVICES ARE SHOWN IN BLACK. PRINTING IN GREYSCALE MAY RESULT IN LOSS OF INFORMATION

VERTICAL DATUM : AUSTRALIAN HEIGHT DATUM (A.H.D.)
 ORIGIN : 55M 198233 RL WROUN96 (S.C.P.M.S.)
 MAJOR CONTOUR INTERVAL : 1 METRE
 MINOR CONTOUR INTERVAL : 0.2 METRES

Drawing Status:
FOR AUTHORITY APPROVAL



Offices Located
 Dubbo, Mudgee, Bathurst & Temora
 Contact Us
 1 1300 BARNSON (1300 221 6788)
 general@barnson.com.au
 www.barnson.com.au



Client: MAAS GROUP FAMILY PROPERTIES
 Project: PROPOSED SUBDIVISION OF LOT 7 IN DP 842243 AND LOT 8 IN DP 1096571
 77-81 BELLEVUE ROAD, MUDGEE, N.S.W. 2850

Drawing Title:
 PROPOSED WATER RETICULATION PLAN

Design: ED/RSO
 Drawn: JC
 Check: ED
 Drawing Sheet: 1
 1: Original size. Shrink as noted.
 A3: Monochrome. Fold to scale.

Rev	Date	Amendment
F	13/06/2018	ISSUED FOR AUTHORITY APPROVAL
E	29/05/2018	REMOVE BASIN AND NOTE TREES TO BE REMOVED
D	16/05/2018	ADDED LOCATIONS OF EXISTING TREES
C	15/05/2018	ISSUED FOR AUTHORITY APPROVAL
B	15/05/2018	AMENDED LAYOUT AND PROPOSED SERVICES PLANS
A	09/05/2018	ISSUED FOR CLIENT REVIEW

Sheet: 3 of 4
 Drawing Number: 28469_P02

Revision: F



Offices Located
Dubbo, Mudgee, Bathurst & Tamworth

Contact Us
L 1200 848609 (1300 327 4764)
E generalenquiry@barnson.com.au
W www.barnson.com.au



Client: **MAAS GROUP FAMILY PROPERTIES**

Project: **PROPOSED SUBDIVISION OF LOT 7 IN DP 842243 AND LOT 8 IN DP 1096571 77-81 BELLEVUE ROAD, MUDGEE, N.S.W. 2850**

Drawing Title: **PROPOSED SEWER PLAN**

Design: ED/RSB
Drawn: JE
Check: DA
ED: EB

Drawing Sheet:
A1: Original size - Issues as issued
A2: Minimization - Not to scale

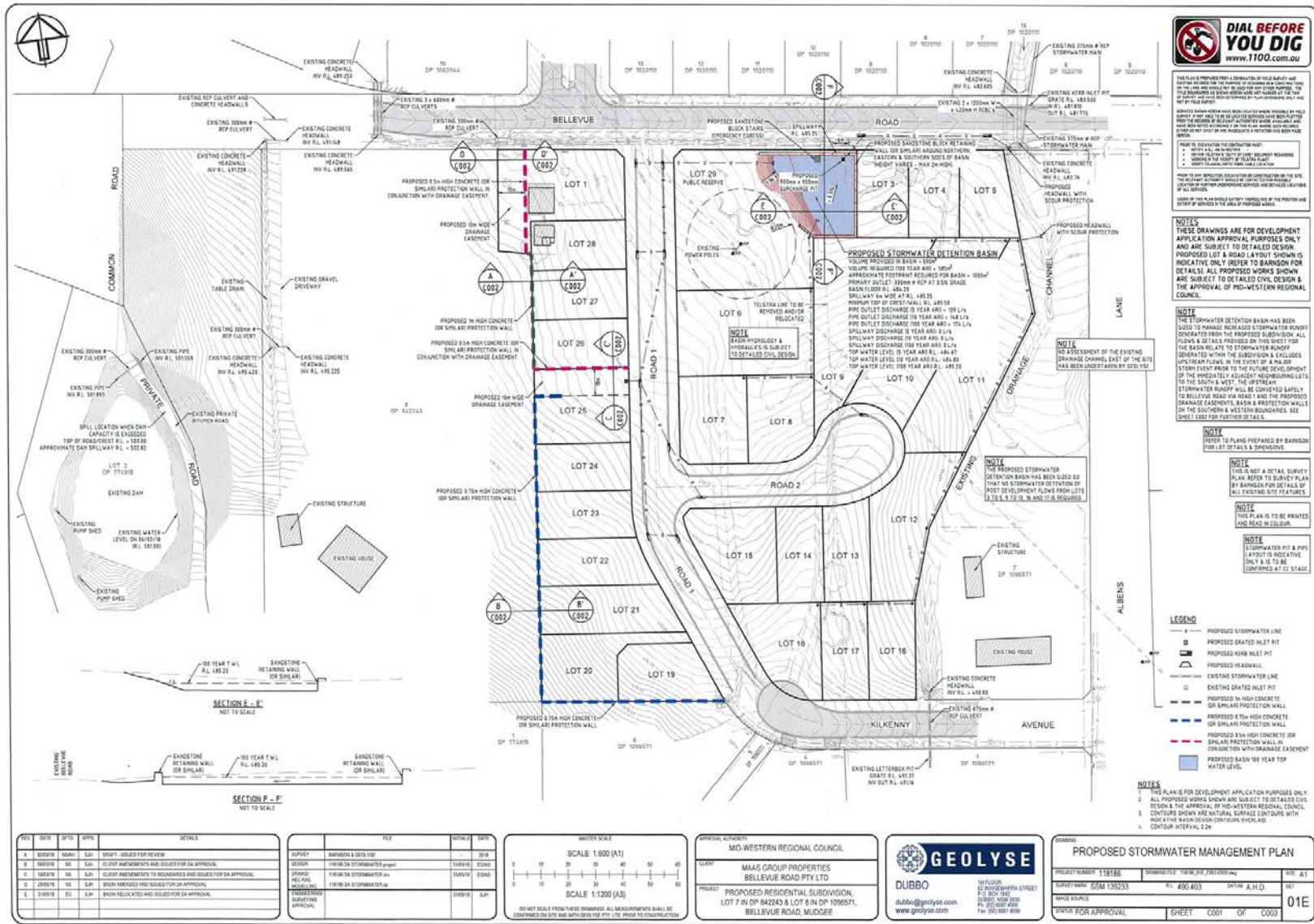
Rev	Date	Amendment
F	12/06/2018	ISSUED FOR AUTHORITY APPROVAL
E	25/06/2018	REMOVE BATH AND NOTE TREES TO BE REMOVED
D	15/06/2018	ADDED LOCATION OF EXISTING TREES
C	16/02/2018	ISSUED FOR AUTHORITY APPROVAL
B	15/02/2018	AMENDMENT ADD PROPOSED SERVICES PLANS
A	08/02/2018	ISSUED FOR CLIENT REVIEW

Drawing Status: **FOR AUTHORITY APPROVAL**

Sheet 4 of 4

Drawing Number: **28469_P02**

Revision: **F**



THIS PLAN IS PREPARED FOR A SUBDIVISION OF THIS SUBDIVISION AND DOES NOT TAKE INTO ACCOUNT ANY CHANGES TO THE BOUNDARIES AS SHOWN HERE OR SET OUT AT THE END OF THIS PLAN OR ANY OTHER INFORMATION PROVIDED BY THE CLIENT OR ANY OTHER PARTY.

THIS PLAN IS PREPARED FOR DEVELOPMENT APPLICATION PURPOSES ONLY AND ARE SUBJECT TO DETAILED DESIGN. PROPOSED LOT & ROAD LAYOUTS SHOWN ARE INDICATIVE ONLY (REFER TO BARRISON FOR DETAILS). ALL PROPOSED WORKS SHOWN ARE SUBJECT TO DETAILED CIVIL DESIGN BY THE APPROVAL OF MID-WESTERN REGIONAL COUNCIL.

NOTE: THE STORMWATER DETENTION BASIN HAS BEEN SIZED TO MANAGE PROPOSED STORMWATER RUNOFF GENERATED FROM THE PROPOSED SUBDIVISION. ALL FLOWS & PEAKS PROPOSED ON THIS SHEET FOR THE BASIN RELATE TO STORMWATER RUNOFF GENERATED WITHIN THE SUBDIVISION & EXCLUDES UPSTREAM FLOWS. IN THE EVENT OF A MAJOR STORM EVENT PRIOR TO THE FUTURE DEVELOPMENT OF THE IMMEDIATELY ADJACENT NEIGHBOURING LOTS TO THE SOUTH & WEST, THE PROPOSED STORMWATER RUNOFF WILL BE CONVEYED SAFELY TO BELLEVUE ROAD VIA ROAD 1 AND THE PROPOSED DRAINAGE EXHAUSTS, BASIN & PROTECTION WALLS ON THE SOUTHERN & WESTERN BOUNDARIES. SEE SHEET 0002 FOR FURTHER DETAILS.

NOTE: ASSESSMENT OF THE EXISTING DRAINAGE CHANNEL, EAST OF THE SITE HAS BEEN UNDERTAKEN BY GUYLSE.

NOTE: REFER TO PLANS PREPARED BY BARRISON FOR LOT DETAILS & DIMENSIONS.

NOTE: THIS IS NOT A DETAILED SURVEY PLAN. REFER TO SURVEY PLAN BARRISON FOR DETAILS OF ALL EXISTING SITE FEATURES.

NOTE: THIS PLAN IS TO BE PRINTED LANDSCAPE OR PORTRAIT.

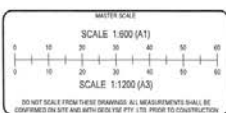
NOTE: STORMWATER PIT & PIPE LAYOUT IS INDICATIVE ONLY & IS TO BE CONFIRMED AT CE STAGE.

- LEGEND**
- PROPOSED STORMWATER LINE
 - PROPOSED GRADED INLET PIT
 - PROPOSED ASH INLET PIT
 - PROPOSED HEADWALL
 - EXISTING STORMWATER LINE
 - EXISTING GRADED INLET PIT
 - PROPOSED 150mm HIGH CONCRETE FOR SPILLAR PROTECTION WALL
 - PROPOSED 250mm HIGH CONCRETE FOR SPILLAR PROTECTION WALL
 - PROPOSED 350mm HIGH CONCRETE FOR SPILLAR PROTECTION WALL IN CONJUNCTION WITH DRAINAGE EXHAUST
 - PROPOSED 100 YEAR TOP WATER LEVEL

- NOTES**
1. THIS PLAN IS FOR DEVELOPMENT APPLICATION PURPOSES ONLY.
 2. ALL PROPOSED WORKS SHOWN ARE SUBJECT TO DETAILED CIVIL DESIGN & THE APPROVAL OF MID-WESTERN REGIONAL COUNCIL.
 3. CONTOURS SHOWN ARE NATURAL SURFACE CONTOURS WITH INDICATIVE BATHYMETRIC CONTOURS OVERLAIN.
 4. CONTOUR INTERVAL 2.0m.

REV	DATE	BY	CHKD	APPROV	DETAILS
A	08/07/18	MAAS	SAH	SAH	DRAWN - ISSUED FOR REVIEW
B	08/07/18	NO	SAH	SAH	CLIENT AMENDMENTS AND ISSUED FOR DA APPROVAL
C	08/07/18	NO	SAH	SAH	CLIENT AMENDMENTS TO BOUNDARIES AND ISSUED FOR DA APPROVAL
D	08/07/18	NO	SAH	SAH	CLIENT AMENDMENTS AND ISSUED FOR DA APPROVAL
E	19/09/18	EO	SAH	SAH	BASIN RELOCATED AND ISSUED FOR DA APPROVAL

NO	FILE	DATE	BY
1	AMMONG & GUYLSE	08/07	SAH
2	11818 SA STORMWATER PROJECT	11/06/18	EDG
3	11818 SA STORMWATER PROJECT	11/06/18	EDG
4	11818 SA STORMWATER PROJECT	11/06/18	EDG
5	11818 SA STORMWATER PROJECT	11/06/18	EDG



APPROVAL AUTHORITY
 MID-WESTERN REGIONAL COUNCIL

CLIENT
 MAAS GROUP PROPERTIES
 BELLEVUE ROAD PTY LTD

PROJECT
 PROPOSED RESIDENTIAL SUBDIVISION,
 LOT 7 IN DP 842343 & LOT 8 IN DP 1096571,
 BELLEVUE ROAD, MUDGEE

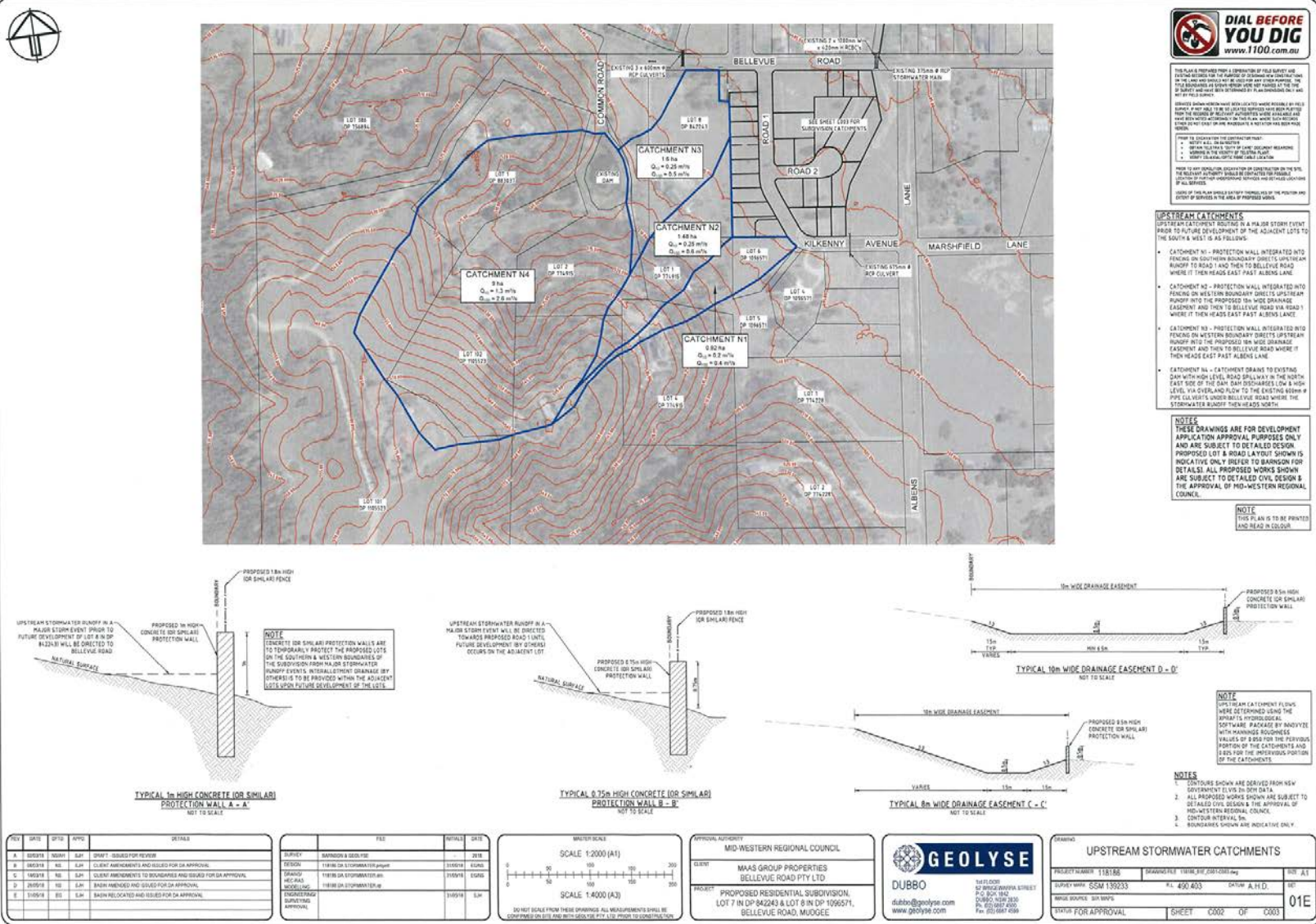
GEOLYSE

DUBBO

167 HILLTOP DRIVE
 HILLTOP DRIVE
 DUBBO NSW 2880
 PH: (02) 9287 4000
 FAX: (02) 9287 4009

PROPOSED STORMWATER MANAGEMENT PLAN

PROJECT NUMBER	11818	DRAWING FILE	11818 SA STORMWATER PROJECT	DATE	08/07
SURVEY NUMBER	55M 139233	REV	400 403	DATE	A.L.D.
DRAWING SOURCE					
WORK FOR APPROVAL		SHEET	C001	OF	C003

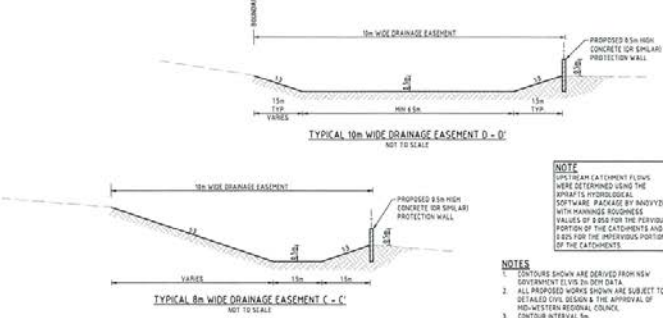
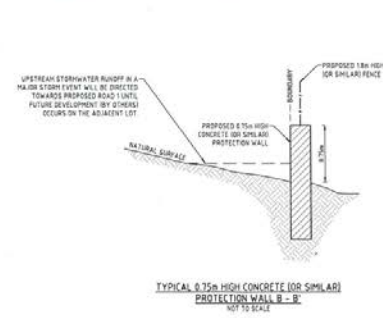
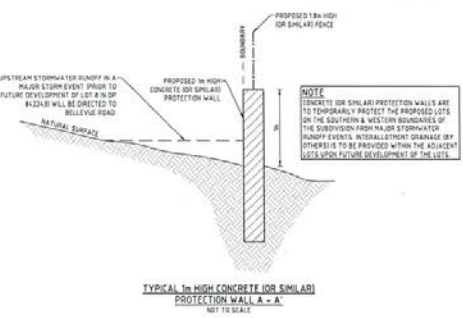


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- UPSTREAM CATCHMENTS**
UPSTREAM CATCHMENT ROUTING IN A MAJOR STORM EVENT FROM TO FUTURE DEVELOPMENT OF THE ADJACENT LOTS TO THE SOUTH & WEST IS AS FOLLOWS:
- CATCHMENT N1 - PROTECTION WALL INTEGRATED INTO FENCING ON SOUTHERN BOUNDARY DIRECTLY UPSTREAM RUNOFF TO ROAD 1 AND THEN TO BELLEVUE ROAD WHERE IT THEN HEADS EAST PAST ALBENS LANE.
 - CATCHMENT N2 - PROTECTION WALL INTEGRATED INTO FENCING ON WESTERN BOUNDARY DIRECTLY UPSTREAM RUNOFF INTO THE PROPOSED 10m WIDE DRAINAGE EASEMENT AND THEN TO BELLEVUE ROAD VIA ROAD 1 WHERE IT THEN HEADS EAST PAST ALBENS LANE.
 - CATCHMENT N3 - PROTECTION WALL INTEGRATED INTO FENCING ON WESTERN BOUNDARY DIRECTLY UPSTREAM RUNOFF INTO THE PROPOSED 10m WIDE DRAINAGE EASEMENT AND THEN TO BELLEVUE ROAD WHERE IT THEN HEADS EAST PAST ALBENS LANE.
 - CATCHMENT N4 - CATCHMENT DRAINS TO EXISTING DAM WITH HIGH LEVEL ROAD SPILLWAY IN THE NORTH EAST SIDE OF THE DAM. DAM DISCHARGES LOW FLOW LEVEL VIA OVERLAND FLOW TO THE EXISTING 800# PIPE COLLECTOR UNDER BELLEVUE ROAD WHERE THE STORMWATER RUNOFF THEN HEADS NORTH.

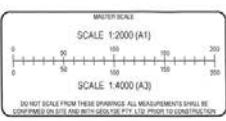
NOTES
THESE DRAWINGS ARE FOR DEVELOPMENT APPLICATION APPROVAL PURPOSES ONLY AND ARE SUBJECT TO DETAILED DESIGN. PROPOSED LOT & ROAD LAYOUT SHOWN IS INDICATIVE ONLY. REFER TO BARRISON FOR DETAILS. ALL PROPOSED WORKS SHOWN ARE SUBJECT TO DETAILED CIVIL DESIGN & THE APPROVAL OF MID-WESTERN REGIONAL COUNCIL.

NOTE
THIS PLAN IS TO BE PRINTED AND READ IN COLOUR.



REV	DATE	BY	CHKD	DETAILS
A	13/09/18	MDH	SAJ	DMPT - ISSUED FOR REVIEW
B	13/09/18	MDH	SAJ	CLIENT APPROVED FOR DA APPROVAL
C	13/09/18	MDH	SAJ	CLIENT AMENDMENTS TO BOUNDARIES AND SIZES FOR DA APPROVAL
D	13/09/18	MDH	SAJ	BASIN AMENDED AND SIZES FOR DA APPROVAL
E	13/09/18	MDH	SAJ	BASIN RELOCATED AND SIZES FOR DA APPROVAL

REV	DATE	BY	CHKD	DETAILS
A	13/09/18	MDH	SAJ	DMPT - ISSUED FOR REVIEW
B	13/09/18	MDH	SAJ	CLIENT APPROVED FOR DA APPROVAL
C	13/09/18	MDH	SAJ	CLIENT AMENDMENTS TO BOUNDARIES AND SIZES FOR DA APPROVAL
D	13/09/18	MDH	SAJ	BASIN AMENDED AND SIZES FOR DA APPROVAL
E	13/09/18	MDH	SAJ	BASIN RELOCATED AND SIZES FOR DA APPROVAL



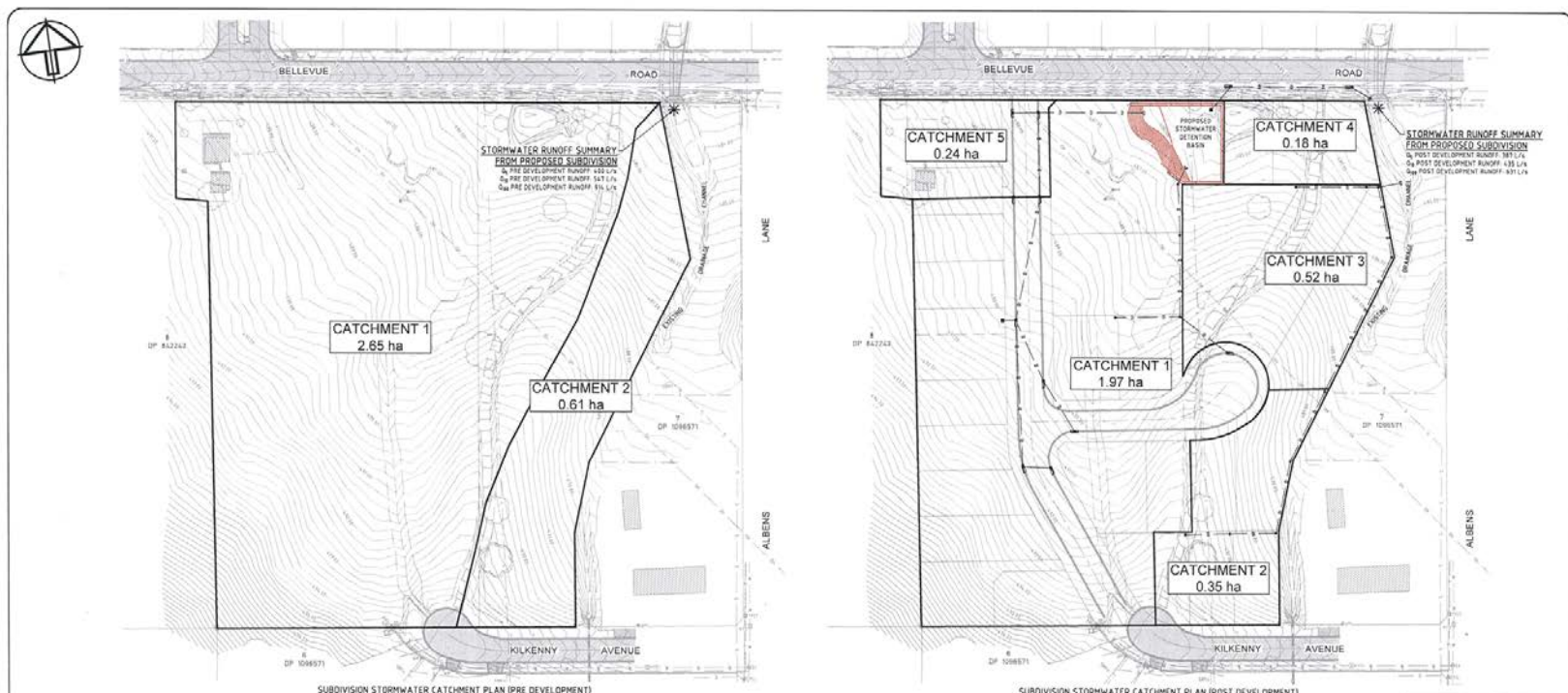
APPROVAL AUTHORITY
MID-WESTERN REGIONAL COUNCIL

CLIENT
MAAS GROUP PROPERTIES
BELLEVUE ROAD PTY LTD

PROJECT
PROPOSED RESIDENTIAL SUBDIVISION,
LOT 7 IN DP 106571 & LOT 8 IN DP 1066571,
BELLEVUE ROAD, MUDGEE

GEOLYSE
DUBBO
117/1000
BYRON BAY DRIVE
P.O. BOX 100
MUDGEE NSW 2878
PH: (02) 687 0300
FAX: (02) 687 0399
www.geolyse.com

DRAWING			
PROJECT NUMBER	118158	DRAWING FILE	118158_021000.dwg
SUPPLY NUMBER	ESM 135233	PL. NO.	400/403
MANU NUMBER	SA118158	DRAWN BY	J.A.H.
EXTN FOR APPROVAL		SHEET	01E
		OF	0003



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PRELIMINARY STORMWATER CATCHMENT & ONSITE DETENTION ANALYSIS

PRE DEVELOPMENT

CATCHMENT 1
 CATCHMENT 1 DRAINS TOWARDS BELLEVUE ROAD
 AREA: 2.85 ha
 PERCENT IMPERVIOUS: 65% T_c = 7 MINUTES
 PERCENT PERVIOUS: 35% T_c = 20 MINUTES
 OVERTS A PEAK RATE OF DISCHARGE OF:
 Q₁ = 300 L/s
 Q₂ = 447 L/s
 Q₃ = 745 L/s

CATCHMENT 2
 CATCHMENT 2 DRAINS TOWARDS THE EXISTING DRAINAGE CHANNEL LOCATED IN LOT 7 IN DP 1096571
 AREA: 0.61 ha
 PERCENT IMPERVIOUS: 50% T_c = 8 MINUTES
 PERCENT PERVIOUS: 50% T_c = 20 MINUTES
 OVERTS A PEAK RATE OF DISCHARGE OF:
 Q₁ = 80 L/s
 Q₂ = 105 L/s
 Q₃ = 181 L/s

THE TOTAL PEAK RUNOFF FOR THE AREA OF THE SITE TO BE DEVELOPED IS THIS:
 5 YEAR ARI STORM EVENT: 143 L/s + 56 L/s + 80 L/s + 40 L/s + 55 L/s + 380 L/s
 10 YEAR ARI STORM EVENT: 170 L/s + 66 L/s + 91 L/s + 48 L/s + 69 L/s + 435 L/s
 100 YEAR ARI STORM EVENT: 176 L/s + 70 L/s + 95 L/s + 51 L/s + 77 L/s + 495 L/s
 THIS REPRESENTS A NET DECREASE IN PEAK STORMWATER RUNOFF FROM THE SITE POST DEVELOPMENT. POST DEVELOPMENT RUNOFF WILL BE LIMITED TO LESS THAN THE PRE DEVELOPMENT RUNOFF.

POST DEVELOPMENT

CATCHMENT 1
 CATCHMENT 1 WILL DRAIN DIRECTLY TO THE EXISTING DRAINAGE CHANNEL LOCATED IN LOT 7 IN DP 1096571
 AREA: 2.85 ha
 PERCENT IMPERVIOUS: 65% T_c = 8 MINUTES
 PERCENT PERVIOUS: 35% T_c = 20 MINUTES
 OVERTS A PEAK RATE OF DISCHARGE OF:
 Q₁ = 140 L/s
 Q₂ = 165 L/s
 Q₃ = 281 L/s

CATCHMENT 2
 APPROXIMATELY 50% OF ONSITE STORMWATER DETENTION IS REQUIRED TO BE PROVIDED WITH 1 x 300mm Ø OUTLET PIPE AT 50% GRADE. THIS GIVES A TOTAL PIPED DISCHARGE FROM THE BASIN OF:
 Q₁ = 10 L/s
 Q₂ = 13 L/s
 Q₃ = 175 L/s

CATCHMENT 3
 CATCHMENT 3 WILL DRAIN DIRECTLY TO THE EXISTING DRAINAGE CHANNEL LOCATED IN LOT 7 IN DP 1096571
 AREA: 0.52 ha
 PERCENT IMPERVIOUS: 65% T_c = 8 MINUTES
 PERCENT PERVIOUS: 35% T_c = 20 MINUTES
 OVERTS A PEAK RATE OF DISCHARGE OF:
 Q₁ = 50 L/s
 Q₂ = 64 L/s
 Q₃ = 105 L/s

CATCHMENT 4
 CATCHMENT 4 WILL DRAIN DIRECTLY TO BELLEVUE ROAD
 AREA: 0.18 ha
 PERCENT IMPERVIOUS: 65% T_c = 8 MINUTES
 PERCENT PERVIOUS: 35% T_c = 20 MINUTES
 OVERTS A PEAK RATE OF DISCHARGE OF:
 Q₁ = 10 L/s
 Q₂ = 13 L/s
 Q₃ = 17 L/s

CATCHMENT 5
 CATCHMENT 5 WILL DRAIN DIRECTLY TO BELLEVUE ROAD
 AREA: 0.24 ha
 PERCENT IMPERVIOUS: 65% T_c = 8 MINUTES
 PERCENT PERVIOUS: 35% T_c = 20 MINUTES
 OVERTS A PEAK RATE OF DISCHARGE OF:
 Q₁ = 10 L/s
 Q₂ = 13 L/s
 Q₃ = 17 L/s

CATCHMENT 3
 CATCHMENT 3 WILL DRAIN DIRECTLY TO THE EXISTING DRAINAGE CHANNEL LOCATED IN LOT 7 IN DP 1096571
 AREA: 0.52 ha
 PERCENT IMPERVIOUS: 65% T_c = 8 MINUTES
 PERCENT PERVIOUS: 35% T_c = 20 MINUTES
 OVERTS A PEAK RATE OF DISCHARGE OF:
 Q₁ = 50 L/s
 Q₂ = 64 L/s
 Q₃ = 105 L/s

CATCHMENT 4
 CATCHMENT 4 WILL DRAIN DIRECTLY TO BELLEVUE ROAD
 AREA: 0.18 ha
 PERCENT IMPERVIOUS: 65% T_c = 8 MINUTES
 PERCENT PERVIOUS: 35% T_c = 20 MINUTES
 OVERTS A PEAK RATE OF DISCHARGE OF:
 Q₁ = 10 L/s
 Q₂ = 13 L/s
 Q₃ = 17 L/s

CATCHMENT 5
 CATCHMENT 5 WILL DRAIN DIRECTLY TO BELLEVUE ROAD
 AREA: 0.24 ha
 PERCENT IMPERVIOUS: 65% T_c = 8 MINUTES
 PERCENT PERVIOUS: 35% T_c = 20 MINUTES
 OVERTS A PEAK RATE OF DISCHARGE OF:
 Q₁ = 10 L/s
 Q₂ = 13 L/s
 Q₃ = 17 L/s

CATCHMENT 1
 CATCHMENT 1 WILL DRAIN DIRECTLY TO THE EXISTING DRAINAGE CHANNEL LOCATED IN LOT 7 IN DP 1096571
 AREA: 1.97 ha
 PERCENT IMPERVIOUS: 65% T_c = 8 MINUTES
 PERCENT PERVIOUS: 35% T_c = 20 MINUTES
 OVERTS A PEAK RATE OF DISCHARGE OF:
 Q₁ = 10 L/s
 Q₂ = 13 L/s
 Q₃ = 17 L/s

CATCHMENT 2
 CATCHMENT 2 WILL DRAIN DIRECTLY TO BELLEVUE ROAD
 AREA: 0.35 ha
 PERCENT IMPERVIOUS: 65% T_c = 8 MINUTES
 PERCENT PERVIOUS: 35% T_c = 20 MINUTES
 OVERTS A PEAK RATE OF DISCHARGE OF:
 Q₁ = 10 L/s
 Q₂ = 13 L/s
 Q₃ = 17 L/s

CATCHMENT 3
 CATCHMENT 3 WILL DRAIN DIRECTLY TO THE EXISTING DRAINAGE CHANNEL LOCATED IN LOT 7 IN DP 1096571
 AREA: 0.52 ha
 PERCENT IMPERVIOUS: 65% T_c = 8 MINUTES
 PERCENT PERVIOUS: 35% T_c = 20 MINUTES
 OVERTS A PEAK RATE OF DISCHARGE OF:
 Q₁ = 50 L/s
 Q₂ = 64 L/s
 Q₃ = 105 L/s

CATCHMENT 4
 CATCHMENT 4 WILL DRAIN DIRECTLY TO BELLEVUE ROAD
 AREA: 0.18 ha
 PERCENT IMPERVIOUS: 65% T_c = 8 MINUTES
 PERCENT PERVIOUS: 35% T_c = 20 MINUTES
 OVERTS A PEAK RATE OF DISCHARGE OF:
 Q₁ = 10 L/s
 Q₂ = 13 L/s
 Q₃ = 17 L/s

CATCHMENT 5
 CATCHMENT 5 WILL DRAIN DIRECTLY TO BELLEVUE ROAD
 AREA: 0.24 ha
 PERCENT IMPERVIOUS: 65% T_c = 8 MINUTES
 PERCENT PERVIOUS: 35% T_c = 20 MINUTES
 OVERTS A PEAK RATE OF DISCHARGE OF:
 Q₁ = 10 L/s
 Q₂ = 13 L/s
 Q₃ = 17 L/s

THE TOTAL PEAK POST DEVELOPMENT RUNOFF FROM THE AREA OF THE SITE TO BE DEVELOPED IS THIS:
 5 YEAR ARI STORM EVENT: 143 L/s + 56 L/s + 80 L/s + 40 L/s + 55 L/s + 380 L/s
 10 YEAR ARI STORM EVENT: 170 L/s + 66 L/s + 91 L/s + 48 L/s + 69 L/s + 435 L/s
 100 YEAR ARI STORM EVENT: 176 L/s + 70 L/s + 95 L/s + 51 L/s + 77 L/s + 495 L/s
 THIS REPRESENTS A NET DECREASE IN PEAK STORMWATER RUNOFF FROM THE SITE POST DEVELOPMENT. POST DEVELOPMENT RUNOFF WILL BE LIMITED TO LESS THAN THE PRE DEVELOPMENT RUNOFF.

PEAK RUNOFF FLOWS WERE DETERMINED USING THE USAR HYDROLOGICAL MODEL IN WATERPROOF BRAND'S SOFTWARE. HOOD PARAMETERS OF 15mm IMPERVIOUS AREA DEPRESSION STORAGE, 5mm PERVIOUS AREA DEPRESSION STORAGE, SOIL TYPE 1.8 AND ANTECEDENT MOISTURE CONDITION OF 3 FOR ALL STORMS WAS USED. THROUGHPUT 30% AND PERIOD WAS USED.

NOTES

THESE DRAWINGS ARE FOR DEVELOPMENT APPLICATION APPROVAL PURPOSES ONLY AND ARE SUBJECT TO DETAILED DESIGN. PROPOSED LOT & ROAD LAYOUTS SHOW IN INDICATIVE ONLY (REFER TO BA000 FOR DETAILS). ALL PROPOSED WORKS SHOWN ARE SUBJECT TO DETAILED CIVIL DESIGN & THE APPROVAL OF MID-WESTERN REGIONAL COUNCIL.

NOTE

THE STORMWATER DETENTION BASIN HAS BEEN SIZED TO MANAGE INCREASED STORMWATER RUNOFF GENERATED FROM THE PROPOSED SUBDIVISION. ALL LOTS & DETAILS PROVIDED ON THIS SHEET FOR THE BASIN RELATE TO STORMWATER RUNOFF GENERATED WITHIN THE SUBDIVISION & EXCLUDES OF STREAM FLOW. IN THE EVENT OF A MAJOR STORM EVENT FROM THE FUTURE DEVELOPMENT OF THE IMMEDIATELY ADJACENT NEIGHBOURING LOTS TO THE SOUTH & WEST, THE UPSTREAM STORMWATER RUNOFF WILL BE CONVEYED SAFELY TO BELLEVUE ROAD VIA ROAD AND THE PROPOSED DRAINAGE FACILITIES, BASIN & PROTECTION WALLS ON THE SOUTHERN & WESTERN BOUNDARIES. SEE SHEETS C001 & C002 FOR FURTHER DETAILS.

NOTE

THE PROPOSED STORMWATER DETENTION BASIN HAS BEEN SIZED SO THAT NO STORMWATER DETENTION OF POST DEVELOPMENT FLOWS FROM LOTS 1 TO 5, 6 TO 8, 9, 10 AND 11 IS REQUIRED.

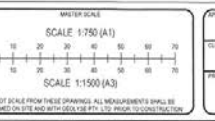
NOTES

1. THIS PLAN IS FOR DEVELOPMENT APPLICATION PURPOSES ONLY.
 2. ALL PROPOSED WORKS SHOWN ARE SUBJECT TO DETAILED CIVIL DESIGN & THE APPROVAL OF MID-WESTERN REGIONAL COUNCIL.
 3. CONTIGUOUS SHOWS NATURAL SURFACE ELEVATIONS WITH INDICATIVE BASIN DESIGN CONTOURS OVER A 10' CONTOUR INTERVAL 52m.

REV	DATE	BY	APPD	DETAILS
A	20/09/18	SMH	SAN	DRAWN - ISSUED FOR REVIEW
B	20/09/18	NO	SAN	CLIENT AMENDMENTS AND ISSUED FOR CIVIL APPROVAL
C	20/09/18	NO	SAN	CLIENT AMENDMENTS TO ROADWAYS AND ISSUED FOR CIVIL APPROVAL
D	20/09/18	NO	SAN	DRAWN AMENDMENTS AND ISSUED FOR CIVIL APPROVAL
E	21/09/18	EV	SAN	DRAWN RELOCATED AND ISSUED FOR APPROVAL

NO.	DATE	BY	APPD	DETAILS
1	20/09/18	SMH	SAN	DRAWN - ISSUED FOR REVIEW
2	20/09/18	NO	SAN	CLIENT AMENDMENTS AND ISSUED FOR CIVIL APPROVAL
3	20/09/18	NO	SAN	CLIENT AMENDMENTS TO ROADWAYS AND ISSUED FOR CIVIL APPROVAL
4	20/09/18	NO	SAN	DRAWN AMENDMENTS AND ISSUED FOR CIVIL APPROVAL
5	21/09/18	EV	SAN	DRAWN RELOCATED AND ISSUED FOR APPROVAL

NO.	DATE	BY	APPD	DETAILS
1	20/09/18	SMH	SAN	DRAWN - ISSUED FOR REVIEW
2	20/09/18	NO	SAN	CLIENT AMENDMENTS AND ISSUED FOR CIVIL APPROVAL
3	20/09/18	NO	SAN	CLIENT AMENDMENTS TO ROADWAYS AND ISSUED FOR CIVIL APPROVAL
4	20/09/18	NO	SAN	DRAWN AMENDMENTS AND ISSUED FOR CIVIL APPROVAL
5	21/09/18	EV	SAN	DRAWN RELOCATED AND ISSUED FOR APPROVAL



APPROVAL AUTHORITY
 MID-WESTERN REGIONAL COUNCIL

CLIENT
 MAAS GROUP PROPERTIES
 BELLEVUE ROAD PTY LTD

PROJECT
 PROPOSED RESIDENTIAL SUBDIVISION,
 LOT 7 IN DP 842243 & LOT 8 IN DP 1096571,
 BELLEVUE ROAD, MUDGEE

GEOLYSE

DUBBO

1st FLOOR
 87 BRIDGEBARRA STREET
 P.O. BOX 1047
 DUBBO NSW 2880
 PH: 602 4221 4000
 FAX: 602 4221 4008

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SUBDIVISION STORMWATER PRE & POST DEVELOPMENT CATCHMENT PLANS		PROJECT NUMBER	DATE	SCALE
SUBDIVISION STORMWATER PRE & POST DEVELOPMENT CATCHMENT PLANS		118120	19/09/18	A1
SUBDIVISION STORMWATER PRE & POST DEVELOPMENT CATCHMENT PLANS		ISSM 138233	4/02/18	A1, D
SUBDIVISION STORMWATER PRE & POST DEVELOPMENT CATCHMENT PLANS		ISSM 138233	4/02/18	A1, D
SUBDIVISION STORMWATER PRE & POST DEVELOPMENT CATCHMENT PLANS		ISSM 138233	4/02/18	A1, D

8.4 MA0005/2019 (DA121/87) - Modification to Quarry, Processing Plant, Concrete Batching Plant and Pre-coat Plant - 513 Spring Creek Road, Gulgong

REPORT BY THE SENIOR TOWN PLANNER
TO 19 SEPTEMBER 2018 ORDINARY MEETING
GOV400066, P0270211

RECOMMENDATION

That Council:

- A. receive the report by the Senior Town Planner for MA0005/2019 (DA121/87) - Modification to Quarry, Processing Plant, Concrete Batching Plant and Pre-coat Plant - 513 Spring Creek Road, Gulgong; and
- B. approve in part MA0005/2019 (DA121/87) - Modification to Quarry, Processing Plant, Concrete Batching Plant and Pre-coat Plant - 513 Spring Creek Road, Gulgong, as follows:
- I. Refuse the proposed removal of Condition 24.
 - II. Amend Condition 28 as follows.
 28. The operator shall pay a cash contribution to Council based on the amount of material extracted and transported from the land, towards the upgrading and maintenance of Council's road system, with the following provisions to apply:
 - a) Submission of a return to Council relating to the amount of material in tonnes extracted and transported from the land within each financial year and thereafter for each financial year. Such return is to be submitted within fourteen days of the anniversary of each financial year and is to be in the form of a Statutory Declaration given by the owner or operator (or if the owner or operator is a Corporation, by a Director of that Corporation) and is to include:
 - (i) Copies of all invoices and Company records relating to the amount extracted and transported.
 - (ii) A detailed topographic survey by a registered surveyor indicating surface levels of the extraction areas immediately prior to the anniversary of the financial year, including a calculation of the amount extracted in the preceding twelve (12) months. Such calculation is to be made by a suitably qualified engineer or surveyor.
 - b) Payment of the contribution is to be made within thirty (30) days of Council's written notification of the amount of the contribution payable following submission of the required returns.
 - (i) The contribution is only applicable to the amount of material exceeding 50,000 tonnes per annum.

Note: the current 2018-2019 contribution rate is \$0.87 per tonne of material removed from the site.

- c) The contribution rate shall be subject to indexation in accordance with the Consumer Price Index.
- d) Council shall have the right to request and inspect all relevant records at any time, subject to prior written notice being provided by Council.

This condition has been imposed in accordance with Council's *Section 94 Development Contributions Plan 2005-2021*.

ADDED BY MA0012/2018 (P0270211).

AMENDED BY MA0005/2019 (P0270211).

C. endorse the following Reasons for Decision to be added to the modified development consent, following the Advices.

1. The proposed modification is considered to result in minimal environmental impact and is substantially the same development as the originally approved development – thereby satisfying the requirements of Section 4.55 (1A)(a) and (b) of the *Environmental Planning and Assessment Act 1979*.
2. The proposed modification complies with the requirements of the applicable environmental planning instruments and *Mid-Western Regional Development Control Plan 2013*.
3. The proposed modification is considered satisfactory in terms of the matters identified in Section 4.15 of the *Environmental Planning and Assessment Act 1979*.
4. No submissions were received in response to public exhibition of the proposed development.
5. The decision is consistent with the comments received from Roads and Maritime Services.
6. There is insufficient justification to modify the haulage rate.

Executive summary

OWNER/S:	Norman Charles Wood & Stephen Charles Wood
APPLICANT:	Boral Resources (Country) Pty Limited
PROPERTY DESCRIPTION:	513 Spring Creek Road, Gulgong (Lot 29 DP1115330, Lot 1 DP383519 and Lot 449 DP755434)
PROPOSED DEVELOPMENT:	Modification to Extractive Industry and Ancillary Uses
ESTIMATED COST OF DEVELOPMENT:	Not applicable.
REASON FOR REPORTING TO COUNCIL:	Application seeks to modify developer contribution rate
PUBLIC SUBMISSIONS:	Nil

A modification of consent application under Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* was lodged with Council on 23 July 2017. The proposed modification of Development Consent DA121/87 seeks to:

- Remove a condition requiring an upgrade of the intersection of Beryl Road and the Castlereagh Highway; and
- To modify the developer contribution required for haulage.

As the proposed modification is seeking to vary developer contributions for the quarry, which is akin to requesting financial assistance, the application cannot be determined by delegated staff – Council is required to determine the application.

The proposed modification seeking to remove the condition requiring upgrade of the intersection of Beryl Road and Castlereagh Highway is recommended for refusal.

The proposed modification seeking to vary the developer contribution condition is recommended for approval.

Disclosure of Interest

Nil.

Detailed report

Background

Original Approval

The original development consent, approved on 15 October 1987, was for a quarry, processing plant and concrete batching plant (DA121/87). No conditions specifically limited the volume of material that could be extracted from the quarry.

Condition 1 refers to the Environmental Impact Statement (EIS) and plans of management in the approval. The EIS indicates that the proposal is for a basalt quarry with a proposed extraction rate of 50,000 tonnes per annum (p30 of EIS).

No conditions were applied on the original development consent requiring the payment of haulage contributions. The reason for this is that the developer chose to upgrade Spring Ridge Road in lieu of paying developer contributions.

March 2018 Modification

The original approval was modified in March 2018. The modification primarily related to an increase in the production limit of the quarry to 100,000 tonnes per annum (tpa). This application was referred to Roads and Maritime Services (RMS), the Environmental Protection Authority (EPA) and DPI Water. Due to the increase in number of truck movements and the larger trucks to be used, associated with the increased extraction, RMS required the imposition of a condition requiring the upgrade of the intersection of Beryl Road and Castlereagh Highway. Council introduced a condition requiring the payment of developer contributions on that portion of the annual extraction between 50,000 tpa and 100,000 tpa. The contribution rate applicable at the time the modification was approved was \$1.00 per tonne of material hauled from the site.

Proposed Modification

The current application for a modification of development consent seeks approval for the following modifications:

- a) Removal of Condition 24, which requires the upgrade of the intersection of Beryl Road and the Castlereagh Highway, prior to more than 50,000 tpa of material being extracted from the quarry.

In support of this proposed modification, the applicant has indicated that Beryl Solar Farm were also required to upgrade the intersection in accordance with the conditions of their approval and that they will be commencing the intersection upgrade works in the near future. Based on the planned schedule, it may be the case that the intersection upgrade works will be completed by the time this matter is considered at the Council meeting. As the works are being undertaken by another party, the applicant is arguing that this condition is no longer required.

- b) Amend Condition 28, which requires the payment of developer contributions based on the amount of material being extracted from the quarry, by reducing the contribution rate.

In support of this proposed modification, the applicant has provided examples of the haulage contribution rates applied to other quarries within other local government areas. In addition, the applicant has provided an alternative methodology for determining an appropriate contribution rate and concluded that an appropriate contribution rate would be \$0.40 per tonne of material removed from the site.

- c) Amend Condition 28, which refers to calculating the amount of material extracted based on the 12-month period commencing from the date of approval of the modified consent, by changing the 12-month period to align with the financial year period.

The application states that they wish to align the 12-month period with the financial year period in the interests of providing more accurate annual calculations. Conversations with the applicant have indicated that the financial year period is more convenient to use, as it also aligns with the term of the Environmental Protection Licence issued by the EPA.

REQUIREMENTS OF REGULATIONS AND POLICIES

Section 4.55 Modification Legislation

Minimal Environmental Impact

The Modification Application is made pursuant to Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*. Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* pertains to modifications to a Development Consent that are of minimal environmental impact. It is considered that the proposed modification will have 'minimal environmental impact' compared to the originally approved proposal, as there are no changes proposed to any physical or operational aspects of the quarry.

Substantially the Same Development

The proposed modification is considered to be substantially the same development as that approved, as no changes are proposed to the physical or operational aspects of the approved quarry. The proposed modification is administrative in nature.

Consultation

Consultation with the relevant Minister, public authority or approval body with regard to a condition applied as a result of concurrence or with general terms of approval is required. The original consent was not integrated development, and no such consultation is required for this modification.

However, the original EIS was referred to a number of government bodies for comment. This application to modify the existing development consent was referred to DPI Water, the Environmental Protection Authority (EPA) and Roads and Maritime Services (RMS) for comment.

RMS was the only agency to provide comments in relation to the proposed modification. Their comments are discussed in the relevant sections later in this report.

Notification and Submissions

The modification application relates to an approved Designated Development and Clause 118 of the *Environmental Planning and Assessment Regulation 2000* contains the requirement for public exhibition of such applications. The proposed modification was advertised in the paper and notified to adjoining owners in accordance with the requirements of Clause 118. No submissions were received.

Matters for Consideration

The consent authority is required to consider the relevant matters outlined in Section 4.15 of the *Environmental Planning and Assessment Act 1979*.

As the proposed modification does not seek any changes to the physical or operational aspects of the approved quarry, the majority of the matters for consideration under Section 4.15 are not relevant. These considerations are summarised as follows:

- a) The provisions of any environment planning instruments.

The proposed modification does not alter the approved development's compliance with the provisions of the *Mid-Western Regional Local Environmental Plan 2012* and the applicable State Environmental Planning Policies. The modification of consent application was referred to RMS in line with clause 16 – Transport of *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*.

- b) The provisions of any development control plan.

Not applicable – the proposed modification does not alter the approved development's compliance with the relevant provisions of *Mid-Western Regional Development Control Plan 2013*.

- c) The provisions of any planning agreement.

Not applicable.

- d) The regulations.

Not applicable.

- e) The likely impacts of development.

The proposed modification does not alter the impacts associated with the approved quarry development.

- f) The suitability of the site for the development.

The proposed modification does not alter the suitability of the site for the approved development.

- g) Any submissions received.

Not applicable – no submissions were received in response to public exhibition of the proposed modification.

- h) The public interest.

The proposed modification to the contribution rate is not consistent with Council's Section 94 Plan. Should the modification to the contribution rate be approved, there would be inequity between the contribution rate charged for the subject quarry and the contribution rate charged for other quarries within Council's local government area.

ASSESSMENT OF PROPOSED MODIFICATIONS

Proposed Removal of Condition 24 – Intersection Upgrade Requirements at the Intersection of Beryl Road and Castlereagh Highway

The modification of consent application seeks to remove this condition on the basis that Beryl Solar Farm were also required to upgrade this intersection and that Beryl Solar Farm are commencing the intersection upgrade works. It is expected that these upgrade works will be completed prior to this Council meeting.

The requirement to upgrade the intersection was applied at the direction of Roads and Maritime Services (RMS), in response to the previous modification of consent application. The current proposed modification was referred to RMS for comment, who objected to the removal of the condition. Part of their response, dated 7 August 2018, is reproduced as follows:

Roads and Maritime notes the proponents of Beryl Solar Farm intend to commence construction for this intersection upgrade next week. However, given the works have not been completed, Roads and Maritime does not agree to the deletion of Condition 24 for the following reasons:

- *The upgrade of the intersection is required for both the expansion of quarrying operations and, independently of, Beryl Solar Farm. Who undertakes the work is immaterial in terms of the intersection being upgraded to provide a high level of safety for quarry traffic and/or solar farm traffic.*
- *It is not appropriate to remove a condition, on the basis that another party will undertake the works required under that condition, as part of another consent.*

Council's Statutory Planning Department concur that it is not appropriate to remove a condition, simply on the basis that another party will carry out the works required by that condition. The appropriate response for Council is to place a record on file when the works required by the condition have been completed to a standard to satisfy the condition. Retention of the condition will have no consequences for Boral.

It is recommended that this proposed modification be refused.

Proposed Amendment of Condition 28 – Reduction in ContributionContribution Rates in Other Council Areas

The first argument presented in the modification of consent application for a reduction in the contribution rate is that the haulage contributions for quarries in other Council areas are less than Council's contribution rate. The application provides a table comparing the rates in other local government areas, which is partly reproduced as follows:

Local Government Area	Name of Quarry	Contribution Rate – per payload tonne
Yass Council	Hall Quarry	\$0.08
Greater Hume Council	Culcairn Quarry	\$0.1158
Port Stephens Council	Seaham Quarry	\$0.33
Ballina Council	Teven Quarry	\$0.23

By comparison, the contribution rate quoted in Council's *Section 94 Development Contributions Plan 2005-2021* is \$0.77/tonne (2005 rate to be adjusted up for Consumer Price Index).

Each local government area prepares its own contributions plans and determines a contribution rate, based on the needs of the local government area. The contribution rate varies greatly from one council area to another. It is assumed the sample of contribution rates provided by the applicant have been selected to support the applicant's argument. Council's Section 94 Plan states that the haulage rate has been derived from precedent established by the Land and Environment Court and movements in the Consumer Price Index (CPI), setting the rate at \$0.77 per tonne in 2005. It is considered that the contribution rate applied in other local government areas is not an applicable consideration to the proposed modification.

Contribution Based on Distance to the Nearest State Road

The second argument presented in the modification of consent application is that other councils adopt a methodology for determining the contribution rate based on the distance between the quarry and the nearest state controlled road. The application expands on this argument by presenting a contribution rate of \$0.40 per tonne based on maintaining the 4.5km of road between the quarry and Castlereagh Highway.

The methodology provided in the application is inherently flawed for the following reasons:

- (i) The contribution rate in Mid-Western Regional Council is not based on the distance between the quarry and the nearest state-controlled road. Council's contribution rate is based on repairing the damage caused by haulage trucks on roads throughout the whole region.
- (ii) The subject quarry does not limit its truck movements to the road between the quarry and Castlereagh Highway. There are no conditions restricting vehicle movements from the quarry. It has been observed and noted that significant traffic volumes from the quarry use Spring Ridge Road, heading in an easterly direction, to access the region's road network.

Consumer Price Index Correction

The contribution rate quoted in Council's Contribution Plan is \$0.77/tonne as at 2005. The contribution rate is adjusted by the Consumer Price Index (CPI), each year. Based on the information at the time, a note was included in Condition 28 to advise that the 2017-2018 adjusted contribution rate was \$1.00 per tonne.

In July 2018, Council's Finance Department reviewed the effects of CPI on haulage rates. They found that the current rate for haulage should be \$0.87/tonne, as opposed to \$1.00/tonne. This means that the amount included in the original condition has been overstated in error.

Variable Contribution Rates within Consent

The original development consent for the quarry allowed extraction up to, but no more than, 50,000 tonnes per annum. In lieu of paying a contribution, the applicant upgraded Spring Ridge Road to a standard suitable for regular use by large trucks. This was a one off road upgrade and no ongoing maintenance contributions were required. The original development consent was approved in 1987.

The previous modification to the development consent sought approval for increasing the production limit from 50,000 tonnes per annum to 100,000 tonnes per annum. Condition 28 was added to apply a haulage contribution to that portion of the extracted material that is over 50,000 tonnes per annum.

The implications of this are that if the quarry was to extract the full 100,000 tonnes per annum, contributions are only payable on half of the material extracted. Using the most recent contribution rate of \$0.87 per tonne, at full production, the quarry will pay an average of half the contribution rate, being \$0.44 per tonne. The average haulage rate per tonne is proportional to the amount of material being exported from the site. The average haulage rate per tonne will range between nil for anything less than 50,000 tonnes up to a maximum of \$0.44 for the maximum 100,000 tonnes allowed to be extracted.

Conclusion

It is recommended that Condition 28 be modified to refer to the revised CPI haulage rate of \$0.87. This reflects the current rate that would be charged for any other quarry operator. A further reduction in the haulage rate cannot be justified.

Proposed Amendment of Condition 28 – Change 12-Month Period

Condition 28 refers to a 12-month period within which to record the amount of material exported from the site. Developer contributions are based on the amount of material extracted in a 12-month period. The current version of the conditions defines the 12-month period to be 12 months from date of approval of the modified development consent. The applicant is seeking to change how this 12-month period is defined to coincide with the financial year.

The condition included a description for determining the 12-month period for administrative reasons only. There are no implications associated with changing the 12-month period to align with the financial year.

It is recommended that the condition be amended to refer to the financial year period.

CONSULTATIONS

Development Engineer

Council's Development Engineer has provided the following comments in relation to the proposed modification of consent application:

- Condition 24 should remain unchanged.

- The rate of contribution should only be reduced by the extent to which CPI calculation anomalies have been identified.

Community Plan implications

Theme	Protecting Our Natural Environment
Goal	Protect and enhance our natural environment
Strategy	Ensure land use planning and management enhances and protects biodiversity and natural heritage

Strategic implications

Council Strategies

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

Council Policies

Not applicable

Legislation

Environmental Planning and Assessment Act 1979

Financial implications

If the request to reduce developer contributions is agreed, a lesser amount of developer contributions will be collected for the proposed development. The amount referred to in the recommendation will reflect the correct CPI adjusted amount.

Associated Risks

The recommendation of staff is to approve the modification application, in part, subject to the modified conditions above. Should Council refuse the modification application, the applicant may seek a further review of this decision or appeal through the Land and Environment Court.

ILIJA SUSNJA
SENIOR TOWN PLANNER

LINDSAY DUNSTAN
MANAGER, STATUTORY PLANNING

JULIE ROBERTSON
DIRECTOR DEVELOPMENT

30 August 2018

Attachments: 1. Full Set of Conditions as Modified.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

ATTACHMENT - MA0005/2019 (DA121/87)

**Full Set of Conditions as amended in accordance with
Recommendation**

CONDITIONS

1. The development shall be carried out in accordance with:
 - a) The Environmental Impact Statement and Plans of Management accompanying the original application and the supplementary information dated 7th September 1987 received by Council on 18th September 1987.
 - b) As amended by the Statement of Environmental Effects accompanying the application to modify the consent received by Council on 1 September 2017.
AMENDED BY MA0012/2018 (P0270211).
2. A building application, complying with Ordinance 70, shall be submitted to Council for approval prior to any building work commencing. All structures to be painted in a neutral colour in accordance with the Environmental Impact Statement.
3. Provision of a minimum of 15 employee and visitor carparking spaces (each measuring 5.5 metres x 2.6 metres) adjacent to the proposed office. Provision of adequate areas adjacent to the proposed concrete plant and workshop to accommodate all other vehicles and equipment. Parking areas shall be properly formed and provided with a dust free surface.
4. General working hours shall be in accordance with those specified in the Environmental Impact Statement, ie 7.00 a.m. to 5.00 p.m. weekdays and 7.00 a.m. to 12 noon Saturday, for the quarry; with a 6.00 a.m. start for the concrete plant. However, all work creating excessive noise or other inconvenience shall be restricted to the hours of 8.00 a.m. to 5.00 p.m., Monday to Friday, unless specific approval is granted by Council.
5. The access road to the site shall be upgraded to the satisfaction of the Shire Engineer. Construction of the causeway crossing shall be in accordance with the requirements of the Department of Water Resources and shall ensure free access for fish passage. Relocation of the access point in Spring Ridge Road shall be to the satisfaction of the Shire Engineer.
6. Adequate steps to minimise the visual impact of the development shall be taken, generally in accordance with the measures outlined in the Environmental Impact Statement. Plant shall be located in unobtrusive positions and painted in a neutral colour. Stockpiles shall be kept below 6 metres in height and a tree planting programme shall be instituted in accordance with the Environmental Impact Statement.
7. ~~Potential dust generation shall be continually monitored and adequate steps shall be taken to eliminate any nuisance to surrounding properties. Water spraying of trafficable areas and stockpiles shall be carried out where necessary. Additional air pollution control techniques shall be used for the concrete plant in accordance with the Environmental Impact Statement.~~

The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.

AMENDED BY MA0012/2018 (P0270211).

8. Fencing arrangements shall be to the satisfaction of affected property owners and shall ensure that access to the quarry site by the general public and/or grazing animals, is controlled with satisfactory security arrangements being made during after hours periods.
9. No signs to be displayed without a separate approval from Council.
10. The applicant shall confer with Council's Health & Building Department prior to submission of the building application, regarding provision for storage and disposal of trade wastes.
11. Approval shall be obtained from the National Parks & Wildlife Service, prior to the destruction or alteration of any identified Aboriginal sites or relics. Details of approvals and any conditions relating to protection of sites, shall be submitted to Council prior to works commencing.
12. Full compliance with all requirements of the Electricity Commission, with regard to access through the two electricity easements.
13. ~~Full compliance with all requirements of the Department of Water Resources, in regard to drainage systems and management of run-off, so as to ensure protection of the river and water quality. Copies of any permits or other relevant approvals, to be submitted to Council.~~

Stormwater run-off is to be managed in accordance with the requirements stipulated in the current Environmental Protection Licence for the quarry, in order to ensure protection of river and off-site water quality.

AMENDED BY MA0012/2018 (P0270211).

14. ~~The discharge point to the Cudgegong River should be located down stream of the draw-off point for the Gulgong Water supply currently under construction.~~
DELETED BY MA0012/2018 (P0270211).
15. All blasting operations shall be carried out in accordance with the requirements of the Environmental Protection Authority.
AMENDED BY MA0012/2018 (P0270211).
16. Full compliance with all requirements of the Soil Conservation Service, in regard to control of erosion and sedimentation, stabilisation of stockpiles and general rehabilitation of the site.
17. ~~Full compliance with the requirements of Council and the State Pollution Control Commission in regard to the Clean Air, Clean Waters and Noise Control Acts. Copies of any licences or other relevant approvals, to be submitted to Council.~~

Full compliance with the requirements of Council and the Environmental Protection Authority in regard to the *Protection of the Environment Operations Act 1997*. Environmental Protection Licence 3630 must be varied to include monitoring and limits for noise and dust from the premises before the quarry extracts, processes and transports more than 50,000 tonnes of quarry products per annum. Copies of the licence or any other relevant approvals, are to be submitted to Council.

AMENDED BY MA0012/2018 (P0270211).

18. Spring Ridge Road to be upgraded, at the developer's expense, to a Class 5 standard, with a sound compacted gravelled surface, prior to commencement of operation. Estimated cost of this work is \$35,000. Such payment to be made to Council prior to release of the building application approval.
19. Public utilities and services to be adjusted, if necessary, at the full cost of the applicant/developer.
20. The operators of the quarry shall not extract, process and transport more than 100,000 tonnes of quarry products from the site in any calendar year.
ADDED BY MA0012/2018 (P0270211).
21. This approval includes consent to operate crushing and screening plant (either fixed or mobile) and a pre-coat plant (either fixed or mobile).
ADDED BY MA0012/2018 (P0270211).
22. A right of carriageway, or similar instrument, is to be registered over Lot 1 on DP383159 and Lot 449 DP755434, to benefit Lot 29 DP1115330 (ie the quarry lot), prior to extracting more than 50,000 tonnes per annum from the quarry. The right of carriageway is to be registered on the relevant land titles within 6 months from the date of approval of this modified consent.
ADDED BY MA0012/2018 (P0270211).
23. An amended rehabilitation plan is to be submitted to and approved by Council, within 12 months from the date of approval of the modification application. The amended rehabilitation plan is to be generally in accordance with the rehabilitation measures contained in the approved Environmental Impact Statement and provide details to address, but not be limited to, the following:
 - a) Identification of the proposed end use and landform of the land once rehabilitated.
 - b) Reuse of waste generated by the development.
 - c) Remediation of any contaminated soil.
 - d) Measures to ensure that the state of the land does not jeopardize public safety.
 - e) Measures to ensure that the quarry walls are structurally sound and will support vegetation over the long term (eg benches).
 - f) Details of means of stabilising proposed topsoil stockpiles.
 - g) A detailed contingency for controlling the emergence of weed species.
 - h) Details of means proposed to propagate species proposed to be replanted.**ADDED BY MA0012/2018 (P0270211).**
24. Prior to the quarry extracting, processing or transporting more than 50,000 tonnes of material per annum, the intersection of Beryl Road and the Castlereagh Highway is to be upgraded to include a sealed Basic Right (BAR) turn treatment as shown in Part 4 of Figure A.28 of the *Austrroads Guide to Road Design 2017*, or current equivalent.
 - a) The intersection upgrade works are to ensure that Safe Intersection Sight Distances (SISD), in accordance with *Austrroads Guide to Road Design Part 4A* are provided.

Advice Notes in relation to this condition:

- (i) The Castlereagh Highway is a state road and the developer will be required to undertake private financing and construction works on a road in which Roads and Maritime Services has a statutory interest. A formal agreement in the form of a Work Authorisation Deed (WAD) is required between the developer and Roads and Maritime Services prior to commencement of road works.
- (ii) Prior to the commencement of road construction work, the proponent is to contact Roads and Maritime's Field Traffic Manager to determine if a Road Occupancy Licence (ROL) is required. In the event that an ROL is required, the proponent is to obtain the ROL prior to works commencing within three (3) metres of the travel lanes in the Castlereagh Highway.

ADDED BY MA0012/2018 (P0270211).

25. Prior to the quarry extracting, processing or transporting more than 50,000 tonnes of material per annum, a Code of Conduct relating to transport of materials on public roads is to be submitted to and approved by Council. The Code of Conduct is to address, but not necessarily be limited to, the following matters:
- a) Details of transportation hours and vehicle types, consistent with the conditions of this development consent.
 - b) Procedure for the transport of hazardous materials.
 - c) Details of local school operating hours, and in particular, student drop off/pick up times. Haulage operations impacting on student drop off and pick up from the local school/s is to be prohibited.
 - d) Requirements for drivers to operate vehicles in a safe, professional and courteous manner.

ADDED BY MA0012/2018 (P0270211).

26. Safe Intersection Sight Distances (SISD) requirements outlined in the Austroads Guide to Road Design Part 4A is to be provided and maintained at the vehicular access to the quarry.

Advisory note:- In order to obtain the required SISD at this intersection, it is considered that some trees within the road verge will need to be removed.

ADDED BY MA0012/2018 (P0270211).

27. If and when groundwater interception occurs during the life of the project, the proponent must cease extraction operations immediately and notify DoI Water. Appropriate assessment and licencing under the *Water Management Act 2000* will be required prior to any incidental take of groundwater.

ADDED BY MA0012/2018 (P0270211).

28. The operator shall pay a cash contribution to Council based on the amount of material extracted and transported from the land, towards the upgrading and maintenance of Council's road system, with the following provisions to apply:-

- a) Submission of a return to Council relating to the amount of material in tonnes extracted and transported from the land within each financial year and thereafter for each financial year. Such return is to be submitted within fourteen days of the anniversary of each financial year and is to be in the form of a Statutory Declaration given by the owner or operator (or if the owner or operator is a Corporation, by a Director of that Corporation) and is to include:-
 - (i) Copies of all invoices and Company records relating to the amount extracted and transported.

- (ii) A detailed topographic survey by a registered surveyor indicating surface levels of the extraction areas immediately prior to the anniversary of the financial year, including a calculation of the amount extracted in the preceding twelve (12) months. Such calculation is to be made by a suitably qualified engineer or surveyor.
- b) Payment of the contribution is to be made within thirty (30) days of Council's written notification of the amount of the contribution payable following submission of the required returns.
 - (i) The contribution is only applicable to the amount of material exceeding 50,000 tonnes per annum.

Note: the current 2018-2019 contribution rate is \$0.87 per tonne of material removed from the site.

- c) The contribution rate shall be subject to indexation in accordance with the Consumer Price Index.
- d) Council shall have the right to request and inspect all relevant records at any time, subject to prior written notice being provided by Council.

This condition has been imposed in accordance with Council's *Section 94 Development Contributions Plan 2005-2021*.

ADDED BY MA0012/2018 (P0270211).

AMENDED BY MA0005/2019 (P0270211).

8.5 DA0292/2018 - Childcare Centre Alterations & Additions - 27 Fleming Street, Kandos

REPORT BY THE SENIOR TOWN PLANNER
TO 19 SEPTEMBER 2018 ORDINARY MEETING
GOV400066, DA0292/2018

RECOMMENDATION

That Council:

- A. receive the report by the Senior Town Planner on the DA0292/2018 - Childcare Centre Alterations & Additions - 27 Fleming Street, Kandos; and
- B. approve DA0292/2018 - Childcare Centre Alterations & Additions - 27 Fleming Street, Kandos subject to the following conditions, and statement of reasons:

APPROVED PLANS

- 1 Development is to be carried out generally in accordance with the following plans prepared by Reliable Drafting Service, except where amended as required by following conditions. Approved documentation may include any Planning or Engineering reports submitted with and in support of the Application as detailed below.

Job / Drawing No.	Plan Title	Revision	Date
16.109 Dwg 1	Site Plan	A	22/2/18
16.109 Dwg 2	Proposed Floor Plan	A	22/2/18
16.109 Dwg 3	Sections	A	22/2/18
16.109 Dwg 1	Notes		22/2/18

Any minor modification to the approved plans other than as required by following conditions will require the lodgement and consideration by Council of amended plans. Amended plans will need to be accompanied with supporting documentation and calculations where necessary. Major modifications will require the lodgement of a new development application.

2. Costs associated with all development works including any necessary alteration, relocation of services, public utility mains or installations must be met by the developer. The developer is responsible to accurately locate all existing services before any development works commence to satisfy this condition.
3. All stormwater runoff from roof surfaces is to be directed to a rainwater tank of sufficient capacity to provide for detention storage requirements no less than 2,500 litres. Runoff must be discharged from the tank through a restricted outlet no greater than 25 mm. Runoff from the restricted orifice and tank overflow must be directed to the existing point of discharge.

Note: To comply with this requirement a larger tank may be utilised to provide for some storage and re-use with the restricted orifice / outlet set at a level to ensure 2,500 litres of

detention storage is provided.

4. The Floor Level for the proposed addition must be set at a level no less than the existing Child Care Centre.
5. All pedestrian ramps and paths must be constructed with grades, ramps, landings and platforms to comply with relevant BCA and DDA requirements.
6. Within three (3) months after the completion of construction all exposed surfaces caused by earthworks, including construction of the bund / embankment, must be stabilised using established engineering methods and landscaping / planting to prevent erosion and scouring.
7. Any damage which is caused to Council's infrastructure as a result of the proposed development must be repaired immediately to Council's satisfaction and at no cost to Council.
8. Habitable floor levels to be equal to or greater than the 100 year ARI flood (plus freeboard) (RL 633.43 metres).
9. All structures to have flood compatible building components below or at the 100 year ARI flood level (plus freeboard)(RL 633.43 metres).

PRIOR TO ISSUE OF THE CONSTRUCTION CERTIFICATE

10. Prior to the issue of a Construction Certificate for above ground building works, the plans and specifications are to demonstrate compliance with the detailed requirements of the Child Care Centre Planning Guideline, prepared by NSW Planning & Environment and dated August 2017. These details are to include, but not be limited to, demonstrating compliance with the following components of the guidelines:
 - a) Safety fencing;
 - b) External storage space;
 - c) Internal storage space;
 - d) Laundry;
 - e) Toilets;
 - f) Any nappy changing facilities required;
 - g) Administration space; and
 - h) Emergency Evacuation Plan.
11. The applicant is to demonstrate to Council's satisfaction that any structure can withstand the forces of floodwater, debris & buoyancy up to and including the 100 year AR flood (plus freeboard) (RL 633.43 metres).
12. In accordance with 94A of the *Environmental Planning & Assessment Act 1979* and the Mid-Western Regional Council Section 94A Development Contributions Plan (the Section 94A Plan), a levy based on the value of works shall be paid to Council in accordance with this condition for the purpose of public facilities, prior to the issue of a Construction Certificate.

The value of the works is to be calculated in accordance with Section 9.0 and the

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

Note – the levy amount will be adjusted by the Consumer Price Index, if not paid in the same financial year it was calculated. Based on the cost of the proposed development submitted with the DA (\$200,000), an indicative total levy of \$2,000 is payable.

PRIOR TO THE COMMENCEMENT OF WORKS - BUILDING

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

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

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

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

15. A sign must be erected in a prominent position on any work site on which the erection or demolition of a building is carried out:
- a) stating that unauthorised entry to the work site is prohibited;
 - b) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.
 - c) the name, address and telephone number of the principal certifying authority for the work; and
 - d) the sign shall be removed when the erection or demolition of the building has been completed.
16. If the work involved in the erection/demolition of the building;
- a) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient; or
 - b) building involves the enclosure of a public place.

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

17. The development site is to be managed for the entirety of work in the following manner:
- a) Erosion and sediment controls are to be implemented to prevent sediment from leaving the site. The controls are to be maintained until the development is complete and the site stabilised with permanent vegetation;
 - b) Appropriate dust control measures;
-

- c) Construction equipment and materials shall be contained wholly within the site unless approval to use the road reserve has been obtained;
- d) Toilet facilities are to be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

BUILDING CONSTRUCTION

18. All building work must be carried out in accordance with the provisions of the National Construction Code, the *Environmental Planning & Assessment Act 1979* and Regulations and all relevant Australian Standards.
 19. Construction work noise that is audible at other premises is to be restricted to the following times:
 - Monday to Saturday - 7.00am to 5.00pmNo construction work noise is permitted on Sundays or Public Holidays.
 20. All mandatory inspections required by the *Environmental Planning & Assessment Act 1979* and any other inspections deemed necessary by the Principal Certifying Authority being carried out during the relevant stage of construction.
 21. The licensed demolition contractor and/or principal contractor must comply with the following specific requirements in respect of the proposed demolition works:
 - a) Demolition work is not to be undertaken until:
 - Council has been provided with a copy of any required Hazardous Substances Management Plan; and
 - The licensed demolition contractor and/or principal contractor has inspected the site and is satisfied that all measures are in place to comply with the provisions of such Plan;
 - b) The removal, handling and disposal of any asbestos material (in excess of 10m²) is to be undertaken only by an asbestos removal contractor who holds the appropriate class of Asbestos Licence, issued by WorkCover NSW, and in accordance with the requirements of WorkCover NSW, the Work Health and Safety Act 2011 and Australian Standard 2601-2001;
 - c) All asbestos and other hazardous materials are to be appropriately contained and disposed of at a facility holding the appropriate license issued by the NSW Environmental Protection Agency; and
 - d) Seven working days' notice in writing is to be given to Council prior to the commencement of any demolition works. Such written notice is to include the date demolition will commence and details of the name, address, contact telephone number and licence details (type of licences held and licence numbers) of any asbestos removal contractor and demolition contractor.
 22. The removal of any asbestos material (less than 10m²) during the demolition phase of the development is to be in accordance with the requirements of the Workcover Authority and disposed of at an approved waste facility.
 23. Any demolition is to be undertaken in accordance with the relevant Australian Standards.
 24. 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.
 25. All building work is to comply with the requirements of the Access to Premises Standard.
 26. The list of measures contained in the schedule attached to the Construction Certificate are required to be installed in the building or on the land to ensure the safety of persons in the
-

event of fire in accordance with Clause 168 of the Environmental Planning and Assessment Regulation 2000.

PRIOR TO ISSUE OF THE OCCUPATION CERTIFICATE

27. Prior to the occupation of a new building, or occupation or use of an altered portion of, or an extension to an existing building, an Occupation Certificate is to be obtained from the Principal Certifying Authority appointed for the erection of the building.
28. Prior to occupation or the issue of the Occupation Certificate (or Interim Occupation Certificate) the owner of the building must cause the Principal Certifying Authority to be given a fire safety certificate (or interim fire safety certificate in the case of a building or part of a building occupied before completion) in accordance with Clause 153 of the Environmental Planning and Assessment Regulation 2000 for each measure listed in the schedule. The certificate must only be in the form specified by Clause 174 of the Regulation. A copy of the certificate is to be given to the Commissioner of the New South Wales Fire Brigade and a copy is to be prominently displayed in the building.
29. Lots 11 and 12 in DP 9704 are to be consolidated prior to the issue of an Occupation Certificate.

GENERAL

30. 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.
31. 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.
32. The development is limited to 40 children. Any licence from the relevant State/Federal department should not exceed the above numbers.
33. The hours of operation of the development are to be limited to 8:30am to 4:00pm, Monday to Fridays.

STATEMENT OF REASONS:

The determination decision was reached for the following reasons:

1. The proposed development complies with the requirements of the applicable environmental planning instruments and *Mid-Western Regional Development Control Plan 2013*.
 2. The proposed development is considered to be satisfactory in terms of the matters identified in Section 4.15 of the *Environmental Planning & Assessment Act 1979*.
-

Executive summary

OWNER/S:	Mid-Western Regional Council
APPLICANT:	Mid-Western Regional Council
PROPERTY DESCRIPTION:	27 Fleming Street, Kandos
PROPOSED DEVELOPMENT:	Childcare Centre Alterations & Additions
ESTIMATED COST OF DEVELOPMENT:	\$200,000
REASON FOR REPORTING TO COUNCIL:	Council owned land with development > \$150,000
PUBLIC SUBMISSIONS:	Nil

Council is in receipt of a development application for alterations and extensions to an existing childcare centre at 27 Fleming Street, Kandos (Lots 11 and 12 DP 9704).

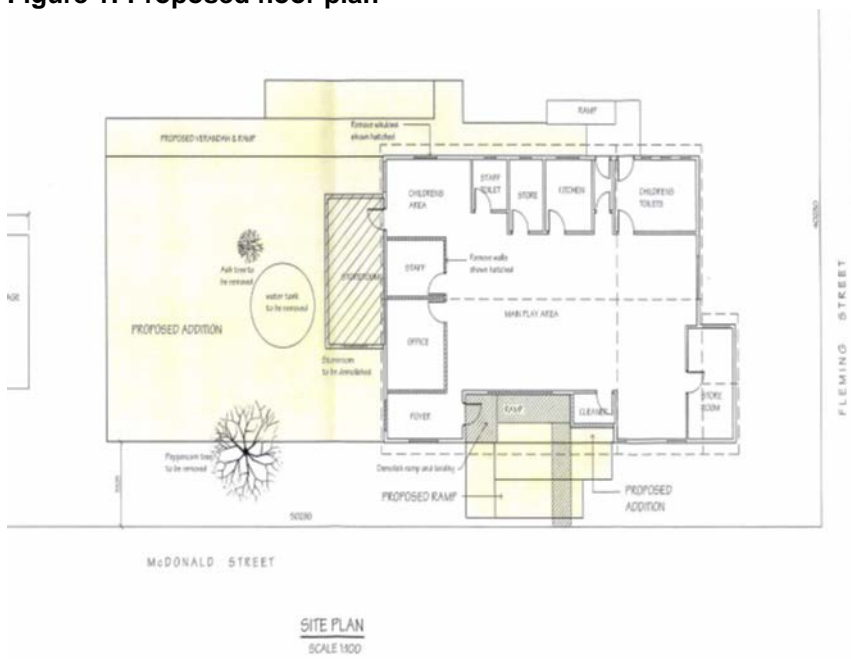
The proposal is to approximately double the size of the existing centre, with a corresponding increase in the number of children accommodated from 30 to 40, and to upgrade facilities to improve the amenity and functioning of the centre.

The application was placed on public exhibition for a period of 14 days in accordance with Council's Development Control Plan, with no submissions received as a result.

The proposed development complies with the requirements of the *Environmental Planning and Assessment Act 1979*, Environmental Planning and Assessment Regulation, 2000, relevant State Environmental Planning policies, Mid-Western Local Environmental Plan 2012 and Mid-Western Regional Council Development Control Plan 2013 and is therefore recommended for approval subject to the attached conditions of consent.

The application is recommended for approval.

Figure 1: Proposed floor plan



Disclosure of Interest

Council is the owner of the site and applicant for this development application.

Detailed report

The application has been assessed in accordance with Section 4.15(1) of the *Environmental Planning and Assessment Act 1979*. The main issues are addressed below as follows.

S4.15 (1)(a) REQUIREMENTS OF REGULATIONS AND POLICIES

State Environmental Planning Policy No 55- Remediation of Land

A site inspection and a search of Council's records did not reveal any potentially contaminating activities upon the site. Furthermore, no land use change is proposed that has the potential to increase the risk of exposure to contamination - as the site is already used for the purposes of childcare. Accordingly, no further consideration is necessary.

State Environmental Planning Policy (Educational Establishments and Childcare Facilities) 2017

The following clauses of the SEPP have been assessed as being relevant and are matters for consideration in the assessment of the Development Application.

5. Definitions

The SEPP uses the following definition for the proposed use:

Centre-based child care means a building or place used for the education and care of children that provides for any or more of the following:

- (a) Long day care,*
- (b) Occasional child care,*
- (c) Out-of-school-hours care (including vacation care),*
- (d) Preschool care,*
- (e) An approved family day care venue (within the meaning of the Children (Education and Care Services) National Law (NSW)) ... (remainder of definition not relevant).*

23. Centre-based child care – matters for consideration by consent authorities

This clause requires Council to consider any applicable provisions of the Child Care Centre Planning Guideline in the assessment of the application. The proposal's compliance with this guideline is examined in a later section of this report.

25. Centre-based child care – non-discretionary development standards

This clause prevents Council from requiring more onerous standards for the following matters:

- (a) Location – the development may be located at any distance from an existing or proposed early childhood education and care facility.
- (b) Indoor and outdoor space – the proposed development complies with the unencumbered indoor space and useable outdoor play space requirements.
- (c) Site area and site dimensions – the development may be located on a site of any size, and have any length of street frontage or allotment depth.
- (d) Colour of building materials or shade structures – the proposed development may be any colour.

The SEPP and associated Guideline have the effect of limiting Council's ability to control development for Centre-based Child Care Facilities – other than on the basis of height, rear and side boundary setbacks.

26. Centre-based child care facility – development control plans

Although this clause is not applicable as Council's DCP does not include the mentioned controls - it is considered pertinent that where Council has a DCP that specifies operational management plans or arrangements (e.g. hours of operation), a requirement to demonstrate need for a child care centre, restrictions on the proximity of a proposed centre to other child care centres – such controls may not be applied to the assessment of a Centre-based child care facility.

Child Care Planning Guideline (Guideline)

The Guideline accompanies the SEPP and provides a set of detailed requirements that Child Care Centres are to be considered against. The Guideline provides a consistent State wide planning and design framework for preparing and considering development applications for Centre-based Child Care Facilities.

The consent authority is required to consider the following matters in the assessment. The following indicates the proposal's conformity with the requirements applicable to the proposal. It should be noted that the proposal is for additions to an existing childcare centre with the intention of increasing the number of children catered for from current 30 up to now 40 children. Subsequently, given the minor increase in children catered for some of the principles will be given limited weight accordingly.

PART 1 – DESIGN QUALITY PRINCIPLES

The proposed development satisfies the design quality principles as follows:

Principle 1 – Context - The design of the Child Care Centre is suitable for the existing context as it is an existing centre.

Principle 2 – Built Form - The proposed built form is articulated and is a suitable built form for the site.

Principle 3 – Adaptive Learning Spaces - A variety of learning spaces has been provided in the proposed design.

Principle 4 – Sustainability - The proposed design retains the existing building to reduce waste with regards to building materials etc. Sufficient fenestration has been provided to allow for natural light and ventilation.

Principle 5 – Landscape - Landscape areas will remain in place.

Principle 6 – Amenity – The proposal is not expected to generate any additional significant amenity impacts. The design of the building will continue the existing single storey form in the south-western corner of the site away from any directly adjacent dwellings.

Principle 7 – Safety - The proposed design generally satisfies this principle and incorporates Crime Prevention Through Environmental Design (CPTED) principles.

PART 3 – MATTERS FOR CONSIDERATION

The below matters must be considered by a consent authority when assessing a development application for a centre-based child care facility. A summary of compliance is provided below.

It should be noted that many of the detailed construction requirements have been conditioned to be provided prior to the issue of any Construction Certificate. This is in accordance with clause 54 of the *Environmental Planning and Assessment Regulation 2000*, which limits the type of information

that a consent authority may request for a development application. That is, Council cannot request information, in relation to building work that is required to be attached to an application for a Construction Certificate. The aim of this provision is to ensure that the consent authority does not oblige the applicant to provide these construction details up-front where the applicant may prefer to test the waters first and delay applying for a Construction Certificate until, or if, development consent is granted.

3.1 Site Selection and location

This section includes a number of requirements in relation to siting child care centres, including but not limited to, ensuring that centres are located within reasonable distance to schools, not located on contaminated sites, not located near incompatible uses such as restricted premises. It is considered the proposed development complies with these requirements of the Guideline as there is an existing childcare centre on the site already.

3.2 Local character, streetscape and public domain interface

This section includes a number of requirements related to ensuring that the proposed centre fits into the streetscape. The proposal involves an addition to the existing building that will continue the form and bulk of the building that will generally still present to the streetscape at a residential scale commensurate with the surrounding area.

3.3 Building orientation, envelope and design

This section includes a number of requirements related to the form of the building on site. The proposal is a logical extension of the building along the McDonald Street frontage to ensure the outdoor play area is maximised and to ensure the building continues to be setback appropriately from directly adjoining dwellings to the east.

3.4 Landscaping

The existing centre incorporates landscape features that will generally be retained.

3.5 Visual and acoustic privacy

The centre will generally continue to operate under the current layout with only a minimal increase in the number of children (40 children up from 30). This is considered a minor increase (30%) which does not warrant additional acoustic studies or measures. It should be noted that the guideline recommends an acoustic study be prepared when there is an increase in floor area of more than 50%, however given the number of children is increasing by only 30%, a study is not warranted. Appropriate conditions to be imposed, ensuring a maximum of 40 children are accommodated in the development, at any one time.

Visual privacy will continue to be satisfactory as the extension will continue to be setback generously from the directly adjacent dwelling to the east.

3.6 Noise and air pollution

These requirements focus on the impacts of external uses on the centre. The proposed development is not located in an area with uses that impact on noise and air quality within the centre. Such uses may include major motorways and industrial areas.

3.7 Hours of operation

The proposed development complies with the hours of operation stipulated in these requirements. The hours of operation nominated are 8:30am to 4:00pm Monday to Friday.

3.8 Traffic, parking and pedestrian circulation

A total of 10 spaces would be required for 40 children, based on a ratio of 1 space per 4 children. There are ample parking spaces within the frontage of the site available to accommodate the parking demand, owing to the extensive corner frontage (40m x 50m). These frontage credits as allowed under the MWRDCP 2013 are sufficient to accommodate the 10 spaces required without having to provide any additional spaces on site.

Additionally, a pick up/drop off zone is already in place in McDonald Street, which will continue to contribute to the efficiency of parking and traffic arrangements.

It should be noted, that the original consent for the childcare centre in 1989 did not provide for any on-site parking.

PART 4 – APPLYING THE NATIONAL REGULATIONS TO DEVELOPMENT PROPOSALS

This part details the requirements for internal and external physical environment matters, references related construction standards and gives guidance on how the regulations, National Quality Framework Assessment can be met.

4.1 Indoor space requirements

This section of the Guideline provides requirements for various components of indoor space as a ratio of the number of children. The proposal, accommodating 40 children, provides or will be conditioned to provide the required amount of unencumbered indoor space (130m²), external storage space (0.3m³per child) and internal storage space (0.2m³per child).

4.2 Laundry and hygiene facilities

No specific laundry facilities have been shown on the plans, however there appears to be room available should the applicant choose to provide some internally.

Alternatively, the guidelines allow for an external laundry service should the applicant choose. A condition of consent has been included requiring the applicant to comply with either option.

4.3 Toilet and hygiene facilities

The proposed toilets appear to comply with the requirements and will be required to comply with the requirements for sanitary facilities at Construction Certificate stage. Conditions are imposed to address the detailed requirements in this section.

4.4 Ventilation and natural light

The proposal will need to comply with the National Construction Code to achieve suitable ventilation and natural light requirements. Council's Building Surveyor has provided a condition ensuring compliance prior to issue of a Construction Certificate.

4.5 Administration space

The development provides for administration space addressing the requirements of the Guideline.

4.6 Nappy change facilities

Should nappy change facilities be required a condition of consent has been included requiring they be provided in accordance with the National Construction Code.

4.7 Premises designed to facilitate supervision

The proposal generally complies with these requirements as room layouts do not generally provide for hidden corners.

4.8 Emergency and evacuation procedures

The layout of the child care centre lends itself to evacuation into a number of outdoor areas. A condition is applied requiring the submission and approval of an Emergency and Evacuation Plan, prior to the issue of a Construction Certificate.

4.9 Outdoor space requirements

The proposed development provides the minimum area of unencumbered outdoor space for the development being 280m².

4.10 Natural environment

The existing outdoor area currently incorporates several natural features including trees etc. The proposal is expected to continue this setup.

4.11 Shade

Conditions are applied to address the detailed aspects of the shade requirements.

4.12 Fencing

This section provides detailed requirements for fencing, such as removing climbing elements. A condition is applied to ensure ongoing compliance.

4.13 Soil Assessment

The applicant at the time of applying for a service approval from the appropriate authority regulating childcare, has the option of either obtaining a soil assessment, or outlining the site's history, demonstrating that the site is not likely to be contaminated, in a way that poses an unacceptable risk to the health of children. The applicant can decide on the appropriate option at the time of lodgement, and is not necessary to condition as part of the DA.

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:

centre-based child care facility means:

(a) a building or place used for the education and care of children that provides any one or more of the following:

- (i) long day care,
- (ii) occasional child care,
- (iii) out-of-school-hours care (including vacation care),
- (iv) preschool care, or

(b) an approved family day care venue (within the meaning of the *Children (Education and Care Services) National Law (NSW)*),

Clause 2.3 Zone objectives and Land Use Table

The land is zoned RU5 Village pursuant to MWRLEP 2012. The proposal being a centre-based child care facility is permissible with consent in the zone.

The objectives of the zone and how the proposal satisfies the objectives is addressed below:

RU5 Village

- To provide for a range of land uses, services and facilities that are associated with a rural village.

Comment: The proposal will result in a land use that is permissible with consent in the RU5 Village zone and will contribute to the village of Kandos.

- To promote development that is sustainable in terms of the capacity of infrastructure within villages.

Comment: The proposal is considered appropriate with regards to the infrastructure capacity of the village of Kandos as discussed throughout this report.

Clause 2.7 Demolition requires development consent

As the proposal involves demolition this will also require development consent as discussed throughout the report.

Clause 4.3 Height of buildings

The subject site is mapped for a maximum height limit of 8.5m above existing ground level. The development will be well below this height.

Clause 4.6 Exceptions to development standards

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

Clause 5.3 Development near zone boundaries

Not applicable.

Clause 5.4 Controls relating to miscellaneous permissible uses

The proposal does not include any of the listed uses contained under this clause.

Clause 5.10 Heritage Conservation

No items of aboriginal significance or a heritage item are recorded on the site or in the vicinity. Notwithstanding this, a condition will be placed upon the consent ensuring that work is ceased should an item be discovered during construction.

Clause 6.1 Salinity

The proposal only involves minimal 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 a "Flood identified area" as per the Flood Planning Map, but is identified as being within land below the flood planning level, as identified in Council's *Floodplain Risk Management Study and Floodplain Risk Management Plan for Kandos & Rylstone – Feb 2017 (FRMS/P 2017)*.

The development is considered to satisfy the provisions of clause 6.2(3) as discussed below:

- a) The development is compatible with the flood hazard of the land.

Comment: The development is considered to be compatible with the flood hazard of the land. The FRMS/P 2017 identifies the flood hazard of the subject land in Figure 5-4, being within a flood way, to be Low Hazard. The flood hazard for the 1% AEP event has been determined based on the peak depth and peak velocity. Other factors, such as isolation, effective warning time, flood readiness, etc. have been considered in determining the 'true' hazard for the 1% AEP flood event.

In addition, the FRMS/P 2017, Table E2 provides the 100 year ARI flood (plus freeboard) for the site to be RL 633.43 metres. The existing child care centre floor height, verified by field survey, is 633.71 metres, which is 280 mm above the identified flood planning level.

Council's Manager Development Engineering has indicated that provided existing floor levels are maintained and that site works do not obstruct the overland flow paths there is little or no additional risk generated by the proposed development.

Furthermore, the proposal being a child care centre is identified within the MWRDCP 2013 as being a suitable land use for the site, in accordance with the Urban Floodplains Matrix, being within the Medium Flood Risk Precinct.

- b) The development is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affection of other development or properties.

Comment: Council's Manager Development Engineering has indicated that impacts can be mitigated with the inclusion of appropriate roof water detention. This has been recommended as a condition of consent.

Furthermore, very little obstruction, or displacement is likely to occur, owing to the relatively small nature of the extension (140sqm) and the construction method proposed (bearers and joists – raised floor).

- c) The development incorporates appropriate measures to manage risk to life from flood.

Comment: Access to flood free land will continue to be available with the adjacent streets not identified as being within the flood hazard mapping. In addition, the floor level of the proposed extension will be 280mm above the Flood Planning Level (1% AEP Flood + 500mm Freeboard), condition imposed to ensure compliance.

- d) The development is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.

Comment: The development will not impact any riparian vegetation or result in a reduction in the stability of river banks or watercourses. As per Council's Manager Development Engineering recommendations, the detention of roof water will assist in preventing any additional flood waters causing damage to the surrounding area.

- e) The development is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.

Comment: No unsustainable social or economic costs to the community are expected. Access to flood free land will continue to be available, for emergency vehicles and patrons, with the adjacent streets not identified as being within the flood hazard mapping. In addition, the floor level of the proposed extension will be 280mm above the Flood Planning Level (1% AEP Flood + 500mm Freeboard), allowing for a suitable degree of freeboard to minimise damage to buildings.

Clause 6.3 Earthworks

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

Clause 6.4 Groundwater vulnerability

The site is not identified as groundwater vulnerable.

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

Not applicable. The site is not located within the area mapped as 'Active street frontage'.

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 or will be available as a result of the proposed development.

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 S94A Development Contributions Plan 2005 -2021

The development sits within catchment 4 of the Plan, and as the development costs exceeds \$100,000 (\$200,000) developer contributions are applicable. Appropriate condition imposed.

(i) Draft environmental planning instruments (EPI)

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

(ii) Any development control plans,

Mid-Western Regional DCP 2013

The DCP does not contain any specific controls relating to child care centres with regards to design and built form. As discussed above the guidelines linked to the Child Care SEPP contain adequate controls to guide the development.

The proposal has been designed to continue to match the surrounding residential streetscape and the objectives of the DCP are considered to be satisfied.

4.7 Tree Preservation Order

No trees to be removed.

5.1 Car Parking

Refer to comments in Child Care SEPP section of this report. The proposal provides sufficient parking.

5.2 Flooding

Clause 5.2 *Flooding* provides design standards to be adopted for different types of development. Flood planning matrices of flood related controls for both urban and rural floodplains are defined in the DCP2013 to recognise that different controls are applicable to different land uses for Low, Medium and High Flood Risk Precincts (FRPs).

Pursuant to the Floodplain Risk Management Study and Floodplain Risk Management Plan for Kandos & Rylstone – Feb 2017 (FRMS/P 2017) Figure 5.5, the subject land is identified as being subject to *Medium Flood Risk*.

Medium Flood Risk is defined as land below the 100 year ARI flood level that is not subject to high hydraulic hazard and where there are no significant evacuation difficulties.

In accordance with the planning matrices found in the DCP 2013, childcare centres are considered a suitable landuse on land subject to Medium Flood Risk. The DCP 2013 provides prescriptive controls complemented with performance controls to allow individual development proposals the flexibility to demonstrate the achievement of the intended outcome of the prescriptive controls in alternate ways. In this regard, the prescriptive controls are addressed below:

Floor Level – standard condition imposed requiring that habitable floor levels to be equal to or greater than the 100 year ARI flood (plus freeboard). It is noted that the FRMS/P 2017, Table E2 provides the 100 year ARI flood (plus freeboard) for the site to be RL 633.43 metres, with the existing child care centre floor height, verified by field survey, at 633.71 metres which is 280 mm above the identified flood level.

Building Components and Method – standard condition imposed, all structures to have flood compatible building components below or at the 100 year ARI flood level (plus freeboard).

Structural Soundness – standard condition imposed, applicant to demonstrate that any structure can withstand the forces of floodwater, debris & buoyancy up to and including the 100 year AR flood (plus freeboard).

Flood Affectation - it is considered that the impact will be negligible, as very little obstruction, or displacement will occur. This is owing to the relatively small nature of the extension (140sqm) and

the construction method proposed (bearers and joists – raised floor). It should also be noted that the floor level of the existing building is generally a minimum 300 mm above ground level and the proposed extension is on the lower end of the site where ground levels fall away further, meaning the proposed extension provides for an increased freeboard.

Evacuation - it is considered that reliable access for pedestrians and vehicles can easily be achieved during a 100 year ARI event, owing to the fact that Fleming Street, and McDonald Street are predominantly flood free. Only the intersection of the two roads are affected by flood, with the road directly out front, and to the side being flood free.

5.3 Stormwater Management

Council's Development Engineer has provided comments and conditions concerning adequate disposal of stormwater.

5.4 Environmental Controls

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

S4.15(1)(a) Provisions of any Planning Agreement or Draft Planning Agreement – 4.15(1)(a)(iiia)

No planning agreement applicable.

(d) Regulations – 4.15(1)(a)(iv)

Environmental Planning & Assessment Regulation 2000

Clause 92 – Additional matters that consent authority must consider

921(b) requires Council to consider AS 2601 when consent is sought for demolition of a building. The application includes demolition and compliance with AS 2601 has been included as a condition of consent.

Clause 93 – Fire safety and other considerations

The proposal does not involve a change of use that is not altering or extending a part of a building. Accordingly, no further consideration is necessary.

Clause 94 – Consent authority may require buildings to be upgraded

The proposal will involve works as described within clause 94(1) and therefore 94(2) is to be considered.

94(2) requires Council to consider whether it would be appropriate to require the existing building to be brought into total or partial conformity with the *Building Code of Australia*. Council's Health & Building Surveyor has advised that the entire building will be brought into conformity with the BCA given the extent of the works involved.

Clause 94A – Fire safety and other considerations applying to erection of temporary structures

The proposal does not involve a temporary structure. Accordingly, no further consideration is necessary.

2. LIKELY IMPACTS OF THE DEVELOPMENT, INCLUDING ENVIRONMENTAL IMPACTS ON BOTH THE NATURAL AND BUILT ENVIRONMENTS, AND SOCIAL AND ECONOMIC IMPACTS IN THE LOCALITY – 4.15(1)(b)

(a) Context and Setting

The proposal is appropriate with regards to the surrounding context and setting.

(b) Access, transport and traffic

The implications of additional traffic and suitable access are discussed throughout this report. The proposal is considered appropriate.

(c) Public domain

No significant impact upon the public domain is expected.

(d) Utilities

All relevant utilities are available or can be made readily available to the site.

(e) Heritage

N/A

(f) Other land resources

The proposal is not expected to impact upon other land resources as discussed throughout this report.

(g) Water

No significant impact expected.

(h) Soils

No significant impact expected.

(i) Air and Microclimate

No significant impact expected.

(j) Flora & fauna

No significant impact expected.

(k) Waste

Waste service available.

(l) Energy

N/A

(m) Noise & vibration

The child care centre is currently operating with the proposal only to increase the number of children by 10 (30%). Accordingly, no significant impact is expected with regards to additional noise.

(n) Natural Hazards

The site is identified as flood prone. This has been discussed elsewhere in the report with a conclusion that the proposal is a suitable land use for the medium risk hazard subject to conditions.

(o) Technological hazards

N/A

(p) Safety, security and crime prevention

Increased passive surveillance as a result of the proposed development.

(q) Social impact in the locality

Generally positive.

(r) Economic impact in the locality

Generally positive.

(s) Site design and internal design

Adequate as discussed throughout this report.

(t) Construction

To comply with the BCA where relevant.

(u) 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.

3. *SUITABILITY OF SITE FOR DEVELOPMENT – 4.15(1)(c)*

(a) Does the proposal fit in the locality

Yes. There are no hazardous land uses or activities nearby, there are no constraints posed by adjacent developments and there are adequate utilities and transport facilities in the area available for the development.

(b) Are the site attributes conducive to development

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

4. SUBMISSIONS MADE IN ACCORDANCE WITH ACT OR REGULATIONS – 4.15(1)(d)(a) Public Submissions

The proposal was required to be notified and advertised for a period of 14 days in accordance with MWRDCP 2013 and the regulations. The submission period ended on 29/06/2018 and no submissions were received.

(b) Submissions from public authorities

No submissions were sought or received from public authorities. The proposal is considered to meet the unencumbered space controls within the *Education and Care Services National Regulations* and therefore referral to the Regulatory Authority for concurrence is not required.

5. THE PUBLIC INTEREST – 4.15(1)(e)(a) 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.

6. CONSULTATIONS(a) Health & Building

Council's Health & Building Surveyor has not raised any concerns with the proposal subject to standard conditions.

(b) Technical Services

Council's Development Engineer has not raised any concerns with the proposal subject to standard conditions relating to flooding and stormwater control.

(c) Heritage Advisor

No consultation necessary.

Community Plan implications

Theme	Protecting Our Natural Environment
Goal	Protect and enhance our natural environment
Strategy	Ensure land use planning and management enhances and protects biodiversity and natural heritage

Strategic implications

Council Strategies

Mid-Western Regional Local Environmental Plan 2012
Mid-Western Regional Development Control Plan 2013
Mid-Western Regional Development Servicing Plans

Council Policies

Access to Properties Policy

Legislation

Environmental Planning & Assessment Act 1979

Financial implications

Section 94A development contributions are applicable.

Associated Risks

Nil

DREW ROBERTS
SENIOR TOWN PLANNER

LINDSAY DUNSTAN
MANAGER, STATUTORY PLANNING

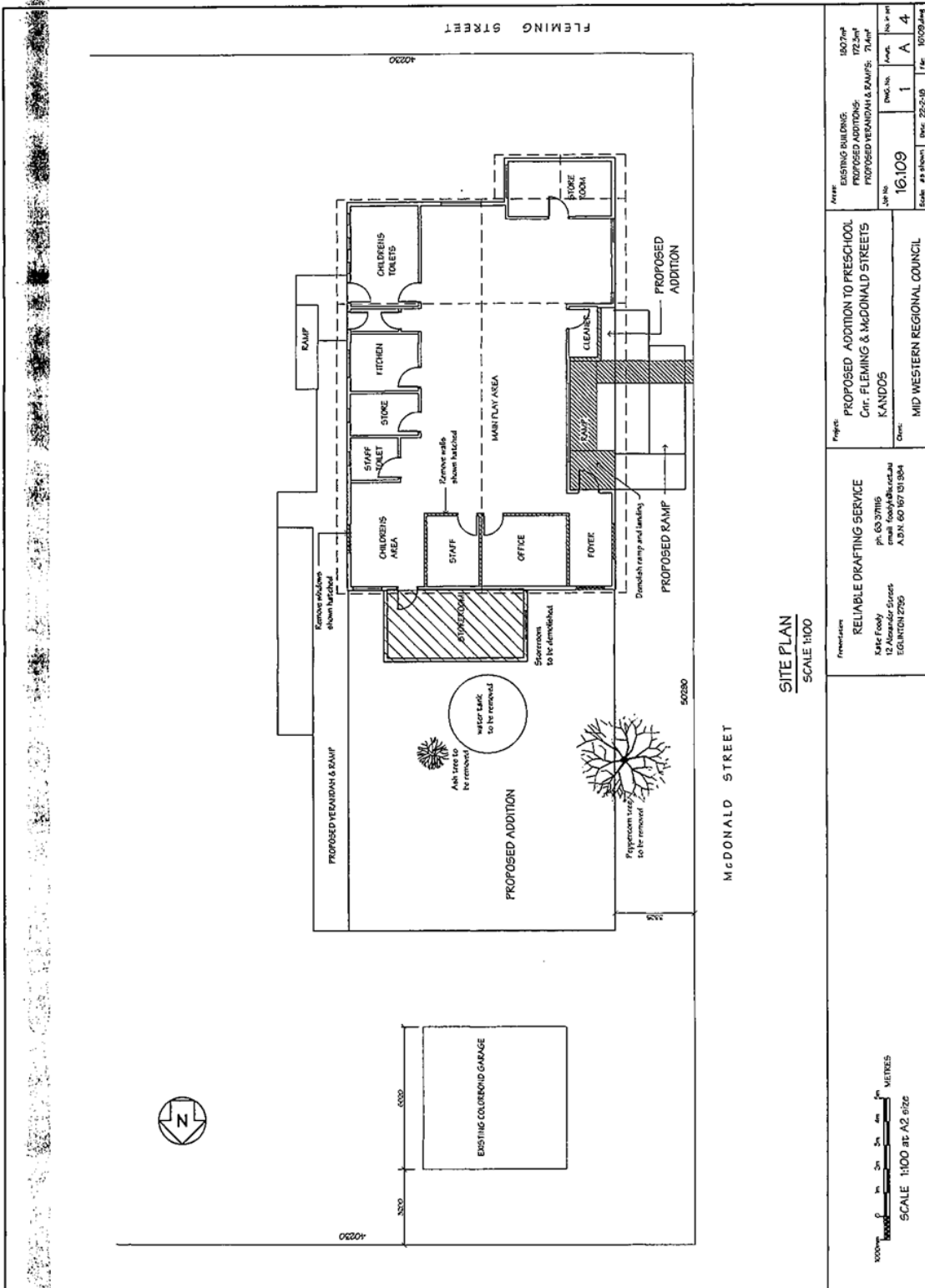
JULIE ROBERTSON
DIRECTOR DEVELOPMENT

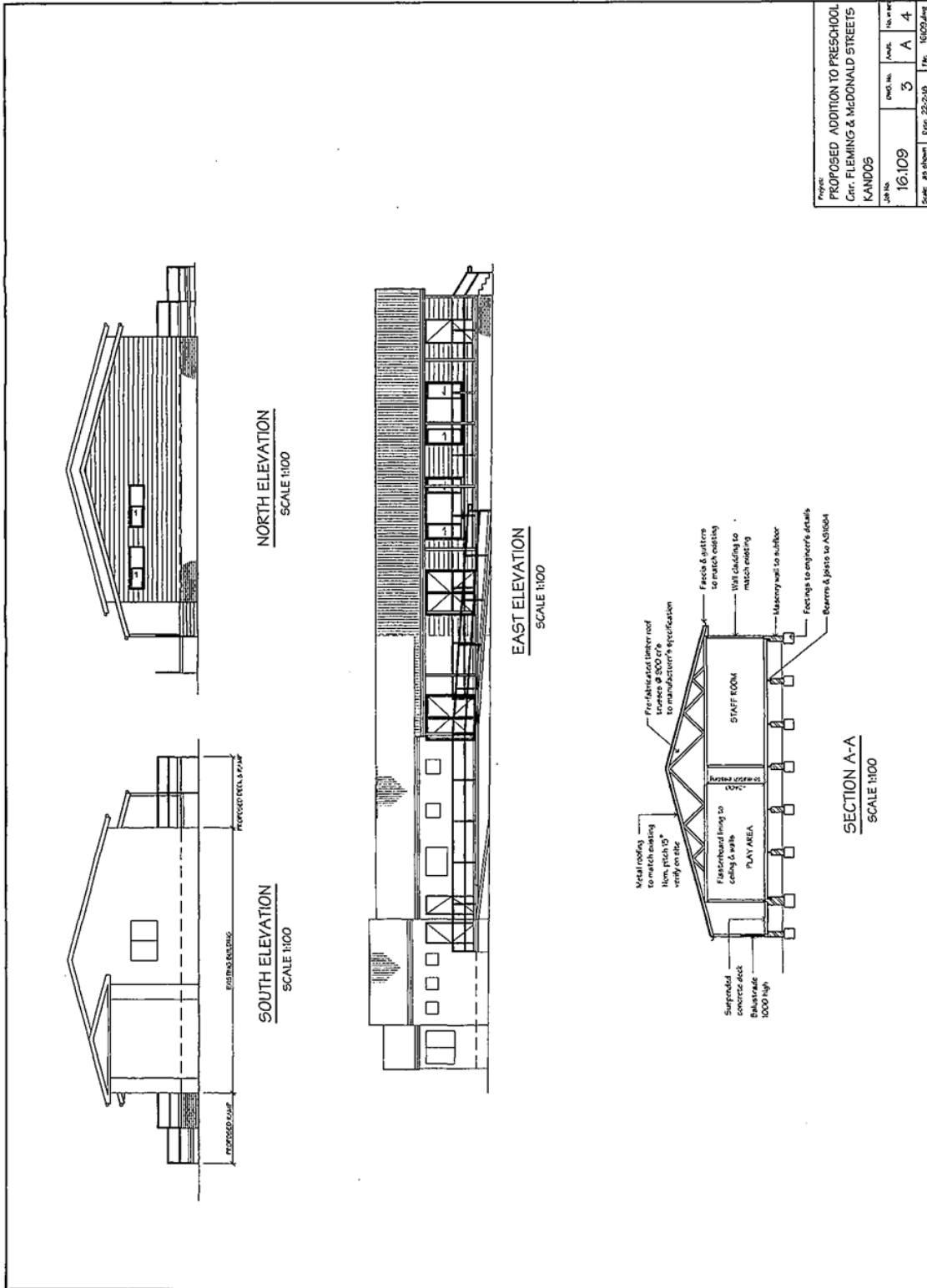
27 August 2018

Attachments: 1. Plans.
2. Development Engineering Referral.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER





NOTES	SERVICES & EQUIPMENT	Project: PROPOSED ADDITION TO PRESCHOOL Cnr. FLEMING & McDONALD STREETS KANDOS Job No: 16.109 DWG No: 4 Date: 22-2-18 Scale: as shown File: 10109.dwg
<p>GENERAL</p> <p>PRIOR TO ANY EXCAVATION OR CONSTRUCTION ON THE SITE, THE NECESSARY PERMITS SHOULD BE CONTACTED FOR LOCATION OF UNDERGROUND SERVICES.</p> <p>THE DRAWINGS SHOW THE MAXIMUM WORK TO BE CARRIED OUT BUT ARE NOT NECESSARILY THE TOTAL WORKS REQUIRED FOR THE PROJECT.</p> <p>ALL WORK SHALL BE CARRIED OUT IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA (B.C.A.).</p> <p>ALL MATERIALS & STRUCTURES SHALL COMPLY WITH THE B.C.A. REQUIREMENTS. REFERENCE TO THE B.C.A. IS TO THE MOST RECENT EDITION UNLESS OTHERWISE SPECIFIED AS TO THEIR ADOPTED & APPLICABILITY.</p> <p>ALL STEEL & CONCRETE MEMBERS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE ENGINEERS DETAILS & RELEVANT CODES & AUSTRALIAN STANDARDS.</p> <p>ALL DIMENSIONS SHALL BE VERIFIED ON SITE.</p> <p>BUILDING SITE SHALL BE SECURED WITH MANITROOF CHAINWIRE FENCING DURING CONSTRUCTION.</p> <p>INDICATOR TO MEASURE & CHECK DETAILS ON SITE.</p> <p>SOILS, SEWERAGE AND DRAINAGE SHALL BE CONSIDERED IN ACCORDANCE WITH THE LOCAL GOVERNMENT'S REQUIREMENTS. THE ENVIRONMENTAL PROTECTION AGENCY.</p> <p>ALL STORMWATER DRAINAGE WORK SHALL BE IN ACCORDANCE WITH AS/NZS 3500.3.2</p> <p>ALL WORKING PROPERTIES OF ALL MATERIALS & ASSEMBLIES MUST COMPLY WITH PART C1.0 OF B.C.A.</p> <p>THE ELECTRICAL SUPPLY SYSTEM SHALL COMPLY WITH PART C1.0 OF THE B.C.A.</p> <p>ACCESS & EGRESS</p> <p>STAIRS TO COMPLY WITH AS 1881.1 & C1.0 OF B.C.A.</p> <p>STAIRWAY GOINGS & RISERS TO COMPLY WITH PART D2.0 OF B.C.A. & TREADS OR AGING STRIPS MUST HAVE SLIP RESISTANCE CLASSIFICATION TO COMPLY WITH D2.1</p> <p>STAIRWAYS SHALL BE CONSTRUCTED WITH STEPS, LUMBER OR COMPOSITE WALKING SURFACES AND TACKLE (GROUND SURFACE INDICATORS).</p> <p>PAPER & HANDRAIL TO STAIRWAY & BALCONY TO COMPLY WITH D2.1.9 & D2.1.7 OF B.C.A.</p> <p>REQUIRED FINISH OF EXITS MUST BE IN ACCORDANCE WITH PART D1.0 OF THE B.C.A.</p> <p>THE UNOBSTRUCTED HEIGHT MUST BE NO LESS THAN 2.0m EXCEPT AT DOORWAYS & DOORWAYS WITH GLAZING, THE UNOBSTRUCTED HEIGHT OF EACH EXIT OR PATH OF TRAVEL TO AN EXIT EXCEPT AT DOORWAYS, MUST BE 2.0m MINIMUM.</p> <p>TO COMPLY WITH PART D2.0 OF THE B.C.A. THE THRESHOLD OF A DOORWAY MUST NOT INCORPORATE A STEP OR RAMP CLOSER TO THE DOORWAY THAN THE WIDTH OF THE DOOR LEAF, EXCEPT WHERE THE DOORWAY OPENS TO AN OPEN SPACE AND DOOR SILL IS NOT MORE THAN 18mm ABOVE FINISHED GROUND SURFACE.</p> <p>POWER OPERATED SLIDING DOORS TO ENTRY PORTAL MUST BE ABLE TO BE OPERATED MANUALLY AND MUST BE ABLE TO BE OPENED WITHOUT THE USE OF TOOLS.</p> <p>POWER OPERATED SLIDING DOORS MUST BE ABLE TO FUNCTION IN POWER FAILURE, IN ACCORDANCE WITH PART D2.0.10 OF B.C.A.</p> <p>OTHER THAN GLAZING MUST BE IN ACCORDANCE WITH PART D2.0 OF THE B.C.A.</p> <p>A RECORDED EXIT DOOR MUST BE EASILY OPENABLE WITHOUT A KEY FROM THE SIDE THAT FACES THE PERSON SEEKING EGRESS BY A SINGLE HAND DOMINATED ACTION OR PUSHING ACTION ON A SINGLE DEVICE WHICH IS LOCATED BETWEEN 900mm AND 1050mm FROM THE FLOOR.</p> <p>PARTS OF THE BUILDING REQUIRED TO BE ACCESSIBLE FOR PEOPLE WITH DISABILITIES MUST COMPLY WITH PART D3.2 & D3.3 OF THE B.C.A. & AS 1428.1</p> <p>PROVIDE A CONTINUOUS ACCESSIBLE PATH OF TRAVEL IN ACCORDANCE WITH AS 1428 AND CLAUSE D3.3 OF THE B.C.A FROM THE DISABLED ACCESSIBLE CARSPACE TO THE ENTRANCE POINTS OF THE BUILDING.</p> <p>PROVIDE ACCESSIBLE SPACES FOR PEOPLE WITH DISABILITIES MUST COMPLY WITH PART D3.5 OF THE B.C.A. & AS 1428.1</p> <p>TO PROVIDE ACCESSIBLE SPACES FOR PEOPLE WITH DISABILITIES IN ACCORDANCE WITH AS 1428.1 TO DISABILITY SANITARY FACILITIES AND PATH OF TRAVEL FROM PRINCIPAL PUBLIC ENTRANCE TO COMPLY WITH PART D3.6 OF B.C.A.</p> <p>TO COMPLY WITH PART D3.6 OF THE B.C.A. ON ANY ACCESSWAY, WHERE THERE IS NO CHAIR RAIL, HANDRAIL OR TRANSOM, ALL FRAMELESS OR FULLY GLAZED DOORS, SHELVEIGHTS OR OTHER GLAZING CAPABLE OF BEING MISPAIRED FOR A DOORWAY OR OPENING, MUST BE CLEARLY MARKED IN ACCORDANCE WITH AS 1428.1</p> <p>PROVIDE DIRECTIONAL SIGNS TO REQUIRED EXITS TO COMPLY WITH PART E4.6 OF B.C.A.</p>	<p>SERVICES & EQUIPMENT</p> <p>PROVIDE PORTABLE FIRE EXTINGUISHERS TO COMPLY WITH PART E1.6 OF B.C.A.</p> <p>INSTALL EMERGENCY LIGHTING TO COMPLY WITH PART E4.2 OF B.C.A. & AS 2283.1</p> <p>PROVIDE DIRECTIONAL SIGNS TO REQUIRED EXITS TO COMPLY WITH PART E4.6 OF B.C.A. EXIT SIGNS TO BE DESIGNED, OPERATED & INSTALLED TO COMPLY WITH PART E4.5 OF B.C.A. & AS 2283.1</p> <p>AN EMERGENCY EVACUATION PLAN MUST BE DISPLAYED</p> <p>WRITTEN DOCUMENTATION OF FIRE SAFETY PROCEDURES SHALL BE INCORPORATED INTO A HIGH-LEVEL SAFETY MANUAL.</p> <p>PROVIDE FIRE SAFETY CERTIFICATE ON COMPLETION OF WORKS.</p> <p>HEALTH & AMBIENT</p> <p>METAL ROOF COVERINGS SHALL BE IN ACCORDANCE WITH AS 3562.1 TO COMPLY WITH PART F1.0 OF THE B.C.A.</p> <p>MECHANICAL VENTILATION SHALL COMPLY WITH AS/NZS 5500 Parts 1 & 2 IN ACCORDANCE WITH PART F1.0 OF THE B.C.A.</p> <p>MECHANICAL VENTILATION SHALL BE CARRIED OUT IN ACCORDANCE WITH PART F1.7 OF THE B.C.A.</p> <p>PROVIDE DAMP PROOFING OF FLOORS AND WALLS TO COMPLY WITH PART F1.9 & F1.0 OF THE B.C.A.</p> <p>ALL WET AREA FLOORS SHALL BE GRADED & DRAINED TO FLOOR WASTES TO FLOORING CODE AND B.C.A.</p> <p>GRADED ASSEMBLIES SHALL COMPLY WITH AS 2047 IN ACCORDANCE WITH PART F1.9 OF THE B.C.A.</p> <p>SANITARY FACILITIES FOR PEOPLE WITH DISABILITIES MUST COMPLY WITH AS 1428.1 IN ACCORDANCE WITH PART F2.1 OF B.C.A.</p> <p>INSTALL ARTIFICIAL LIGHTING SYSTEM IN ACCORDANCE WITH AS/NZS 5500.</p> <p>MECHANICAL VENTILATION, WHERE REQUIRED BY PART F4.9 OF B.C.A. SHALL COMPLY WITH AS/NZS 5502 & AS/NZS 5506/6.1</p> <p>ENERGY EFFICIENCY</p> <p>GLAZING MATERIALS REQUIRED MUST COMPLY WITH AS/NZS 4685.1 AND BE INSTALLED IN ACCORDANCE WITH PART J1.2 OF B.C.A.</p> <p>EXTERNAL DOORS & WINDOWS TO HABITABLE ROOMS MUST BE SEALED IN ACCORDANCE WITH PART J3.4 OF B.C.A.</p> <p>HABITABLE ROOMS MUST BE UNED TO MINIMIZE AIR LEAKAGE IN ACCORDANCE WITH PART J3.6 OF B.C.A.</p> <p>AIR CONDITIONING & VENTILATION SYSTEMS MUST BE CAPABLE OF BEING DEACTIVATED WHEN PART OF THE BUILDING IS UNOCCUPIED.</p> <p>AIR CONDITIONING & VENTILATION SYSTEMS TO BE INSULATED & SEALED IN ACCORDANCE WITH PART J3.7 OF B.C.A.</p> <p>MECHANICAL SYSTEMS OF AIR CONDITIONING OR HEATING SYSTEMS OF MORE THAN 10kW MUST BE CONTROLLED BY A TIME SWITCH IN ACCORDANCE WITH SPEC. AS OF B.C.A.</p> <p>HEATING OR COOLING SYSTEMS FOR AIR CONDITIONERS MUST HAVE FINING, TANGS AND INSULATED IN ACCORDANCE WITH SPEC. AS OF B.C.A.</p> <p>INTERIOR ARTIFICIAL LIGHTING MUST COMPLY WITH THE MAX ILLUMINATION POWER DEPICTED SPECIFIED IN PART J3.8 OF B.C.A.</p> <p>ARTIFICIAL LIGHTING SWITCHES MUST BE LOCATED IN A VISIBLE POSITION IN THE ROOM BEING SWITCHED OR IN AN ADJACENT ROOM WHERE LIGHTING BEING SWITCHED IS VISIBLE.</p> <p>ARTIFICIAL LIGHTING IN THE REAR SECTION OF THE BUILDING MUST BE CONTROLLED BY A SEPARATE TIME SWITCH IN ACCORDANCE WITH PART J3.8 OF B.C.A.</p> <p>PROVIDE EXTERNAL LIGHTING MUST HAVE A SEPARATE TIME SWITCH IN ACCORDANCE WITH PART J3.8 OF B.C.A.</p> <p>PROVIDE EXTERNAL LIGHTING MUST HAVE A SEPARATE TIME SWITCH IN ACCORDANCE WITH PART J3.8 OF B.C.A.</p> <p>HOT WATER SUPPLY FOR FOOD PREPARATION AND SANITARY PURPOSES MUST BE DESIGNED & INSTALLED IN ACCORDANCE WITH SECTION 6 OF AS/NZS 3500.4.</p>	

<u>MWRC – DEVELOPMENT APPLICATION REFERRAL</u> <u>ENGINEERING COMMENTS AND CONDITIONS</u> <u>AMENDED 3 September 2018</u>	
DEVELOPMENT APPLICATION NO: DA0292/2018	FILE NO: DA0292/2018
PROPOSAL: Child care centre additions	
PROPERTY DESCRIPTION: Lot 11 Sec 22 DP 9704 Lot 12 Sec 22 DP 9704 - Kandos Pre-School Kindergarten 27 Fleming Street KANDOS NSW 2848	
REFERRED TO DEVELOPMENT DESIGN ENGINEER ON: 13 June 2018	
ASSESSING OFFICERS NAME: DROBERTS	

24.08.2018 Amended to include comment regarding car parking and traffic.

03.09.2018 Amended to provide additional comment Flood Risk Assessment

COMMENTS:

Proposal Summary:

The application is seeking approval for alterations and additions to an existing Child Care Centre.

The proposed extension will effectively double the size of the existing building providing an additional play area and offices.

That part of the site over which the building will be extended is predominantly an open grassed area occupied by a tree and rainwater tank, both to be removed and an existing storeroom to be demolished to make way for the proposed extension.

Information Requirements:

NIL

Site Description:

The subject land is comprised of two lots and is occupied by an existing Child Care Centre with building and outdoor play areas. The outdoor play area is covered by a large square shade sail.

The site is located in a natural drainage feature and slopes down generally from the south-west corner toward the north east corner.

The land is identified as being predominantly within the Medium Flood Risk precinct as shown in Figure 5-5 of the February 2017 "Floodplain Risk Management Study and Floodplain Risk management Plan for Kandos & Rylstone". The balance of the site lies within the Low Flood Risk Precinct.

Based on Figure 5-2 the above risk assessment is due to its location in a "Floodway". It is noted that the floor level of the existing building is generally a minimum 300 mm above ground level providing a sufficient degree of freeboard in the event of a large storm event.

Given that the proposed extension is on the lower end of the site where ground levels fall away further, maintaining the existing floor level throughout the building provides an increased freeboard for the proposed building work.

It is considered that provided existing floor levels are maintained and that site works do not obstruct the overland flow paths there is little or no additional risk generated by the proposed development.

Access:

With the exception of provision of pedestrian ramps no changes to access are proposed.

Pedestrian ramps must be constructed to comply with BCA and DDA requirements.

Car Parking:

It is noted there is no car parking provided on site. The proposed development will provide for an increase in numbers of children at the facility. However, this is only likely to increase traffic / vehicle numbers at drop off and pick up times.

Despite the site being in close proximity to a school with similar drop off and pick up arrangements it is considered that the proposed increase in vehicle numbers will not significantly or adversely affect current arrangements.

Drainage:

Existing arrangements for disposal of roof stormwater runoff are not known but it is likely that roof runoff is discharged to the kerb and channel in the street.

Additional runoff from new roof areas will most likely have an adverse impact on flood level for downstream properties. Accordingly a condition requiring detention of roof runoff is strongly recommended to reduce impact of the additional runoff generated by increased roof areas.

Services and Utilities (Water / Sewer / Electricity / Telecommunications):

It is understood all necessary services and utilities are available to the site and require no new connections. There will however be some alteration / additional internal water and wastewater / sewer works requiring s68 approval.

SUMMARY / CONCLUSION:

Being on land identified as both Low and High Risk Flood Hazard raises concern.

However, as noted above the existing building has an acceptable amount of freeboard which will be increased toward the rear due to falling ground levels if the existing floor level is maintained.

Similarly, there are no significant adverse impacts foreseen on existing vehicle / traffic arrangements.

This application might be considered for approval subject to the inclusion of the recommended conditions detailed below with detention tank requirements aimed at limiting the rate of runoff to reduce impacts on downstream properties.

RECOMMENDED CONDITIONS:

GENERAL

- 1 Development is to be carried out generally in accordance with the following plans prepared by Reliable Drafting Service, except where amended as required by following conditions. Approved documentation may include any Planning or Engineering reports submitted with and in support of the Application as detailed below.

Job / Drawing No.	Plan Title	Revision	Date
16.109 Dwg 1	Site Plan	A	22 / 2 / 18
16.109 Dwg 2	Proposed Floor Plan	A	22 / 2 / 18
16.109 Dwg 3	Sections	A	22 / 2 / 18
16.109 Dwg 1	Notes		22 / 2 / 18

Any minor modification to the approved plans other than as required by following conditions will require the lodgement and consideration by Council of amended plans. Amended plans will need to be accompanied with supporting documentation and calculations where necessary. Major modifications will require the lodgement of a new development application.

- 2 Costs associated with all development works including any necessary alteration, relocation of services, public utility mains or installations must be met by the developer. The developer is responsible to accurately locate all existing services before any development works commence to satisfy this condition.
- 3 All stormwater runoff from roof surfaces is to be directed to a rainwater tank of sufficient capacity to provide for detention storage requirements no less than 2,500 litres. Runoff must be discharged from the tank through a restricted outlet no greater than 25 mm. Runoff from the restricted orifice and tank overflow must be directed to the existing point of discharge.

 Note: To comply with this requirement a larger tank may be utilised to provide for some storage and re-use with the restricted orifice / outlet set at a level to ensure 2,500 litres of detention storage is provided.
- 4 The Floor Level for the proposed addition must be set at a level no less than or match the existing Child Care Centre.
- 5 All pedestrian ramps and paths must be constructed with grades, ramps, landings and platforms to comply with relevant BCA and DDA requirements.
- 6 Within three (3) months after the completion of construction all exposed surfaces caused by earthworks, including construction of the bund / embankment, must be stabilised using established engineering methods and landscaping / planting to prevent erosion and scouring.

- 7 Any damage which is caused to Council's infrastructure as a result of the proposed development must be repaired immediately to Council's satisfaction and at no cost to Council.

PRIOR TO THE COMMENCEMENT OF WORKS – BUILDING

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

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

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

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

NOTE: ALL WASTE GENERATED FROM THE CONSTRUCTION PROCESS IS TO BE CONTAINED ON-SITE PRIOR TO SUBSEQUENT DISPOSAL AT AN APPROVED WASTE DISPOSAL FACILITY.

PRIOR TO ISSUE OF THE OCCUPATION CERTIFICATE

- 10 Prior to the occupation of the building, or occupation or use of an altered portion of, or an extension to an existing building, an Occupation Certificate is to be obtained from the Principal Certifying Authority appointed for the erection of the building.



David Webster
Development Engineer

Amended 3 September 2018

From: [David Webster](#)
To: [Drew Roberts](#)
Cc: [Lindsay Dunstan](#)
Subject: Amended Engineering comments DA0292-2018 Kandos Proposed Child Care centre additions
Date: Monday, 3 September 2018 10:37:53 AM
Attachments: [DA0292_2018 AMENDED v3 Engineering comments and conditions Child care centre additions 27 Fleming Street Kandos.docx](#)
[DA0292_2018 AMENDED v3 Engineering comments and conditions Child care centre additions 27 Fleming Street Kandos.pdf](#)

Drew and Lindsay,

As per attached I have reviewed the flood Risk management Study and amended my comments under the Site Description heading generally as follows:

"The land is identified as being predominantly within the Medium Flood Risk precinct as shown in Figure 5-5 of the February 2017 "Floodplain Risk Management Study and Floodplain Risk management Plan for Kandos & Rylstone". The balance of the site lies within the Low Flood Risk Precinct.

Based on Figure 5-2 the above risk assessment is due to its location in a "Floodway". It is noted that the floor level of the existing building is generally a minimum 300 mm above ground level providing a sufficient degree of freeboard in the event of a large storm event.

Given that the proposed extension is on the lower end of the site where ground levels fall away further, maintaining the existing floor level throughout the building provides an increased freeboard for the proposed building work.

It is considered that provided existing floor levels are maintained and that site works do not obstruct the overland flow paths there is little or no additional risk generated by the proposed development."

No other changes have been made to my previous comments.

Regards,

David

David Webster
Manager Development Engineering, Operations
Mid-Western Regional Council

t 02 6378 2924 | f 02 6378 2815 | m 0409 136 321
e david.webster@midwestern.nsw.gov.au
a 86 Market Street | PO Box 156 Mudgee NSW 2850
w www.midwestern.nsw.gov.au
facebook | twitter | youtube



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From: [David Webster](#)
To: [Lindsay Dunstan](#)
Subject: DA0292-2018 kandos Child Care extension - Floor Levels
Date: Wednesday, 5 September 2018 12:04:36 PM
Attachments: [Kandos Hec-RAS Levels Table E2.pdf](#)
Importance: High

Lindsay,

With reference to the above please find attached extract of Table E2 providing flood level data for the cross sections located in the Flood Study maps.

(It is understood the levels provided in the table already allow for 500mm freeboard.)

The child care centre is located at Cross Section 87.

The Flood level for cross section 87 is determined as being RL 633.43 metres

Floor level of the existing child care centre has been verified by field survey at 633.71 metres which is 280 mm above the identified flood level.

Regards,

David

David Webster
Manager Development Engineering, Operations
Mid-Western Regional Council

t 02 6378 2924 | f 02 6378 2815 | m 0409 136 321

e david.webster@midwestern.nsw.gov.au

a 86 Market Street | PO Box 156 Mudgee NSW 2850

w www.midwestern.nsw.gov.au

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8.6 2018-19 Local Heritage Grant Allocation

REPORT BY THE MANAGER, STRATEGIC PLANNING
TO 19 SEPTEMBER 2018 ORDINARY MEETING
GOV400066, GRA600032

RECOMMENDATION

That Council:

1. receive the report by the Manager, Strategic Planning on the 2018-19 Local Heritage Grant Allocation;
2. provide a Local Heritage Grant to the following projects:
 - a) \$2,000 for restoration works and external painting at 161 Mayne Street, Gulgong;
 - b) \$2,000 for restoration works and painting at 1 Brown Street, Windeyer;
 - c) \$2,000 for external painting at 227 Melrose Road, Mount Frome;
 - d) \$2,000 for window repair at 5 Ilford Road, Rylstone;
 - e) \$1,500 for replacement of existing with sympathetic front windows at 24 Louee Street, Rylstone;
 - f) \$1,500 for restoration work and painting at 6 Church Street, Mudgee;
 - g) \$1,000 for verandah Restoration at 106 Denison Street, Mudgee;
 - h) \$1,000 for roof replacement and chimney repair at 15 Lynne Street, Gulgong;
 - i) \$1,000 for external painting including roof at 56 Medley Street, Gulgong;
 - j) \$500 for replacement of existing with a sympathetic front door and window restoration at 100 Gladstone Street, Mudgee;
 - k) \$500 for replacement of existing with a sympathetic front door at 64 Lewis Street, Mudgee.

Executive summary

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

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

Disclosure of Interest

Nil.

Detailed report

Applications for funding under the Local Heritage Grants Program closed on 24 August 2018. Nineteen applications were received. Twelve of those applications are recommended for funding. Four of the applications have received funding within the last five years, the site of one application is not individually listed or located within a Heritage Conservation Area and two applications were incomplete, so are not recommended for funding.

The completed applications have been summarised in the table provided as Attachment 1. Projects have been ordered from those that are individually heritage listed, followed by those located within a conservation area and then those not recommended for funding. Within the first two categories the projects are ordered from highest to lowest total project cost. The total project cost has also been taken into consideration.

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

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

The twelve projects recommended for funding have met the above criteria.

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

Community Plan implications

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

Strategic implications

Council Strategies

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

Council Policies

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

Legislation

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

Financial implications

The 2018/19 Operational Plan has an approved budget of \$16,000 for Local Heritage Grants, funded partially by the Heritage Division of the NSW Office of Environment and Heritage at \$1 for every \$1 of Council contributed funding. The total budget for this financial year of \$16,000 has been allocated and therefore Council will receive \$8,000 from the Heritage Division towards these grants.

Associated Risks

No known risk.

SARAH ARMSTRONG
MANAGER, STRATEGIC PLANNING







JULIE ROBERTSON
DIRECTOR DEVELOPMENT

4 September 2018







Attachments: 1. Local Heritage Grants Summary of Applications.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

	AMOUNT RECOMMENDED	TOTAL PROJECT COST	PROJECT ADDRESS	PROPOSED WORKS	HERITAGE ITEM	WITHIN A HCA	ACCESSIBLE BY THE PUBLIC	FUNDING REC IN LAST 5 YRS	PHOTO OF SUBJECT SITE
1	\$2,000 <i>Heritage Listed</i>	\$16,000	161 Mayne Street, Gulgong	Restoration work & painting	Yes	Yes	No	No	
2	\$2,000 <i>Heritage Listed</i>	\$15,000	1 Brown Street, Windeyer	Restoration work & painting	Yes	No	Yes	No	
3	\$2,000 <i>Heritage Listed</i>	\$13,000	227 Melrose Road, Mount Frome	External painting	Yes	No	Yes	No	
4	\$2,000 <i>Council Recommendation to Heritage List</i>	\$6,791	5 Ilford Road, Rylstone Uniting Church	Restoration of windows	No	Yes	Yes	No	
5	\$1,500 <i>Located within a Heritage Conservation Area</i>	\$31,944	24 Louee Street, Rylstone	Replacement of existing with sympathetic front windows	No	Yes	No	No	
6	\$1,500 <i>Located within a Heritage Conservation Area</i>	\$22,000	6 Church Street, Mudgee	Restoration work & painting	No	Yes	Yes	No	

7	\$1,000 <i>Located within a Heritage Conservation Area</i>	\$12,322	106 Denison Street, Mudgee	Verandah Restoration	No	Yes	No	No	
8	\$1,000 <i>Located within a Heritage Conservation Area</i>	\$10,660	15 Lynne Street, Gulgong	Roof replacement & chimney repair	No	Yes	No	No	
9	\$1,000 <i>Located within a Heritage Conservation Area</i>	\$8,591.00	75 Belmore Street, Gulgong	External Painting	No	Yes	Yes	No	
10	\$1,000 <i>Located within a Heritage Conservation Area</i>	\$9,130	56 Medley Street, Gulgong	External painting including roof	No	Yes	No	No	
11	\$500 <i>Located within a Heritage Conservation Area</i>	\$2,279	100 Gladstone Street, Mudgee	Replacement of existing with a sympathetic front door and window restoration	No	Yes	No	No	
12	\$500 <i>Located within a Heritage Conservation Area</i>	\$1,637.95	64 Lewis Street, Mudgee	Replacement of existing with a sympathetic front door	No	Yes	No	No	
13	\$0 <i>Incomplete application</i>	\$11,500	125 Denison Street, Mudgee	Restore verandah timber flooring & paint balustrade	No	Yes	No	No	

14	\$0 <i>Incomplete application</i>	\$10,000	133 Church Street, Mudgee	Painting, replace front fence and verandah restoration	No	Yes	No	No	
15	\$0 <i>Not listed and not located within a Heritage Conservation area</i>	\$20,000	2897 Goolma Road, Goolma	Exterior Painting of Hotel	No	No	Yes	No	
16	\$0 <i>Funding provided within the last 5 years</i>	\$2,442	152 Mortimer Street, Mudgee	Restoration of Chimneys & fireplaces	Yes	No	No	Yes	
17	\$0 <i>Funding provided within the last 5 years</i>	\$8,213.64	152 Mortimer Street, Mudgee	Replacement of floor bearers, joists & timbers	Yes	No	No	Yes	
18	\$0 <i>Funding provided within the last 5 years</i>	\$6,900	152 Mortimer Street, Mudgee	Replace front fence & gates	Yes	No	No	Yes	
19	\$0 <i>Funding provided within the last 5 years</i>	\$18,700	24 Perry Street, Mudgee	Restoration & reinstatement of heritage features	Yes	Yes	No	Yes	

8.7 Low Rise Medium Density Housing Code Submission

REPORT BY THE MANAGER, STRATEGIC PLANNING
TO 19 SEPTEMBER 2018 ORDINARY MEETING
GOV400066, LAN900013

RECOMMENDATION

That Council:

1. **receive the report by the Manager, Strategic Planning on the Low Rise Medium Density Housing Code Submission ; and**
2. **endorse the submission to be sent to the NSW Department of Planning and Environment on the future application of the Low Rise Medium Density Housing Code within the Mid-Western Regional Local Government Area.**

Executive summary

The NSW Department of Planning and Environment recently introduced a new Low Rise Medium Density Housing Code (the Code) to encourage additional low rise medium density housing to be built in NSW to provide better housing choice and affordability. The Low Rise Medium Density Housing Code allows one and two storey Dual Occupancies, Manor Houses and Terraces to be carried out under a complying development application approval.

The code came into effect on 6 July 2018 in many local government areas. The NSW Minister for Planning and Housing granted a deferral of the Code in the Mid-Western Region Local Government Area until 1 July 2019 to allow Council the opportunity to assess the potential impact of the Code and make a submission by 27 September 2018.

Staff have reviewed the potential impact of the Code in the various zones in the Mid-Western Region Local Government Area. Whilst not opposed to the intent of the Code, staff have concerns regarding permissibility of the new land use of Manor Housing in both the R1 General Residential and RU5 Village zones.

A draft submission to the NSW Department of Planning and Environment has been prepared and is provided as Attachment 1. It outlines the potential impacts of the Code and seeks the prohibition of Manor Housing in both the R1 General Residential and RU5 Village zones.

The purpose of this report is to seek Council's endorsement of the draft submission to be sent to the NSW Department of Planning and Environment.

Disclosure of Interest

Nil.

Detailed report

The Low Rise Medium Density Housing Code allows one and two storey Dual Occupancies, Manor Houses and Terraces to be carried out under a complying development application approval.

Council requested a deferral of the Code to provide the opportunity to consider the potential impacts of application of the Code in the various zones within the Mid-Western Region Local Government Area (LGA). The relevant zones are RU5 Village, R1 General Residential, R2 Low Density Residential and R3 Medium Density Residential Zone.

Staff have undertaken an analysis of the application of the Code, which has highlighted concern around the new land use of Manor Housing being developed within the R1 General Residential and RU5 Village zones. The application of the Code could see the development of Manor Housing with a built form substantially different to that within the established streetscapes. In addition Manor Housing may create undesirable amenity impacts on adjoining properties. Specifically, a lot could be developed with the four dwellings/units of a Manor House in contrast to a single detached dwelling (as characterised within the established neighbourhoods). A neighbour could have the impacts from four neighbours versus one.

Historically, similar concerns were raised by the community who experienced negative impacts associated with Multi Dwelling Housing and Dual Occupancy in the R1 General Residential zone. This led to Council amending its Development Control Plan to provide further guidance and development standards around this form of development.

Staff have prepared a draft submission which summarises the analysis and how the Code would apply in each of the applicable zones. Given the key objectives of choice and affordability can be demonstrated within the existing land uses and zones, the draft submission provides a justification for requesting the new land use of Manor Housing to be prohibited within the R1 General Residential and RU5 Village zones.

Council has previously strategically identified opportunities with the zoning of land R3 Medium Density Residential around the Mudgee commercial core and nominating a high density opportunity area around the B4 zoning within Caerleon to provide for and encourage low rise medium density development, which is the key aim of the Code. Accordingly, the draft submission outlines the recommendation to prohibit Manor Housing within the R1 General Residential Zone.

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 recommendations within the letter to the NSW Department of Planning and Environment are consistent with 3.1.1 Infill development and housing diversity of the Comprehensive Land Use Strategy Part C – Strategy.

Council Policies

The recommendations within the letter to the NSW Department of Planning and Environment are consistent with the standards within the Development Control Plan 2013.

Legislation

Other existing forms of Medium Density Development remain permissible under the Mid-Western Regional Local Environmental Plan 2012.

Financial implications

Nil.

Associated Risks

There is a risk that if Manor Housing becomes a permitted land use it may result in undesirable built outcomes of bulk and impact on amenity and result in community concern.

SARAH ARMSTRONG
MANAGER, STRATEGIC PLANNING

JULIE ROBERTSON
DIRECTOR DEVELOPMENT

4 September 2018

Attachments: 1. Draft Submission.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

**MID-WESTERN REGIONAL COUNCIL**

PO Box 156, MUDGEES NSW 2850
86 Market Street, Mudgee | 109 Herbert Street, Gulong | 77 Louee Street, Rylstone
T 1300 765 002 or 02 6378 2850 | F 02 6378 2815
E council@midwestern.nsw.gov.au

SA | LAN900013

21 September 2018

Mr Damien Pfeiffer
Director Regions, Western
NSW Department of Planning and Environment
PO Box 58
DUBBO NSW 2830

Dear Damien,

**SUBJECT: SEPP (EXEMPT AND COMPLYING DEVELOPMENT CODES) 2008 - PART 3B
LOW RISE MEDIUM DENSITY HOUSING CODE (CODE)**

Thank you for the opportunity to provide feedback on the application of the Low Rise Medium Density Code ("Code") in the Mid-Western Regional Local Government Area ("Mid-Western LGA").

Mid-Western Regional Council ("Council") requested the deferral of the Code in the Mid-Western LGA earlier this year in order to give further consideration to the application of the code in the various zones across the region, and to specifically examine the impacts of the new forms of development that would be permissible under the Code.

The purpose of this letter is to summarise the analysis undertaken and highlight specific concerns identified by Council regarding the permissibility of the new land use of Manor Housing in the R1 General Residential and RU5 Village zones.

Council is supportive of the objectives of the Code and is satisfied that both choice and affordability can be achieved in the Mid-Western LGA within the R3 Medium Density Residential zone and through the existing permissibility of Multi Dwelling Housing and Dual Occupancy in the R1 General Residential zone.

However, given the concerns identified regarding Manor Housing, Council requests that the new land use of Manor Housing be prohibited within the R1 General Residential and RU5 Village zones of the Mid-Western LGA. Council would appreciate the opportunity to continue to work with the NSW Department of Planning and Environment in addressing these concerns so that future conflicts can be avoided.

Application of the Code within the RU5 Village Zone*Current Permissibility and Context*

Council has a number of rural settlements zoned RU5 Village. The two largest zoned areas are in the towns of Kandos and Rylstone, which are characterised by single detached dwellings and very limited medium density development.

These villages are located within the former Rylstone Local Government Area, where the former Council decided to heritage list publically owned buildings only. Accordingly, there are a number of privately owned buildings/sites which contribute to the heritage significance of the towns but are not heritage listed.

Multi Dwelling Housing and Dual Occupancy are currently permissible with the consent of Council in the RU5 Village zone.

Application of the Code and Proposed Permissibility

The application of the Code (specifically Manor Housing) within the RU5 Village Zone would create an opportunity for a built outcome not currently seen in the established village settings of Kandos and Rylstone. Due to the limited heritage listing within the towns of Kandos and Rylstone, permissibility of the new land use of Manor Housing would result in a development of unacceptable bulk adjoining sites which contribute to the heritage character of the streetscapes and towns.

If the Code is applied within the RU5 Village Zone it has the potential of creating negative visual impacts on the heritage character and streetscapes of Kandos and Rylstone. Manor Housing would introduce a visual bulk and scale which would be out of character in the local area, and an increased risk of negative amenity impacts for adjoining property owners.

Given the potential negative impacts of Manor Housing, Council's preference is for Manor Housing to be a prohibited land use within the RU5 Village zone.

Choice and Affordability

Although Multi Dwelling Housing and Dual Occupancy are currently permissible with the consent of Council in the RU5 Village zone, there is very limited medium density development.

The tables below provide the dwelling structure in both Kandos and Rylstone based on ABS Census data over the last 10 years. The tables demonstrate that 93.5% of dwellings in Kandos and 99.2% of dwellings in Rylstone are separate houses (ie. single detached dwellings), and there are only a small number of flat/apartment dwellings.

The tables also demonstrate that there has been minimal change in the dwelling structure over time. This supports anecdotal evidence that people who choose to live in small rural settlements and towns have a preference for separate housing and limited demand for higher density forms of development (ie. Multi Dwelling Housing and Dual Occupancy).

KANDOS						
	2006		2011		2016	
Dwelling Structure	No.	%	No.	%	No.	%
Separate House	529	93.3%	528	95.3%	528	93.5%
Semi-detached, terrace, townhouse	11	1.9%	4	0.7%	11	1.9%
Flat, apartment	17	3.0%	13	2.3%	23	4.1%
Other	10	1.8%	9	1.6%	3	0.5%
RYLSTONE						
	2006		2011		2016	
Dwelling Structure	No.	%	No.	%	No.	%
Separate House	243	93.8%	357	97.5%	377	99.2%
Semi-detached, terrace, townhouse	0	0.0%	0	0.0%	0	0.0%
Flat, apartment	11	4.2%	0	0.0%	3	0.8%
Other	5	1.9%	9	2.5%	0	0.0%

The tables below provides housing affordability data for both Kandos and Rylstone based on ABS Census data.

KANDOS	2006	2011	2016
Housing Affordability (Rent)	23.4%	25.2%	27.2%
Housing Affordability (Mortgage)	38.6%	40.7%	31.1%

RYLSTONE	2006	2011	2016
Housing Affordability (Rent)	19.5%	23.3%	25.7%
Housing Affordability (Mortgage)	37.2%	41.5%	43.7%

The data demonstrates that housing affordability (defined as the ratio of housing costs to household income) has remained relatively stable in both towns over the last 10 years. In Kandos, weekly rentals have increased slightly but are still below acceptable affordability benchmarks of 30%. Mortgage repayments have declined. In Rylstone, both weekly rentals and mortgage repayments have increased slightly but remain within acceptable affordability standards.

If housing affordability was a persistent issue, and the cost of separate housing considered excessive relative to higher density forms of development, the expectation is that there would be a demonstrated increase in demand for flat/apartment development. This is not evident from the above data.

Application of the Code within the R2 Low Density Residential Zone

Current Permissibility and Context

Council has land zoned R2 Low Density Residential located on the town peripheries of Mudgee, Gulgong and Rylstone. These lots typically have a minimum lot size between 2,000m² and 4,000m² and are developed with single detached dwellings and outbuildings.

Multi Dwelling Housing is currently prohibited under the Mid-Western Regional Local Environment Plan 2012 ("Mid-Western LEP") within the R2 Low Density Residential zone. However, Attached Dual Occupancy is permissible with the consent of Council.

Application of the Code and Proposed Permissibility

As Multi Dwelling Housing (Terraces) and Manor Housing will be prohibited in the Mid-Western LEP, there will be no change to the current built outcomes in the R2 Low Density Residential zone as a result of the Code.

Given Attached Dual Occupancy is permissible with the consent of Council, a landowner could in the future explore the development of an Attached Dual Occupancy under the Code.

Application of the Code within the R3 Medium Density Residential Zone

Current Permissibility and Context

Council has land zoned R3 Medium Density Residential extending around the Mudgee CBD (ie. B3 Commercial Core). Within this area suitable opportunities exist for future development of medium density development (including Manor Housing).

Application of the Code and Proposed Permissibility

The application of the Code (and the new land use of Manor Housing) would produce similar built outcomes as Multi Dwelling Housing and Dual Occupancy developments.

Choice and Affordability

There is a supply of 787 lots zoned R3 Medium Density Residential, with lot sizes varying between 600m² and 4,000m². A large percentage of these sites are vacant or suitable for infill development which could be immediately acted upon. In the medium to long term, there are sites developed with housing stock appropriate for demolition and redevelopment with medium density development.

It is important to note that there has been limited Multi Dwelling Housing developed in the Mid-Western Region historically. The table below provides the dwelling structure for all dwellings in the Mid-Western LGA based on ABS Census data over the last 10 years. The table demonstrates that 92.2% of dwellings in the Mid-Western LGA are separate houses (ie. single detached dwellings), and there are only a small percentage of flat/apartment dwellings.

The tables also demonstrate that there has been minimal change in the dwelling structure over time. If anything the growth in dwelling numbers has been driven by separate housing development. As discussed above for Kandos and Rylstone, there is a very strong preference for people living in rural towns and villages to live in separate housing and there is limited demand for higher density forms of development (ie. Multi Dwelling Housing and Dual Occupancy).

MID-WESTERN LGA	2006		2011		2016	
	No.	%	No.	%	No.	%
Dwelling Structure						
Separate House	7623	90.2%	7614	91.1%	8005	92.2%
Semi-detached, terrace, townhouse	286	3.4%	305	3.6%	336	3.9%
Flat, apartment	305	3.6%	298	3.6%	221	2.5%
Other	238	2.8%	142	1.7%	120	1.4%

The limited take up of Multi Dwelling Housing demonstrates that the supply of land zoned R3 Medium Density Residential is adequate and provides sufficient future opportunities for take up under the Code.

The table below provides housing affordability data for the Mid-Western Region LGA based on ABS Census data.

MID-WESTERN LGA	2006	2011	2016
Housing Affordability (Rent)	20.7%	21.5%	23.9%
Housing Affordability (Mortgage)	38.7%	41.7%	37.4%

The data demonstrates that housing affordability (defined as the ratio of housing costs to household income) has remained relatively stable in the Mid-Western LGA over the last 10 years. Weekly rentals have increased slightly but are still below acceptable affordability benchmarks of 30% and mortgage repayments have declined.

If housing affordability was a persistent issue, and the cost of separate housing considered excessive relative to higher density forms of development, the expectation is that there would be a demonstrated increase in demand for flat/apartment development. This is not evident from the above data.

Application of the Code within the R1 General Residential Zone

Current Permissibility and Context

The supply of land zoned R1 General Residential is based in the town settlements of Gulgong and Mudgee. As discussed above, 92.2% of dwellings in the Mid-Western LGA are separate houses (ie. single detached dwellings), and there is only a small percentage of flat/apartment dwellings (ie. Multi Housing Dwelling). This has remained constant over the last 10 years, which means the built form within the streetscapes of Gulgong and Mudgee are well established and consistent.

Multi Dwelling Housing and Dual Occupancy are permissible with the consent of Council within the R1 General Residential zone. The Mid-Western Development Control Plan 2013 ("Mid-Western DCP") stipulates requirements for location of this type of development. Dual Occupancy can be developed on lots measuring 600m² and Multi Dwelling Housing on lots measuring 1,200m². The R1 General Residential zone is predominantly developed with single detached dwellings.

Council has previously experienced issues with medium density development within the R1 General Residential zone, specifically in relation to the unplanned and unexpected location of Multi Dwelling Housing and Dual Occupancy. In 2013, Council amended the Mid-Western DCP following community feedback indicating that the built outcomes and location of Multi Dwelling Housing and Dual Occupancy within the R1 General Residential zone was unacceptable.

Specifically, the community expressed a desire for greater levels of certainty regarding the location of Multi Dwelling Housing and Dual Occupancy within established single detached dwelling neighbourhoods. Provisions were inserted into the Mid-Western DCP providing guidance and criteria stipulating the location and lot requirements for both Multi Dwelling Housing and Dual Occupancy. These provisions have been consistently applied since without community opposition.

Application of the Code and Proposed Permissibility

Application of the Code will result in the development of Manor Housing with a built form substantially different to the established streetscapes and undesirable amenity impacts for single detached dwelling neighbourhoods. Under the Code, a lot could be developed with four dwellings/units comprising a Manor House versus a single detached dwelling (as characterised within the established neighbourhoods of the Mid-Western LGA). The adjoining property owner would have the impacts from four neighbours versus one neighbour.

Of land zoned R1 General Residential in the Mid-Western LGA, there are 2,868 lots in Mudgee and 857 lots in Gulgong. As the minimum subdivision lot size within the R1 General Residential zone is 600m², any of these lots would satisfy the minimum lot size requirements for the erection of a Manor House under the Code.

With the existing 1,200m² minimum lot size in the Mid-Western LEP for Multi Dwelling Housing (Terraces), the application of the Code for Multi Dwelling Housing (Terraces) within the R1 General Residential zone is considered acceptable. Any amenity and bulk impacts will be in line with what is currently permissible for Multi Dwelling Housing.

The locality of Council's most recent R1 General Residential release area is known as Caerleon. Caerleon provides for the next 25 years of Mudgee's growth and the infrastructure has been designed accordingly. The first release of 55 lots ranged in size from 770 to 1,096m², and would all satisfy the 600m² minimum area requirement of the Code. Lots are already being developed with single detached dwellings and it is anticipated further development will be in the same form.

Part of the parent lot at Caerleon is zoned B4 Mixed Use. Clause 4.1C Exceptions to minimum subdivision lot sizes around B4 of the Mid-Western LEP provides for strategically located high density residential development. Application of the Code across the entire supply of R1 General Residential zoned land within Caerleon, would result in an increased density which is unplanned for and in addition to the strategically identified opportunity.

As outlined above, the Mid-Western LGA's supply of R1 General Residential land would satisfy the 600m² minimum for a Manor House under the Code, resulting in the sporadic and unplanned location of Manor Housing in the towns of Mudgee and Gulgong. Council and the community would be unable to anticipate the location of future Manor Housing development, which would reintroduce the issues resolved by the amendment to the Mid-Western DCP in 2013, particularly regarding amenity impacts for adjoining properties.

Given the historic issues of medium density development within the R1 General Residential zone and the strategically identified opportunity for higher density development at Caerleon, Council is seeking Manor Housing be a prohibited land use within the R1 General Residential Zone.

Conclusion

In summary, Council has demonstrated that an adequate supply of land exists to achieve the Code objectives in the Mid-Western LGA within the R3 Medium Density Residential zone, where there is potential for the take up of complying development for Dual Occupancy, Terraces or Manor Housing. Further opportunity for medium density housing has been strategically identified within the Caerleon release area.

As there is a strong preference towards single detached dwellings in the Mid-Western LGA and relative affordability between dwelling types is not a persistent issue, Council considers it appropriate to maintain the current permissibility of the R1 General Residential and RU5 Villages zones in the Mid-Western LGA.

The following table provides a summary of Council's requested permissibility.

	Manor Housing (Min. Lot Size 600m ²)	Multi Dwelling Housing (Terraces)
R1 General Residential	Prohibited	Permitted with consent
R2 Low Density Residential	Prohibited	Permitted with consent
R3 Medium Density Residential	Permitted with consent	Permitted with consent
RU5 Village	Prohibited	Permitted with consent

Council appreciates the opportunity to provide this feedback and seeks the support of NSW Department Planning and Environment in requesting that the new land use of Manor Housing be prohibited in the R1 General Residential and RU5 Village zones.

Should you have any further queries or require additional information in relation to this matter, please do not hesitate to contact Council's Strategic Planning Manager, Sarah Armstrong, on 02 6378 2850.

Yours sincerely

BRAD CAM
GENERAL MANAGER

8.8 Acceptance of Building Better Regions Grant

REPORT BY THE MANAGER ECONOMIC DEVELOPMENT
TO 19 SEPTEMBER 2018 ORDINARY MEETING
GOV400066, GRA600002

RECOMMENDATION

That Council:

1. **receive the report by the Manager Economic Development on the Acceptance of Building Better Regions Grant;**
2. **accept grant funding of \$20,000 plus GST from the Federal Government's Building Better Regions Fund, to host a Young Entrepreneurs Summit in July 2019;**
3. **authorise the Mayor and General Manger to finalise and sign the funding agreement with the Federal Government; and**
4. **amend the 2018/19 Operational Plan and Delivery Program 2017/21 as follows:**
 - **in 2018/19 allocate a project expenditure budget for a Young Entrepreneurs Summit of \$8,000 and increase grant funding income by \$8,000;**
 - **in 2019/20 allocate a project expenditure budget for a Young Entrepreneurs Summit of \$12,000 and increase grant funding income by \$12,000.**

Executive summary

Council has received a \$20,000 grant from the Federal Government's Building Better Regions Fund, to host a Young Entrepreneurs Summit in July 2019. The purpose of this report is to accept the grant funding and amend Council's Delivery Program and Operational Plan to include the relevant grant income and project expenditure.

Disclosure of Interest

Nil

Detailed report

The 'Towards 2030 Mid-Western Region Community Plan' identifies the goal of a prosperous and diversified economy and identifies the need to encourage the attraction and retention of a diverse range of businesses and industries. It has been identified there are limited activities specifically supporting young business owners and entrepreneurs. Council has developed a new initiative to focus on supporting young entrepreneurs in our community and fostering economic growth.

The \$20,000 grant awarded will go towards Council hosting a Young Entrepreneurship Summit in Mudgee in July 2019. The Summit will provide the opportunity to share business start-up knowledge and help budding-entrepreneurs form connections with mentors.

The summit will support both young entrepreneurs starting their own business or taking over a family business. It will focus on under 30s who are seeking direction and inspiration on how to grow their business or develop their business ideas by providing the skills and knowledge from business leaders.

With a large number of small and family businesses operating in the region including farms, wineries and tourism operations, the summit will further support those young people preparing to be successors. This summit will benefit the wider region as young entrepreneurs from surrounding towns will be invited to attend.

It is planned to host the Summit in July 2019, so funding will be split over two financial years to allow for booking of speakers and delivery of the event.

It is recommended that Council accept the grant funding of \$20,000 and endorse the proposed amendments to the Delivery Program and Operational Plan in 2018/19 and 2019/20 to ensure the delivery of this new economic development initiative.

Community Plan implications

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

Strategic implications

This new economic development initiative is aligned with the key theme of Building A Strong Local Economy in the 'Towards 2030 Mid-Western Region Community Plan'.

Financial implications

The acceptance of a \$20,000 grant from the Federal Government's Building Better Regions Fund requires an amendment to Council's Delivery Program and Operational Plan in 2018/19 and 2019/20.

The proposed amendments to the Delivery Program and Operation Plan are as follows:

- in 2018/19 allocate a project expenditure budget for a Young Entrepreneurs Summit of \$8,000 and increase grant funding income by \$8,000;
- in 2019/20 allocate a project expenditure budget for a Young Entrepreneurs Summit of \$12,000 and increase grant funding income by \$12,000.

Budget Year	Operating Performance Ratio	Own Source Revenue	Building & Infrastructure Renewal
2018/19	-	X	-
Future Years	-	X	-

Associated Risks

The Young Entrepreneurs Summit will be managed by Council's experienced Events Staff to ensure any event related risks are appropriately identified and managed.

ALINA AZAR
MANAGER ECONOMIC DEVELOPMENT

JULIE ROBERTSON
DIRECTOR DEVELOPMENT

27 August 2018

Attachments: 1. BBRF -Funding Agreement. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

8.9 Stronger Country Communities Fund Round 2 - Acceptance of Grant Funding

REPORT BY THE MANAGER ECONOMIC DEVELOPMENT
TO 19 SEPTEMBER 2018 ORDINARY MEETING
GOV400066, GOV400066, GRA600031

RECOMMENDATION

That Council:

1. receive the report by the Manager Economic Development on the Stronger Country Communities Fund Round 2 - Acceptance of Grant Funding;
 2. accept \$1,722,222 in grant funding from the NSW State Government, for Putta Bucca Eco Trail, Mudgee Shared Cycleway, Billy Dunn Oval Fence, Gulgong Victoria Park Lighting, Pedestrian Footbridge Rylstone, Waratah Park Kandos Boundary Fence, Anzac Park Pathway and Shade Sails, and Town Entrance Signage;
 3. authorise the Mayor and General Manager to finalise and sign funding agreements with the NSW Government, for Putta Bucca Eco Trail, Mudgee Shared Cycleway, Billy Dunn Oval Fence, Gulgong Victoria Park Lighting, Pedestrian Footbridge Rylstone, Waratah Park Kandos Boundary Fence, Anzac Park Pathway and Shade Sails, and Town Entrance Signage;
 4. amend the 2018/19 Operational Plan and 2017-2021 Delivery Program as follows:
 - In 2018/19 for the Putta Bucca Eco Trail project, set the expenditure budget at \$400,000 to to be funded \$326,159 from grant income and \$73,841 funded from Capital Program Reserve;
 - In 2018/19 for the Mudgee Shared Cycleway/Walking 8km loop project, set the expenditure budget at \$308,000 to be funded \$207,945 from grant income and \$100,055 from unrestricted cash;
 - In 2018/19 for the Town Entrance Signage project, increase the expenditure budget by \$100,000 to be funded by \$120,000 from grant income and remove \$20,000 in funding from Capital Program Reserve;
 - In 2019/20 and 2020/21 remove the budget allocation of \$20,000 per year for the Town Entrance Signage project funded from Capital Program Reserve;
 - In 2018/19 for the Pedestrian Footbridge Rylstone project, set the expenditure budget at \$532,500 to be funded \$432,108 from grant income and \$100,392 from unrestricted cash;
 - In 2019/20 remove the budget allocation of \$450,000 for the Pedestrian Footbridge Rylstone project funded \$250,000 from grant income and \$200,000 from unrestricted cash;
 - In 2018/19 for the Sports Field lighting – Victoria Park project, set the expenditure budget at \$580,000 to be funded \$480,000 from grant income
-

and \$100,000 from Capital Program Reserve;

- In 2019/20 remove the budget allocation of \$500,000 for the Sports Field lighting – Victoria Park project funded \$250,000 from grant income and \$250,000 from Capital Program Reserve;
- In 2018/19 for the Anzac Park Upgrade project, set the expenditure budget at \$55,500 to be funded \$50,500 from grant funding and \$5,000 from Voluntary Planning Agreement contributions;
- In 2019/20 remove the budget allocation of \$15,000 for the Anzac Park Upgrade project funded \$7,176 from Voluntary Planning Agreement contributions and \$7,824 from Capital Program Reserve;
- In 2018/19 for the Waratah Park Boundary Fence project, set the expenditure budget at \$53,500 to be funded \$50,000 from grant funding and \$3,500 from Voluntary Planning Agreement contributions;
- In 2018/19 for the Billy Dunn Oval Fence project, set the expenditure budget at \$65,500 to be funded \$55,510 from grant funding and \$9,990 from Voluntary Planning Agreement contributions; and
- In 2019/20 remove the budget allocation of \$97,254 for the Billy Dunn Oval Fence project funded entirely from Voluntary Planning Agreement contributions.

Executive summary

The purpose of this report is to amend Council's Operational Plan and Delivery Program for the 2018-19 and 2019-20 financial years, so that Council 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 March 2018. The applications for funding included Putta Bucca Eco Trail, Mudgee Shared Cycleway, Billy Dunn Oval Fence, Gulgong Victoria Park Lighting, Pedestrian Footbridge Rylstone, Waratah Park Kandos Boundary Fence, Anzac Park Pathway and Shade sails, and Town Entrance Signage. Further Council submitted a community project to upgrade Mudgee tennis courts.

The amounts received are provided in the following table.

Project	Amount Received
Putta Bucca Eco Trail	\$326,159
Victoria Park - Gulgong, Sports Field Lighting	\$480,000
Pedestrian Bridge Across Cudgegong River - Rylstone	\$432,108
Town Entrance Signage	\$120,000
Mudgee Shared Cycleway and Pathway	\$207,945

Anzac Park – Gulgong, Upgrades to Pathway and Shade Sails	\$50,500
Billy Dunn Oval – Gulgong, Fence Replacement	\$55,510
Waratah Park – Kandos, Front Boundary Fence Replacement	\$50,000

Each of the above projects are already identified in Council's 2017-2021 Operational Plan and Delivery Program for the 2018-19 and 2019-20 financial years, 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, as well as specific Community Engagement in relation to the Stronger Country Communities Fund.

Council Policies

Not Applicable

Legislation

Not Applicable

Financial implications

The following table summarises the budget changes required to include these projects and to remove future year budgets where project timing has been brought forward.

	Financial year		
	2018/19	2019/20	2020/21
Grant Funding			
Grant Income	1,718,472*	(500,000)	
MWRC Funding			
Unrestricted Cash	(200,447)	200,000	
Capital Program Reserve	(153,841)	277,824	20,000
VPA Contributions	(15,240)	104,430	
TOTAL MWRC Funding	(369,528)	582,254	20,000

*Note: \$3,750 was originally budgeted as grant income in the 2018/19 year for the Waratah Park project. With a total grant of \$1,722,222 received under the Stronger Country Communities Fund, the net increase in the grant income budget is \$1,718,472.

Budget Year	Operating Performance Ratio	Own Source Revenue	Building & Infrastructure Renewal
2018/19	-	✘	✔
2019/20	-	✔	-
Future Years	✘	-	✘

Associated Risks

Not Applicable

ALINA AZAR
MANAGER ECONOMIC DEVELOPMENT

JULIE ROBERTSON
DIRECTOR DEVELOPMENT

5 September 2018

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

8.10 Events Assistance Application - Mudgee Touch Association

REPORT BY THE EVENTS COORDINATOR
TO 19 SEPTEMBER 2018 ORDINARY MEETING
GOV400066, ECO800009; FIN300052

RECOMMENDATION

That Council:

1. **receive the report by the Events Coordinator on the Events Assistance Application - Mudgee Touch Association; and**
2. **provide Events Assistance funding of \$2,000 (in-kind) to Mudgee Touch Association Inc. for the waiver of Glen Willow Hire Fees.**

Executive summary

This report considers an application for Events Assistance under Council's Events Assistance Policy. It relates to the Don Green Western Junior Touch Football Championships event to be held in November 2018.

Disclosure of Interest

Nil.

Detailed report

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

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

Applications for events to be held from 1 July and 31 December 2018 were considered by Council at the May 2018 Council Meeting. A late application has been received from Mudgee Touch Association for the 2018 Don Green Junior Touch Football Championships.

Mudgee Touch Association successfully won the rights to host the Annual Don Green Western Championships at Glen Willow in 2018, 2019 and 2020. The event will be held over two days and will attract approximately 1,500 visitors from across the Western Region.

The organisers have requested that the Glen Willow hire fees be waived for the 2018 event. This includes:

Item	Two Day Hire
Field 2 Hire	\$470
Field 3 Hire	\$234
Field 4 Hire	\$234
Field 5 Hire	\$234
Field 6 Hire	\$234
Clubhouse Hire	\$174
Walkers Oval Hire	\$326
Cleaning Fee (during and after event)	\$560
TOTAL	\$2,466

The \$550 bond would still be payable by the applicant. Refer to attachment one for the full application.

Using the Events Assistance scoring scale, it is recommended that Council provide \$2,000 in funding for the event to waive the Glen Willow hire fees for this event. This would leave a balance of \$466 payable by Mudgee Touch Association. However, Council may wish to waive the entire amount of \$2,466.

The Events Assistance scoring system below was used to score the application against set criteria.

Local community/volunteer participation in event		
Score	Definitive Answers	Value Judgement
0	Unsatisfactory	No or limited local community/volunteer participation or impact (<500 residents)
1	Poor	Community/volunteer participation or local benefits impacting (500 to 1,000 residents)
2	Satisfactory	Community/volunteer participation or local benefits impacting between (1,000 to 2,000 residents)
3	Good	Direct community/volunteer involvement or local benefits impacting (>2,000 residents)

Capacity to ensure event continues and develops in the future		
Score	Definitive Answers	Value Judgement
0	Unsatisfactory	First time event being held, no plans outlined in application, unclear capacity to deliver event
1	Poor	Limited event history (year one), limited plans outlined in application
2	Satisfactory	Event is at least two years old, appropriate planning
3	Good	Well-established event with detailed planning for the future outlined

Economic activity generated from event		
Score	Definitive Answers	Value Judgement
0	\$0-\$25K	Number of visitors to the region x \$373 (if multi-day event) or \$107 (if single day)
2	\$25K-\$50K	Number of visitors to the region x \$373 (if multi-day event) or \$107 (if single day)
4	\$50K-\$100K	Number of visitors to the region x \$373 (if multi-day event) or \$107 (if single day)
6	\$100K-\$150K	Number of visitors to the region x \$373 (if multi-day event) or \$107 (if single day)
8	\$150K-\$200K	Number of visitors to the region x \$373 (if multi-day event) or \$107 (if single day)
10	\$200K-\$250K	Number of visitors to the region x \$373 (if multi-day event) or \$107 (if single day)
12	\$250K-\$300K	Number of visitors to the region x \$373 (if multi-day event) or \$107 (if single day)
14	\$300K+	Number of visitors to the region x \$373 (if multi-day event) or \$107 (if single day)

Community Plan implications

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

Strategic implications

Council Strategies

Applications for Events Assistance are required to have clear linkages to the Community Plan Towards 2030 outcomes. This includes promoting the region as a great place to live, work, invest and visit. By supporting events which provide opportunities for local and visitor attendance, this increases visitation to the region and provides social and economic benefits to the region.

Council Policies

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

Legislation

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

Financial implications

Funding of \$60,000 is provided in the 2018/19 Operational Plan for Events Assistance. \$26,404 in funding has previously been approved by Council for the 2018/2019 Financial Year, leaving a balance of \$33,596. Based on the scoring system above, the recommendation of staff is to provide \$2000 in Events Assistance for the recent application. This leaves a balance of \$31,596 for events falling from January 2019 to June 2019 still to be funded.

Associated Risks

If Council does not support this event, there is a risk that the event may not go ahead in the future and therefore, there is the potential of lost economic benefits to the Mid-Western Region.

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

ALAYNA GLEESON
EVENTS COORDINATOR

JULIE ROBERTSON
DIRECTOR DEVELOPMENT

28 August 2018

Attachments: 1. Events Assistance Application - Don Green Western Junior Touch Football Championships.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Event Assistance Funding Application - 1 July to 31 December 2018

#27

COMPLETE

Collector: Web Link 3 (Web Link)
Started: Sunday, August 26, 2018 9:31:41 PM
Last Modified: Sunday, August 26, 2018 10:23:40 PM
Time Spent: 00:51:58
IP Address: 49.195.94.170

Page 2: CONTACT DETAILS

Q1 Please enter your contact details below:

Name: Kathryn Lang
Organisation: Mudgee Touch Association
ABN: 64 346 876 127
Address: PO Box 493
Suburb: Mudgee
State: NSW
Post Code: 2850
Email Address: mudgee.touch@outlook.com
Phone Number: 0411 618 046

Q2 Website/Social Media

Website: Mudgee Touch Sportstg
Facebook Page: Mudgee Touch Association

Page 3: EVENT INFORMATION

Q3 Name of event:

Don Green Western Junior Championships

Q4 Event Date/s:

17 & 18 November 2018

Q5 Number of days event is held:

2

Q6 Event location:

Glen Willow Sporting Fields

Event Assistance Funding Application - 1 July to 31 December 2018

Q7 Year the event was established:

2000

Q8 How often is the event held?

Annual

Q9 Event description:

Touch football tournaments for children aged between 10 and 18 years

Q10 Event aims and objectives:

To further develop the sport of touch football and to give children the opportunity to compete in a friendly and safe environment

Q11 Desired outcomes of event:

to deliver a quality touch football event for children from around the Mid Western Area and other areas of NSW

Q12 Expected attendance numbers: (note: 'local' refers to Mid-Western LGA residents, 'visitors' refers to those coming from outside Mid-Western LGA)

Local Participants	250
Local Spectators	500
Visitor Participants	500
Visitor Spectators	800 to 1000
Total Expected Attendance	2000

Q13 What methods do you use to collect data on attendance and visitor numbers?

all players are required to register on line
an estimate of visitors by collating information from accommodation providers

Q14 Target audience:

local touch participants
family and friends of participants

Q15 Local community involvement (including local businesses and number of volunteers):

Local accommodation providers, hotels, restaurants, shops and petrol stations will benefit from this tournament.
20 local volunteers

Q16 Economic benefits of the event:

Estimate of economic benefit to the community is approximately \$100,000.00
Local accommodation providers, hotels, restaurants, shops and petrol stations will benefit from this tournament.

Event Assistance Funding Application - 1 July to 31 December 2018

Q17 Community and social benefits of the event:

Economic benefits, prestige of hosting a large touch football event, the chance to showcase what Mudgee has to offer. Families will spend 2 nights in Mudgee and will spend money in our town benefiting local businesses. Social benefits are that the children of the Mid Western Area have the opportunity to meet and make new friends on the sporting field. Active Kids are Happy Kids

Q18 How will Council's support of the event be recognised?

Support will be recognised over the PA during the event and in advertising of the event. Council will also have the opportunity to erect signage at the event

Q19 How do you plan to market and promote the event?

the event is marketed by Hunter Western Hornets through their vast network over emails and social media sights. Locally the event will be promoted by Mudgee Touch through our email and social media networks

Page 4: PROJECT BUDGET AND FINANCIAL DETAILS

Q20 Please provide details of your event income:

Events Assistance Funding Requested:	The cost of ground hire fees waived
Expected Sales Revenue (including entry/ticket sales):	No ticket fee is charged to spectators or participants. A team entry fee is charged which Hunter Western Hornets take the full amount
Contribution from your Organisation/Club:	nil
Sponsorship:	nil
Stallholder Fees:	nil
Other Income:	Mudgee Touch will run a canteen over the weekend. It is expected a profit of \$1500 would be made
Total Income:	\$1500

Q21 Please provide details of your event expenditure:

Marketing:	\$500
Venue Hire:	\$1600 approx
Event Infrastructure:	\$1000

Q22 If positive or surplus budget, please provide further details/explanation what this surplus will be used for:

The income will be used to purchase touch balls and equipment used for our Junior Touch Competition.

Q23 Total Surplus/Deficit:

\$ **1500**

Event Assistance Funding Application - 1 July to 31 December 2018

Q24 How do you plan to ensure the event will be sustainable in the future and not reliant on Council funding?

Mudgee Touch has been successful in their tender for this event for 2018, 2019 and 2020. We will be able to ensure the successful running of these events in the future with budget planning for costs.

Q25 Please outline the management structure of your event including key role and responsibilities, and the use of paid/unpaid staff?

All staff are volunteer members of Mudgee Touch committee. Hunter Western Hornets provide administration staff for the event.

Q26 Is your group/organisation Incorporated? **Yes**

Q27 Is your group/organisation not-for-profit? **Yes**

Q28 Have you registered for GST? **Yes**

Q29 Do you have an ABN? **Yes,**
ABN::
64 346 876 127

Q30 Has your event previously received funding from Council? **No**

Q31 Does the event hold current Public Liability Insurance? Events MUST have insurance to be eligible to receive funding. **Yes**

Q32 Please upload a copy of your Certificate of Currency

Mudgee Touch Association.COC 2018.pdf (261.1KB)

Page 5: FUNDING REQUESTED - MUST NOT EXCEED \$2,500

Q33 Please provide details of IN-KIND support requested AND value of support (dollar amounts):(e.g. Council venue hire fee, preparation of Traffic Control Plan, Traffic Control Personnel, Waste Management). Refer to Council's Fees and Charges (click here) for amounts.

1.	Council venue hir fees \$1600
2.	Waste management fee to remove waste after the event
3.	cleaning of public toilets before, during and after the event
Total:	\$2500

Event Assistance Funding Application - 1 July to 31 December 2018

Q34 Please provide details of CASH support requested AND dollar amounts: For any cash funding received, copies of invoices may be required as evidence along with an invoice.

Total: nil

Page 6: AUTHORISATION OF APPLICANT

Q35 Authorisation of Applicant:

Name: Kathryn Lang
Position: Secretary
Date: 25 August 2018

Q36 I confirm: that the information contained in the application form and within the attachments are true and correct.
,
that this application has been submitted with the full knowledge and support of the applicant.

8.11 Monthly Development Applications Processing and Determined

REPORT BY THE
TO 19 SEPTEMBER 2018 ORDINARY MEETING
GOV400066,

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 August 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

4 September 2018

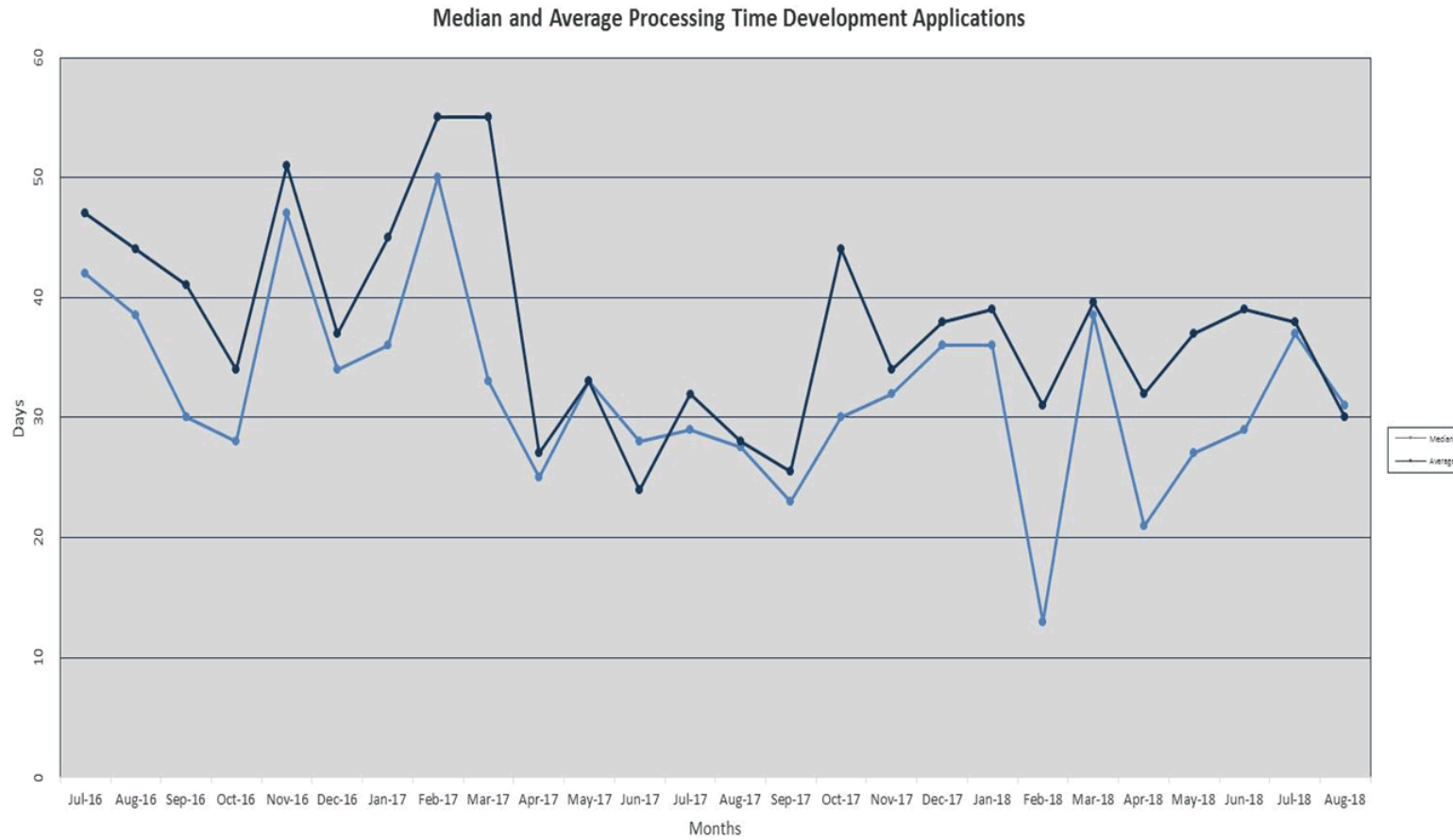
Attachments: 1. Monthly Development Applications Processing and Determined - August 2018.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

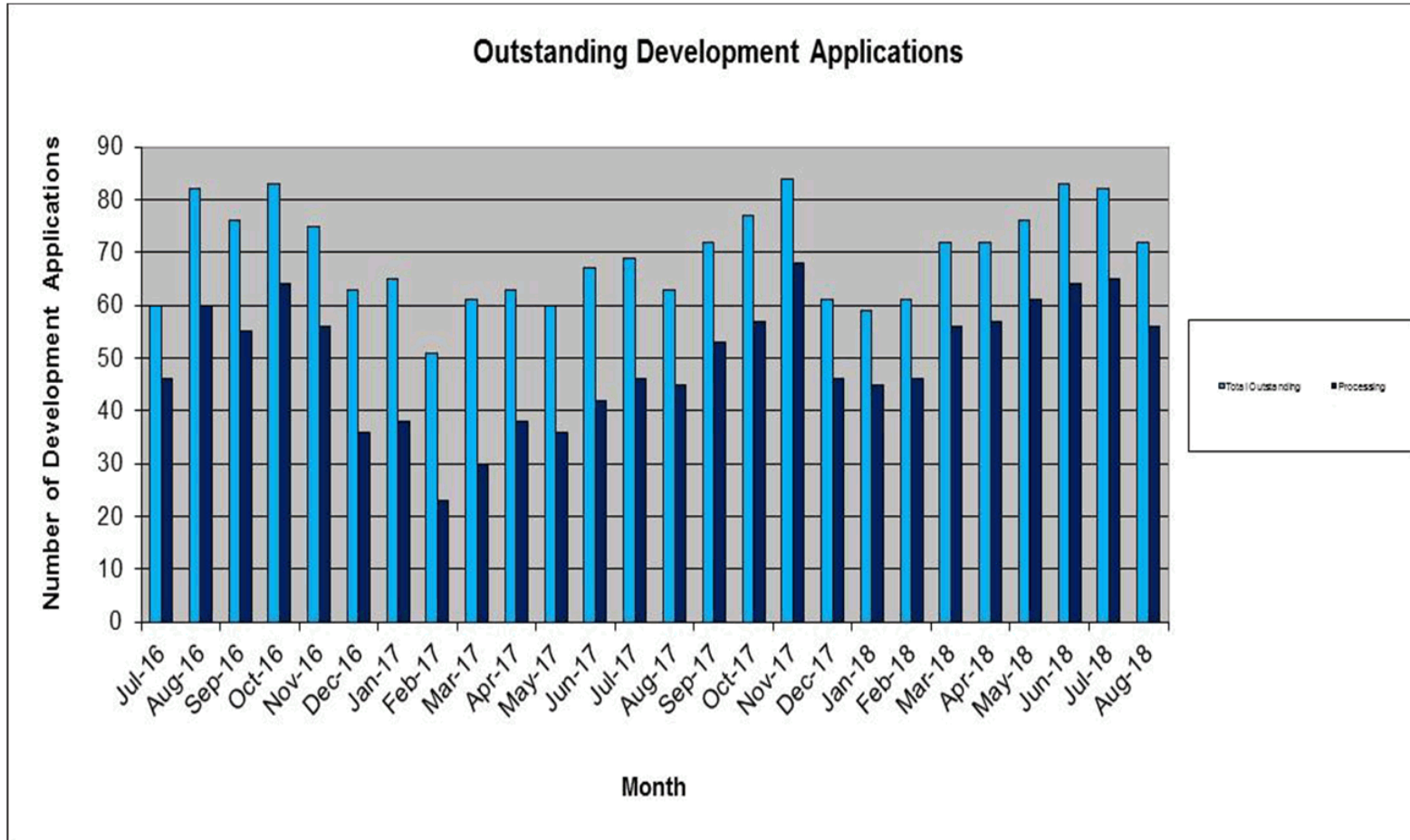
Monthly Development Application Processing Report – August 2018

This report covers the period for the month of August 2018. Graph 1 indicates the processing times up to 31, August 2018 with the month of August having an average of 30 days and a median time of 31 days.



Monthly Development Application Processing Report – August 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 – August 2018

The Planning and Development Department determined 29 Development Applications either by Council or under delegation during August 2018.

Development Applications Determined – August, 2018

Appl/Proc ID	Description	House No	Street Name	Locality
DA0315/2016	Tourist and Visitor accommodation	345	Bylong Valley Way	ILFORD
DA0247/2018	Dwelling House	286	Melrose Road	MOUNT FROME
DA0249/2018	Carport	73	Fleming Street	KANDOS
DA0267/2018	Garage	31	McLachlan Street	KANDOS
DA0288/2018	Residential Shed	24	Robertson Street	MUDGEE
DA0294/2018	Industrial Building	13	Swords Court	MUDGEE
DA0299/2018	Subdivision - Torrens Title	94	Buckaroo Lane	BUCKAROO
DA0304/2018	Change of use - Warehouse/Storage	8	Sydney Road	MUDGEE
DA0312/2018	Alterations & Additions	1300	Hill End Road	GRATTAI
DA0314/2018	Residential Shed	120	Bellevue Road	MUDGEE
DA0323/2018	Dwelling House	0	Hill End Road	COLLINGWOOD
DA0003/2019	Alterations & Additions	20	Lewis Street	MUDGEE
DA0004/2019	Alterations & Additions	36	Robert Hoddle Grove	BOMBIRA
DA0006/2019	Demolition	7	Nandoura Street	GULGONG
DA0007/2019	Demolition	34	Bayly Street	GULGONG
DA0008/2019	Electricity Generating Works	40	Perry Street	MUDGEE
DA0009/2019	Alterations & Additions	12	Lewis Street	MUDGEE
DA0011/2019	Residential Shed	14	Mulgoa Way	MUDGEE
DA0012/2019	Change of use	182	Cudgegong Road	RYLSTONE
DA0013/2019	Dwelling House	462	Kains Flat Road	KAINS FLAT
DA0014/2019	Garage	54	Mudgee Street	RYLSTONE
DA0015/2019	Fence	14	Madeira Road	MUDGEE
DA0016/2019	Residential Shed	5	Rowe Street	MUDGEE
DA0017/2019	Dwelling House	7	Wurth Drive	BOMBIRA
DA0022/2019	Dwelling House	17	Hughson Avenue	MUDGEE
DA0023/2019	Dwelling House	860	Cope Road	STUBBO
DA0031/2019	Dwelling House	285	White Rock Road	PINNACLE SWAMP
DA0040/2019	Alterations & Additions	107	White Circle	MUDGEE
DA0041/2019	Pergola	34	Dewhurst Drive	MUDGEE

Monthly Development Application Processing Report – August 2018

Development Applications currently being processed – August, 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
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
DA0266/2017	Residential Shed	3	Cudgegong Street	RYLSTONE
DA0303/2017	Change of use - Vehicle Repair Station	1	Inglis Street	MUDGEES
DA0004/2018	Multi Dwelling Housing	66	Dangar Street	KANDOS
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	111	Mount Pleasant Lane	BUCKAROO
DA0142/2018	Subdivision - Torrens Title	38	Rifle Range Road	MUDGEES
DA0146/2018	Tourist and Visitor Accommodation	196	Rocky Waterhole Road	MOUNT FROME
DA0178/2018	Commercial Premises	36	Sydney Road	MUDGEES
DA0199/2018	Residential Shed	2018	Campbells Creek Road	CARCALGONG
DA0214/2018	Camping Ground	2970	Lue Road	LUE
DA0225/2018	Subdivision - Torrens Title	81	Bellevue Road	MUDGEES
DA0226/2018	Dwelling House	308	Cypress Drive	YARRAWONGA
DA0232/2018	Shed >150m2	1132	Bocoble Road	BOCOBLE
DA0250/2018	Community Centre	363	Ulan Road	EURUNDEREE
DA0263/2018	Residential Shed	26	Farrelly Street	CLANDULLA
DA0268/2018	Boundary Adjustment	499	Lue Road	MILORY
DA0278/2018	Change of use - Function Centre	227	Melrose Road	MOUNT FROME
DA0280/2018	Subdivision - Torrens Title	155	Bruce Road	MUDGEES
DA0285/2018	Dual Occupancy	1	Rowe Street	MUDGEES
DA0286/2018	Commercial Premises	17	Sydney Road	MUDGEES
DA0301/2018	Commercial Premises	20	Sydney Road	MUDGEES
DA0303/2018	Dwelling House	2673	Bylong Valley Way	RYLSTONE
DA0305/2018	Home Industry	226	Melrose Road	MOUNT FROME

Monthly Development Application Processing Report – August 2018

DA0308/2018	Commercial Alterations/Additions	2	Burrundulla Road	BURRUNDULLA
DA0311/2018	Alterations & Additions	6241	Ilford Sofala Road	SOFALA
DA0321/2018	Alterations & Additions	20	Mudgee Street	RYLSTONE
DA0005/2019	Residential Shed	19	Trefusis Avenue	MUDGEE
DA0010/2019	Alterations & Additions	54	Depot Road	MUDGEE
DA0020/2019	Residential Shed	8	Consadine Grove	SPRING FLAT
DA0021/2019	Residential Shed	2195	Hill End Road	GRATTAI
DA0024/2019	Dwelling House	1157	Bocoble Road	BOCOBLE
DA0027/2019	Change of use - Retail Restaurant	59	Louee Street	RYLSTONE
DA0029/2019	Residential Shed	25	Leconfield Drive	BOMBIRA
DA0030/2019	Dwelling House	1617	Castlereagh Highway	TALLAWANG
DA0032/2019	Subdivision - Torrens Title	3	Sydney Road	BURRUNDULLA
DA0033/2019	Carport	4	Fleetwood Avenue	MUDGEE
DA0034/2019	Airstrip	151	Stubbo Road	STUBBO
DA0035/2019	Light Industry	6	John Street	ULAN
DA0037/2019	Residential Shed	4	Meroo Crescent	MUDGEE
DA0038/2019	Shed >150m2	1719	Hill End Road	GRATTAI
DA0039/2019	Dwelling House	20	Hughson Avenue	MUDGEE
DA0044/2019	Function Centre	111	Mount Pleasant Lane	BUCKAROO
DA0046/2019	Subdivision - Torrens Title	20	Bell Street	MUDGEE
DA0047/2019	Self-Storage units	89	Lions Drive	MUDGEE
DA0048/2019	Residential Shed	42	Banjo Paterson Avenue	MUDGEE
DA0050/2019	Commercial Premises	22	Sydney Road	MUDGEE

Monthly Development Application Processing Report – August 2018

Heritage Development Applications currently being processed – August 2018.

Appl/Proc ID	Description	House No	Street Name	Locality
DA0271/2011	Alterations & Additions	87	Short Street	MUDGEE
DA0091/2017	Residential Shed	42	Louee Street	RYLSTONE
DA0058/2018	Fence	1	Dunphy Crescent	MUDGEE
DA0220/2018	Commercial Premises	13	Perry Street	MUDGEE
DA0292/2018	Commercial Alterations/Additions	27	Fleming Street	KANDOS
DA0296/2018	Change of use - Education Establishment	77	Louee Street	RYLSTONE
DA0319/2018	Change of use - Beauty Salon	46	Market Street	MUDGEE
DA0320/2018	Alterations & Additions	106	Gladstone Street	MUDGEE
DA0002/2019	Alterations & Additions	47	Herbert Street	GULGONG
DA0019/2019	Alterations & Additions	125	Denison Street	MUDGEE
DA0025/2019	Residential Shed	64	Mortimer Street	MUDGEE
DA0026/2019	Signage	75	Denison Street	MUDGEE
DA0028/2019	Residential Shed	106	Denison Street	MUDGEE
DA0036/2019	Garage	103	Gladstone Street	MUDGEE
DA0042/2019	Alterations & Additions	45	Lawson Street	MUDGEE
DA0043/2019	Change of use - Health Service	98	Market Street	MUDGEE
DA0045/2019	Change of use - Butchers Shop fit out	96	Mortimer Street	MUDGEE
DA0049/2019	Residential Shed	27	Lewis Street	MUDGEE

Item 9: Finance

9.1 Draft Financial Statements 2017/18

REPORT BY THE ACTING CHIEF FINANCIAL OFFICER
TO 19 SEPTEMBER 2018 ORDINARY MEETING
GOV400066, FIN300135

RECOMMENDATION

That Council:

1. receive the report by the Acting Chief Financial Officer on the Draft Financial Statements 2017/18;
 2. resolves that in its opinion the General Purpose Financial Statements and Special Purpose Financial Statements for the year ended 30 June 2018:
 - 2.1 have been drawn up in accordance with the provisions of the Local Government Act 1993, the Local Government (General) Regulation 2005, the Australian Accounting Standards, and the Local Government Code of Accounting Practice and Financial Reporting;
 - 2.2 present fairly the Council's financial position and operating result for the year;
 - 2.3 accord with the Council's accounting and other records; and
 - 2.4 do not contain any known matter that would make the financial statements false or misleading in any way
 3. authorise the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer to sign the Statement by Councillors and Management on its opinion of the General Purpose Financial Report 2017/18 and Special Purpose Financial Report 2017/18;
 4. authorise the General Manager to issue the 2017/18 Financial Reports immediately upon receipt of the Auditors Report, subject to there being no material audit adjustments or audit issues;
 5. authorise the General Manager to finalise the date at which the Auditors Report and Financial Statements for 2017/18 are to be presented to the public; and
 6. approve the transfer of \$200,000 to the State Roads Warranty Reserve for the 2017/18 financial year.
-

Executive summary

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

Disclosure of Interest

Nil.

Detailed report

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

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

It is recommended that Council authorise the General Manager to finalise the date at which the auditors' report and financial statements are to be presented to the public. It is anticipated that this presentation will occur at the Council meeting of 17 October 2018.

Transfer to State Roads Warranty Reserve

As part of the contract work completed on the Roads and Maritime Services (RMS) controlled State Highways Council has a responsibility to repair defects. As outline in Councils Financial Reserves Policy the purpose of the State Roads Warranty Reserve is *To provide a quasi-self-insurance for State Road works contracts, should cost of contracts exceed agreed Roads and Maritime Services (RMS) contributions or road failures need repair as per RMS contract requirements.*

Due to the large increase in RMS contract work during the 2017/18 financial year and some identified seal defects it is recommended to transfer an additional \$200,000 into the State Roads Warranty Reserve. This would bring the reserve up to its target maximum balance of \$400,000. Any defects works can then be funded from here rather than Councils unrestricted cash.

Community Plan implications

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

Strategic implications

Council Strategies

Not applicable.

Council Policies

Not applicable.

Legislation

Section 413 of the Local Government Act 1993 requires that:

1. A council must prepare financial reports for each year, and must refer them for audit as soon as practicable (having regard to the requirements of section 416 (1)) after the end of that year.
2. Council's financial reports must include the following:
 - a) a general purpose financial report, and
 - b) any other matters prescribed by the regulations, and
 - c) a statement in the approved form by the council as to its opinion on the general purpose financial report.
3. The general purpose financial report must be prepared in accordance with this Act and the regulations and the requirements of:
 - a) the publications issued by the Australian Accounting Standards Board, as in force for the time being, subject to the regulations, and
 - b) such other standards as may be prescribed by the regulations

Section 416 of the Local Government Act 1993 requires that:

1. A council's financial reports for a year must be prepared and audited within the period of 4 months after the end of that year.

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

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

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

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

Financial implications

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

Associated Risks

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

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

- External audit.

Should a material change be required before the audit report is issued, the Financial Statements will be required to come back to Council for confirmation.

NEIL BUNGATE
ACTING CHIEF FINANCIAL OFFICER

31 August 2018

- Attachments:*
1. Statement by Councillors and Management General Purpose Financial Statements 2017/18.
 2. Statement by Councillors and Management Special Purpose Financial Statements 2017/18.
 3. Draft General Purpose Financial Statements 2017/18. (Confidential - separately attached)
 4. Draft Special Purpose Financial Statements 2017/18. (Confidential - separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Mid-Western Regional Council

General Purpose Financial Statements for the year ended 30 June 2018

Statement by Councillors and Management made pursuant to Section 413(2)(c) of the *Local Government Act 1993 (NSW)* (as amended)

The attached General Purpose Financial Statements have been prepared in accordance with:

- the *Local Government Act 1993 (NSW)* (as amended) and the regulations made thereunder,
- the Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board
- the Local Government Code of Accounting Practice and Financial Reporting.

To the best of our knowledge and belief, these financial statements:

- present fairly the Council's operating result and financial position for the year,
- accord with Council's accounting and other records.

We are not aware of any matter that would render these statements false or misleading in any way.

Signed in accordance with a resolution of Council made on 19 September 2018.

Clr Des Kennedy
Mayor
19 September 2018

Clr Paul Cavalier
Councillor
19 September 2018

Mr Brad Cam
General Manager
19 September 2018

Mr Neil Bungate
Responsible Accounting Officer
19 September 2018

Mid-Western Regional Council

Special Purpose Financial Statements for the year ended 30 June 2018

Statement by Councillors and Management made pursuant to the Local Government Code of Accounting Practice and Financial Reporting

The attached Special Purpose Financial Statements have been prepared in accordance with:

- the NSW Government Policy Statement 'Application of National Competition Policy to Local Government',
- the Division of Local Government Guidelines 'Pricing and Costing for Council Businesses – A Guide to Competitive Neutrality',
- the Local Government Code of Accounting Practice and Financial Reporting,
- the NSW Office of Water Best-Practice Management of Water and Sewerage Guidelines.

To the best of our knowledge and belief, these financial statements:

- present fairly the operating result and financial position for each of Council's declared business activities for the year, and
- accord with Council's accounting and other records.

We are not aware of any matter that would render these statements false or misleading in any way.

Signed in accordance with a resolution of Council made on 19 September 2018.

Clr Des Kennedy
Mayor

Clr Paul Cavalier
Councillor

Mr Brad Cam
General manager

Mr Neil Bungate
Responsible accounting officer

9.2 Quarterly Budget Review June 2018

REPORT BY THE ACTING MANAGER FINANCIAL PLANNING
TO 19 SEPTEMBER 2018 ORDINARY MEETING
GOV400066, FIN300117

RECOMMENDATION

That Council:

1. **receive the report by the Acting Manager Financial Planning on the Quarterly Budget Review June 2018; and**
2. **note the opinion by the Responsible Accounting Officer regarding the satisfactory financial position of Council.**

Executive summary

This is the final budget review for the 2017/18 Operational Plan. The attachment to this report provides commentary on the unaudited financial position and performance against budget, as at 30 June 2018.

Disclosure of Interest

Nil.

Detailed report

Whilst the Local Government Regulation 2005 does not require a budget review statement for the June quarter it is managements' determination that a review of the 2017/18 actual performance to approved budget is provided to Council. As the 2017/18 financial statements are currently in draft format the review has been performed against the unaudited balances. Some sections of the midyear Quarterly Budget Review Statement such as Income Statement, Balance Sheet and Key Financial Indicators have been removed as final reporting will be provided in the audited financial statements.

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

Community Plan implications

Theme	Good Governance
-------	-----------------

Goal	An effective and efficient organisation
------	-----------------------------------------

Strategy	Prudently manage risks association with all Council activities
----------	----------------------------------------------------------------

Strategic implications

Council Strategies

Not applicable

Council Policies

Not applicable

Legislation

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

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

Financial implications

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

It is my opinion as the Responsible Accounting Officer, that the financial position of Mid-Western Regional Council as at 30 June 2018 is satisfactory, having regard to the original estimates of income and expenditure, and actuals, for the 2018/19 financial year.

Associated Risks

Not applicable

TRISH ELSEGOOD
ACTING MANAGER FINANCIAL PLANNING

NEIL BUNGATE
ACTING CHIEF FINANCIAL OFFICER

10 August 2018

Attachments: 1. Quarterly Budget Review June 2018. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

9.3 Monthly Budget Review - July 2018

REPORT BY THE ACTING MANAGER FINANCIAL PLANNING
TO 19 SEPTEMBER 2018 ORDINARY MEETING
GOV400066, FIN300179

RECOMMENDATION

That Council receive the report by the Acting Manager Financial Planning on the Monthly Budget Review - July 2018.

Executive summary

This report provides Council with the information on the progress of the 2018/19 capital works program as at 31 July 2018.

Disclosure of Interest

Nil

Detailed report

The attachment to this report includes status of all capital works projects as at 31 July 2018.

Community Plan implications

Theme	Good Governance
Goal	An effective and efficient organisation
Strategy	Pursue efficiencies and ongoing business improvement

Strategic implications

Council Strategies

Not Applicable

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

Not Applicable

Associated Risks

Not Applicable

TRISH ELSEGOOD
ACTING MANAGER FINANCIAL PLANNING

NEIL BUNGATE
ACTING CHIEF FINANCIAL OFFICER

4 September 2018

Attachments: 1. Monthly Budget Review July 2018.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



*Good
Government*

MONTHLY BUDGET REVIEW – JULY 2018

ATTACHMENT 1 – CAPITAL
PROGRAM UPDATE

19 SEPTEMBER 2018

MID-WESTERN REGIONAL COUNCIL
CORPORATE: FINANCE

■ ■ ■ ■ ■ TOWARDS 2030



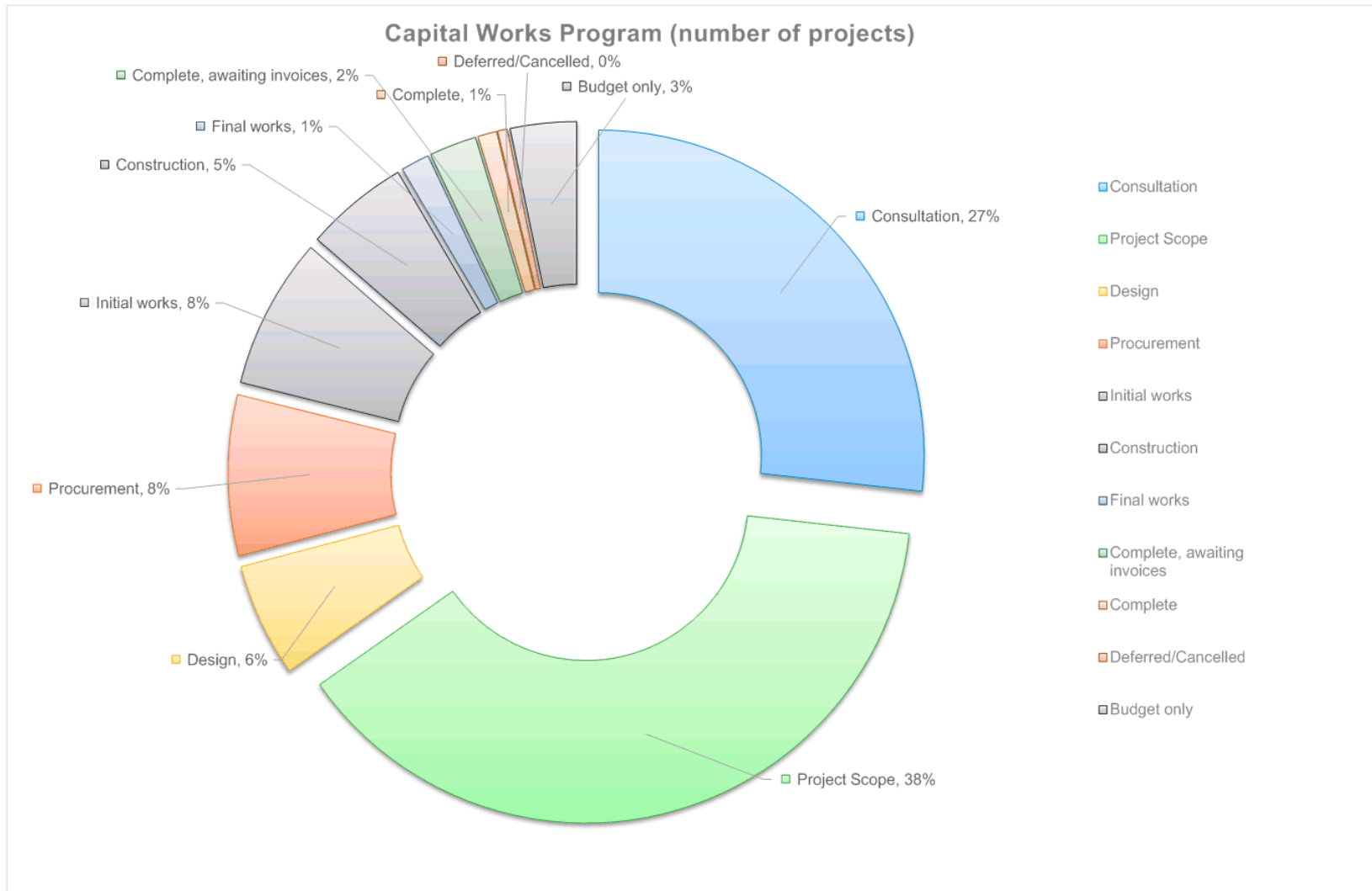
THIS DOCUMENT HAS BEEN PREPARED BY NEIL BUNGATE, ACTING CFO FOR MID-WESTERN REGIONAL COUNCIL.

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

DATE OF PUBLICATION: 19 SEPTEMBER 2018

KEY

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



\$'000	Original Annual Budget	Approved Variations	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Project Status
Looking after our Community								
MUDGEES POUND - CAGE REPAIRS	20	0	20	0	20	0	0%	Consultation
COMM. TRANSPORT- VEHICLE PURCHASE	173	0	173	0	173	0	0%	Consultation
CAPITAL -DENISON STREET UNITS	25	0	25	0	25	0	0%	Initial works
MUDGEES CEMETERY CAP IMPV	0	0	0	0	0	3	0%	Budget only
CEMETERY CAPITAL PROGRAM	15	0	15	0	15	0	0%	Consultation
GULGONG LAWN CEMETERY EXTENSION	25	0	25	0	25	0	0%	Procurement
REDHILL PUBLIC TOILETS - CAP UPGRADE	55	0	55	0	55	0	0%	Consultation
PUBLIC TOILETS - VICTORIA PARK GULGONG SHOWERS	10	0	10	0	10	0	0%	Project Scope
PUBLIC TOILETS - ROTARY PARK KANDOS PAINTING	10	0	10	0	10	0	0%	Project Scope
PUBLIC TOILETS - LAWSON PARK PAINTING (FLOOR)	5	0	5	0	5	0	0%	Project Scope
LIBRARY BOOKS	89	0	89	0	89	20	22%	Construction
RYLSTONE LIBRARY BRANCH	0	26	26	0	26	0	1%	Design
MUDGEES LIBRARY LIGHTING	10	0	10	0	10	0	0%	Consultation
MUDGEES TOWN HALL - SENSORY SCREENING	7	0	7	0	7	0	0%	Consultation
CAP UPGRD-COMMUNITY BLD-BUDGET ONLY	28	0	28	0	28	0	0%	Budget only
GULGONG MEMORIAL HALL EXT. PAINTING	30	0	30	0	30	0	0%	Consultation
GULGONG MEMORIAL HALL ROOF	70	0	70	0	70	0	0%	Consultation
STABLES BUILDING PAINTING	10	0	10	0	10	0	0%	Project Scope
POOL INFLATABLE	17	0	17	0	17	0	0%	Procurement

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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	Project Status
POOL MATTS	28	0	28	0	28	0	0%	Procurement
POOL MATT ROLLERS	20	0	20	0	20	0	0%	Procurement
GULGONG POOL IRRIGATION	15	0	15	0	15	0	0%	Procurement
MUDGEES SHOWGROUNDS - REDEVELOPMENT	500	0	500	0	500	0	0%	Consultation
GLEN WILLOW SPORTS GROUND UPGRADES	3,000	10,905	13,905	0	13,905	0	0%	Consultation
GLEN WILLOW NETBALL COURTS	110	0	110	0	110	0	0%	Initial works
GLEN WILLOW SHED	15	0	15	0	15	0	0%	Procurement
WARATAH PARK FENCING	8	0	8	0	8	0	0%	Initial works
GLEN WILLOW SCOREBOARD	160	0	160	0	160	0	0%	Consultation
MUDGEES SKATE PARK	214	0	214	0	214	0	0%	Initial works
GULGONG SKATE PARK	150	0	150	0	150	0	0%	Procurement
MUDGEES SHOWGROUNDS - AMENITIES	125	0	125	0	125	0	0%	Consultation
MUDGEES TENNIS COURTS - CAPITAL UPGRADE	20	0	20	0	20	20	101%	Complete, awaiting invoices
MUDGEES SHOWGROUND AMENITIES PAINTING	8	0	8	0	8	0	0%	Consultation
MUDGEES SHOWGROUND TOILET BLOCK PAINTING	5	0	5	0	5	0	0%	Consultation
MUDGEES SHOWGROUND PAVILION COOLING	8	0	8	0	8	0	0%	Consultation
MUDGEES SHOWGROUND INTERNAL ROAD ACCESS	5	0	5	0	5	0	0%	Consultation
MUDGEES SHOWGROUND EQUIPMENT STORAGE	5	0	5	0	5	0	0%	Consultation
KANDOS SPORTSGROUND GRANDSTAND SEATING	34	0	34	0	34	0	0%	Consultation
BILLY DUNN GRANDSTAND - EXTERNAL PAINTING	30	0	30	0	30	0	0%	Consultation

\$'000	Original Annual Budget	Approved Variations	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Project Status
PEOPLES PARK - CAPITAL UPGRADE	5	0	5	0	5	0	0%	Consultation
PASSIVE PARKS - LANDSCAPING IMPROVEMENTS	5	0	5	0	5	0	0%	Project Scope
SCULPTURES ACROSS THE REGION	25	0	25	0	25	3	12%	Project Scope
PLAYGROUND EQUIPMENT - ROTARY PARK KANDOS	40	0	40	0	40	0	0%	Procurement
PLAYGROUND EQUIPMENT - APEX PARK GULGONG	50	0	50	0	50	0	0%	Procurement
PLAYGROUND SHADING - BLACKMAN PARK	16	0	16	0	16	0	0%	Project Scope
MUDGEES OUTDOOR WATER PARK	1,050	0	1,050	0	1,050	0	0%	Project Scope
DISTRICT ADVENTURE PLAYGROUND	800	0	800	0	800	1	0%	Procurement
APEX PARK GULGONG CAPITAL UPGRADES	16	0	16	0	16	1	4%	Procurement
PLAYGROUND SOFTFALL - APEX PARK GULGONG	65	0	65	0	65	0	0%	Procurement
ROBERTSON PARK EQUIPMENT STORE	10	0	10	0	10	0	0%	Consultation
LAWSON PARK PATH UPGRADES	62	0	62	0	62	0	0%	Procurement
BLACKMAN PARK LIGHTING	10	0	10	0	10	0	0%	Design
DARTON PARK FENCING	12	0	12	0	12	0	0%	Initial works
RYLSTONE RIVERBANK PICNIC TABLES	10	0	10	0	10	0	0%	Initial works
ART GALLERY FACILITY	3,500	24	3,524	0	3,524	0	0%	Consultation
STREETSCAPE - CBD INFRASTRUCTURE	13	8	21	0	21	0	0%	Final Works
Total	10,749	10,963	21,711	0	21,711	48	0%	

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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	Project Status
Protecting our Natural Environment								
RURAL WASTE DEPOT UPGRADES	150	42	192	0	192	9	5%	Design
MUDGEES WASTE DEPOT UPGRADES	34	0	34	0	34	0	0%	project scope
NEW TIP CONSTRUCTION	2,000	0	2,000	0	2,000	0	0%	design
WASTE SITES REHABILITATION	400	0	400	0	400	66	17%	consultation
MUDGEES RECYCLING - NEW LIFT	50	0	50	0	50	0	0%	consultation
LEACHATE POND ENLARGEMENT	250	0	250	0	250	0	0%	project scope
GULGONG WTS OFFICE REPLACEMENT	100	0	100	0	100	0	0%	consultation
HOOKLIFT BINS	0	48	48	0	48	0	0%	Complete
CAUSEWAY IMPROVEMENTS	62	0	62	0	62	0	0%	Project Scope
LAWSON PARK WEST PIPE EXTENSION	0	17	17	0	17	0	0%	Final works
MUDGEES FLOOD STUDY & FLOODPLAIN MANAGEMENT PLAN	157	15	172	0	172	0	0%	Project Scope
KERB EXTENSIONS JACQUES AND DANGAR STREETS	50	0	50	0	50	0	0%	Project Scope
STORMWATER PUMP PITTS LANE	0	2	2	0	2	0	0%	Final works
LAWSON PARK CULVERT REPLACEMENT	110	0	110	0	110	0	0%	Consultation
COX ST INLET PIT	30	0	30	0	30	0	0%	Consultation
EARTH CHANNEL ENLARGEMENT WORKS	100	0	100	0	100	0	0%	Consultation
PUTTA BUCCA WETLANDS CAPITAL	32	0	32	0	32	0	0%	Consultation
PUTTA BUCCA WETLANDS EXTENSION	31	0	31	0	31	13	42%	Construction
WATER NEW CONNECTIONS	74	0	74	0	74	7	9%	Initial works
WATER AUGMENTATION - MUDGEES HEADWORKS	2,696	0	2,696	0	2,696	0	0%	Consultation

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WATER AUGMENTATION - ULAN RD EXTENSION	1,500	29	1,529	0	1,529	0	0%	Consultation
WATER RYLSTONE DAM UPGRADE	530	63	593	0	593	0	0%	Project Scope
WATER MAINS - CAPITAL BUDGET ONLY	900	0	900	0	900	0	0%	Consultation
WATER MAINS - ROBINSON STREET	0	24	24	0	24	7	27%	Construction
WATER MAINS - DANGAR STREET	0	45	45	0	45	51	113%	Construction
WATER PUMP STATION - CAPITAL RENEWALS	207	0	207	0	207	0	0%	Project Scope
RESERVOIRS - RYLSTONE, KANDOS, CHARBON, CLANDULLA	55	0	55	0	55	0	0%	Consultation
RAW WATER SYSTEMS RENEWALS	17	0	17	0	17	0	0%	Budget only
WATER TREATMENT PLANT - RENEWALS	101	0	101	0	101	0	0%	Consultation
WATER TREATMENT PLANT - pH CORRECTION SYSTEM	0	16	16	0	16	0	0%	Construction
ONLINE ANALYSER REPLACEMENT - M, G, R WTP (Inc Flouride)	0	8	8	0	8	0	0%	Project Scope
WATER METER REPLACEMENT	865	0	865	0	865	0	0%	Consultation
SEAL GULGONG WATER FILLING STATION	98	0	98	0	98	0	0%	Budget only
CHLORINE DISINFECITON - GULGONG - UPGRADE	110	0	110	0	110	1	1%	Project Scope
SEWER NEW CONNECTIONS	22	0	22	0	22	0	0%	Consultation
SEWER AUGMENTATION - CHARBON & CLANDULLA	1,715	(715)	1,000	0	1,000	0	0%	Design
SEWER MAINS - CAPITAL BUDGET ONLY	255	0	255	0	255	0	0%	Budget only
SEWER MAINS RELINING	600	0	600	0	600	0	0%	Project Scope
SEWER PUMP STATION - CAPITAL RENEWALS	970	0	970	0	970	0	0%	Consultation
Total	14,271	(405)	13,866	0	13,866	154	1%	

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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	Project Status
Building a Strong Local Economy								
CUDGEGONG WATERS CARAVAN PARK	0	11	11	0	11	0	3%	Initial works
ENTRANCE SIGNAGE PROJECT	20	0	20	0	20	0	0%	Consultation
SALEYARDS - POST AND RAIL REPLACEMENT	10	5	15	0	15	0	0%	Consultation
SALEYARDS CANTEEN	8	0	8	0	8	0	0%	Consultation
SALEYARDS SECURITY	6	0	6	0	6	0	0%	Consultation
PROPERTY - MUDGEES AIRPORT SUBDIVISION	0	13	13	0	13	0	0%	Consultation
PROPERTY - EX SALEYARDS STAGE I	390	0	390	0	390	0	0%	Design
PROPERTY - BURRUNDULLA LAND DEVELOPMENT	1	0	1	0	1	2	171%	Deferred/Cancelled
PROPERTY - DEVELOPMENT MORTIMER ST	4,764	56	4,820	0	4,820	0	0%	Project Scope
RYLSTONE KANDOS PRESCHOOL EXTENSION	290	7	297	0	297	0	0%	Design
COMMERCIAL PROPERTY PURCHASE	0	2,820	2,820	0	2,820	0	0%	Procurement
MORTIMER ST PRECINCT EXTERNAL PAINTING	9	0	9	0	9	0	0%	Consultation
CHILD CARE (DOURO) REFERBISHMENT	50	0	50	0	50	1	2%	Consultation
Total	5,549	2,912	8,461	0	8,461	3	0%	

Connecting our Region

BUS SHELTER GULGONG REPAIR STRUCTURE	5	0	5	0	5	0	0%	Consultation
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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	Project Status
URBAN RESEALS - BUDGET ONLY	32	0	32	0	32	0	0%	Budget only
URBAN RESEALS - MACKAY STREET SEG 10	5	0	5	0	5	0	0%	Project Scope
URBAN RESEALS - NANDOURA STREET SEG 70	6	0	6	0	6	0	0%	Project Scope
URBAN RESEALS - POMANY STREET SEG 20 - 30	13	0	13	0	13	0	0%	Project Scope
URBAN RESEALS - RHEINBERGER AVE SEG 10 - 20	13	0	13	0	13	0	0%	Project Scope
URBAN RESEALS - ROBERTSON ST SEG 20	31	0	31	0	31	0	0%	Project Scope
URBAN RESEALS - ROXBURGH ST SEG 10 - 20	17	0	17	0	17	0	0%	Project Scope
URBAN RESEALS - THOMPSONS LANE SEG 10,30	16	0	16	0	16	0	0%	Project Scope
URBAN RESEALS - WATTLE LANE SEG 10	4	0	4	0	4	0	0%	Project Scope
URBAN RESEALS - WHITE STREET SEG 100	11	0	11	0	11	0	0%	Project Scope
URBAN RESEALS - WYNELLA STREET SEG 50	6	0	6	0	6	0	0%	Project Scope
URBAN RESEALS - LOCKWOOD STREET SEG 10	11	0	11	0	11	0	0%	Project Scope
URBAN RESEAL - ANDERSON STREET SEG 10	5	0	5	0	5	0	0%	Project Scope
URBAN RESEAL - AUGUSTA CRESCENT SEG 10	4	0	4	0	4	0	0%	Project Scope
URBAN RESEAL - AVISFORD COURT SEG 10	10	0	10	0	10	0	0%	Project Scope
URBAN RESEAL - BARIGAN STREET	5	0	5	0	5	0	0%	Project Scope
URBAN RESEALS - BELLEVUE RD SEG 10 & 20	32	0	32	0	32	0	0%	Project Scope
URBAN RESEALS - BURGUNDY RD SEG 10	9	0	9	0	9	0	0%	Project Scope

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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	Project Status
URBAN RESEALS - DARREN DRIVE SEG10	13	0	13	0	13	0	0%	Project Scope
URBAN RESEALS - FLIRTATION AVE SEG 10	6	0	6	0	6	0	0%	Project Scope
URBAN RESEALS - HEADLEY PLACE SEG 10	5	0	5	0	5	0	0%	Project Scope
URBAN RESEALS - HENRY BAYLY DR SEG 20	14	0	14	0	14	0	0%	Project Scope
URBAN RESEALS - HERBERT STREET SEG 40 & 50	12	0	12	0	12	0	0%	Project Scope
URBAN RESEALS - HERBERT STREET SEG 90 - 120	18	0	18	0	18	0	0%	Project Scope
URBAN RESEALS - HERMITAGE CLOSE SEG 10	8	0	8	0	8	0	0%	Project Scope
URBAN RESEALS - INGLIS STREET SEG 10	8	0	8	0	8	0	0%	Project Scope
URBAN RESEALS - JOHN STREET SEG 10	10	0	10	0	10	0	0%	Project Scope
URBAN RESEALS - LEWIS STREET SEG 70	12	0	12	0	12	0	0%	Project Scope
URBAN RESEALS - LITTLE BAYLY STREET SEG 10-20	12	0	12	0	12	0	0%	Project Scope
URBAN ROADS KERB & GUTTER CAPITAL	25	0	25	0	25	0	0%	Project Scope
REHAB - ROBINSON STREET SEG 80	21	0	21	0	21	0	0%	Project Scope
REHAB - COOYAL STREET SEG 10	30	0	30	0	30	0	0%	Project Scope
REHAB - ANZAC AVE SEG 10 - 20	34	0	34	0	34	0	0%	Project Scope
REHAB - STEWART STREET SEG 10	7	0	7	0	7	0	0%	Project Scope
REHAB - DOURO STREET SEG 90	214	0	214	0	214	0	0%	Project Scope
URBAN REHAB - INGLIS STREET SEG 20 TO 30	0	7	7	0	7	0	0%	
RESHEETING - URBAN ROADS	15	0	15	0	15	0	0%	Project Scope

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URBAN ROADS LAND MATTERS CAPITAL	22	0	22	0	22	0	0%	Initial works
RURAL REHAB - LUE ROAD SEG 140	264	0	264	0	264	0	0%	Project Scope
RURAL REHAB - HENRY LAWSON DR SEG 220	220	0	220	0	220	0	0%	Project Scope
RURAL REHAB - NARRANGO RD SEG 70 & PART SEG 80	285	0	285	0	285	0	0%	Project Scope
RURAL REHAB - BERYL ROAD WIDENING	0	526	526	0	526	42	8%	Construction
REALIGNMENT - ULAN WOLLAR RD HEAVY PATCHING	3,981	125	4,107	0	4,107	0	0%	Procurement
CUDGEONG ROAD GUARDRAIL	110	0	110	0	110	0	0%	Project Scope
RURAL RESEAL - BANKSIA WAY SEG 10	50	0	50	0	50	0	0%	Project Scope
RURAL RESEAL - BLUE SPRINGS RD SEG 50-100	6	0	6	0	6	0	0%	Project Scope
RURAL RESEAL - GLEN ALICE RD SEG 10,20,40	272	0	272	0	272	0	0%	Project Scope
RURAL RESEAL - SUMMER HILL RD NTH SEG 50	107	0	107	0	107	0	0%	Project Scope
RURAL RESEAL - TRIANGLE SWAMP RD SEG 30	32	0	32	0	32	0	0%	Project Scope
RURAL RESEAL - ULAN-WOLLAR RD SEG 40,150-190	17	0	17	0	17	0	0%	Project Scope
RURAL RESEAL - YARRAWONGA RD SEG 70-90	244	0	244	0	244	0	0%	Project Scope
RURAL SEALED ROAD LAND MATTERS	89	0	89	0	89	0	0%	Initial works
REHAB BYLONG VALLEY WAY SEG 1030 & 1035	27	0	27	0	27	0	0%	Initial works
REHAB BYLONG VALLEY WAY PART SEG 2110 & 2112	518	1,043	1,561	0	1,561	0	0%	Project Scope
REHAB SHORT ST - PERRY ST TO CHURCH ST	100	0	100	0	100	0	0%	Project Scope

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RURAL SEALED REGIONAL ROAD REPAIR PROGRAM	800	0	800	0	800	0	0%	Project Scope
BLACKSPOT BUDGET ONLY	1,160	(1,160)	0	0	0	0	0%	Budget only
REHAB BYLONG VALLEY WAY SEG 1040 TO 1045	0	0	0	0	0	10	0%	Complete
MUNGHORN GAP REALIGNMENT & UPGRADE	0	5,664	5,664	0	5,664	0	0%	Design
BVW SEG 2250 SURVEY AND DESIGN	0	9	9	0	9	0	0%	
BVW UPGRADE UPPER BYLONG AND WOLLAR ROAD	0	785	785	0	785	0	0%	Design
INTERSECTION BVW AND WOLLAR ROAD	0	419	419	0	419	0	0%	Design
RURAL SEALED REGIONAL ROAD LAND MATTERS CAPITAL	5	0	5	0	5	0	0%	Project Scope
SEAL EXTENSION - BUNBURY ROAD	0	18	18	0	18	0	0%	Project Scope
SEAL EXTENSION - BLACK LEAD LANE	0	51	51	0	51	0	0%	Consultation
RESHEETING	1,318	(10)	1,308	0	1,308	108	8%	Construction
REALIGNMENT MALONEYS ROAD	0	0	0	0	0	0	0%	Complete, awaiting invoices
UNSEALED ROADS LAND MATTERS CAPITAL	16	4	20	0	20	0	0%	Initial works
SEAL EXTENSION - WOLLAR ROAD	1,600	3,246	4,846	0	4,846	0	0%	Construction
SEAL EXTENSION - STAGE 4 WOLLAR ROAD	0	0	0	0	0	18	0%	Construction
HENRY LAWSON DRIVE BRIDGE	550	306	856	0	856	0	0%	Construction
GOODIMAN CREEK BRIDGE REPLACEMENT	450	153	603	0	603	0	0%	Initial works
REGIONAL ROAD BRIDGE CAPITAL	57	0	57	0	57	0	0%	Project Scope
ULAN ROAD - COPE RD TO UCML MINE ENTRANCE	0	118	118	0	118	36	30%	Complete, awaiting invoices

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ULAN ROAD - WATTLEGROVE LN TO MIDBLOCK 19.999	0	494	494	0	494	42	8%	Complete, awaiting invoices
ULAN ROAD - WYALDRA LN TO QUARRY ENTRANCE 27.783	0	1,263	1,263	0	1,263	24	2%	Complete, awaiting invoices
ULAN ROAD - REHABS, WIDENING AND CONFORMING RESEALS - BUDGET	734	0	734	0	734	0	0%	Project Scope
FOOTWAYS - CAPITAL WORKS	116	0	116	0	116	9	8%	Construction
PEDESTRIAN - PUTTA BUCCA WALKWAY	0	32	32	0	32	0	0%	Design
GLEN WILLOW FOOTBRIDGE RECTIFICATION	0	22	22	0	22	1	4%	Project Scope
FOOTPATH - WINTER STREET TO WALKING TRACK	39	(12)	27	0	27	0	0%	Consultation
FOOTPATH - JACQUES STREET, WSTN SIDE	0	12	12	0	12	0	0%	Project Scope
AIRPORT - TAXIWAY CIVIL WORKS	0	22	22	0	22	0	1%	Project Scope
AIRPORT - OBSTACLE LIGHTS	6	0	6	0	6	0	0%	Consultation
AIRPORT - HANGAR	0	220	220	0	220	0	0%	Procurement
AIRPORT - MAIN RUNWAY SURFACE ASSESSMENT	25	0	25	0	25	0	0%	Consultation
Total	14,020	13,355	27,375	0	27,375	291	1%	

Good Government

CORPORATE BUILDINGS UPGRADE BUDGET ONLY	88	0	88	0	88	0	0%	Project Scope
MUDGE ADMINISTRATION BUILDING UPGRADE	100	0	100	0	100	0	0%	Project Scope
RYLSTONE COUNCIL BUILDING	95	0	95	0	95	0	0%	Design

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CAPITAL UPGRADE - MWRC DEPOT	100	0	100	0	100	0	0%	Project Scope
GULGONG OFFICE CAPITAL	20	0	20	0	20	0	0%	Consultation
GULGONG DEPOT CAPITAL	10	0	10	0	10	0	0%	Consultation
OLD POLICE STATION CAPITAL	7	0	7	0	7	0	0%	Consultation
OPERATIONS ADMIN CAPITAL	30	0	30	0	30	0	0%	Consultation
CARMEL CROAN BUILDING CAPITAL	30	0	30	0	30	0	0%	Consultation
BUILDINGS MASTER KEY SYSTEM	100	0	100	0	100	0	0%	Consultation
IT SPECIAL PROJECTS	45	0	45	0	45	1	2%	Initial works
IT NETWORK UPGRADES	60	0	60	0	60	7	12%	Initial works
IT CORPORATE SOFTWARE	144	108	252	0	252	0	0%	Project Scope
SERVER RECONFIGURATION	35	0	35	0	35	0	0%	Project Scope
SERVER ROOM MUDGEE CAPITAL UPGRADES	0	30	30	0	30	0	0%	Project Scope
PLANT PURCHASES	6,050	0	6,050	0	6,050	0	0%	Procurement
MUDGEE DEPOT WASHBAY	65	4	69	0	69	9	13%	Initial works
MUDGEE BULK OIL STORAGE	20	0	20	0	20	0	0%	Consultation
DEPOT SHEDS - STORES AND ROADS	50	0	50	0	50	0	0%	Consultation
Total	7,048	142	7,190	0	7,190	17	0%	

Total Capital Works Program

51,636	26,967	78,603	0	78,603	513	1%
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9.4 Monthly Statement of Investment and Bank Balances as at 31 August 2018

REPORT BY THE ACTING MANAGER FINANCIAL PLANNING
TO 19 SEPTEMBER 2018 ORDINARY MEETING
GOV400066, FIN300053

RECOMMENDATION

That Council:

1. receive the report by the Acting Manager Financial Planning on the Monthly Statement of Investment and Bank Balances as at 31 August 2018; and
2. note the certification of the Responsible Accounting Officer.

Executive summary

The purpose of this report is to certify that Council's investments have been made in accordance with legal and policy requirements; provide information on the detail of investments and raise other matters relevant to Council's investment portfolio as required.

Disclosure of Interest

Nil.

Detailed report

The attachment to this report provides information on the performance of the portfolio and provides a register of all investments held as at 31 August 2018. It is important to note the majority of the increase in portfolio balance from the end of July can be found in the at call funds account. This is primarily due to first quarterly rates instalment payments received into Council's account on the 31st of August.

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

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

Not applicable.

TRISH ELSEGOOD
ACTING MANAGER FINANCIAL PLANNING

NEIL BUNGATE
ACTING CHIEF FINANCIAL OFFICER

4 September 2018

Attachments: 1. Investment balances 31 August 2018.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

For the month ended: 31/08/2018

Investment Register as at 31 August 2018

Bank Account	Opening Balance	Receipts	Payments	Closing Balance	Overdraft Limit
NAB (Cheque Account)	53,322	20,937,429	20,817,980	172,771	700,000

The bank balances have been reconciled to the General Ledger as at 31/08/2018

Investments	Type	Amount \$'000	Yield %	Maturity Date	Term	Long Term Rating
National Australia Bank	At Call	5,374	1.90%	NA	At Call	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-
National Australia Bank	Term Deposit	1,000	2.60%	19/12/2018	287	AA-
National Australia Bank	Term Deposit	2,500	2.62%	23/01/2019	301	AA-
National Australia Bank	Term Deposit	1,500	2.90%	29/04/2020	728	AA-
Bankwest	Term Deposit	1,500	2.80%	20/03/2019	266	AA-
Bankwest	Term Deposit	2,000	2.80%	27/03/2019	273	AA-
Bankwest	Term Deposit	2,000	2.80%	17/04/2019	286	AA-
Bankwest	Term Deposit	1,500	2.80%	15/05/2019	287	AA-
Bankwest	Term Deposit	1,000	2.80%	1/05/2019	266	AA-
Bankwest	Term Deposit	2,500	2.80%	29/05/2019	280	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-
CBA	Term Deposit	1,000	2.79%	24/04/2019	363	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-
St George Bank	Term Deposit	2,500	2.70%	20/02/2019	280	AA-
Westpac	Term Deposit	1,500	2.71%	7/08/2019	546	AA-

Investments	Type	Amount \$'000	Yield %	Maturity Date	Term	Long Term Rating
Westpac	Term Deposit	1,000	2.85%	15/04/2020	742	AA-
Westpac	Term Deposit	2,500	2.88%	27/05/2020	728	AA-
Westpac	Term Deposit	2,000	2.76%	12/06/2019	371	AA-
Suncorp Metway	Term Deposit	2,500	2.55%	28/11/2018	357	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
AMP	Term Deposit	1,000	2.80%	6/03/2019	266	A
AMP	Term Deposit	1,000	2.85%	6/03/2019	252	A
ING Bank	Term Deposit	1,000	2.92%	2/10/2019	720	A
ING Bank	Term Deposit	2,500	2.86%	4/03/2020	728	A
Bank of Queensland	Term Deposit	1,000	2.75%	3/04/2019	238	BBB+
Bank of Queensland	Term Deposit	2,000	2.75%	26/06/2019	301	BBB+
Bendigo & Adelaide Bank	Term Deposit	1,300	2.65%	31/10/2018	364	BBB+
Rural Bank	Term Deposit	1,500	2.80%	6/02/2019	280	BBB+
Bank Australia	Term Deposit	1,500	2.80%	24/04/2019	273	BBB
Credit Union Australia	Term Deposit	1,000	2.60%	31/10/2018	343	BBB
Credit Union Australia	Term Deposit	1,000	2.78%	1/05/2019	364	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
Members Equity Bank	Term Deposit	1,000	2.83%	3/04/2019	272	BBB
TCorp - Cash Fund	Managed Fund	1,698				TCorp (Unrated)
TCorp - Long Term Growth Fund	Managed Fund	1,040				TCorp (Unrated)
TCorp - Medium Term Growth Fund	Managed Fund	5,192				TCorp (Unrated)
Total Investments		76,204				

Limit Compliance as at 31 August 2018

Investments by Institution	Long Term Rating	Amount \$'000	% of Portfolio	
			Actual	Policy Limit
National Australia Bank	AA-	16,674	22%	30%
Bankwest	AA-	10,500	14%	30%
CBA	AA-	4,000	5%	30%
St George Bank	AA-	5,300	7%	30%
Westpac	AA-	7,000	9%	30%
Suncorp Metway	A+	2,500	3%	15%
AMP	A	5,000	7%	15%
ING Bank	A	3,500	5%	15%
Bank of Queensland	BBB+	3,000	4%	5%
Bendigo & Adelaide Bank	BBB+	1,300	2%	5%
Rural Bank	BBB+	1,500	2%	5%
Bank Australia	BBB	1,500	2%	5%
Credit Union Australia	BBB	2,000	3%	5%
Defence Bank	BBB	1,500	2%	5%
Members Equity Bank	BBB	3,000	4%	5%
TCorp - Medium Term Growth Fund	TCorp (Unrated)	5,192	7%	15%
TCorp - Long Term Growth Fund	TCorp (Unrated)	1,040	1%	15%
TCorp - Cash Fund	TCorp (Unrated)	1,698	2%	15%
		76,204	100%	

Investments by S&P Rating	Long Term Rating	Amount \$'000	% of Portfolio	
			Actual	Policy Limit
	AAA to AA-	43,474	57%	100%
	A+ to A-	11,000	14%	40%
	BBB+ to BBB-	13,800	18%	20%
	TCorp (Unrated)	7,930	10%	15%
	Unrated	-	0%	\$ 250,000
		76,204	100%	

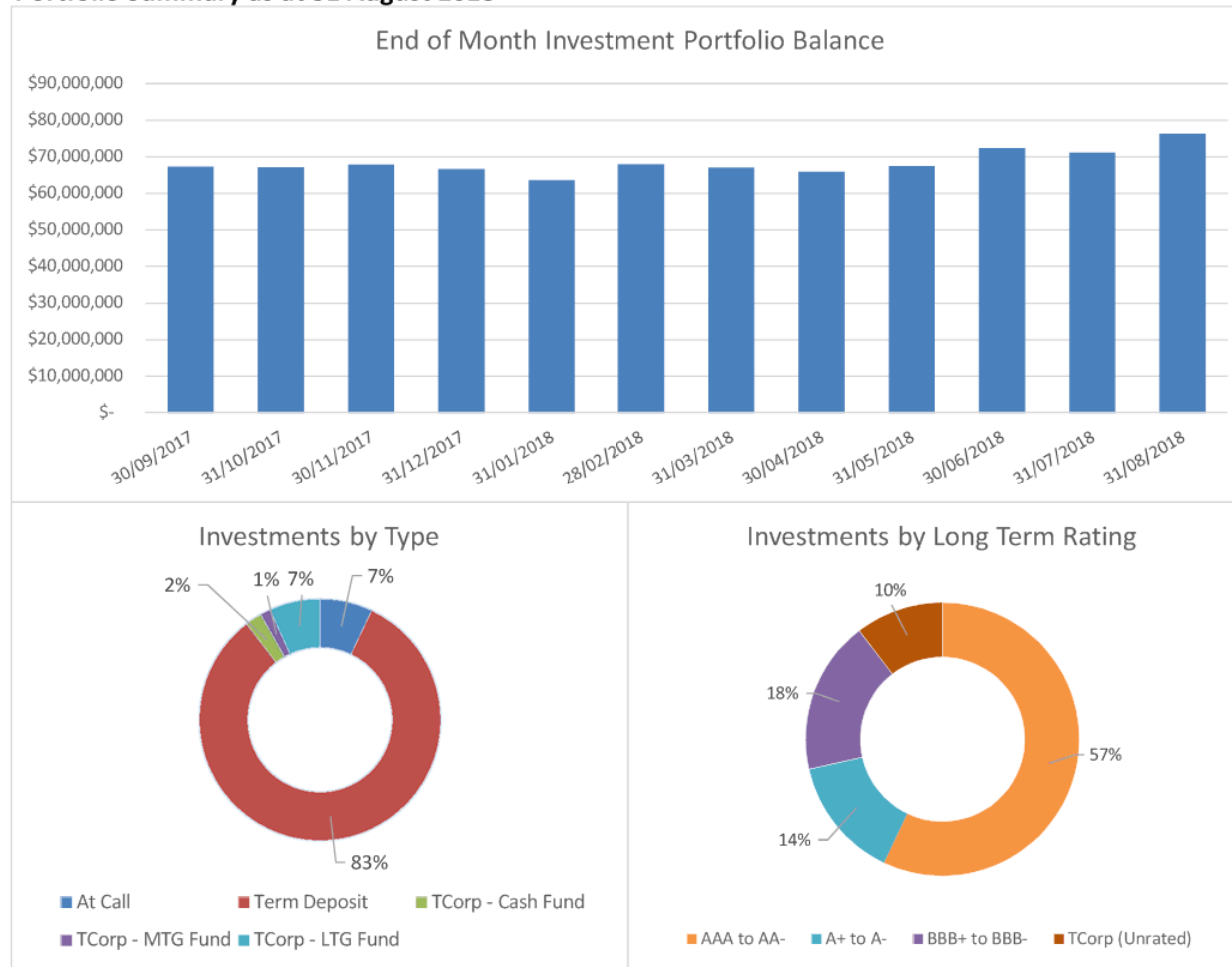
Term to Maturity	Amount \$'000	Actual	% of Portfolio	
			Cumulative Actual	Cumulative Minimum
Less than 3 months	32,204	42%	42%	20%
Between 3 months and 1 year	35,500	47%	89%	40%
Between 1 year and 2 years	8,500	11%	100%	50%
Between 2 years and 4 years	-	0%	100%	85%
More than 5 years	-	0%	100%	0%
	76,204	100%		

Monthly Investment Portfolio Activity

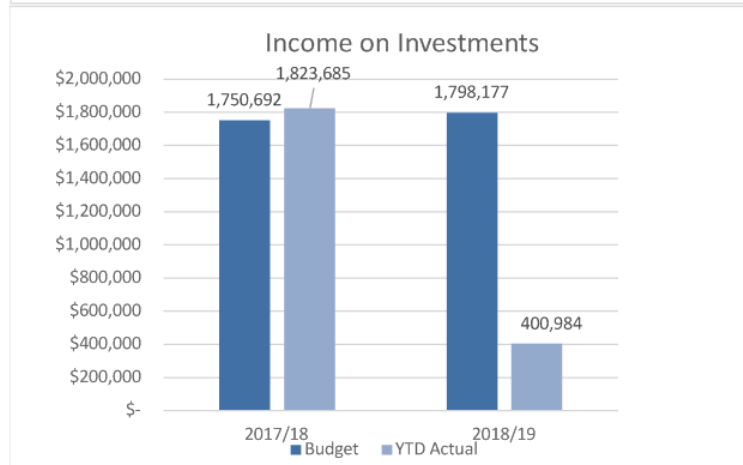
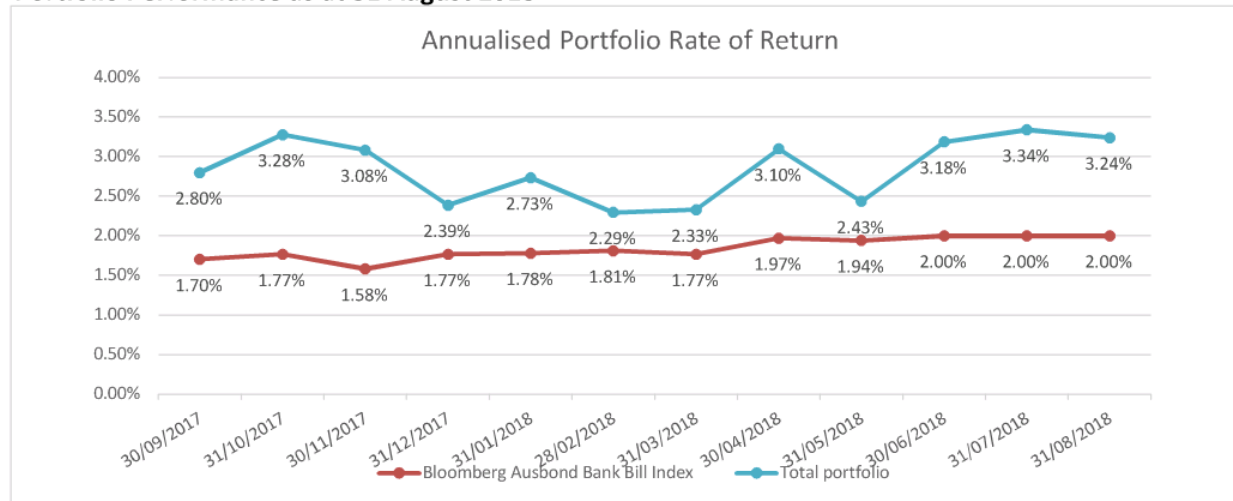
The below table shows investments that have matured and have been redeemed or re-invested, and new investments placed.

Bank Accounts	Opening Balance \$'000	Redeemed Balance \$'000	Re-invested Balance \$'000	Change in interest rate	Change in Term (days)	New Term Rate
NAB (At call account)	4,066		5,374			
TCorp - Cash Fund	1,694		1,698			
TCorp - Long Term Growth Fund	1,023		1,040			
TCorp - Medium Term Growth Fund	5,155		5,192			
Bankwest			1,500	New Deposit		2.80%
CBA	1,000	1,000		Redeemed		
Bank of Queensland	1,000		1,000	0.15%	(49)	2.75%
Bankwest			1,000	New Deposit		2.80%
Bank of Queensland	1,300	1,300		Redeemed		
Bankwest			2,500	New Deposit		2.80%
CBA	1,000	1,000		Redeemed		
Bank of Queensland			2,000	New Deposit		2.75%
	16,239		21,304			
Investment Portfolio Movement			5,065	Addition		

Portfolio Summary as at 31 August 2018



Portfolio Performance as at 31 August 2018



9.5 Grants Commission Financial Assistance Grant 2018-19

REPORT BY THE ACTING CHIEF FINANCIAL OFFICER
TO 19 SEPTEMBER 2018 ORDINARY MEETING
GOV400066, GRA600031

RECOMMENDATION**That Council:**

1. **receive the report by the Acting Chief Financial Officer on the Grants Commission Financial Assistance Grant 2018-19;**
2. **note the correspondence received from the Local Government Grants Commission attached to this report;**
3. **amend the 2018/19 Operational Plan to recognise a transfer from unspent grants due to the advance payment of part of the 2018/19 financial assistance grant being a general purpose component of \$1,953,789 and roads component of \$1,204,586 and offset with an equal amount of reduction in grant income; and**
4. **amend the 2018/19 Operational Plan to increase grant income for the general purpose component by \$175,934 and the roads component by \$61,860.**

Executive summary

Council has received the attached letter from the Local Government Grants Commission regarding financial assistance grants. The letter advises that Mid-Western Regional Council's 2018/19 financial assistance grant estimated entitlement is an increase of 5.4% compared to the 2017/18 final entitlement. Based on this advice it is recommended to amend Council's Operational Plan budget to recognise the carry forward of the advance payment made in 2017/18 financial year to 2018/19 and to recognise the higher than budgeted grant income for the 2018/19 allocation. This is a net cash increase of \$237,794.

Disclosure of Interest

Nil

Detailed report

The Council's 2018/19 financial assistance estimated entitlement compared to 2017-18 final entitlement is as follows:

Year	General Purpose	Local Roads	Total
2017/18	\$3,772,370	\$2,321,652	\$6,094,022
2018/19	\$4,003,735	\$2,418,644	\$6,422,379

Council's current budget includes \$3,827,801 for the General Purpose component and \$2,356,784 for the Local Roads component a total of \$6,184,585. Therefore the budget adjustments required are to increase the General Purpose component by \$175,934 and Local Roads component by \$61,860, a total of \$237,794.

It is also noted within the letter that the Federal Government decided to retain the practice of forward payments of 50 per cent of the financial assistance grants based on the 2017/18 estimates for payment. Councils, therefore, received approximately half of their estimated 2018/19 FAGs on 21 June 2018. Mid-Western Regional Council received a total of \$3,158,375 in advance and have accounted for this as unexpended grant as at 30 June 2018.

The letter also importantly highlights that:

SPECIAL SUBMISSIONS RELATING TO 2018-19 GRANTS

As usual, special submissions from councils will be considered by the Commission. The purpose of a submission is to give council the opportunity to present information on the financial impact of inherent expenditure disabilities beyond its control that are not generally recognised in the current methodology. This allows the Commission to adequately consider all legitimate factors that affect council's capacity to deliver services.

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

Not applicable.

Council Policies

Not applicable.

Legislation

Not applicable.

Financial implications

The total grant funding is not restricted therefore Council's budgeted unrestricted cash will increase by \$237,794.

Budget Year	Operating Performance Ratio	Own Source Revenue	Building & Infrastructure Renewal
2018/19	✓	✗	-
Future Years	-	-	-

Associated Risks

Not applicable.

NEIL BUNGATE
ACTING CHIEF FINANCIAL OFFICER

7 September 2018

Attachments: 1. Grants Commission - Financial Assistance Grants 2018-19.
2. Appendices to Grants Commission letter.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



5 O'Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541

Our Reference: GC 147
A591375/A591380

Contact: Helen Pearce
02 4428 4131

Mr Brad Cam
General Manager
Mid-Western Regional Council
By email: brad.cam@midwestern.nsw.gov.au
Cc: council@midwestern.nsw.gov.au

23 August 2018

Dear Mr Cam

In accordance with the Commission's policy of providing information to councils about the way it calculates financial assistance grants (FAGs), please find attached (**Appendix A**) a summary of Council's 2018-19 estimated FAG entitlement.

The national figure for 2018-19 was made up of \$1.702 billion for the general purpose component and \$755 million for the local roads component.

The general purpose component was distributed across the States on a population basis. NSW received 32% or \$544 million, which represents a 3.7% increase on last year's figure.

The local roads component is based on a historical formula. NSW's share of the total road funding is a fixed 29% share, or \$219 million, which was in-line with the previous year. The total, then, for NSW was \$763 million.

The Council's 2018-19 FAG estimated entitlement compared to 2017-18 final entitlement is as follows:

Year	Mid-Western Regional Council			Change
	General Purpose	Local Roads	Total	
2017-18	\$3,772,370	\$2,321,652	\$6,094,022	
2018-19	\$4,003,735	\$2,418,644	\$6,422,379	5.4%

To assist councils with budgeting and bank reconciliations, a breakdown of the 2018-19 quarterly instalments is available on our website at www.olg.nsw.gov.au/commissions-and-tribunals/grants-commission.

As councils will be aware, the Commission is required to adhere to the National Principles which mandate a per capita payment based on population growth/decline. It is also the policy of the NSW Government to explore opportunities to direct grants to communities with the greatest relative need. In allocating the grants the Commission has had regard to these policies.

T 02 4428 4131 F 02 4428 4199 TTY 02 4428 4209
E grants@olg.nsw.gov.au
W <http://www.olg.nsw.gov.au> (follow the "Commissions & Tribunals" links)



A key challenge for the Commission is the application of the minimum per capita grant which has a significant impact on the ability of the Commission to redirect funding. Councils with relative advantage (typically metropolitan councils) generally have increasing populations, whereas councils with relative disadvantage (typically rural and remote councils) are generally depopulating. The map contained in the attached Factsheet (**Appendix B**) identifies the rate of population change in NSW from 2006 to 2016. The Factsheet also provides an update on the model review and transition arrangements councils were initially advised of on 21 June 2018 in GC circular 147.

In addition to these calculations, in its 2018 Budget, the Federal Government decided to retain the practice of forward payments of 50 per cent of the financial assistance grants based on the 2017-18 estimates for payment. Councils, therefore, received half of their estimated 2018-19 FAGs on 21 June 2018. The remainder of the grant entitlements will be paid in quarterly instalments in August 2018, November 2018, February 2019 and May 2019.

SPECIAL SUBMISSIONS RELATING TO 2018-19 GRANTS

As usual, special submissions from councils will be considered by the Commission. The purpose of a submission is to give council the opportunity to present information on the financial impact of inherent expenditure disabilities beyond its control that are not generally recognised in the current methodology. This allows the Commission to adequately consider all legitimate factors that affect council's capacity to deliver services.

Appendix C, titled *Guidelines for Special Submissions*, contains guidelines for preparing submissions – please read the guidelines carefully.

Submissions should be e-mailed to the Commission at grants@olg.nsw.gov.au by **30 November 2018**.

I would ask that this letter please be tabled at the next Council meeting.

If you have any questions concerning these matters please contact me on (02) 4428 4131.

Yours sincerely



Helen Pearce
Executive Officer

APPENDIX A

Schedule of Payments 2018-19

Councils	2018-19	2018-19	2018-19	2017-18	2017-18	2017-18	2018-19	2018-19	2018-19	2018-19	2018-19	2018-19
	Recommended General Purpose Entitlement	Recommended Local Roads Entitlement	Recommended Total Entitlement	General Purpose CPI/Pop Adjustment	Local Roads CPI/Pop Adjustme nt	Total CPI/Pop Adjustment	General Purpose Advance Payment	Local Roads Advance Payment	Total Advance Payment	General Purpose Payments	Local Roads Payments	Total Payments
Albury (C)	4,972,242	1,399,696	6,371,938	1,474	(175)	1,299	2,534,513	696,569	3,231,082	2,439,203	702,952	3,142,155
Armidale Regional	4,179,541	2,435,519	6,615,060	1,195	(305)	890	2,053,815	1,214,528	3,268,343	2,126,921	1,220,686	3,347,607
Ballina (S)	3,080,185	1,395,209	4,475,394	893	(173)	720	1,534,316	686,338	2,220,654	1,546,762	708,698	2,255,460
Bairnald (S)	2,659,070	1,320,202	3,979,272	757	(166)	591	1,301,302	661,050	1,962,352	1,358,525	658,986	2,017,511
Bathurst Regional	4,384,987	1,979,000	6,363,987	1,300	(248)	1,052	2,234,302	987,889	3,222,191	2,151,985	990,863	3,142,848
Bayside	3,535,701	1,168,806	4,704,507	989	(144)	845	1,699,655	573,495	2,273,150	1,837,035	595,167	2,432,202
Bega Valley (S)	5,094,243	1,936,878	7,031,121	1,490	(245)	1,245	2,561,466	973,821	3,535,287	2,534,267	962,812	3,497,079
Bellingen (S)	2,776,199	942,498	3,718,697	786	(119)	667	1,351,923	474,856	1,826,779	1,425,062	467,523	1,892,585
Berrigan (S)	3,308,743	1,390,904	4,699,647	942	(174)	768	1,619,631	690,731	2,310,362	1,690,054	699,999	2,390,053
Blacktown (C)	13,503,800	3,390,098	16,893,898	4,007	(421)	3,586	6,887,597	1,673,822	8,561,419	6,620,210	1,715,855	8,336,065
Bland (S)	4,568,631	2,932,030	7,500,661	1,323	(371)	952	2,275,024	1,475,033	3,750,057	2,294,930	1,456,626	3,751,556
Blayney (S)	1,784,332	851,636	2,635,968	505	(106)	399	867,745	422,504	1,290,249	917,092	429,026	1,346,118
Blue Mountains (C)	7,429,580	1,377,680	8,807,260	2,204	(175)	2,029	3,789,324	694,221	4,483,545	3,642,460	683,284	4,325,744
Bogan (S)	2,615,411	1,444,792	4,060,203	740	(183)	557	1,271,855	725,612	1,997,467	1,344,296	718,997	2,063,293
Bourke (S)	3,878,670	1,901,880	5,780,550	1,111	(239)	872	1,909,728	951,593	2,861,321	1,970,053	950,048	2,920,101
Brewarrina (S)	2,606,401	1,300,607	3,907,008	736	(164)	572	1,264,817	652,224	1,917,041	1,342,320	648,219	1,990,539
Broken Hill (C)	4,194,707	492,280	4,686,987	1,178	(64)	1,114	2,024,931	252,550	2,277,481	2,170,954	239,666	2,410,620
Burwood	813,374	268,134	1,081,508	224	(33)	191	385,513	130,533	516,046	428,085	137,568	565,653
Byron (S)	1,964,161	1,157,180	3,121,341	560	(145)	415	962,435	575,379	1,537,814	1,002,286	581,656	1,583,942
Cabonne	2,838,846	2,050,662	4,889,508	804	(259)	545	1,382,755	1,028,363	2,411,118	1,456,895	1,022,040	2,478,935
Camden	2,447,071	1,386,403	3,833,474	737	(166)	571	1,267,261	659,873	1,927,134	1,180,547	726,364	1,906,911
Campbelltown (C)	8,279,001	1,753,562	10,032,563	2,494	(219)	2,275	4,287,436	868,955	5,156,391	3,994,059	884,388	4,878,447
Canada Bay (C)	1,948,883	639,709	2,588,592	556	(80)	476	954,958	317,216	1,272,174	994,481	322,413	1,316,894
Canterbury-Bankstown	8,276,591	2,661,787	10,938,378	2,493	(335)	2,158	4,286,190	1,331,359	5,617,549	3,992,894	1,330,093	5,322,987
Carrathool (S)	3,518,899	2,308,927	5,827,826	1,011	(290)	721	1,738,574	1,151,759	2,890,333	1,781,336	1,156,878	2,938,214
Central Coast	21,286,511	4,393,529	25,680,040	6,314	(555)	5,759	10,857,104	2,207,224	13,064,328	10,435,721	2,185,750	12,621,471
Central Darling (S)	3,828,577	1,587,910	5,416,487	1,096	(200)	896	1,884,729	796,350	2,681,079	1,944,944	791,360	2,736,304
Cessnock (C)	5,506,721	1,688,686	7,195,407	1,632	(211)	1,421	2,805,422	837,960	3,643,382	2,702,931	850,515	3,553,446
Clarence Valley	7,620,974	3,251,476	10,872,450	2,255	(413)	1,842	3,875,925	1,643,301	5,519,226	3,747,304	1,607,762	5,355,066
Cobar (S)	3,999,159	1,720,090	5,719,249	1,154	(217)	937	1,983,554	862,799	2,846,353	2,016,759	857,074	2,873,833
Coffs Harbour (C)	5,269,082	2,190,657	7,459,739	1,562	(272)	1,290	2,685,855	1,081,421	3,767,276	2,584,789	1,108,964	3,693,753
Coolamon (S)	2,379,115	1,224,347	3,603,462	671	(154)	517	1,153,448	612,712	1,766,160	1,226,338	611,481	1,837,819
Coonamble (S)	2,525,622	1,473,788	3,999,410	694	(186)	508	1,193,009	738,427	1,931,436	1,333,307	735,175	2,068,482
Cootamundra-Gundagai Regional	3,592,451	1,562,128	5,154,579	1,023	(197)	826	1,758,646	782,832	2,541,478	1,834,828	779,099	2,613,927
Cowra (S)	3,138,848	1,451,017	4,589,865	886	(182)	704	1,523,543	724,635	2,248,178	1,616,191	726,200	2,342,391
Cumberland	6,441,390	1,647,783	8,089,173	1,771	(205)	1,566	3,044,541	817,052	3,861,593	3,398,620	830,526	4,229,146
Dubbo Regional	8,004,818	3,402,258	11,407,076	2,369	(427)	1,942	4,072,189	1,697,199	5,769,388	3,934,998	1,704,632	5,639,630
Dungog (S)	1,664,559	911,110	2,575,669	472	(115)	357	810,957	456,891	1,267,848	854,074	454,104	1,308,178
Edward River	3,905,524	1,526,651	5,432,175	1,112	(192)	920	1,911,716	763,571	2,675,287	1,994,920	762,888	2,757,808
Eurobodalla (S)	5,307,932	1,647,307	6,955,239	1,565	(207)	1,358	2,689,592	824,254	3,513,846	2,619,905	822,846	3,442,751
Fairfield (C)	7,466,509	1,717,503	9,184,012	2,249	(217)	2,032	3,866,673	864,599	4,731,272	3,602,085	852,687	4,454,772
Federation	4,547,963	2,213,543	6,761,506	1,320	(279)	1,041	2,269,499	1,108,908	3,378,407	2,279,784	1,104,356	3,384,140
Forbes (S)	3,404,161	1,937,802	5,341,963	958	(244)	714	1,646,744	968,927	2,615,671	1,758,375	968,631	2,727,006
Georges River	3,248,346	1,119,099	4,367,445	918	(139)	779	1,578,684	552,588	2,131,272	1,670,580	566,372	2,236,952
Gilgandra (S)	2,451,130	1,392,358	3,843,488	683	(175)	508	1,173,846	697,377	1,871,223	1,277,967	694,806	1,972,773

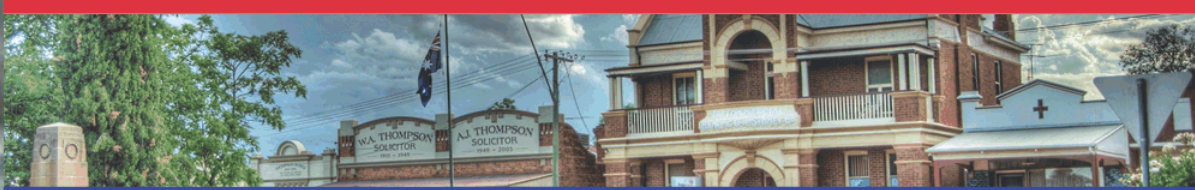
Councils	2018-19	2018-19	2018-19	2017-18	2017-18	2017-18	2018-19	2018-19	2018-19	2018-19	2018-19	2018-19
	Recommended General Purpose Entitlement	Recommended Local Roads Entitlement	Recommended Total Entitlement	General Purpose CPI/Pop Adjustment	Local Roads CPI/Pop Adjustment	Total CPI/Pop Adjustment	General Purpose Advance Payment	Local Roads Advance Payment	Total Advance Payment	General Purpose Payments	Local Roads Payments	Total Payments
Glen Innes Severn	2,736,080	1,382,824	4,118,904	771	(174)	597	1,324,988	690,694	2,015,682	1,411,863	691,956	2,103,819
Goulburn Mulwaree	3,337,617	1,703,721	5,041,338	959	(215)	744	1,648,308	856,014	2,504,322	1,690,268	847,492	2,537,760
Greater Hume (S)	3,196,176	2,051,326	5,247,502	903	(257)	646	1,552,147	1,022,984	2,575,131	1,644,932	1,028,085	2,673,017
Griffith (C)	3,820,684	1,633,595	5,454,279	1,083	(205)	878	1,861,145	813,157	2,674,302	1,960,622	820,233	2,780,855
Gunnedah (S)	2,902,222	1,596,472	4,498,694	821	(201)	620	1,410,468	800,694	2,211,162	1,492,575	795,577	2,288,152
Gwydir (S)	2,667,645	1,873,857	4,541,502	740	(235)	505	1,272,085	935,245	2,207,330	1,396,300	938,377	2,334,677
Hawkesbury (C)	2,721,662	1,723,923	4,445,585	819	(217)	602	1,408,694	864,485	2,273,179	1,313,787	859,221	2,173,008
Hay (S)	2,048,843	806,282	2,855,125	554	(101)	453	952,414	403,292	1,355,706	1,096,983	402,889	1,499,872
Hills (S)	3,473,844	1,893,676	5,367,520	1,012	(249)	763	1,740,398	991,113	2,731,511	1,734,458	902,314	2,636,772
Hilltops	5,176,346	2,807,034	7,983,380	1,487	(354)	1,133	2,556,258	1,405,672	3,961,930	2,621,575	1,401,008	4,022,583
Hornsby (S)	3,098,951	1,381,426	4,480,377	929	(188)	741	1,597,144	745,938	2,343,082	1,502,736	635,300	2,138,036
Hunters Hill (M)	317,786	147,304	465,090	91	(19)	72	156,750	74,547	231,297	161,127	72,738	233,865
Inner West	4,051,359	1,358,099	5,409,458	1,211	(170)	1,041	2,081,623	676,542	2,758,165	1,970,947	681,387	2,652,334
Inverell (S)	3,859,533	2,052,892	5,912,425	1,093	(259)	834	1,878,782	1,029,229	2,908,011	1,981,844	1,023,404	3,005,248
Junee (S)	1,904,858	931,890	2,836,748	539	(116)	423	926,789	461,689	1,388,478	978,608	470,085	1,448,693
Kempsey (S)	4,164,413	1,838,931	6,003,344	1,191	(232)	959	2,047,906	922,728	2,970,634	2,117,698	915,971	3,033,669
Kiama (M)	1,158,728	512,508	1,671,236	331	(64)	267	568,854	254,688	823,542	590,205	257,756	847,961
Ku-ring-gai	2,593,403	1,120,441	3,713,844	763	(142)	621	1,311,397	564,203	1,875,600	1,282,769	556,096	1,838,865
Kyogle	2,725,922	1,623,319	4,349,241	763	(207)	556	1,312,418	823,625	2,136,043	1,414,267	799,487	2,213,754
Lachlan (S)	5,679,797	3,373,747	9,053,544	1,646	(426)	1,220	2,828,894	1,691,944	4,520,838	2,852,549	1,681,377	4,533,926
Lake Macquarie (C)	13,444,224	2,777,584	16,221,808	3,989	(349)	3,640	6,856,789	1,389,537	8,246,326	6,591,424	1,387,698	7,979,122
Lane Cove (M)	805,276	285,597	1,090,873	227	(35)	192	390,698	140,990	531,688	414,805	144,572	559,377
Leeton (S)	3,226,103	1,040,395	4,266,498	905	(132)	773	1,556,160	522,881	2,079,041	1,670,848	517,382	2,188,230
Lismore (C)	4,351,431	1,946,685	6,298,116	1,289	(247)	1,042	2,215,034	982,126	3,197,160	2,137,686	964,312	3,101,998
Lithgow (C)	3,436,329	1,262,950	4,699,279	981	(159)	822	1,686,565	630,936	2,317,501	1,750,745	631,855	2,382,600
Liverpool (C)	6,557,616	2,267,721	8,825,337	1,976	(282)	1,694	3,395,979	1,119,705	4,515,684	3,163,613	1,147,734	4,311,347
Liverpool Plains (S)	2,353,749	1,373,858	3,727,607	660	(173)	487	1,134,828	686,109	1,820,937	1,219,581	687,576	1,907,157
Lockhart (S)	2,177,088	1,341,823	3,518,911	608	(169)	439	1,045,148	670,218	1,715,366	1,132,548	671,436	1,803,984
Lord Howe Island (Bd)	216,713	-	216,713	63	-	63	108,445	-	108,445	108,331	-	108,331
Maitland (C)	5,613,758	1,383,342	6,997,100	1,665	(171)	1,494	2,862,794	678,234	3,541,028	2,752,629	704,937	3,457,566
Mid-Coast	12,432,277	5,377,147	17,809,424	3,674	(675)	2,999	6,315,991	2,683,164	8,999,155	6,119,960	2,693,308	8,813,268
Mid-Western Regional	4,003,735	2,418,644	6,422,379	1,137	(303)	834	1,953,789	1,204,586	3,158,375	2,051,083	1,213,755	3,264,838
Moree Plains (S)	4,840,627	2,876,649	7,717,276	1,356	(363)	993	2,331,797	1,442,930	3,774,727	2,510,186	1,433,356	3,943,542
Mosman (M)	656,124	237,535	893,659	188	(30)	158	323,638	121,115	444,753	332,674	116,390	449,064
Murray River	5,300,874	2,951,027	8,251,901	1,527	(371)	1,156	2,625,267	1,473,583	4,098,850	2,677,134	1,477,073	4,154,207
Murrumbidgee (new)	2,762,283	1,597,742	4,360,025	776	(201)	575	1,333,784	800,332	2,134,116	1,429,275	797,209	2,226,484
Muswellbrook (S)	2,556,714	915,986	3,472,700	729	(117)	612	1,252,729	466,231	1,718,960	1,304,714	449,638	1,754,352
Nambucca (S)	2,721,816	1,218,673	3,940,489	776	(153)	623	1,333,627	608,184	1,941,811	1,388,965	610,336	1,999,301
Narrabri (S)	4,835,185	2,338,196	7,173,381	1,383	(295)	1,088	2,377,888	1,172,501	3,550,389	2,458,680	1,165,400	3,624,080
Narrandera (S)	3,166,461	1,580,848	4,747,309	896	(199)	697	1,539,394	790,622	2,330,016	1,627,963	790,027	2,417,990
Narromine (S)	2,884,187	1,441,884	4,326,071	810	(182)	628	1,392,938	723,341	2,116,279	1,492,059	718,361	2,210,420
Newcastle (C)	10,513,647	1,817,192	12,330,839	3,167	(232)	2,935	5,444,309	921,320	6,365,629	5,072,505	895,640	5,968,145
North Sydney	1,517,383	482,816	2,000,199	452	(62)	390	776,348	245,336	1,021,684	741,487	237,418	978,905
Northern Beaches	5,593,412	2,248,098	7,841,510	1,652	(285)	1,367	2,839,189	1,134,797	3,973,986	2,755,875	1,113,016	3,868,891
Oberon	1,742,160	926,473	2,668,633	488	(118)	370	838,159	470,696	1,308,855	904,489	455,659	1,360,148
Orange (C)	3,421,943	1,142,504	4,564,447	997	(145)	852	1,713,427	575,039	2,288,466	1,709,513	567,320	2,276,833

Councils	2018-19	2018-19	2018-19	2017-18	2017-18	2017-18	2018-19	2018-19	2018-19	2018-19	2018-19	2018-19
	Recommended General Purpose Entitlement	Recommended Local Roads Entitlement	Recommended Total Entitlement	General Purpose CPI/Pop Adjustment	Local Roads CPI/Pop Adjustment	Total CPI/Pop Adjustment	General Purpose Advance Payment	Local Roads Advance Payment	Total Advance Payment	General Purpose Payments	Local Roads Payments	Total Payments
Parkes (S)	4,137,990	2,120,149	6,258,139	1,179	(262)	917	2,026,435	1,042,340	3,068,775	2,112,734	1,077,547	3,190,281
Parramatta (C) (new)	7,372,496	2,032,563	9,405,059	2,221	(255)	1,966	3,817,988	1,012,849	4,830,837	3,556,729	1,019,459	4,576,188
Perth (C)	8,564,054	2,412,848	10,976,902	2,580	(304)	2,276	4,435,050	1,206,759	5,641,809	4,131,584	1,205,785	5,337,369
Port Macquarie-Hastings	6,330,112	2,895,234	9,225,346	1,877	(358)	1,519	3,226,589	1,422,735	4,649,324	3,105,400	1,472,141	4,577,541
Port Stephens	5,406,013	1,237,157	6,643,170	1,603	(155)	1,448	2,754,992	617,629	3,372,621	2,652,624	619,373	3,271,997
Queanbeyan-Palerang Regional	3,630,584	2,421,458	6,052,042	1,074	(301)	773	1,846,248	1,197,161	3,043,409	1,785,410	1,223,996	3,009,406
Randwick (C)	3,156,008	977,856	4,133,864	906	(122)	784	1,556,708	486,416	2,043,124	1,600,206	491,318	2,091,524
Richmond Valley	3,441,175	1,588,539	5,029,714	983	(201)	782	1,689,036	797,183	2,486,219	1,753,122	791,155	2,544,277
Ryde (C)	2,591,326	937,898	3,529,224	734	(117)	617	1,262,449	464,140	1,726,589	1,329,611	473,641	1,803,252
Shellharbour (C)	4,276,549	898,866	5,175,415	1,269	(112)	1,157	2,180,958	445,138	2,626,096	2,096,860	453,616	2,550,476
Shoalhaven (C)	8,895,243	3,394,878	12,290,121	2,639	(423)	2,216	4,536,008	1,681,459	6,217,467	4,361,874	1,712,996	6,074,870
Silverton (VC)	33,579	-	33,579	10	-	10	16,803	-	16,803	16,786	-	16,786
Singleton	2,399,215	1,293,355	3,692,570	686	(163)	523	1,178,651	649,222	1,827,873	1,221,250	643,970	1,865,220
Snowy Monaro Regional	6,704,754	2,764,799	9,469,553	1,964	(348)	1,616	3,376,106	1,384,668	4,760,774	3,330,612	1,379,783	4,710,395
Snowy Valleys	4,240,360	1,381,853	5,622,213	1,220	(175)	1,045	2,097,655	694,865	2,792,520	2,143,925	686,813	2,830,738
Strathfield (M)	905,006	294,192	1,199,198	252	(36)	216	432,592	143,864	576,456	472,666	150,292	622,958
Sutherland (S)	4,714,981	2,038,528	6,753,509	1,396	(258)	1,138	2,400,536	1,026,630	3,427,166	2,315,841	1,011,640	3,327,481
Sydney (C)	4,842,556	1,371,929	6,214,485	1,296	(164)	1,132	2,227,544	652,796	2,880,340	2,616,308	718,969	3,335,277
Tamworth Regional	6,228,359	4,204,339	10,432,698	1,840	(529)	1,311	3,162,527	2,105,137	5,267,664	3,067,672	2,098,673	5,166,345
Temora (S)	2,236,501	1,309,171	3,545,672	622	(153)	469	1,068,618	608,310	1,676,928	1,168,505	700,708	1,869,213
Tenterfield (S)	3,084,727	1,655,301	4,740,028	861	(209)	652	1,479,438	831,481	2,310,919	1,606,150	823,611	2,429,761
Tibooburra (VC)	75,404	-	75,404	22	-	22	37,733	-	37,733	37,693	-	37,693
Tweed (S)	7,749,935	2,876,081	10,626,016	2,297	(361)	1,936	3,948,266	1,434,613	5,382,879	3,803,966	1,441,107	5,245,073
Upper Hunter (S)	3,007,862	1,950,272	4,958,134	849	(246)	603	1,459,022	977,453	2,436,475	1,549,689	972,573	2,522,262
Upper Lachlan (S)	2,767,999	1,906,865	4,674,864	776	(240)	536	1,333,939	955,268	2,289,207	1,434,836	951,357	2,386,193
Uralla (S)	1,587,296	944,847	2,532,143	445	(122)	323	764,970	485,888	1,250,858	822,771	458,837	1,281,608
Wagga Wagga (C)	7,015,880	3,250,417	10,266,297	2,079	(409)	1,670	3,574,020	1,625,143	5,199,163	3,443,939	1,624,865	5,068,804
Walcha	1,340,259	938,013	2,278,272	363	(117)	246	624,279	467,078	1,091,357	716,343	470,818	1,187,161
Walgett (S)	4,351,161	1,958,484	6,309,645	1,233	(247)	986	2,118,850	984,039	3,102,889	2,233,544	974,198	3,207,742
Warren (S)	1,769,705	1,038,603	2,808,308	477	(131)	346	820,019	520,698	1,340,717	950,163	517,774	1,467,937
Warrumbungle (S)	4,580,496	2,462,128	7,042,624	1,309	(310)	999	2,250,437	1,234,498	3,484,935	2,331,368	1,227,320	3,558,688
Waverley	1,519,439	440,348	1,959,787	451	(56)	395	774,784	223,626	998,410	745,106	216,666	961,772
Weddin (S)	1,674,770	1,007,024	2,681,794	457	(127)	330	786,319	504,038	1,290,357	888,908	502,859	1,391,767
Wentworth (S)	4,155,293	2,025,993	6,181,286	1,205	(255)	950	2,071,174	1,013,215	3,084,389	2,085,324	1,012,523	3,097,847
Willoughby (C)	1,652,288	595,189	2,247,477	478	(75)	403	821,959	297,599	1,119,558	830,807	297,515	1,128,322
Wingecarribee (S)	3,183,112	1,876,735	5,059,847	940	(234)	706	1,615,874	932,110	2,547,984	1,568,178	944,391	2,512,569
Wollondilly (S)	2,393,016	1,383,524	3,776,540	710	(174)	536	1,220,264	690,057	1,910,321	1,173,462	693,293	1,866,755
Wollongong (C)	16,138,864	2,442,438	18,581,302	4,788	(308)	4,480	8,231,421	1,224,321	9,455,742	7,912,231	1,217,809	9,130,040
Woollahra (M)	1,222,656	435,551	1,658,207	368	(56)	312	632,154	222,245	854,399	590,870	213,250	804,120
Yass Valley	1,666,245	1,358,729	3,024,974	472	(171)	301	810,571	678,511	1,489,082	856,146	680,047	1,536,193
	544,058,912	219,131,911	763,190,823	158,221	(27,549)	130,672	271,983,904	109,533,478	381,517,382	272,233,229	109,570,884	381,804,113

APPENDIX B

Financial Assistance Grants 2018-19

Fact Sheet



Local Government Financial Assistance Grants are paid to local councils to help them deliver services to their communities. The funds are paid annually by the Australian Government. Councils are free to use these funds at their discretion and are accountable to their ratepayers. The allocation is paid in quarterly instalments.

Who decides how much each council will receive?

Grants commissions in each state are responsible for allocating their share of the funds.

The NSW Local Government Grants Commission is responsible for making the grant allocation recommendation to the NSW Minister for Local Government.

Who is on the Grants Commission?

The members of the NSW Local Government Grants Commission are nominated for terms of up to five years.

The Hon. Jenny Gardiner Chairperson	Former member of the Legislative Council.
Grant Gleeson Deputy Chairperson	Director Legal, NSW Office of Local Government.
Alan McCormack Commissioner	Former General Manager, Parkes Shire Council.
Graeme Fleming Commissioner	Former General Manager, Cabonne Council.

grant (all in the Sydney metropolitan area) are largely being supported by other councils.

While the Commission has continued to deliver improved grant outcomes to smaller rural communities, the Government is committed to making the process more transparent and equitable.

As a result, the Commission is reviewing the allocation model (further information on Page 2).

In 2018-19 NSW councils will receive:

- \$544 million in general purpose grants.
- \$219 million in the local roads component.

In 2017-18 NSW councils received:

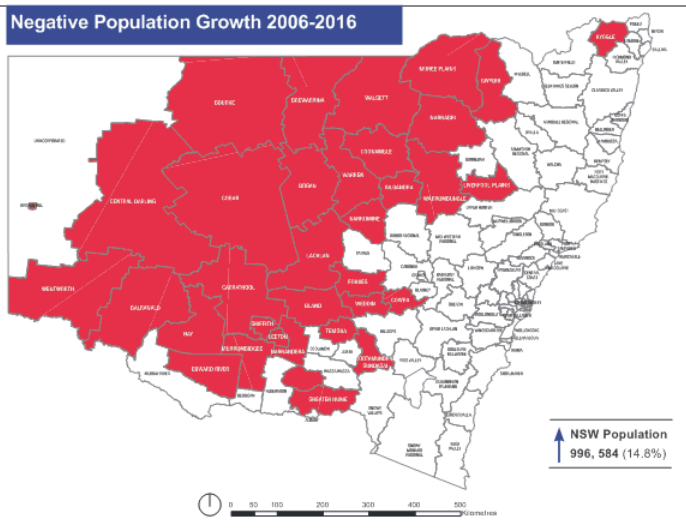
- \$525 million in general purpose grants.
- \$211 million in the local roads component.

This represents a 3.7 per cent increase due to indexation of state population shares.

How is the grant money allocated?

Funds are allocated on the basis of the National Principles laid out in the Federal legislation - *Local Government (Financial Assistance) Act 1995*. The NSW Government policy is to allocate grants, as far as possible, to the councils with the greatest relative need. Councils with relative advantage (typically metropolitan councils) are generally increasing their populations whereas councils with relative disadvantage (typically rural and remote councils) are generally depopulating (as shown in the map on the right).

Due to the per capita minimum grant allocation being mandated, the 19 councils on that



Councils with the greatest relative need (shaded red) are largely rural and remote with small and declining populations.

Financial Assistance Grants 2018-19

Fact Sheet



Review of the allocation methodology

The Commission has been reviewing the grant methodology in line with NSW policy to direct the general purpose component of the grant to councils with greatest relative need. These are largely rural and remote and with small and declining populations.

In October 2013 the final report of the Local Government Review Panel recommended that the Commission review the allocation methodology for the expenditure allowance of the general purpose component to make it less process driven and more transparent.

The challenge confronting the Commission is how to achieve this outcome when 30 per cent of the funding must be allocated based on population.

The aim of the review is to deliver a model that:

- Allocates a higher proportion of grant funding to councils with the greatest relative need.
- Is consistent with the National Principles.
- Is consistent with NSW policy of grant allocation.
- Is transparent and publishable.
- Is robust, statistically verifiable and auditable.
- Uses best practice financial and modelling principles.
- Is modern, simplified and more flexible.

What does this mean for the 2018-19 grant allocations?

It's important to stress that the Commission is not implementing a new model.

The Commission has taken advice, tested the competing propositions and decided to implement refinements and improvements to the existing model.

The expenditure previously included is still being taken into account after being tested for significance. Over time the model has become very complex, involving multiple factors. There are 20 expenditure categories and more than 47 disability factors spread across 128 councils.

The Commission is looking to consolidate the expenditure categories reported in special schedule 1 of council annual financial data returns.

Grounds for the review

The Local Government Review Panel recommendation was supported by a number of other reviews and reports including:

• 2008 Assessing Local Government Revenue Raising Capacity, Productivity Commission Research Report:

"A number of councils, particularly in capital city and urban developed areas, have the means to recover additional revenue from their communities sufficient to cover their expenditures without relying on grants. However, a significant number of councils, particularly in rural (87 per cent) and remote (95 per cent) areas would remain dependent on grants from other spheres of government to meet their current expenditure. Given the differences in the scope to raise additional revenue across different classes of councils, there is a case to review the provision of Australian Government general purpose grants to local governments."

• 2010 Australia's Future Taxation System Report (Henry Review):

"The current requirement that each council receives 30 per cent of its per capita share of untied financial assistance grants may prevent state grants commissions from redistributing to councils that require greater assistance."

• 2013 The NSW Local Government Grants Commission submission to the Commonwealth Grants Commission 2013 Review:

... "we have seen an increase in concerns being raised about:

- *the widening gap in revenue raising capacity for larger metropolitan councils versus smaller rural councils.*
- *increasing infrastructure needs.*
- *declining population."*

• 2014 The NSW Local Government's Response to the Local Government Review Panel:

"The Government supports targeting Financial Assistance Grants to communities with the greatest need. It will ask the NSW Grants Commission to continue to identify opportunities to achieve this over time, within the constraints imposed by the national funding principles. It will also ask the Commission to ensure transitional protection for those councils with lower levels of need, to minimise the impact of any redistribution."

• 2017 Shifting the Dial: 5 year Productivity Commission Review:

"The Commission's study into transitioning regional economies noted that where populations have declined in Local Government areas, related declines in revenue are hampering efforts to maintain infrastructure designed to service (and be funded) by larger populations."

Financial Assistance Grants 2018-19

Fact Sheet



General purpose grants

No council's general purpose component will be less than that allocated in 2017. This will allow for further testing of the model during the transition period. Population increases and decreases must be taken into account as required under the Federal Act. To compensate councils that have lost funding due to population decline, isolation and length of non-urban roads, the Commission will deliver these councils \$5 million of the \$19 million CPI increase (0.9 per cent of the total component). The remaining \$14 million was spread across all councils on the basis of relative need. The revenue allowance and pensioner allowance are not affected.

The graphs below illustrate:

1. The breakdown of the NSW population - metropolitan (5,131,456) and non-metropolitan (2,729,090) and;
2. The grant allocation breakdown - Metropolitan (\$202,588,554) and non-metropolitan (\$560,602,268).



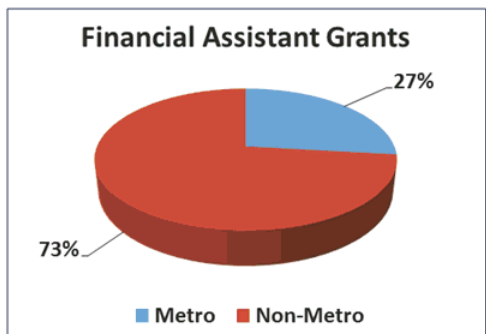
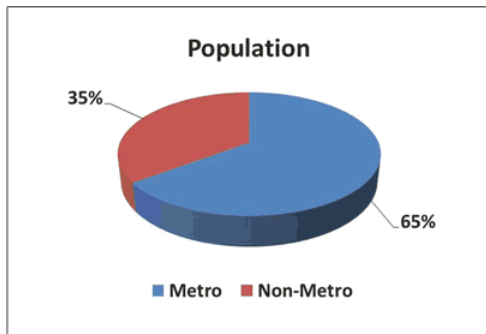
Local roads component

This component of the grant is assessed on the basis of council area, population and proportions of local roads and bridges. It is calculated based on an historical Roads and Maritime Services formula. The local roads component will continue to be calculated according to that formula. The state allocation for the local roads component for 2018-19 is \$291 million. This is split between:

- Urban councils located in the areas of Sydney, Newcastle and Wollongong receiving 27.5 per cent; and
- Rural councils (or all councils outside Sydney, Newcastle and Wollongong) receiving 72.5 per cent.

Funds are then distributed based on the individual council's population, road length and bridge length:

- Urban councils - 95 per cent of the allocation is based on the length of local roads (60 per cent) and population (40 per cent), while 5 per cent is distributed on the basis of bridge length: and
- Rural councils - 93 per cent of the allocation is based on the length of local roads (80 per cent) and population (20 per cent), while 7 per cent is distributed on the basis of bridge length.



Submissions

As always, special submissions from councils will be considered by the Commission. The purpose of a submission is to give council the opportunity to present information on the financial impact of inherent expenditure disabilities beyond its control that are not generally recognised in the current methodology. This allows the Commission to adequately consider all legitimate factors that affect council capacity to deliver services.

Or contact the NSW Local Government Grants Commission

5 O'Keefe Ave, Nowra NSW 2541
Locked Bag 3015, Nowra 2541
Telephone 4428 4131
grants@olg.nsw.gov.au

APPENDIX C

APPENDIX C

LOCAL GOVERNMENT GRANTS COMMISSION GUIDELINES FOR SPECIAL SUBMISSIONS IN RELATION TO THE 2019-20 GRANTS

1. GENERAL

All submissions **must** be consistent with the principles which have been adopted by the Commission. The principles are attached in **Table 1**.

Information in the submissions must relate to the year ended 30 June 2018, in order to be compatible with the Grants Commission's **Return of General Information** for that year.

Only recurrent costs should be included; capital costs are to be excluded.

Submissions should be based only on inherent disabilities and problems, which are outside Council's control. **Additional costs that result from deliberate policy decisions made by Council to provide a higher than average standard of service are not considered disabilities.**

Information provided on disabilities should be **brief** and the costing estimates of the disabilities should be as accurate as is practicable to determine.

It is expected that submissions will generally relate to expenditure disabilities.

It should be noted that water, sewerage and waste management services are not considered.

If you have further questions, then please contact:
Helen Pearce on (02) 4428 4131 or by email at helen.pearce@olg.nsw.gov.au

Submissions should be e-mailed to the Commission at grants@olg.nsw.gov.au as soon as possible, but no later than **30 November 2018**.

APPENDIX C

LOCAL GOVERNMENT GRANTS COMMISSION GUIDELINES FOR SPECIAL SUBMISSIONS IN RELATION TO THE 2019-20 GRANTS

(b) Required Format

Table 2 shows the **REQUIRED FORMAT** for submissions on expenditure disabilities. Submissions should be **brief** and include:

- (1) the function affected;
- (2) a **brief** description of the disability;
- (3) a **brief** account of the action taken, or which would need to be taken, to deal with that disability;
- (4) the **estimated additional cost** impact of that action.

Where a disability factor affects costs across a number of council functions, separate details should be used showing the cost impact in each function area.

(c) Outcome

Where the Commission recognises an additional disability raised in a submission, an adjustment will be made for that function.

Where an additional disability is recognised which has an impact on a number of councils, the methodology will be adjusted and all councils will be affected according to the extent of the relevant disability.

3. REVENUE DISABILITIES

While the approved principles generally bind the Commission's operation in this area, councils may wish to comment on the methodology if it is considered that these unfairly disadvantage them.

It should be noted that non-rateable properties are taken into consideration in the Commission's calculation automatically. The loss of revenue from non-rateable properties does not need to be specified in the submission. However, additional net costs associated with services to non-rateable properties may be raised as an expenditure disability.

APPENDIX C**LOCAL GOVERNMENT GRANTS COMMISSION
GUIDELINES FOR SPECIAL SUBMISSIONS IN RELATION TO THE 2019-20 GRANTS**

TABLE 1**APPROVED PRINCIPLES**

1. General purpose grants to local governing bodies will be allocated as far as practicable on a full equalisation basis as defined in the *Local Government (Financial Assistance) Act 1995*; that is a basis which attempts to compensate local governing bodies for differences in expenditure required in the performance of their functions and in their capacity to raise revenue.
2. The assessment of revenue and expenditure allowances of local governing bodies will, as far as is practicable, be independent of the policy or practices of those bodies in raising revenue and the provision of services.
3. Revenue raising capacity will primarily be determined on the basis of property values; positive and negative allowances relative to average standards may be calculated.
4. Revenue allowances may be discounted to achieve equilibrium with expenditure allowances.
5. Generally for each expenditure function an allowance will be determined using recurrent cost; both positive and negative allowances relative to average standards may be calculated.
6. Expenditure allowances will be discounted to take account of specific purpose grants.
7. Additional costs associated with non-resident use of services and facilities will be recognised in determining expenditure allowances.

APPENDIX C
LOCAL GOVERNMENT GRANTS COMMISSION
GUIDELINES FOR SPECIAL SUBMISSIONS IN RELATION TO THE 2019-20 GRANTS

TABLE 2
REQUIRED FORMAT FOR SUBMISSIONS ON
EXPENDITURE DISABILITIES

EXAMPLE:

Function:

Administration and Governance

Disability:

Description and Response:

Cost Impact:

The **additional** cost is estimated as:-

450 applications x 3 hours/application x \$45/hour = **\$60,750**

9.6 Community Grant Program

REPORT BY THE GRADUATE ACCOUNTANT - GRANTS & CONTRIBUTIONS
TO 19 SEPTEMBER 2018 ORDINARY MEETING
GOV400066, FIN300159

RECOMMENDATION

That Council:

1. receive the report by the Graduate Accountant - Grants & Contributions on the Community Grant Program;
2. provide financial assistance to the following applications in accordance with the criteria and guidelines of the Community Grants Program Policy, subject to those requirements being met; and

McGrath Foundation – Pink Up Rylstone Gala	\$850
Mudgee Lions Club	\$5,000
Rotary Clubs of Mudgee	\$7,000
Gulgong Show Society	\$3,000
Kandos Rylstone Men’s Shed	\$1,059
Gulgong High School	\$250
Rotary Club of Rylstone Kandos	\$3,000
Mudgee Chamber of Commerce for Pink Up Mid-Western	\$1,000
Mudgee Chamber of Commerce	\$4,000
Gulgong Liquor Accord	\$4,000

3. do not collect a facility hire bond from the following applicant for the event detailed in this report;

McGrath Foundation

Mudgee Lions Club – 200 Bales ‘Day in the Dirt’

4. do not support the following requests for financial assistance, for the reasons provided in the report;

BreastScreen NSW

Executive summary

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

Provision is made in Council's Community Grants Program Policy to provide financial assistance to not-for-profit community-based organisations, groups and individuals that offer a significant contribution to community outcomes and goals as provided in the Towards 2030 Community Plan. All applications were first reviewed for eligibility and then assessed by a panel of three staff against the following criteria relative to the amount of funding requested;

- Degree of benefit to the community aligned with the community plan
- Amount of resident participation
- Level of consultation and collaboration with other local groups
- Organisational capacity to deliver the program or project

Even though an application meets the criteria it may be judged that there is not a significant enough benefit to the community in order to fund or fully fund the request.

A summary of each application is shown below, together with panel recommendation.

Applicant	Project/ Activity	Total Project Cost \$	Funding Request \$	Recommended Funding \$	Total Score out of 12
McGrath Foundation	Pink Up Rylstone Gala	11,455	850	850	6
Mudgee Lions Club	200 Bales 'Day in the Dirt'	23,500	6,050	5,000	10
Rotary Club of Mudgee & Mudgee Sunrise	Mudgee Showground Carols	40,000	8,050	7,000	11
BreastScreen Greater Western (NSW Health)	Transport mobile van from Maitland to Mudgee/ Rylstone/ Mudgee	2,409	2,409	0	9
Gulgong Show Society Inc.	Gulgong Show 2019	42,328	3,000	3,000	12
Kandos Rylstone Men's Shed Inc.	Council Rate Relief	1,059	1,059	1059	10
Gulgong High School	Annual Presentation Day	1,000	1,000	250	8

Applicant	Project/ Activity	Total Project Cost \$	Funding Request \$	Recommended Funding \$	Total Score out of 12
Rotary Club of Rylstone Kandos	Rylstone Kandos annual Christmas Carnival 2018	3,300	3,000	3,000	11
Mudgee Chamber of Commerce	Pink Up Mid-Western Region 2018	1,500	1,500	1,000	6
Mudgee Chamber of Commerce	Operational Expenditure – Secretariat Role	30,000	30,000	4,000	9
Gulgong Liquor Accord	Nightrider Community Bus	57,200	5,000	4,000	9

Disclosure of Interest

Nil.

Detailed report

The information provided below gives more detail on each application and the scoring against the policy criteria. Copies of all application are provided as attachments to the report.

McGrath Foundation (Auspiced on behalf of the local volunteer committee)

The McGrath Foundation, started by Glenn and Jane McGrath back in 2005, with the aim to raise money towards placing a specialist McGrath Breast Care nurses in communities across Australia.

For the second year in a row, Rylstone/Kandos communities will participate in the Pink Up Your Town to benefit the McGrath Foundation. This year Rylstone volunteer committee will be hosting a gala ball on the 13 October 2018.

The volunteer committee have requested in-kind support to the total value of \$850 which will cover;

Rylstone Memorial Hall hire	\$480
Table hire	\$100
Chair hire	\$270

3 ★★ ★

Benefits and link to the community plan

2 ★★

Amount of resident participation

0

Consultation and collaboration with other local groups

1 ★

Capacity to deliver the program or project

RECOMMENDATION

\$850

Link to Community Plan: 1.1.2 Work with key partners and the community to lobby for effective health services in our Region

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

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

Mudgee Lions Club (Auspiced on behalf of 200 Bales) – ‘Day in the Dirt’

200 Bales and Mudgee Lions Club have combined to host ‘Day in the Dirt’, a community event and music festival to be held at Mudgee Showground 25 November 2018.

This family fun day aims to provide fundraising potential for the 200 Bales campaign, supporting local drought affected farmers.

Mudgee Lions Club request Council's support to the total value of \$6,050, which will cover;

Donation	\$5,000
Hire of Showground	\$1,050

2 ★★

Benefits and link to the community plan

3 ★★★

Amount of resident participation

3 ★★★

Consultation and collaboration with other local groups

2 ★★

Capacity to deliver the program or project

RECOMMENDATION

\$5,000

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

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

Rotary Club of Mudgee Inc. and Rotary Club of Mudgee Sunrise Inc. – Mudgee Carols

Mudgee showground Christmas carols is a joint project between both Rotary clubs of Mudgee. The event provides Mudgee families the opportunity to come together and celebrate Christmas carols in an alcohol-free family environment.

Rotary clubs request Council's support to the total value of \$8,050, which will cover;

Donation	\$7,000
Hire of Showground	\$1,050

This financial support will allow for, hire of equipment including stage, sound and screen equipment.

- 2 ★★
Benefits and link to the community plan
- 3 ★★★
Amount of resident participation
- 3 ★★★
Consultation and collaboration with other local groups
- 3 ★★★
Capacity to deliver the program or project

RECOMMENDATION

\$7,000

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

BreastScreen Greater Western

BreastScreen will be offering screening in Mudgee from 15 October and request assistance to meet the costs of transporting the unit from Maitland to Mudgee/Rylstone/Mudgee. BreastScreen offers a free screening mammogram service to women over 40 years (specifically targeting women aged 50-74). The mobile unit travels across Western & Far West NSW, more than 50% of all regional & rural women receive their screens on the mobile van

The cost for transportation of the mobile van is \$2,409.

- 3 ★★★
Benefits and link to the community plan
- 3 ★★★
Amount of resident participation
- 0
Consultation and collaboration with other local groups
- 3 ★★★
Capacity to deliver the program or project

NOT RECOMMENDED

This project is not recommended for funding as BreastScreen is a program delivered under the NSW Government. It is the role of that government to provide sufficient funds to deliver that service. It is also noted that Council has previously and would continue to provide the showground space and power at no cost.

Link to Community Plan: 1.1.1 Maintain the provision of high quality, accessible community services that meet the needs of our community

Link to Community Plan: 1.1.2 Work with key partners and the community to lobby for effective health services in our Region

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

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

Gulgong Show Society Inc.

The Gulgong Show Society are hosting their annual agricultural show for 2018. This community event aims to attract 2,500 participants with a focus of competition and friendship.

The Gulgong Show Society are requesting \$3,000 in financial assistance for their 2019 annual show.

3 ★★★★★
Benefits and link to the community plan

3 ★★★★★
Amount of resident participation

3 ★★★★★
Consultation and collaboration with other local groups

3 ★★★★★
Capacity to deliver the program or project

RECOMMENDATION

\$3,000

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

Link to Community Plan: 1.4.2 Support arts and cultural development across the Region

Kandos Rylstone Men's Shed Inc.

The Rylstone & Kandos Men's Shed has 27 members which offer support to many community organisations. Some examples include Kandos/Rylstone Show, Rotary Christmas Events, Historical Society, Kandos High School and Kandos Charity Shop.

The Men's Shed request a rate reimbursement of \$1,059.

3 ★★★★★
Benefits and link to the community plan

2 ★★★
Amount of resident participation

2 ★★★
Consultation and collaboration with other local groups

3 ★★★★★
Capacity to deliver the program or project

RECOMMENDATION

\$1,059

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

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

Gulgong High School

Gulgong High School's annual end of year presentation day is being hosted in December 2018. It is focused on acknowledging student achievements in both academic and sports.

Gulgong High School request, \$1,000 financial assistance, which will be awarded to the 2017 Dux, in recognition of their academic achievement.

1 ★
Benefits and link to the community plan

3 ★★★★★
Amount of resident participation

1 ★
Consultation and collaboration with other local groups

3 ★★★★★
Capacity to deliver the program or project

RECOMMENDATION

\$250

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

Rotary Club of Rylstone - Kandos

The Rotary Club of Rylstone – Kandos request funding for the annual Christmas Carnival celebrations. The event provides the entire community the opportunity to gather and celebrate Christmas, whilst also involving many other local organisations the opportunity to fund raise and promote themselves. It is anticipated to attract in excess of 500 residents.

Rotary Club request \$3,000 in financial assistance towards this event.

2 ★★
Benefits and link to the community plan

3 ★★★
Amount of resident participation

3 ★★★
Consultation and collaboration with other local groups

3 ★★★
Capacity to deliver the program or project

RECOMMENDATION

\$3,000

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

Mudgee Chamber of Commerce – Pink Up Mid Western Region 2018

The Mid Western Region turns pink for the third year during Breast Cancer awareness month. The success of this event saw over 350 business, organisations and community groups involved in the campaign in 2017, with events hosted across our region.

In addition to painting the town pink, a pink up golf day and pink up fishing competition at Windamere dam are also events expected throughout the month.

The Chamber has requested assistance with covering the administrative burden experienced by organising such a complex campaign to the value of \$1,500.

2 ★★
Benefits and link to the community plan

2 ★★
Amount of resident participation

0
Consultation and collaboration with other local groups

2 ★★
Capacity to deliver the program or project

RECOMMENDED

\$1,000

Mudgee Chamber of Commerce

The Chamber represents and supports the business community of Mudgee by providing timely business information, as well as providing a proactive voice with government and associated corporate agencies.

The Chamber requested \$30,000 in financial assistance to support the ongoing running expenses, including; but not limited to the costs of increased administration support, regular networking events and major functions.

2 ★★
Benefits and link to the community plan

2 ★★
Amount of resident participation

2 ★★
Consultation and collaboration with other local groups

3 ★★★
Capacity to deliver the program or project

RECOMMENDATION

\$4,000

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

Link to Community Plan: 3.1.2 Encourage the development of a skilled and flexible workforce to satisfy local industry and business requirements

Link to Community Plan: 3.2.1 Promote the Region as a great place to live, work, invest and visit

Gulgong Liquor Accord

The Gulgong Liquor Accord has operated the Nightrider community bus service since 2009. The bus started due to an increase in alcohol related DUI and accidents along with antisocial behaviour. Recently a licensed venue has withdrawn financial sponsorship, jeopardising the future viability of this service.

Gulgong Liquor Accord request \$5,000 in financial assistance to help sustain this community service.

2 ★★
Benefits and link to the community plan

3 ★★★
Amount of resident participation

1 ★
Consultation and collaboration with other local groups

3 ★★★
Capacity to deliver the program or project

RECOMMENDATION

\$4,000

Link to Community Plan: 1.1.1 Maintain the provision of high quality, accessible community services that meet the needs of our community.

Link to Community Plan: 1.1.4 Work with key partners and the community to reduce crime, anti-social behaviour and improve community safety.

Community Plan implications

Theme	Good Governance
Goal	An effective and efficient organisation
Strategy	Pursue efficiencies and ongoing business improvement

Strategic implications

Council Strategies

Not Applicable

Council Policies

Recommendations are made under the Community Grants Program Policy.

Legislation

In accordance with the *Local Government Act 1993 Section 356* granting of financial assistance must be approved by a Council resolution.

Financial implications

Funding of \$121,800 is provided in the Operational Plan for Financial Assistance. \$32,660 has already been allocated for ongoing commitments, leaving a balance of \$89,140.

Should Council approve all the recommendations in this report totalling \$29,159, a balance of \$59,981 will remain.

Associated Risks

Not applicable

ALISON CAMERON
GRADUATE ACCOUNTANT - GRANTS &
CONTRIBUTIONS

13 August 2018

- Attachments:*
1. Community Grant Application - McGrath Foundation . (separately attached)
 2. Community Grant Application - 200 Bales 'Day in the Dirt'. (separately attached)
 3. Community Grant Application - Rotary Clubs of Mudgee. (separately attached)
 4. Community Grant Application - BreastScreen. (separately attached)
 5. Community Grant Application - Gulgong Show Society. (separately attached)
 6. Community Grant Application - Kandos Rylstone Men's Shed. (separately attached)
 7. Community Grant Application - Gulgong High School. (separately attached)
 8. Community Grant Application - Rotary Club of Rylstone Kandos. (separately attached)
 9. Community Grant Application - Chamber of Commerce 'Pink Up Mudgee'. (separately attached)
 10. Community Grant Application - Chamber of Commerce. (separately attached)
 11. Community Grant Application - Gulgong Liquor Accord. (separately attached)

APPROVED FOR SUBMISSION:

NEIL BUNGATE
ACTING CHIEF FINANCIAL OFFICER

9.7 Mudgee Region Tourism Inc. Contract Amendment Request

REPORT BY THE ACTING CHIEF FINANCIAL OFFICER
TO 19 SEPTEMBER 2018 ORDINARY MEETING
GOV400066, ECO800015

RECOMMENDATION

That Council:

1. **receive the report by the Acting Chief Financial Officer on the Mudgee Region Tourism Inc. Contract Amendment Request;**
2. **decline the request for an increase to the annual contract amount;**
3. **authorise a one-off additional sum of \$50,000 to the Mudgee Region Tourism Inc. contract in 2018/19; and**
4. **amend the 2018/19 Operational Plan to increase the Tourism Operations budget by \$50,000 funded from unrestricted cash.**

Executive summary

Council has received a request from Mudgee Region Tourism Inc. (MRTI) for additional financial support.

The request is that the annual contract amount be increased from \$396,000 to \$450,000 (plus CPI) per year to the end of the contract term in June 2021. The request letter is attached to this report.

Disclosure of Interest

Nil.

Detailed report

The existing contract with MRTI covers the period 1 July 2017 to 30 June 2021 at the annual amount of \$396,000 plus CPI. This was approved at the Ordinary Meeting of 21 June 2017 and amounted to a 3.4% increase on the previous year's base amount.

As background two additional payments have also been made over the previous contract term as follows:

2016/17 - \$50,000 To be used to match grant funding opportunities
2017/18 - \$75,000 Co-funding of the 'Let's Skip Town' campaign

The request from MRTI is for an unindexed increase of \$54,000 per year for the remaining term of the contract. With the remaining term being three years this amounts to \$162,000. It is recommended to decline this request due to the ongoing negative impact on Council's operating expenses. It is also noted that with a conservative approach MRTI anticipate a \$10,000 profit for 2018/19.

The recommendation for this report is to approve a one-off payment of \$50,000 in order to return MRTI to a projected positive retained earnings position at 30 June 2019. There are two reasons to justify this approach:

1. Council has a higher than budgeted unrestricted cash level at 30 June 2018 from one off revenue gains. This is not expected to be an ongoing revenue increase which is why the recommendation is for one-off payment only.
2. Consideration and recognition has been given to the successes listed as achieved over the past four years, the fact that the 2017/18 financial year expenses were unexpected and MRTI's budget approach to rebuilding retained earnings.

Community Plan implications

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

Strategic implications

Council Strategies

Not applicable

Council Policies

Not applicable

Legislation

Not applicable

Financial implications

Approval of the recommendation will result in an additional \$50,000 excluding GST payable to MRTI over the 2018/19 financial year to be funded from unrestricted cash.

Budget Year	Operating Performance Ratio	Own Source Revenue	Building & Infrastructure Renewal
2018/19	x	-	-
Future Years	-	-	-

Associated Risks

Not applicable

NEIL BUNGATE
ACTING CHIEF FINANCIAL OFFICER

5 September 2018

Attachments: 1. MRTI Contract Amendment Proposal Letter.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

09 July 2018

Mid-Western Regional Council
86 Market Street
Mudgee NSW 2850

To Whom It May Concern

RE: Mudgee Region Tourism Council Contract

Mudgee Region Tourism's efforts over the past 4 years have successfully:

- Increased awareness and appeal of visiting Mudgee Region, including a destination rebrand – highlighting the benefits of exploring surrounding villages of Gulgong, Rylstone and Kandos;
- Built essential marketing tools, identified target audiences, delivered multiple award-winning campaigns;
- Grown visitation 10%+ year-on-year, with an annual \$2M+ boost to the local economy;
- Secured \$265K in grant funds;
- Won multiple tourism and business awards;
- Increased annual partnership/advertising revenue by \$94K;
- Increased annual retail sales by \$20K;
- Implemented cost saving measures worth \$75K.

In 2014, retained earnings were earmarked to develop and deliver the above outcomes. The organisation continued to deliver successful outcomes in FY17-18, however several unexpected expenses and revenue shortfalls mid-year contributed to negative retained earnings (*preliminary result **-\$59,389**, pending audit):

- Significant drop in events/ticket sales \$13K;
- Reserved approach to launching new retail wine initiative + liquor licence application delay \$17K;
- Computer + website expenses (necessary upgrades) \$7K;
- Mid-year marketing opportunities (Sydney Weekender, GQ, Delicious, Australian Traveller) \$8K;
- Staff turnover (2 x maternity leave + 1 x resignation) + increased visitors to VIC \$15K.

Summary retained earnings and P+L results 2014 to 2018:

FY	2014	2015	2016	2017	2018 *pending audit
Retained Earnings	\$122,918	\$71,986	\$31,126	\$27,341	-\$59,389*
Profit or Loss	\$2,875	-\$54,932	-\$40,895	-\$3,786	-\$87,853*

We have prepared an interim, conservative 2018-19 budget (to be reviewed in 6 months) taking into consideration negative retained earnings in 2017-18. Our ambition is to rebuild retained earnings without losing momentum in market. We have so far anticipated a \$10K profit FY2018-19 with a conservative approach (note: we have pulled back paid media and do not have an allowance for mid-year marketing opportunities that may arise).

We hereby request additional financial support from Mid-Western Regional Council, so we can deliver the same quality of promotion we have enjoyed over the past four years, into the future. We ask that our annual contribution be increased from \$396K to \$450K (+ CPI annually) to the end of the current contract term - June 2021.

This additional contribution will allow us to continue momentum in market, be responsive to mid-year opportunities, be the short-break destination of choice and regain positive retained earnings.

Your sincerely

Cara George
CEO
Mudgee Region Tourism
02 6372 1020 | 0408 666 446
ceo@visitmudgeeregion.com.au

Mudgee Region Tourism
84 Market Street, Mudgee NSW 2850
(02) 6372 1020
www.visitmudgeeregion.com.au
ABN: 18 997 389 853

Item 10: Operations

10.1 Grant acceptance Central Tablelands Environment and Waterways Alliance

REPORT BY THE ENVIRONMENT OFFICER
TO 19 SEPTEMBER 2018 ORDINARY MEETING
GOV400066, ENV200031

RECOMMENDATION

That Council:

1. **receive the report by the Environment Officer on the Grant acceptance Central Tablelands Environment and Waterways Alliance;**
2. **accept grant funding for project titled 'Cudgegong River Regeneration' \$19,832; and**
3. **amend the Operational Plan 2018/19 to include an expenditure budget of \$25,192 funded \$19,832 from grant income and \$5,360 unrestricted cash.**

Executive summary

Mid-Western Regional Council has been successful in receiving grant funding from the Central Tablelands Environment and Waterways Alliance for project titled 'Cudgegong River Regeneration'.

Acceptance of the grant terms and conditions is required for works to begin.

Disclosure of Interest

Nil.

Detailed report

Mid-Western Regional Council has been successful in receiving grant funding from the Central Tablelands Environment and Waterways Alliance for project titled 'Cudgegong River Regeneration'.

The project focus is working with Landholders to clean up the remaining exotic vegetation from the banks of the Cudgegong River opposite Lawson Park and then revegetating with native riparian species. Additional planting works will also be undertaken along other sections of the river which are Council owned.

In the last couple of months landholders opposite Lawson Creek have been removing declared weeds from the Cudgegong River banks. Although landholders are legislatively required to remove

weeds from their property it has resulted in community complaints regarding the aesthetics of the Park. Therefore Council's Environmental Services Department applied for grant funding to assist the landholders to complete the weed removal and revegetate the area with native species.

Project activities are

- Plant 1000 tubestock and 40 mature trees of native riparian species between Lawson Park and the confluence of Lawson Creek (along the Glen Willow Cycleway)
- Spread 6kg of native grass seed along the bare patches of bank opposite Lawson Park
- Remove remaining dead Willows and exotic vegetation from the banks using an excavator or similar and place into piles for burning.
- Stem inject remaining live Willows within the river from canoes
- Spray noxious herbaceous weeds along banks
- Install signage in Lawson Park educating community about Willows, river regeneration and history of the park
- Consult with the 2 landholders opposite Lawson Park

Acceptance of the grant terms and conditions is required for works to begin.

Community Plan implications

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

Strategic implications

Council Strategies

Not Applicable

Council Policies

Not Applicable

Legislation

Not Applicable

Financial implications

Project Expenditure Total \$25,192

Funding Sources

Grant Income	\$19,832
Council cash contribution (Unrestricted cash)	<u>\$ 5,360</u>
	<u>\$25,192</u>

Council and Land Owner in-kind contribution - \$14,885 project management

Therefore overall the total cost of the project including all in-kind contributions is \$40,077.

Budget Year	Operating Performance Ratio	Own Source Revenue	Building & Infrastructure Renewal
2018/19	X	X	-
Future Years	-	-	-

Associated Risks

CASSIE LINEY
ENVIRONMENT OFFICER

GARRY HEMSWORTH
DIRECTOR OPERATIONS

BRAD CAM
GENERAL MANAGER

12 July 2018

Attachments: 1. Funding agreement.

APPROVED FOR SUBMISSION:

PETER COTTERILL
MANAGER ENVIRONMENTAL SERVICES



Funding Agreement

Central West Councils Environment & Waterways Alliance Funding 2018

Project Title: Cudgegong River Regeneration

Grantee: Mid-Western Regional Council

Grant Funding: \$19,832

Funding Organisation:

Central West Councils Environment & Waterways Alliance
C/- Gilgandra Shire Council
PO Box 23
GILGANDRA NSW 2827

Grantee:

Mid-Western Regional Council
PO Box 156
MUDGEE NSW 2850
ABN: 96 149 391 332

Grantee Contact:

Cassie Liney
Environment Coordinator
P: 02 6378 2849 M: 0432 495 794
cassie.liney@midwestern.nsw.gov.au



Project Summary

The project involves working with landholders to remove the remaining exotic vegetation from the banks of the Cudgegong River opposite Lawson Park and then revegetating with native riparian species.

Project Activities

1. Engage a suitably qualified and experienced contractor in accordance with Council’s procurement policy to conduct planting works
2. Plant 1,000 tubestock and 40 mature trees of native riparian species (trees, shrubs and ground covers)
3. Spread 6kg of native grass seed along the bare patches of bank opposite Lawson Park
4. Engage a suitably qualified and experienced contractor in accordance with Council’s procurement policy to conduct weed control
5. Remove dead Willows and exotic vegetation from the banks using an excavator or similar and place into piles for burning
6. Stem inject remaining Willows within the river from canoes
7. Spray noxious herbaceous weeds along banks
8. Install signage in Lawson Park educating community about Willows and river regeneration
9. Consult with the two landholders about works before, during and after the project

Budget

Item	Cost	Grant	Council Cash Contribution	Council In-kind Contribution
1,000 x plants @ \$3 each	\$3,000	\$3,000		
1,000 x tree guards @ \$0.91 each	\$910	\$910		
Contractor for planting @ \$7/plant	\$7,000	\$7,000		
Mature trees x 40 @ \$80 each	\$3,200		\$3,200	
6kg native grass seed @ \$195/kg	\$1,170	\$1,170		
Follow up watering by contractor x 12 days @ \$180/day	\$2,160		\$2,160	
Machinery to remove material from river x 2 days @ \$1,830/day	\$3,680	\$3,680		
Weed control to stem inject willows x 2 days @ \$1,536/day	\$3,072	\$3,072		
Sign	\$1,000	\$1,000		
Project management x 38hrs @ \$37.08/hr	\$1,409			\$1,409
Project management on-cost 38hrs @ 48%	\$676			\$676
Works already completed by the landholder to remove weeds approx. 20 days plus a commitment to watering and follow-up weed control of additional 20 days (\$40/hr)	\$12,800			\$12,800
TOTAL	\$40,077	\$19,832	\$5,360	\$14,885



In order to accept this funding opportunity, please have a Council representative with appropriate delegation sign the agreement below, and prepare an invoice to the agreed value of \$19,832 + GST, made out to:

Environment & Waterways Alliance
C/- Gilgandra Shire Council
PO Box 23
GILGANDRA NSW 2827

ABN: 47 979 060 715

The signed agreement and invoice should be returned to:

David Waddell
Chair
Environment & Waterways Alliance
dwaddell@orange.nsw.gov.au

The agreement will be counter-signed by the Chair of the Environment & Waterways Alliance with a copy returned to your Council for your records.

Signed

X

Date:
Name:
Title:
Organisation: Mid-Western Regional Council

X

Date:
Name: David Waddell
Title: Chair
Organisation: Environment & Waterways Alliance

10.2 Stage 1 Ulan Wollar Road Realignment

REPORT BY THE MANAGER WORKS
TO 19 SEPTEMBER 2018 ORDINARY MEETING
GOV400066, R4022001

RECOMMENDATION

That Council:

1. **receive the report by the Manager Works on the Stage 1 Ulan Wollar Road Realignment;**
2. **accept funding of \$5,511,000 from Peabody Energy for the construction of Stage 1 of the Ulan Wollar Realignment Project;**
3. **amend the 2018/19 Operational Plan to increase the budget for Stage 1 of the Ulan Wollar Realignment Project by \$1,511,000 funded by Peabody Energy Contribution; and**
4. **authorise the General Manager to negotiate final terms and sign all necessary contractual documentation to formally accept the funds from Peabody Energy.**

Executive summary

Peabody Energy received State Government approval in April 2017 for the Wilpinjong Expansion Project. This also included approval to undertake a relocation of the Ulan Wollar Road to facilitate the mine expansion.

Peabody Energy propose to engage Council to undertake construction of the first stage of works, a 3.8km road realignment of the Ulan Wollar Road. Council have provided a cost estimate for the works of \$5,511,000 that has been accepted by Peabody Energy.

It is recommended that Council accept the funding and undertake the works.

Disclosure of Interest

Nil

Detailed report

In April 2017, Peabody Energy received approvals from the State Government for their Wilpinjong Expansion Project. The Project approvals included an approval to undertake relocation of public infrastructure including the Ulan Wollar Road to facilitate the mine expansion.

In October 2017 Peabody Energy engaged Council to undertake a detailed design for the extent of the realignment project which includes 8km of road realignment and 1.9km of upgrade on the existing road alignment. The project is divided into 3 stages. Peabody Energy intend to engage Council to undertake the project construction works, commencing with Stage 1, 3.8km of realignment.

Council staff have provided Peabody Energy with a cost and program schedule for the proposed works. The cost of the works is estimated at \$5,511,000 which will be completed in an 8 month construction period from engagement.

Council will enter into a contractual agreement with Peabody Energy for the project

Community Plan implications

Theme	Connecting Our Region
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

This project will contribute to the improvement and upgrade of Council assets

Council Policies

This project is considered as private works, however the conditions within the Private Works Policy are not suitable for this size and nature of project. It is proposed to enter into a contractual arrangement that specify project specific conditions including payment terms that are acceptable to both parties.

Legislation

Not Applicable

Financial implications

It is expected that the future maintenance costs will be comparable with existing maintenance estimates and therefore no change to the Operating Performance Ratio. The Own Source Revenue Ratio will decrease due to the significant external funding and the Building and Infrastructure Renewal will increase due to the renewal of the asset. It is assumed that the project will be completed within the 2018/19 financial year.

In preparation for this work Council had already approved a preliminary budget of \$4,000,000 for this project. Therefore the budget adjustment required is an increase of \$1,511,000.

Budget Year	Operating Performance Ratio	Own Source Revenue	Building & Infrastructure Renewal
2018/19	-	X	✓
Future Years	-	-	-

Associated Risks

Staff will manage the construction project risks such as program and cost.

SALLY MULLINGER
MANAGER WORKS

GARRY HEMSWORTH
DIRECTOR OPERATIONS

5 September 2018

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

10.3 Cudgegong (Holyoake) Footbridge Variations Claim Settlement

REPORT BY THE MANAGER WORKS
TO 19 SEPTEMBER 2018 ORDINARY MEETING
GOV400066, COR400130

RECOMMENDATION

That Council:

1. **receive the report by the Manager Works on the Cudgegong (Holyoake) Footbridge Variations Claim Settlement; and**
2. **amend the 2018/19 Operational Plan to include an additional budget of \$20,000 for the Cudgegong (Holyoake) Footbridge to be funded from unrestricted cash.**

Executive summary

Fleetwood Urban Pty Ltd was engaged by Council under RFT 2016/14 to design and construct the Cudgegong (Holyoake) footbridge. In June 2018 Fleetwood Urban served a Notice of Dispute with Council over a latent conditions variation claim valued at \$80,000 in regard to this project.

Council staff negotiated a settlement of this claim for \$20,000 and in doing so avoided any further arbitration or litigation costs.

Staff recommend that the settlement be made and the 2018/19 Operational Plan be amended to include an additional \$20,000.

Disclosure of Interest

Nil.

Detailed report

In May 2017, Council engaged Fleetwood Urban under tender RFT 2016/14 to undertake the design and construction of the proposed footbridge over the Cudgegong River adjacent to the Holyoake Road Bridge. In August 2017 Fleetwood Urban proposed a variation claim of \$57,750 in regard to a perceived latent conditions claim regarding the fill in the existing embankment. Council staff did not accept the claim as latent conditions were not evident (as these conditions could have been identified at time of tender).

In the period between August 2017 and February 2018 several exchanges of correspondence between Council and Fleetwood Urban took place establishing the position of each party. The cost of the claim increased to \$80,000 as the work had been completed and actual costs were calculated. In February 2018 Council entered into negotiations to resolve the issues with an offer from Council of \$15,000. This was rejected by Fleetwood Urban. The matter reached dispute status when a Notice of Dispute was issued to Council by Fleetwood Urban under the terms of the contract.

In July 2018, Council staff met with the Directors of Fleetwood Urban where a negotiated settlement of \$20,000 was agreed. This eliminated any further financial risks and the cost and time involved in going to arbitration or potential litigation.

Community Plan implications

Theme	Connecting Our Region
Goal	An active travel network within the region
Strategy	Develop and enhance walking and cycling networks accross the region

Strategic implications

Council Strategies

Not applicable

Council Policies

Not applicable

Legislation

Not applicable

Financial implications

It is recommended to fund the settlement from unrestricted cash. There is no impact on the key financial ratios.

Associated Risks

Council removed all further legal and financial risks in the settlement of this claim.

SALLY MULLINGER
MANAGER WORKS

GARRY HEMSWORTH
DIRECTOR OPERATIONS

6 September 2018

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Item 11: Community

11.1 Access Committee

REPORT BY THE DIRECTOR COMMUNITY
TO 19 SEPTEMBER 2018 ORDINARY MEETING
GOV400066, COS300015; A0060129

RECOMMENDATION

That Council:

1. receive the report by the Director Community on the Access Committee;
2. merge the Mudgee & Gulgong Access Committee and the Rylstone & Kandos Access Committee together to become the Mid-Western Regional Council Access Committee;
3. appoint Councillors _____ and _____ as representatives to the Mid-Western Regional Council Access Committee;
4. endorse the draft Terms of Reference for the Mid-Western Regional Council Access Committee; and
5. appoint all current community members of the two Committees to be members of the Mid-Western Regional Council Access Committee.

Executive summary

Given the recent departure of a number of members of the Rylstone & Kandos Access Committee, it is no longer tenable to sustain this Committee as a stand-alone committee. It is recommended, therefore, that it be merged with the Mudgee & Gulgong Access Committee in order to consistently achieve meeting quorum and to more efficiently deal with region-wide matters relating to access.

Disclosure of Interest

Nil.

Detailed report

Council currently facilitates two section 355 Committees for the provision of advice relating to physical access for all residents and visitors to the region, namely the Mudgee & Gulgong Access Committee and the Rylstone & Kandos Access Committee.

The Committees are currently comprised of the following members:

Mudgee & Gulgong Access Committee

Councillor Representative: Councillor Karavas
Councillor Representative: Councillor Paine
Chair: Victoria Barrett
Rodger Barnes
Renee Lamshed
Les Leighton
Mary Lovett
Pamela Morris
Stephen Waller

Rylstone & Kandos Access Committee

Councillor Representative: Councillor Martens
Alternate Representative: Councillor Paine
Chair: Shirley Tunnicliff
Claire Andu

The terms of reference for both committees state that quorum is achieved at meetings with participation by at least four members. The Rylstone & Kandos Access Committee in particular has struggled with reaching quorum in recent years and efforts to recruit new members has proven unsuccessful. It is Council staff recommendation, therefore, that the two committees be merged in order to consistently achieve quorum and to more efficiently deal with region-wide matters relating to access.

Further, in order to ensure equality for all participating Committee members (and to ensure a more holistic understanding by members of region-wide access matters), it is recommended that the meeting be regularly rotated between Gulgong, Mudgee and Rylstone venues.

A draft recommended Terms of Reference for the merged committee (to be known as the Mid-Western Regional Council Access Committee) is attached to this report.

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

Council's Disability Inclusion Action Plan supports collaboration between Council and its Access Committees, to provide advice to Council on operational and strategic issues affecting access for all residents of and visitors to the region.

Legislation

The *Local Government Act (NSW)* 1993 provides that Council may seek advice from others to assist in carrying out its functions.

Financial implications

Councillors may incur travel costs to attend these meetings, however, provision for this expense exists in Council's budget.

Associated Risks

Nil.

SIMON JONES
DIRECTOR COMMUNITY

5 September 2018

Attachments: 1. DRAFT Terms of Reference for the Mid-Western Regional Council Access Committee.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

MID-WESTERN REGIONAL COUNCIL
MID-WESTERN REGIONAL COUNCIL ACCESS COMMITTEE

TERMS OF REFERENCE

PREAMBLE

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

COUNCIL CONTACT

The Manager Community Services is the Council contact officer for the Mid-Western Regional Council Access Committee.

RESPONSIBILITIES

The Mid-Western Regional Council Access Committee will:

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

1.

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

COMPOSITION OF MID-WESTERN REGIONAL COUNCIL ACCESS COMMITTEE

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

MEETINGS

Mid-Western Regional Council Access Committee meetings will be held monthly between February and December. The duration of the meeting will be up to 1 1/2 hours.

The meeting venue will be regularly rotated between Gulgong, Mudgee and Rylstone venues and may include site visits (as appropriate).

QUORUM

The quorum for the meeting of the Mid-Western Regional Council Access Committee shall be 4 members.

DELEGATIONS

Nil.

FINANCIAL ARRANGEMENTS

Nil.

SECRETARIAL SUPPORT

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

Item 12: Reports from Committees

12.1 Red Hill Committee Minutes 25 July 2018

REPORT BY THE DIRECTOR COMMUNITY
TO 19 SEPTEMBER 2018 ORDINARY MEETING
GOV400066, P0860011

RECOMMENDATION

That Council:

- 1. receive the report by the Director Community on the Red Hill Committee Minutes 25 July 2018; and**
 - 2. note the minutes of the Red Hill Committee meeting held on 25 July 2018.**
-

Executive summary

This report seeks to inform Council of the most recent meeting of the Red Hill Committee and the future of the operation of the Gulgong Gold Experience at Red Hill.

Disclosure of Interest

Nil.

Detailed report

The major item on the agenda for the Red Hill was the operation of the Gulgong Gold Experience. As Council is aware, this is currently operated by Gulgong Holtermann Museum under a Memorandum of Understanding with Council. Gulgong Holtermann Museum have provided notice to Council that they do not intend to continue with this MOU. Council must now find another organisation to operate the facility under a similar MOU.

Council has advertised for expressions of interest for another organisation to operate the Gulgong Gold Experience. It is anticipated that these Expressions of Interest will come to Council for a decision at the October meeting.

There were a number of matters raised at the Committee meeting that would require a level of endorsement from Council in order to proceed. These have not been included in the recommendations. If Council is of a mind to provide a resolution on these matters for staff to enact, then it is suggested that any such resolutions be included in the motion.

The Red Hill Committee carried a resolution that a business case for the Red Hill precinct be developed by Council. It is the view of staff that while this could be achieved, it would require resourcing.

The Red Hill Committee carried a resolution that the Master Plan be changed to provide for the public toilet facility to be developed at the lower level near the entry to the Red Hill School. It has been determined that this will be significantly more expensive. While there is a budget item for a public toilet at Red Hill, this is dependent on funding. Staff believe a better short to middle term solution is to utilise the existing toilet facility at the Red Hill Cottage (as per the current Master Plan that was endorsed earlier this year).

The Red Hill Committee endorsed the call from the Gulgong Holtermann Museum for an additional \$60,000 in funding each year for the Gulgong Gold Experience and Red Hill. The current yearly budget is approximately \$30,000 so this would bring it to \$90,000 per annum. Staff do not support this recommendation as it is not in line with previous Council resolutions in relation to expenditure at Red Hill. It is, of course, entirely up to Council if they wish to increase operational and capital budgets at Red Hill.

Community Plan implications

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

Strategic implications

Council Strategies

Community Strategic Plan
Red Hill Master Plan

Council Policies

Not Applicable.

Legislation

Not Applicable.

Financial implications

Further capital works at the Red Hill site will require budget. The Master Plan provides no timetable for the completion of works so any items to be completed will be subject to funding available by Council or other grant applications.

Associated Risks

Significant funds have been invested in the Red Hill site over the past few years. It may be appropriate for a more targeted and coordinated approach to tourism development be pursued by the Gulgong Chamber of Commerce and Mudgee Region Tourism Inc. to ensure that any further funds that are invested are focused on maximising the benefits for tourism for the town. The construction of more assets on the site will require further funds for ongoing maintenance and so it is important that Council consider the impact of further capital expenditure.

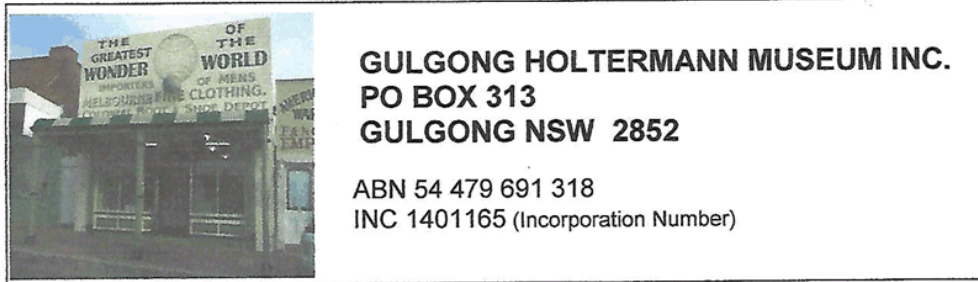
SIMON JONES
DIRECTOR COMMUNITY

30 August 2018

Attachments: 1. Letter from Gulgong Holtermann Museum - Red Hill July 2018.
2. Letter from Gulgong Holtermann Museum - Red Hill June 2018.
3. Red Hill Committee Minutes - July 2018.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



18.7.2018

Simon Jones
Director, Community
MWRC
Box 156
MUDGEES NSW 2850

GHM – MWRC MOU for GGE

Dear Simon

Yesterday's ordinary committee meeting of GHM Inc. resolved not to renew the MOU with Council for 2019.

December 2018 will bring to a close a very demanding yet highly rewarding two and a half year chapter in our endeavours.

This period saw GHM create (with Council assistance) the GGE with associated design and fit out, manufacturing of bespoke showcases and displays, the installation of exhibits and AV aspects, the sourcing of educational replica and genuine gold artefacts, creation of wall panel text, the manufacture of panning troughs, landscaping of RH, garden creation etc etc, along with finding and rostering enough wonderful volunteers to run the facility.

Indeed, many now members of GHM Inc were involved with the various design concepts of the RH Precinct going back many years, the successful application to Cobbora Transition Funding by Gulgong Chamber of Commerce, and the design and construction of the underground facility itself.

We feel that GGE is now an important part of the RH Precinct, and that both have even more potential for the tourism of the Shire.
Recent positive changes in the administration of RHEEC will also greatly benefit the interaction between RH Precinct and the communities of the Shire.

Our committee must now focus its full attention on completing the GHM project.

Given our fondness of GGE and RH may we offer some assistance to help facilitate a smooth transition to the next operator if indeed that is Council's intention. You now have full GGE financials from June 2016, along with how we see GGE and RH developing.

We thank you Simon and Council for the support of GHM's administration of GGE.

Looking forward to the next RH Development meeting on Wed 25th, 3pm at RHEEC.

Yours sincerely,



Chris Pearson
chairman GHM/GGE

cc
GHM Committee
Councillor Cavalier
Councillor Thompson
Bill Murphy (Gulgong Chamber)



GULGONG HOLTERMANN MUSEUM INC.
PO BOX 313
GULGONG NSW 2852

ABN 54 479 691 318
INC 1401165 (Incorporation Number)

21.6.2018

The General Manager
MWRC
Box 156
MUDGEE NSW 2850



2018-2019 COUNCIL BUDGET CONSIDERATIONS
RED HILL PRECINCT (RHP) & GULGONG GOLD EXPERIENCE (GGE)

Dear Brad

I refer to my previous correspondence of March 28th.

Thank you for meeting me and secretary David Warner at Red Hill on May 29th.

Further to those discussions, we wish to reiterate the urgency over creating proper toilet facilities on Red Hill.

We discussed the possibility of further repairs/modifications of the cottage toilet to service the many bus groups which visit GGE.

Feedback from these operators indicates a problem with firstly dropping visitors at the cottage, then again transporting them to GGE.

It would be double handling and problematic especially on uneven ground and unsealed surfaces during wet periods.

I enclose details of communication for a bus booking in November this year.

These operators expect certain standards now and we have accepted the Gillieston School booking in the hope that RHEEC will help out with shelter and fully equipped toilets for the children if new amenities are not built by then.

Sometimes for older patrons (some disabled), one toilet stop is not enough during a visit, and renegotiating the sloping gravel paths back to the cottage is not an option. We believe you have already received a letter to this effect from the Mudgee Vision Impaired Group.

Nonetheless, I attach a copy of positive visitor feedback from that group.

Also, the cottage is well out of the way for other Red Hill visitors including parents with strollers and people requiring wheelchairs and walkers etc.

This brings us back to our original request (as per Council's Master Plan for Red Hill) to build facilities on Tom Saunders Avenue.

The popularity of GGE and RHP precinct is growing.
Please see www.gulgonggold.com.au Facebook for photos of usage by school groups, tour groups, community festivals, town visitors, car clubs and general public.

As requested, we enclose visitation figures and financials, some prepared for a meeting with Simon last year, and further figures to May and June 2018.

You will note we have had approx. 6200 visitors since opening, with a steady increase month by month.

The Saturday (though inclement weather) and Sunday of this June LWE saw 160 visitors to GGE with a turnover of \$985.00.

You will also note that GGE has turned over some \$24,000.00 since opening, and we have re-invested the majority into displays, technology, gold panning facilities, co-contributions to our coordinator, and outdoor furniture for the precinct.

With the strong support of our volunteer base and increasing visitation, Council is in an ideal position to capitalise and expand on this success, and build facilities which strangely were omitted from the original development.

We feel that whoever takes up a MOU in 2019 will have to consider extended opening hours (currently 1-3pm, seven days/week) to cater for the demand, and new nearby proper toilet facilities will be even more critical.

GHM thanks Council for painting the cottage toilet and back room, repairing the BBQ, installing a tap at GGE, plantings, landscaping, providing gravel for paths, reconnecting power to the amphitheatre, removing redundant machinery and contributing to the coordinator's allowance.

Over and above providing toilet facilities, we request you follow up on other matters such as floodlighting on Tom Saunders Ave, erosion control on paths, traffic control (barriers to the hill), shelters, and an allowance for signage to the precinct.

We will continue to liaise with Simon on these matters.

In essence, Red Hill and GGE need a much larger budget.

No matter which business plan Council adopts for GGE next year, it is obvious that having a part time coordinator (now working almost full time) will be grossly inadequate.

We feel that paid staff will be necessary in the future.

Simon has the extensive list of coordinator's duties necessary to professionally run GGE.

Could we suggest an additional \$60,000.00 contingency reviewed annually, to cover a much larger coordinator's allowance/wage and other above requirements (excluding toilet facilities).

GHM will continue to work with you for the remainder of our MOU in an effort to further develop this important Council owned facility.

Please advise if you require any further information.

Yours faithfully,



Chris Pearson
(Chairman GHM/GGE)

enc:

- *cheque acc details – Jan 2018-April 2018
- *attendance, merchandise and turnover figures – June 2016-May 2018
- *visitation and income sheets and banking details – 17.6.2016-12.9.2017
- * expenditure details – June 2016-June 2018
- * income details – June 2016- June 2018
- *letter from Vision Impaired Group – Mudjee
- *emails for Gillieston bus group – Nov.2018



MID-WESTERN REGIONAL COUNCIL
PO Box 156, MUDGEES NSW 2850
86 Market Street, Mudgee | 109 Herbert Street, Gulgong | 77 Louee Street, Rylstone
T 1300 765 002 or 02 6378 2850 | F 02 6378 2815
E council@midwestern.nsw.gov.au

SJ | P0860011

**MINUTES OF MEETING FOR THE RED HILL COMMITTEE HELD ON
25 JULY 2018 COMMENCING AT 3.05PM**

Present: Chris Pearson, Cr Percy Thompson, Maurice Gaudry, Maureen Hall, Bill Murphy, David Warner, Joy Harrison, Tony Harrison, Diane Thompson (Guest), Paul Blackwell (staff), Simon Jones (staff)

The meeting was opened at 3.05pm by Cr Thompson.

1. Apologies

Nil

2. Operation of the Gulgong Gold Experience

Gulgong Holtermann Museum have advised Council that they do not wish to continue the Memorandum of Understanding for the operation of the Gulgong Gold Experience beyond December 2018.

There are a number of options now available to Council:

- Find another organisation to take on the requirements of the MOU
- Council to staff the facility
- Leave the facility opened but unmanned
- Close the facility

There may be some interest from the Gulgong Arts Council, current volunteers from the Gulgong Gold Experience and from the Gulgong Chamber of Commerce.

3. Future Plans for Red Hill

It was noted that discussions considered that bus parking and toilets were the priority for the Red Hill precinct.

Motion: That Council develop a business case for the Red Hill precinct

Moved: Chris Pearson Seconded: David Warner **Motion Carried**

Motion: That all Councillors be invited to inspect the Gulgong Gold Experience and the Red Hill precinct

Moved: Tony Harrison Seconded: Bill Murphy **Motion Carried**

4. Red Hill Master Plan

There was further discussion regarding the location of the future public toilet at Red Hill. The location at the entranceway to the Red Hill will add approximately \$60,000 to the construction of the toilet due to the absence of sewer from this area.

Motion: That the Committee supports changing the Master Plan to move the toilet to the lower area, near the entrance to the Red Hill School

Moved: Maurice Gaudry Seconded: Bill Murphy **Motion Carried**

5. Works Requests

Disappointment was raised by some members of the Committee regarding the quality of recent works at the site. Further discussions to take place with staff regarding what work is requested.

Motion: That the Coordinator of the Gulgong Gold Experience be consulted on works and final inspections on the quality of works completed

Moved: Bill Murphy Seconded: Chris Pearson **Motion Carried**

6. Gulgong Holtermann Museum budget submission

There was discussion regarding the proposal from Gulgong Holtermann Museum for an additional \$60,000 per annum to be provided for the Red Hill precinct.

Motion: That the Committee endorses the application for an additional \$60,000 per annum

Moved: David Warner Seconded: Joy Harrison **Motion Carried**

7. Picnic Setting

There was discussion regarding the need to replace the picnic setting. A hand made wooden piece would be preferred that fits in to the Red Hill precinct.

Motion: That the Committee seek quotes for a hand-made wooden picnic setting that is similar in style to other pieces at Red Hill

Moved: Maurice Gaudry Seconded: Bill Murphy **Motion Carried**

Meeting closed at 4pm.

Next meeting: To be advised

8. Action List

Item	Responsibility	Progress
Ideas for placement of items (including benches and signage or landscaping ideas) for Red Hill Plan to be forwarded to staff	Committee Members	A landscaping plan is being prepared in consultation with Maureen Hall. Costs are being developed and staff have been on site undertaking works
Ideas for better placement of brown tourism sign in Gulgong to be forwarded to staff	Council staff	A works request has been entered for an additional sign
Sketch and dimensions for Red Hill sign to be forwarded to staff	Committee Members	Council staff will arrange for some graphic design work to be carried out to produce a proof for signage that can then be assessed by the Committee.
Begin investigations into heritage listing	MWRC Heritage Committee	
Pathway improvements	Council Staff	Costings to be provided so that priorities can be determined.
Picnic setting	Committee members to provide costing estimate	
Master Plan	Council staff	If Council is of a mind to make the change to Master Plan then it will be redrawn and presented to Council.
Invitation to Councillors	Council staff	Invitation has been sent to all Councillors RECOMMEND COMPLETION

12.2 Mudgee Sports Council Meetings 31 July and 26 August 2018

REPORT BY THE DIRECTOR COMMUNITY
TO 19 SEPTEMBER 2018 ORDINARY MEETING
GOV400066, A0360013

RECOMMENDATION

That Council:

1. receive the report by the Director Community on the Mudgee Sports Council Meetings 31 July and 26 August 2018; and
2. note the minutes for the Mudgee Sports Council meetings 31 July and 26 August, 2018.

Executive summary

The purpose of this report is to advise Council of the considerations and recommendations of the Mudgee Sports Council meetings held on 31 July and 26 August, 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

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

Strategic implications

Council Strategies

Not Applicable.

Council Policies

Not Applicable.

Legislation

The Mudgee Sports Council is operating under Section 355 of the Local Government Act (1993), which allows it to exercise a function of Council.

Financial implications

Not Applicable.

Associated Risks

Nil.

SIMON JONES
DIRECTOR COMMUNITY

30 August 2018

Attachments: 1. Sports Council meeting 31-07-2018.
2. Sports Council meeting 26-08-2018.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Mudgee Sports Council Minutes**Netball Clubhouse****26-08-2018****18:03**

Present: Councillor J. O'Neill, P. Mitchell (Soccer), G. Robinson, K. Marshall (Netball), K. Bennetts (Little A), N. Richards (Hockey), A. Whale (Jnr Cricket), R. Smith (Rugby), R. Lang (Touch) & J. Johnson .

Apologies: T. Kane (MWRC), S. Jones (MWRC), P. Blackwell (MWRC), J. Fleming (Soccer), K. Lang (Touch, Snr League), L. Humphries (Rugby), N. Cavangah, Apologies moved and accepted K. Bennetts seconded K. Marshall.

Minutes from previous meeting read as true and correct. Moved K. Bennetts seconded R. Smith.

Business arising from previous meeting:

1. Winter sports fees due.

Treasurer's Report:

1. At time of meeting \$86,015:42 balance.
2. Junior Cricket rep spoke about junior cricket numbers Milo Cricket is run by NSW Cricket not Mudgee cricket, all funds from Milo cricket go directly to NSW Cricket so MWRC would have to invoice NSW Cricket for sports council fees.
Moved G. Robinson, seconded A. Whale.

Secretary Report:

1. Letter received from Mudgee Softball Association requesting reduction of fees for juniors by \$5 to allow them to be more affordable- Discussion by those sports who had reps attend, and as put if Softball gets a reduction the so should everyone else, perhaps the fees aren't the problem. **Mudgee Sports council recommends that fees and charges remain as per Council regulations.**

Works Request Updates:

1. Lock fixed Glen Willow amenities.
2. Light covers not replaced Glen Willow amenities.
3. Lock fixed male toilets Glen willow amenities.
4. Bollards still to be installed Glen Willow Touch/soccer fields.
5. ? Toilets fixed Netball.
6. Roll Top fixed Cahill Park more welding required.
7. Lights at Jubilee to be repaired end of season.
8. Pedestrian crossing Pitts Lane on going.
9. Fields 3 & 4 next budget.
10. Carpark Netball when RMS next here.

Works Requests:

1. Little A's emailed issues directly to council.
2. Sink BBQ area not draining Soccer/Touch clubhouse.
3. Leaking water from under basin men's toilets Soccer/Touch clubhouse.
4. And Light covers not fixed Soccer/Touch clubhouse.

General Business:

1. Remind all sports coming to end of season to get sports award nominations in, Geoff will email new form to all clubs.
2. Netball courts resurfacing taking place October, Netball concerned that new surface will get damaged when Anytime fitness start their boot camp, the last thing we want is surface to be damaged by medicine balls and heavy ropes.
3. Long Jump run ups work has commenced.
4. Little A's requesting extra Triple B key.
5. Pedestrian Crossing Pitts Lane – Traffic management plan which includes Glen Willow, the RTA is reluctant to paint as could be misconstrued so won't happen in the near future.
6. Mayor Kennedy has sent a letter to Hockey re the Glen Willow plan, he is aware of minutes resolution but must go back to the 2013 recreational plan, updated plan to have 2 artificial fields, Hockey will be moving to a field similar to field 2, or may move Hockey to Victoria Park if a field can be made, Council will assist with marking of field and Hockey won't have to move goal posts, Hockey will also have to organise affiliation with NSW Hockey.
7. Is there any way that softball could not use the Hockey field so that reseeding can take place, as members were reminded softball cages were to be removable but were cemented in against DA and were allowed to remain institu.
8. Stage 2 is 6 additional fields, primarily for Rugby Union juniors and junior Rugby League plus amenities, car parks and lighting, this is the 6 million dollar grant still awaiting news for grant from state Government.

Meeting closed 1838

Next meeting

Monday 24th September 2018 at 6pm

Netball clubhouse

Mudgee Sports Council Minutes**Netball Clubhouse****26-08-2018****18:03**

Present: Councillor J. O'Neill, P. Mitchell (Soccer), G. Robinson, K. Marshall (Netball), K. Bennetts (Little A), N. Richards (Hockey), A. Whale (Jnr Cricket), R. Smith (Rugby), R. Lang (Touch) & J. Johnson .

Apologies : T. Kane (MWRC), S. Jones (MWRC), P. Blackwell (MWRC), J. Fleming (Soccer), K. Lang (Touch, Snr League), L. Humphries (Rugby), N. Cavangah, Apologies moved and accepted K. Bennetts seconded K. Marshall.

Minutes from previous meeting read as true and correct. Moved K. Bennetts seconded R. Smith.

Business arising from previous meeting:

1. Winter sports fees due.

Treasurer's Report:

1. At time of meeting \$86,015:42 balance.
2. Junior Cricket rep spoke about junior cricket numbers Milo Cricket is run by NSW Cricket not Mudgee cricket, all funds from Milo cricket go directly to NSW Cricket so MWRC would have to invoice NSW Cricket for sports council fees.
Moved G. Robinson, seconded A. Whale.

Secretary Report:

1. Letter received from Mudgee Softball Association requesting reduction of fees for juniors by \$5 to allow them to be more affordable- Discussion by those sports who had reps attend, and as put if Softball gets a reduction then so should everyone else, perhaps the fees aren't the problem. **Mudgee Sports council recommends that fees and charges remain as per Council regulations.**

Works Request Updates:

1. Lock fixed Glen Willow amenities.
2. Light covers not replaced Glen Willow amenities.
3. Lock fixed male toilets Glen Willow amenities.
4. Bollards still to be installed Glen Willow Touch/soccer fields.
5. ? Toilets fixed Netball.
6. Roll Top fixed Cahill Park more welding required.
7. Lights at Jubilee to be repaired end of season.
8. Pedestrian crossing Pitts Lane on going.
9. Fields 3 & 4 next budget.
10. Carpark Netball when RMS next here.

Works Requests:

1. Little A's emailed issues directly to council.
2. Sink BBQ area not draining Soccer/Touch clubhouse.
3. Leaking water from under basin men's toilets Soccer/Touch clubhouse.
4. And Light covers not fixed Soccer/Touch clubhouse.

General Business:

1. Remind all sports coming to end of season to get sports award nominations in, Geoff will email new form to all clubs.
2. Netball courts resurfacing taking place October, Netball concerned that new surface will get damaged when Anytime fitness start their boot camp, the last thing we want is surface to be damaged by medicine balls and heavy ropes.
3. Long Jump run ups work has commenced.
4. Little A's requesting extra Triple B key.
5. Pedestrian Crossing Pitts Lane – Traffic management plan which includes Glen Willow, the RTA is reluctant to paint as could be misconstrued so won't happen in the near future.
6. Mayor Kennedy has sent a letter to Hockey re the Glen Willow plan, he is aware of minutes resolution but must go back to the 2013 recreational plan, updated plan to have 2 artificial fields, Hockey will be moving to a field similar to field 2, or may move Hockey to Victoria Park if a field can be made, Council will assist with marking of field and Hockey won't have to move goal posts, Hockey will also have to organise affiliation with NSW Hockey.
7. Is there any way that softball could not use the Hockey field so that reseeding can take place, as members were reminded softball cages were to be removable but were cemented in against DA and were allowed to remain institu.
8. Stage 2 is 6 additional fields, primarily for Rugby Union juniors and junior Rugby League plus amenities, car parks and lighting, this is the 6 million dollar grant still awaiting news for grant from state Government.

Meeting closed 1838

Next meeting

Monday 24th September 2018 at 6pm

Netball clubhouse

12.3 Rylstone and Kandos Sports Council Meeting 1 August 2018

REPORT BY THE DIRECTOR COMMUNITY
TO 19 SEPTEMBER 2018 ORDINARY MEETING
GOV400066, A0360030

RECOMMENDATION

That Council:

1. receive the report by the Director Community on the Rylstone and Kandos Sports Council Meeting 1 August 2018;
2. note the minutes of the Rylstone and Kandos Sports Council meeting held on 1 August 2018, and
3. endorse the amended Terms of Reference for the Rylstone and Kandos Sports Council.

Executive summary

The purpose of this report is to advise Council of the considerations and recommendations of the Rylstone and Kandos Sports Council meeting held on the 1 August, 2018 and for Council to endorse the amended Terms of Reference.

Disclosure of Interest

Nil.

Detailed report

A change to the Terms of Reference has been proposed to allow for a voting member of the Sports Council from the Kandos High School. As the school is a major user of the facility, this has been supported by the Sports Council and staff.

The Sports Council also confirmed its support for the installation of a discus cage at the Waratah Park complex with the exact location to be confirmed with user groups.

Community Plan implications

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

Strategic implications

Council Strategies

Not Applicable.

Council Policies

Not Applicable.

Legislation

The Rylstone and Kandos 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

Not Applicable.

SIMON JONES
DIRECTOR COMMUNITY

3 September 2018

Attachments: 1. Rylstone Sports Council minutes 10818.
2. Terms of Reference Adopted - Rylstone Sports Council amended August 2018.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



MID-WESTERN REGIONAL COUNCIL

PO Box 156, MUDGEES NSW 2850

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

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

E council@midwestern.nsw.gov.au

Rylstone and Kandos Sports Council

Minutes of the Ordinary meeting held on **Wednesday 1st August at 4pm** at the Rylstone Council Office.

Present: Craig Parsons (Senior Rugby League), Julie Parsons (Junior Rugby League), Gemmah Johnson (Little Athletics), Brad Stockwell and Simon Jones (MWRC staff).

Meeting opened by Craig Parsons at 4pm.

1. Apologies

Sherie Thorne

2. Works Requests and General Business

- Front gates are being replaced. Quotes have been received for this.
- Works request - Canteen – would like to see a stainless steel bench next to the grill, same height and depth.
- Works request – Canteen – remove the fridge from next to the grill
- Works request - Canteen – power is constantly tripping. Might be the new fridge. The cords and circuits are not labelled
- Works request – check security/sensor lights – does it come on?
- Works request – storage facilities need painting (need to be cleaned out first)
- Works request – partition wall between sheds needs repairing (need to be cleaned out first)

Motion: That Sports Council pay the balance of any costs for the discus cage (after the grant amount has been expended)

Moved: J.Parsons

Seconded: C. Parsons

Motion Carried

- Works request – broken fence panels near the run on area from the grandstand
- Works request – could we get a key lock for the First Aid room door
- Works request – can we get Council to mark the field for the first time of the season as we have lost the markers after the irrigation works

Motion: That Sports Council purchases a couple of shovels to assist with keeping the grounds clear and clean

Moved: C Parsons

Seconded: B. Stockwell

Motion Carried

- Works request - Sportsground needs more bins. Can we get 3 yellow bins, 3 blue bins and 10 green bins
- Works request – frame on visitor change room door is coming loose
- Works request – Would like to see a big improved sign for Waratah Park
- Works request – Shade trees and seating for the far side hill (Has-been hill)
- Works request – Power points needed in each changeroom

Future Capital Works - Long/triple jump – needs to be a resurfaced and re-positioned track

Future Capital Works – Scoreboard – one of \$35K has been suggested for a possible grant

Motion: That the Terms of Reference for the Kandos & Rylstone Sports Council be amended to allow for a voting representative from Kandos High School and that the School be provided with a set of keys.

Moved: C. Parsons

Seconded: J.Parsons

Motion Carried

Sports Council is supportive of introducing a cleaning fee for the facility.

Meeting closed: 4.55pm

Next meeting: To be advised (due in November)



TERMS OF REFERENCE

Rylstone & Kandos Sports Council

*A prosperous
and progressive
community*

DATE ADOPTED:	Click here to enter a date.	REVIEW DATE	
		FILE NUMBER	

Preamble

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

Responsibilities

- a) The Rylstone & Kandos Sports Council will:
- Provide advice to Council on priorities for capital works on sporting grounds and facilities.
 - Provide advice on recommended fees and charges for the use of sporting grounds and facilities.
 - Promote participation in sport to the widest possible cross section of the community.
 - Assist Council staff in the allocation of sporting grounds to any sporting organisation or person for any organised sporting activity including practice (Affiliated Rylstone & Kandos Sports Council members – refer section c below). These groups will be accountable to the Council for their appropriate use of the facilities.
 - Submit proposals for minor ground improvements to the Council for its consideration. Urgent ground improvement works (including building issues) shall be submitted via Council's Works Request System.
 - Set affiliation fee for Sports Council members for confirmation by Council.
 - Facilitate liaison between different sporting groups.
- b) Mid-Western Regional Council will be responsible for:
- Managing the bookings and collecting fees and hire charges from Sports Council members and other users of sporting grounds.
 - Ensuring that the Rylstone & Kandos Sports Council is informed of all bookings and scheduled maintenance
 - Allocating 50% of fees as well as Sports Council membership fees collected from affiliated Rylstone & Kandos Sports Council members into the Rylstone & Kandos Sports Council budget.
 - Regular mowing and watering of the fields.
 - Building maintenance on Council-owned buildings.
 - Any major maintenance or works in respect of the sporting grounds.
 - Maintenance of a key register (for keys supplied by Council).
 - Cleaning and stocking of public amenities.

POLICY: RYLSTONE & KANDOS SPORTS COUNCIL

- c) Affiliated Rylstone & Kandos Sports Council members will be responsible for:
- Cleaning and maintaining change rooms and canteens and other Council facilities used.
 - Ensuring the security of keys provided to them.
 - The appropriate use of the grounds and associated facilities, ensuring they are not abused in any way and that grounds are left in a clean and tidy state.
 - Provision of toilet paper and paper towels (hand wash) in change rooms.

Composition of Committee

The Committee shall comprise one (1) delegate of each affiliated not-for-profit sporting group in Rylstone & Kandos; one (1) delegate from Kandos High School and one (1) Councillor delegate from Mid-Western Regional Council.

Meeting Frequency and Quorum

The Committee shall be scheduled to meet at least once every three months, with a minimum of four meetings per year.

The meeting will be held on the first Wednesday of the month or as agreed.

The quorum for an ordinary meeting will be three (3). The quorum for an Annual General Meeting will be half of the number of financial members plus one.

Financial Contributions to Clubs, Individuals and Teams

The Rylstone & Kandos Sports Council may recommend for Council's approval, funding to affiliated Sports Council members to a maximum of \$3,000 per group per year for ground improvements.

The Rylstone & Kandos Sports Council may recommend for Council's approval, funding to individual sporting representatives from affiliated Sports Council members to a maximum of \$450 per individual.

Applications for funding from sporting teams can also be considered.

Council Contact and Support

The Director, Community or delegate is the Council contact officer for the Rylstone & Kandos Sports Council.

12.4 Heritage Committee Meeting Minutes for July and September 2018

REPORT BY THE MANAGER, STRATEGIC PLANNING
TO 19 SEPTEMBER 2018 ORDINARY MEETING
GOV400066, DEV700020

RECOMMENDATION

That Council:

1. receive the report by the Manager, Strategic Planning on the Heritage Committee Meeting Minutes for July and September 2018; and
2. note the minutes of the July and September 2018 Heritage Committee Meetings.

Executive summary

The purpose of this report is to advise Council of the considerations of the Heritage Committee meetings held on the 12 July and 4 September 2018.

Disclosure of Interest

Nil.

Detailed report

A copy of the minutes from the 12 July and 4 September 2018 Heritage Committee meetings are attached to this report.

There were no recommendations from the Heritage Committee Meetings.

Community Plan implications

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

Strategic implications

Council Strategies

Conducting Heritage Committee Meetings is consistent with Council's Heritage Strategy.

Council Policies

Not applicable.

Legislation

The Heritage Committee is operating under Section 355 of the Local Government Act 1993, which allows it to exercise a function of Council.

Financial implications

Not applicable.

Associated Risks

Not applicable.

SARAH ARMSTRONG
MANAGER, STRATEGIC PLANNING

JULIE ROBERTSON
DIRECTOR DEVELOPMENT

4 September 2018

Attachments: 1. July Heritage Committee Meeting Minutes.
2. September Heritage Committee Meeting Minutes.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

**CONFIRMED HERITAGE COMMITTEE MEETING MINUTES
FOYER MEETING ROOM
12 JULY 2018 9.30AM**

1. WELCOME and PRESENT

Barbara Hickson, David Warner, David Mort, Peter Monaghan, Virginia Hollister, John Bentley. Staff: Sarah Armstrong.

2. APOLOGIES

Nil.

3. CONFIRMATION OF PREVIOUS MINUTES

Confirmation of previous meeting minutes, moved – Peter Monaghan, second – Barbara Hickson.

4. MATTERS IN PROGRESS

Matter	Responsible	Date Commenced / Matter Raised	Progress
Local Heritage Grants.	Development Directorate Committee consideration		Acquittals submitted by Council to Office of Environment and Heritage May 2018. 2018-19 Local Heritage Grants open July 2018. Council staff to prepare new application forms and flyers for distributions within the community.
Heritage Conservation Fact Sheet.	Development Directorate	September 2016	Pending approval of Development Director. The fact sheet forms part of a suite of fact sheets. First distribution will be to landowners of heritage items, a cover letter will accompany the fact sheet.

Matter	Responsible	Date Commenced / Matter Raised	Progress
Heritage Advisor.	Development Directorate		<p>Funded until 30 June 2019. Peter questioned date, confirmed the position is funded until June 2019.</p> <p>Staff will apply for further funding (when open).</p>
Review of the Rylstone Main Street Study	Committee Members provided input into grant application.	September 2016	OE&H Grant and Council Community Plan Proposal.
DCP Review – inclusion of Heritage Conservation provisions.	Development Directorate Committee Members to review and provide feedback.		<p>OE&H Grant and Council Community Plan Proposal.</p> <p>Heritage Conservation Area Statements of Significance prepared.</p> <p>Council staff have engaged the Heritage Advisor to prepare a draft of heritage conservation provisions for the DCP, draft to be provided to Council end June 2018.</p>
Proposed Heritage Conservation Area for Kandos	Sub committee	June 2017	Project paused.
Heritage Near Me funding application 'Snapshot of our Heritage'	Development Directorate	May 2018.	Project Plan submitted May 2018. Anticipate Council will be advised the outcome of the application June / July 2018.
Gulgong block signage audit	Chris Pearson, David Warner, Barbara Hickson.	July 2018	

5. GENERAL BUSINESS

- 5.1 Frequency of meetings was discussed – 4 Sept and 6 Nov 2018.
- 5.2 Discussion / John Bentley has suggested the Committee would like the Manager of Works to attend and discuss the processes that Council employ when Council carrying out works within Heritage Conservation Areas. So that when works occur that are inconsistent with the Committees views it provides understanding.
- 5.3 Parking signage audit / traffic engineer / is the repetition due to error?
- 5.4 John Bentley advised that the National Trust NSW are looking to list Regent Theatre.
- 5.5 29 Louee Street, Sarah Armstrong to check development consent to see if application covered the verandah. Peter Monaghan to GIPA the file.
- 5.6 Peter Monaghan presented Conservation Areas Heritage Office publication, and stated Council consider adopting it? Should it be considered a core document for Council's strategies?

6. CORRESPONDENCE

- 6.1 Barbara Hickson - congratulated Council on rebuilding the section of the Lawson Park Wall.
- 6.2 Peter Monaghan raised brown concreting on the footpath outside the property at 29 Louee Street, Rylstone.

Next meeting – Tuesday 4 September 2018.

**UNCONFIRMED HERITAGE COMMITTEE MEETING MINUTES
FOYER MEETING ROOM
4 SEPTEMBER 2018 9.30AM**

1. WELCOME and PRESENT

Barbara Hickson, Chris Pearson, Peter Monaghan, Virginia Hollister, John Bentley. Staff: Sarah Armstrong and Krystie Baker.

2. APOLOGIES

David Mort, David Warner and Cllr Paine.

3. CONFIRMATION OF PREVIOUS MINUTES

Confirmation of previous meeting minutes, moved – Barbara Hickson, second – Chris Pearson.

4. MATTERS IN PROGRESS

Matter	Responsible	Date Commenced / Matter Raised	Progress
Local Heritage Grants.	Development Directorate Committee consideration		2018-19 Local Heritage Grants open July 2018. 16 applications received. Proposed allocation to be report to September Council.

Matter	Responsible	Date Commenced / Matter Raised	Progress
Heritage Conservation Fact Sheet.	Development Directorate	September 2016	<p>First distribution will be to landowners of heritage items, a cover letter will accompany the fact sheet.</p> <p>Distribution to all landowners within the Heritage Conservation Area will require a Community Plan Proposal to fund such a project.</p> <p>Sarah Armstrong to provide Committee with numbers of properties located within the Heritage Conservation Areas.</p>
Heritage Advisor.	Development Directorate		<p>Funded until 30 June 2019. Staff will apply for further funding (when open).</p> <p>Procurement process underway for 2018-19, closes 6/9/2018</p>
Review of the Rylstone Main Street Study	Committee Members	September 2016	<p>OE&H Grant and Council Community Plan Proposal.</p> <p>Procurement process underway, closes 6/9/2018.</p>

Matter	Responsible	Date Commenced / Matter Raised	Progress
DCP Review – inclusion of Heritage Conservation provisions.	Development Directorate Committee Members		OE&H Grant and Council Community Plan Proposal unsuccessful. Heritage Conservation Area Statements of Significance prepared. Council staff have engaged the Heritage Advisor to prepare a draft of heritage conservation provisions for the DCP, draft to be provided to Council end June 2018. Staff reviewing and Heritage Committee will be engaged when appropriate.
Proposed Heritage Conservation Area for Kandos	Sub committee	June 2017	Project paused.
Heritage Near Me funding application 'Snapshot of our Heritage'	Development Directorate	May 2018.	Project Plan submitted May 2018. Council has not been advised of the outcome of the grant.
Gulgong block signage audit	Chris Pearson, David Warner, Barbara Hickson.	July 2018	No update provided.

5. BUSINESS ARISING FROM THE PREVIOUS MEETING

5.1 Road patching works post water main repair, corner Mayne and Herbert Streets.

A comment from Manager of Works is provided. Council attempted to put emulsion seal with river gravel over the trench, with concern over the success of the approach.

Unfortunately the river gravel did not adhere to the emulsion or it got screwed off with the turning vehicles and within 3 or 4 weeks we had to sweep up the loose gravel.

Council could attempt again when the weather warms to see if it adheres better, again concern is raised over the success.

The last reseal was done in 2009 and therefore not due for a reseal until 2022. The seal is actually performing pretty well so Council wouldn't consider bringing it forward for an asset management point of view.

No further Staff action required / discussed and noted by the Committee.

- 5.2 Signage within Heritage conservation Areas (Gulgong discussed previously).

It is suggested if this is a project the Committee are wanting to pursue, the project be scoped and a Community Plan Proposal be prepared if a budget is necessary for undertaking the project. Community Plan Proposals are due end January 2019.

No further Staff action required / discussed and noted by the Committee.

6. GENERAL BUSINESS

- 6.1 Motion moved that: members of the committee distribute flyers and maps and to real estate agents & solicitors Mudgee Barbara to deliver to solicitors, John to real estate agent Gulgong Chris both Real Estate & Solicitors & Rylstone Peter Monaghan Agents & solicitors. Moved by Barbara Hickson, Seconded by Virginia Hollister.

7. CORRESPONDENCE

Nil.

Meeting closed 10.47am

Date of next meeting – 6 November 2018 (following meeting January 2019). Generally 355 Committees do not meeting in January, this can be brought forward to December.

12.5 Mudgee Showground Management Committee Minutes

REPORT BY THE MANAGER, PLANT AND FACILITIES
TO 19 SEPTEMBER 2018 ORDINARY MEETING
GOV400066, F0650007

RECOMMENDATION

That Council:

1. receive the report by the Manager, Plant and Facilities on the Mudgee Showground Management Committee Minutes;
2. note the contents of the minutes of the Mudgee Showground Management Committee Meeting held on the 7 August 2018; and
3. that a member of the RDA to be included in the Mudgee Showground Management Committee Meeting.

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 7 August 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 accept a member of the RDA to be included as a committee member at the next Mudgee Showground Management Committee Meeting.

Community Plan implications

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

Strategic implications

Council Strategies

Mudgee Showground 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

GARRY HEMSWORTH
DIRECTOR OPERATIONS

24 August 2018

Attachments: 1. Mudgee Showground Management Committee Meeting Minutes - 07/08/18.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



MUDGEES SHOWGROUND MANAGEMENT COMMITTEE MEETING — 7 AUGUST 2018

Meeting Opened: 5:30 pm

Present: Cr Alex Karavas (Councillor), Garry Hemsworth (Director Operations), Helen Chisholm (Mudgee Dressage Group), Dana Willmontt – left at 5.40pm (Mudgee Pony Club), Shaune Meyer (MWWHA), Bill Robinson (Poultry)

Observer: Andrew Drummond

Apologies: Cr Russell Holden (Councillor), Bianca Williams (Show Society)

Minutes of Meeting held 1 May 2018 – Accepted

Moved – Helen Chisholm

Seconded – Garry Hemsworth

Matters in Progress

Matters in Progress discussed and updated as below

Correspondence

1. Mudgee Lions Club – Permanent Building. The letter from the Lions Club was discussed and as the proposed building meets the Master Plan objective of not being a single use building the application for a DA should be supported. It is recommended that the Lions Club proposed site be discussed with them and would be better positioned near the Bridge Club building due to the proposed area being utilized when the Mudgee Show is on and also an important area for overflow camping during major events.

That the report to Council supports their application and suggest a more suitable location

Moved – Shaune Meyer

Seconded – Bill Robinson

2. Request from RDA to be on the Showground Committee. The Terms of Reference and list of current members was discussed and the application from RDA supported with them replacing the Building Users representative that appears to have not been utilised

Moved – Bill Robinson

Seconded – Helen Chisholm

Recommendation:

That a member of the RDA to be included in the Mudgee Showground Management Committee Meeting.

Financial Report

Last financial years results were discussed and noted that income in up over previous years mainly due to camping.

General Business

1. Kangaroos – discussion that there are too many Kangaroos in the showground and they need to be moved and it was noted that Council was already aware of this and working towards a resolution
2. Weeds – it was noted that weeds will need spraying in the coming months
3. Internal signage – discussion on internal road and building signs. Decision to place site map in the two display cabinets
4. Microwave – a microwave will be purchased and installed in the main pavilion kitchen
5. Horse measuring area – noted that there was a wash away area. Andrew and Dan had investigated and Garry to site visit and recommend way forward
6. This year's capital works were advised to the Committee for information and included minor renovations to the amenities and toilet blocks, pot hole works and a storage area for the caretaker.

Meeting closed at: 6:22 pm

Next meeting to be held 6 November at 5:30pm

AT THE OPERATIONS OFFICE

MATTERS IN PROGRESS

#	SUBJECT	MEETING DATE	ACTION	WHOM	PROGRESS
1.	Equestrian Arena	7/8/18	Horse groups to advise the type of material to be used on the equestrian area	Shaune	
2.	Horse measuring area	7/8/18	Garry and Andrew to investigate	Garry	

12.6 Local Traffic Committee Meeting - 17 August 2018

REPORT BY THE ADMINISTRATION OFFICER, OPERATIONS
TO 19 SEPTEMBER 2018 ORDINARY MEETING
GOV400066, A0100009

RECOMMENDATION

That Council:

1. Note the contents of the minutes of the previous Local Traffic Committee held on 20 July 2018 be taken as read and confirmed.
 2. Council approve the event – “Mudgee Triathlon Race Season 2018/19, be classified as a Class 2 Event under the “Guide to Traffic and Transport Management for Special Events Version 3.4” and proceeds with the following conditions:
 - a) Events are to be undertaken in accordance with the “Guidelines for Bicycle Road Races”;
 - b) A Special Events Transport Management Plan (TMP), is to be prepared in accordance with the “Guide to Traffic and Transport Management for Special Events Version 3.4 and submitted to and approved by Council prior to the event;
 - c) Events are to be undertaken in accordance with the requirements of the NSW Police Force with their approval documentation forwarded to Council for notation;
 - d) Controlling noise as required by the Protection of the Environment Operations (Noise Control) Regulation 2000;
 - e) Reimbursing Council for the cost of damage repairs;
 - f) Complying with any of Council’s Law Enforcement Officers reasonable directives;
 - g) Maintain areas in a clean and tidy condition. No obstructions are to be left on the roadways or footpaths;
 - h) A Traffic Control Plan (TCP) certified by a person with a ‘Select & Modify’ or a ‘Design and Audit’ Certificate be included in the TMP;
 - i) Any person directing traffic on a public road is required to possess an appropriate traffic controller’s certificate;
 - j) Council must be provided with a current copy of a public liability insurance policy in the amount of at least \$20 million. Such a policy is to note that Council, RMS and NSW Police Force is indemnified against any possible action as the result of the event;
 - k) The event convener is to notify all affected businesses and residents adjacent to the proposed closure indicating the period during which their accesses will be affected. Such notification is to be in writing;
 - l) Maintain a four-metre wide emergency vehicle lane;
 - m) Advertise the proposed event in local newspapers with relevant information at least 2 weeks prior to the date;
 - n) The organiser is to have a debrief with Council and Police with all traffic control documentation and controls tabled for review; and
 - o) A copy of the TMP including the TCP is to be forwarded to the Traffic Operations Manager at the Regional RMS Office in Parkes for information.
-

- 3. Council approve the event – Rylstone Street Feast, 3 November 2018 – be classified as a Class 2 Event under the ‘Guide to Traffic and Transport Management’ for Special Events Version 3.4 and proceeds with the following conditions:**
- a) A Special Events Transport Management Plan (TMP), is to be prepared in accordance with the Guide to Traffic and Transport Management for Special Events Version 3.4 and submitted to and approved by Council prior to the event;**
 - b) Events are to be undertaken in accordance with the requirements of the NSW Police Force with their approval. Documentation forwarded to Council for notation;**
 - c) Controlling noise as required by the Protection of The Environment Operations (Noise Control) Regulation 2000;**
 - d) Reimbursing Council for the cost of damage repairs;**
 - e) Complying with Council’s Law Enforcement Officer’s reasonable directives;**
 - f) Maintain areas in a clean and tidy condition. No obstructions are to be left on the roadways or footpaths;**
 - g) Any person directing traffic on a public road is required to possess an appropriate traffic controller’s certificate;**
 - h) The event convener is to notify all affected businesses and residents adjacent to the proposed closure indicating the period during which their accesses will be affected. Such notification is to be writing;**
 - i) Maintain a four-metre wide emergency vehicle lane;**
 - j) Advertise the proposed event in local newspapers with relevant information at least 2 weeks prior to the date;**
 - k) The organiser is to have a debrief with Council and Police with all traffic control documentation and controls tabled for review;**
 - l) The organiser is to notify NSW Fire and Rescue and the NSW Ambulance Service of the event; and**
 - m) Council must be provided with a current copy of a Public Liability Insurance policy in the amount of at least \$20 million. Such a policy it to note Council, Roads and Maritime Services and NSW Police Force as interested parties on the policy.**
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Executive summary

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

Disclosure of Interest

Nil.

Detailed report

The Local Traffic Committee meeting was held on 17 August 2018, there were two event related matters discussed:

- Mudgee Triathlon Race Season 2018/2019
- Rylstone Street Feast – 3 November 2018

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

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

AMANDA BUCKLEY
ADMINISTRATION OFFICER, OPERATIONS

GARRY HEMSWORTH
DIRECTOR OPERATIONS

5 September 2018

Attachments: 1. Local Traffic Committee Meeting - 17 August 2018.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Mid-Western Regional Council

Date: 17 August 2018

Minutes of the Local Traffic Committee

Held at the Operations Meeting Room, 54 Depot Road Mudgee
on 17 August 2018.

Present	Garry Hemsworth MWRC – (Chairperson), Cr Alex Karavas (Councillor), Phillip Blackman (Members Representative), Sergeant Mick Brennan (NSW Police), Sergeant Rachael Atkinson (NSW Police) Deanne Freeman (RMS), David Webster (MWRC),
Apologies	Jillian Gibson
Observer	Sharon Grierson (RMS)
Secretary	Michelle Neilsen (MWRC)

The LTC meeting commenced at 9:30am.

MINUTES OF PREVIOUS MEETING

RECOMMENDATION

That the Minutes of the previous Local Traffic Committee held on 20 July 2018 be taken as read and confirmed.

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MID-WESTERN REGIONAL COUNCIL | LOCAL TRAFFIC COMMITTEE - 17 AUGUST 2018

MATTERS IN PROGRESS

SUBJECT	RES NO. & DATE	RESOLUTION	ACTION
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	Audit in the process.
Disabled parking Kandos IGA	28 April 2017	RMS and Council to meet onsite and discuss viable options. Provide report to June meeting.	Further investigations to be undertaken as part of the updated PAMP. Check disabled parking
Pedestrian Crossing	16 February	White lines on the pedestrian crossing at Lewis Street and Mortimer Street need repainting. Also the pedestrian crossing is too close to the intersection	To be investigated. Mortimer Street has been repainted.
Perry Street Parking Issues	15 June 2018	To monitor the parking issues that surround Mudgee High School	Perry Street to be monitored in the afternoon at the end of school.

PAST EVENT DEBRIEF

EVENT	
Small Farm Field Days	Request for debrief. Contacted AREC organiser to arrange a meeting. Jill Gibson is the police contact for the NSW Police. RMS has requested that they be present at this meeting.

CALENDAR OF EVENTS

MONTH	Date	Comments
FEBRUARY		
Charity Shield	24 February 2018	
MARCH		
CAN Cruisers	17 March 2018	
APRIL		
ANZAC Day	25 April 2018	
MAY		
JUNE		
Henry Lawson Heritage Drive	2-6 June 2018	
JULY		
Small Field Day Event	13 th & 14 th July 2018	Debrief request by Police
AUGUST		

Mudgee Running Festival	19 August 2018	
SEPTEMBER	Date	Comments
Flavours of Mudgee	22 September 2018	Approved by Council
Rainbow Day	29 September 2018	Approved by Council
Cudgegong Jump Club	23 September 2018	
OCTOBER	DATE	Comments
Ride Against Cancer – Mudgee Lions Club	6 th – 21 October 2018	
Mudgee Triathlon Season	Starts Oct 2018	
NOVEMBER	DATE	COMMENTS
Rylstone Street Feast	3 November 2018	

Red = Unapproved

Green = Approved

18/023 MUDGEE TRIATHLON 2018/19 SEASON

RECOMMENDATION

That the event – “Mudgee Triathlon Race Season 2018/19, be classified as a Class 2 Event under the “Guide to Traffic and Transport Management for Special Events Version 3.4” and proceeds with the following conditions:

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

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MID-WESTERN REGIONAL COUNCIL | LOCAL TRAFFIC COMMITTEE - 17 AUGUST 2018

- o) A copy of the TMP including the TCP is to be forwarded Roads and Maritime Service for consent of State and Regional roads.

MOTION: Deanne Freeman / Alex Karavas

That the above recommendation be accepted and approved.

18/024 RYLSTONE STREET FEAST 3 NOVEMBER 2018

RECOMMENDATION

That the event – Rylstone Street Feast, 3 November 2018 – be classified as a Class 2 Event under the 'Guide to Traffic and Transport Management' for Special Events Version 3.4 and proceeds with the following conditions:

- a) A Special Events Transport Management Plan (TMP), is to be prepared in accordance with the Guide to Traffic and Transport Management for Special Events Version 3.4 and submitted to and approved by Council prior to the event;
- b) Events are to be undertaken in accordance with the requirements of the NSW Police Force with their approval. Documentation forwarded to Council for notation;
- c) Controlling noise as required by the Protection of The Environment Operations (Noise Control) Regulation 2000;
- d) Reimbursing Council for the cost of damage repairs;
- e) Complying with Council's Law Enforcement Officer's reasonable directives;
- f) Maintain areas in a clean and tidy condition. No obstructions are to be left on the roadways or footpaths;
- g) Any person directing traffic on a public road is required to possess an appropriate traffic controller's certificate;
- h) The event convener is to notify all affected businesses and residents adjacent to the proposed closure indicating the period during which their accesses will be affected. Such notification is to be writing;
- i) Maintain a four-metre wide emergency vehicle lane;
- j) Advertise the proposed event in local newspapers with relevant information at least 2 weeks prior to the date;
- k) The organiser is to have a debrief with Council and Police with all traffic control documentation and controls tabled for review;
- l) The organiser is to notify NSW Fire and Rescue and the NSW Ambulance Service of the event; and
- m) Council must be provided with a current copy of a Public Liability Insurance policy in the amount of at least \$20 million. Such a policy it to note Council, Roads and Maritime Services and NSW Police Force as interested parties on the policy.
- n) copy of TMP including TCP are to be forwarded to the Roads and Maritime Services for consent of the use for closure of the Regional road, Lue Rd.
- o) 'Road Closed Ahead' signage be included in TCP.

MOTION: Mr Phillip Blackman / Deanne Freeman

That the above recommendation be accepted and approved.

18/026 GENERAL BUSINESS – AS DISCUSSED AT MEETING

CONSENT OF RIDE FOR CANCER

Roads and Maritime Services have approved this event. Deanne will send through a copy.

EVENTS NIGHT WITH ROADS AND MARITIME SERVICES

Follow up with the Events Department with regards to the Event Night hosted by the Council and the Roads and Maritime Services. Organise a meeting with the events team and Deanne Freeman (RMS) to discuss the evening.

LOOK AT THE GLEN WILLOW PEDESTRAIAN TRAFFIC FLOW ON WEEKENDS

Will monitor the area in regards to traffic and pedestrian conjection during the weekends.

SPEED HUMPS ON INGLIS STREET

Facebook complaint about the speed humps on Inglis Street. The works are not complete. Bumpers and paint still need to be placed on speed humps.

18/025 CORRESPONDENCE

DISABLED PARKING

A request has come in from the Gulgong Medical Centre requesting that a parking spot in front of the unused fire station on Herbert Street Gulgong be changed to a disable parking spot. Further investigation to take place. **Will be reported at the next Local Traffic Committee**

REQUEST FOR NO PARKING

A request for 'No Parking' has been received by residents of Gulgong to be placed at the northern end of the Ten Dollar Motel. (See Attachment 1) *This will be reported to the next Local Traffic Committee. **This has been reported in the Gulgong PAMP. Follow up with regards to the recommendations from the PAMP.***

RIDE FOR CANCER

We have received the Police Conditions for the Ride for Cancer event. (See attachment 2)

CLOSURE

There being no further business the meeting concluded at 10.26am.
The next meeting will be held on Friday 21 September 2018 at 9.30am

Item 13: Urgent Business Without Notice

URGENT BUSINESS WITHOUT NOTICE

As provided by Clauses 19 & 20 of Council's Code of Meeting Practice (Clause 14 LGMR).

GIVING NOTICE OF BUSINESS

19. (1) The Council must not transact business at a meeting of the Council:
- (a) unless a Councillor has given notice of the business in writing at least two (2) days prior to the day on which the agenda and business paper is prepared and delivered to Councillors; and
 - (b) unless notice of the business has been sent to the Councillors in accordance with Clause 6 of this Code. (see Section 367 LGA & Clause 14(1) LGMR)
- (2) Subclause (1) does not apply to the consideration of business at a meeting if the business:
- (a) is already before, or directly relates to a matter that is already before the Council (see Clause 14(2)(a) LGMR); or
 - (b) is the election of a chairperson to preside at the meeting as provided by Clause 12(1) (see Clause 14(2)(b) LGMR); or
 - (c) is a matter or topic put to the meeting by the chairperson in accordance with Clause 21 (see Clause 14(2)(c) LGMR); or
 - (d) is a motion for the adoption of recommendations of a committee of the Council; (see Clause 14(2)(d) LGMR); or
 - (e) relates to reports from officers, which in the opinion of the Chairperson or the General Manager are urgent;
 - (f) relates to reports from officers placed on the business paper pursuant to a decision of a committee that additional information be provided to the Council in relation to a matter before the Committee; and
 - (g) relates to urgent administrative or procedural matters that are raised by the Mayor or General Manager.

BUSINESS WITHOUT NOTICE

20. (1) Despite Clause 19 of this Code, business may be transacted at a meeting of the Council even though due notice of the business has not been given to the Councillors. However, this can happen only if:
- (a) a motion is passed to have the business transacted at the meeting; and
 - (b) the business proposed to be brought forward is ruled by the Chairperson to be of great urgency. Such a motion can be moved without notice. (see Clause 14(3) LGMR)
- (2) Despite Clause 30 of this Code, only the mover of a motion referred to in subclause (1) can speak to the motion before it is put. (see Clause 14(4) LGMR)

Item 14: Confidential Session

LOCAL GOVERNMENT ACT, 1993

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

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

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

Maximum penalty: 50 penalty units

MOTION

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

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

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

CHAIRMAN

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

14.1 General Manager's Performance Agreement 2017-2018

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 an individual, namely the performance of 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.