

PUBLIC COPY

2018

MID-WESTERN REGIONAL COUNCIL
COUNCIL BUSINESS PAPERS

ORDINARY MEETING
WEDNESDAY 12 DECEMBER 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

5 December 2018

Dear Councillor

MEETING NOTICE
Ordinary Meeting
12 DECEMBER 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 21 November 2018

Council Decision:

That the Minutes of the Ordinary Meeting held on 21 November 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 16/05/18	4. 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 20/06/18	That a report be brought back to Council on options for improving access for buses and coaches to the Red Hill Precinct.	Res. 338/18 Ordinary Meeting 21/11/2018 Defer consideration of the Red Hill Bus Access and Parking Options as Council is seeking funding from the Federal Government.
Multi-use art facility - Kandos	Res. 253/18 Ordinary Meeting 19/09/18	That Council support in principle the concept of working with Cementa on the multi-use art facility proposal and purchase of 71 Angus Avenue, Kandos, dependent on relevant valuations and Council resolutions related to any expenditure.	To be reported at a future Council Meeting.
Resources on the Internal Audit Policy and Audit, Risk and Improvement Committee	Res. 255/18 Ordinary Meeting 19/09/18	That Council: 5. advertise for expressions of interest for independent Audit, Risk and Improvement Committee Members; and	RECOMMENDED FOR COMPLETION Refer Res. 319/18 Council Meeting 21/11/2018

SUBJECT	RESOLUTION NO. & DATE	RESOLUTION	ACTION
Charter		6. receive a further report following the expressions of interest to consider any applications for independent members and to appoint the independent members.	

Item 5: Mayoral Minute

Nil

Item 6: Notices of Motion or Rescission

Nil

Item 7: Office of the General Manager

7.1 MRTI Quarterly Report: July to September 18

REPORT BY THE GENERAL MANAGER
TO 12 DECEMBER 2018 ORDINARY MEETING
GOV400066, F0770077

RECOMMENDATION

That Council receive the report by the General Manager on the MRTI Quarterly Report: July to September 18.

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 first quarter of the 18/19 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

20 November 2018

Attachments: 1. MRTI Quarterly Report: July to September 18.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



2018–19 Quarterly Report

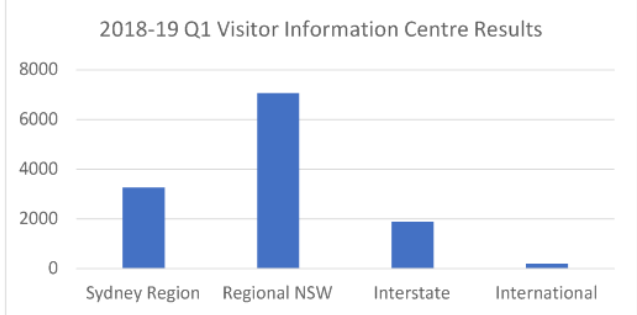
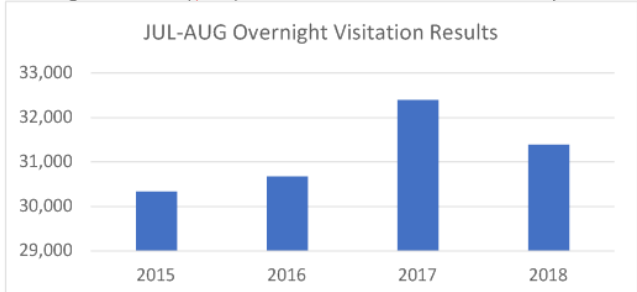
Q1: Jul to Sep 2018

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	FY18-19 Q1 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 12,443 (↑25%)</p>  <p>Overnight visitors* (↓3%) or \$158K in incremental visitor spend</p>  <ul style="list-style-type: none"> Overall 3% decrease in visitor nights Q1 2017 v 2018, we were in market with a campaign in Sep-17 and not in Sep-18 Strong increase in VIC visitors (25%) in Q1 primarily due to local engagement through local radio campaign and Flavours of Mudgee ticket sales in Sep-18 *Q1 sample size: 41% of total inventory across the region (11 accommodation providers) 																																	
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>296 members (↑7%) – for tier breakdown, see below \$355,091 + GST membership fees (↑10%)</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>Sep-17</td> <td>19</td> <td>30</td> <td>31</td> <td>38</td> <td>70</td> <td>80</td> <td>3</td> <td>3</td> <td>2</td> <td>276</td> </tr> <tr> <td>Sep-18</td> <td>17</td> <td>31</td> <td>35</td> <td>41</td> <td>76</td> <td>88</td> <td>0</td> <td>5</td> <td>3</td> <td>296</td> </tr> </tbody> </table>				YTD	Platinum	Gold	Silver	Copper	Bronze	Basic	Friends	Diamond Sponsors	Ruby Sponsors	Total Members	Sep-17	19	30	31	38	70	80	3	3	2	276	Sep-18	17	31	35	41	76	88	0	5	3	296
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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"> 1. Sydney Cellar Door (Feb) 2. Pyrmont Food & Wine Festival (May) 3. Balmoral Mudgee Food & Wine Festival (Aug) 4. Sydney Food + Wine Show (Oct) 	<p>✓ Balmoral – August 2018</p> <p>Upcoming events:</p> <ul style="list-style-type: none"> - Parramatta Wine + Food Fair, Oct 18 - Sydney Wine Festival, Feb 19 - The End Festival, Apr 19 - Sydney Good Food + Wine Show, Jun 19
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>17,186 subscribers (↑19%)</p> <p>✓ Subscriber EDM sent 23 Jul, 23 Aug and 25 Sep</p> <p>✓ Member News EDM sent weekly/fortnightly</p> <p>Unique website visitors 47,515 (↑2%)</p> <p>Unique page views 519,768 (↑99%)</p> <p>*Note: significantly stronger engagement to search our website and spend more time on multiple pages, with refinements to user journey on website made.</p> <p>Facebook 13,809 (↑16%)</p> <p>Instagram 9,187 (↑17%)</p> <p>Twitter 1,824 (↑4%)</p>
5	Promote all tourism-related council and major regional events	<p>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>	<p>✓ Western Sydney Wanderers 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 'explore your own backyard' campaign in place to engage the local community with tourism experiences</p> <p>✓ Supply Mudgee Region Magazines to MWRC to distribute at out of region NRL matches, worked together on cooperative event opportunities (e.g. Parramatta Westfield)</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 	<ul style="list-style-type: none"> ✓ DMP revision finalised, 3-year plan effective 01 Jul 2017-2020 ✓ 2018 'Water to Wine Campaign' preparing in Q1 to go into market Q2 for travel through to Mar-19 ✓ PR coverage of Mudgee Region in Q1: <ul style="list-style-type: none"> - EAV (est. advertising value): \$676,358 - PRV (PR value): \$2,029,237 ✓ MWRC quarterly report completed + submitted
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Key Activity

2018 Regional Tourism Award Wins

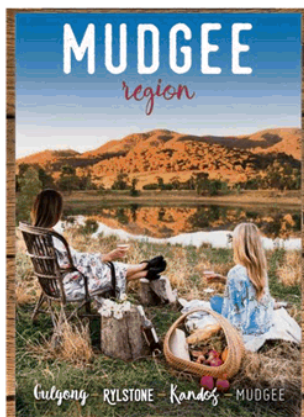
Mudgee Region Tourism were awarded gold across two categories; Destination Marketing and Visitor Information Services, at the 2018 Country and Outback Regional Tourism Awards in July.



Regional Tourism Awards winners progress to the NSW Tourism Awards as Finalists, with a gala dinner to be held in Sydney 22 November, where they may then progress to the Qantas Australian Tourism Awards.

2018 Mudgee Clock Awards Win

Mudgee Region Tourism were recognised for an outstanding achievement at the Mudgee Clock Awards winning the 'Excellence in Innovation' category. Winners progress to the NSW Business Awards in Sydney 23 November.



2018-19 Mudgee Region Magazine
 Launched to members and distributed to over 7,000 residences across the Mid-Western Regional area. Digital flipbook updated on website.

Mudgee Food + Wine Fair at Balmoral

Distributed 1,400 new Mudgee Region Magazines, received 89 online competition entries adding to our subscriber database, and generated \$800 in retail sales.

Flavours of Mudgee

Pre-sale packages available online and at VIC box office. Event promoted via website, social media, What's On guide, PR agency, EDM and via a competition which resulted in 786 entries/new subscribers. Tourism stall at event resulted in 50 magazines distributed and \$330 in retail sales.

2018 Water to Wine Campaign

Campaign under development throughout Q1 in readiness for launch in Q2, targeting expat hosts of International Visiting Friends and Relatives who reside in the Manly/Northern Beaches area to visit Mudgee Region.

Advertising + promotion will be primarily print (including back of buses, ferries, Manly wharf, Manly Daily) with some digital support.



Q1 Media Clippings – a snapshot

HIGHLIGHTS



Robert Stein Winery.

WINEMAKER Robert Stein, 40, is a fourth-generation winemaker from the Mudgee wine region. He has spent the last 10 years of his life in the region, learning from his father and grandfather. He is now the winemaker at Robert Stein Winery, which is one of the leading wineries in the region. He is passionate about the region and the quality of the wine. He is also a member of the Mudgee Wine & Food Festival.



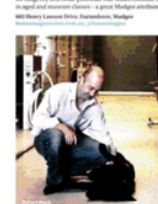
Moochii Estate.

WINEMAKER Peter Moochii, 40, is a fourth-generation winemaker from the Mudgee wine region. He has spent the last 10 years of his life in the region, learning from his father and grandfather. He is now the winemaker at Moochii Estate, which is one of the leading wineries in the region. He is passionate about the region and the quality of the wine. He is also a member of the Mudgee Wine & Food Festival.



Bunnamagoo Estate Wines.

WINEMAKER Peter Bunnamagoo, 40, is a fourth-generation winemaker from the Mudgee wine region. He has spent the last 10 years of his life in the region, learning from his father and grandfather. He is now the winemaker at Bunnamagoo Estate Wines, which is one of the leading wineries in the region. He is passionate about the region and the quality of the wine. He is also a member of the Mudgee Wine & Food Festival.



Gooree Park Wines.

WINEMAKER Peter Gooree, 40, is a fourth-generation winemaker from the Mudgee wine region. He has spent the last 10 years of his life in the region, learning from his father and grandfather. He is now the winemaker at Gooree Park Wines, which is one of the leading wineries in the region. He is passionate about the region and the quality of the wine. He is also a member of the Mudgee Wine & Food Festival.



Logan.

WINEMAKER Peter Logan, 40, is a fourth-generation winemaker from the Mudgee wine region. He has spent the last 10 years of his life in the region, learning from his father and grandfather. He is now the winemaker at Logan, which is one of the leading wineries in the region. He is passionate about the region and the quality of the wine. He is also a member of the Mudgee Wine & Food Festival.

MUDGEE POPS INTO SYDNEY
Sydney will get a taste of one of its premier wine-growing regions when Mudgee Wine & Food Festival pops up along Balmoral Beach foreshore on August 12. Festival-goers can try wines from De Beaurepaire, Robert Oatley Vineyards, Bunnamagoo Estate and newcomers Slowfox Wines. Food producers attending will include Mudgee Honey Haven, High Valley Cheese and Milnes of Mudgee. VISITMUDGEEREGION.COM.AU



HIGHLIGHTS



HIGHLIGHTS

5 WAYS TO WHILE AWAY A WEEKEND IN MUDJEE

GQ kicks off the weekend early and heads inland to the stunning wine region of Mudjeje.



Where to Stay

Mudjeje has a wide variety of places to rest your head across a range of price points. A few beautiful boutique houses can be found on Airbnb which suit families or groups of friends (2+), should that be your persuasion. And there are some charming spots around town too.

We finished something more traditional. It's stayed at the iconic Parkview Hotel, a lovely building that is as charming on the inside as it is on the outside. With white verandahs marking it out against the surrounding buildings, this corner plot has views on the more famous of your local options – spaces to drink to. There's a shared back a few times over the years, a beautiful view from a recent location but still retains its local charm.

Centrally located, it makes for an easy wander to local cafes and restaurants and only a short walk away from the local bike rentals from Century Fit should you want to venture off a little further. With only a few rooms at The Parkview, you'll get the peace and quiet you will not want to be looking for.

Mudjeje and areas with period features don't expect white gloves and gold trays but do expect fantastic service. A Mudjeje welcome few times a day and several bakery treats before you're done for the night.



At least one of the Murray Valley grape & nut farms where it comes to Australian wine regions of wine. And you, we've not forgot about the Barossa and Clare Valley either.

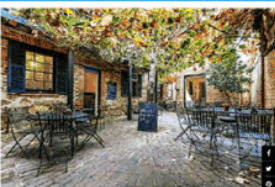
Put simply, Australia has much more to offer in terms of fantastic winemaking spots around the country, both for new and old world styles of winemaking and the cellar door culture is now a huge attraction for city dwellers both young and old looking to get out on the road for a few days.

And hunting for wine is something GQ does well, but one place we haven't covered much is quite literally on our doorstep. Just take Interstate north west of Sydney in Mudjeje, a beautiful town set amid rolling hills that provide an amazing view in the summer and a sparkling silver grey in the winter months.

The town itself is small but spreads out into the fields that enclose the streets on all sides. The roads are so wide even our Range Rover Vogue, dual-spined as it was, looked small parked beside one of the many cafes that line the town side streets.

Having chosen to drive the four-hour journey instead of taking the 90-minute flight from Sydney, we pushed the Volvo's V6 through the Blue Mountains pass before driving through the heritage towns of Gulgong, Katoomba and Katoomba by way of the Red Deer in Leura. If you're planning to make a similar journey, have something under the hood, you'll want it.

So, having spent a chance to drive through the best of the region has to offer and with more than just a few bottles of cabernet clinking away in the back, we've served up a few recommendations, all of which are a must for first-time visitors to the area. Whether, spring, autumn or summer, Mudjeje is worth the trek.



Where to Eat

There are so many places to eat in and around Mudjeje that it's easy to overlook it. We went to four cafes and still had more places to spend a few hours eating your way through the region's food products.

Start the day right with butter coffee and food food. We took in 'Alice & Barbara' and the Parkview Hotel's on-site cafe 'The Coffee House' during our three-day stay. Both were charming and offered an array of menu options, all seasonally led.

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Where to Drink

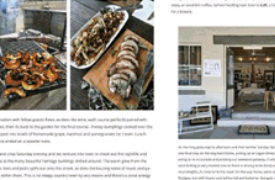
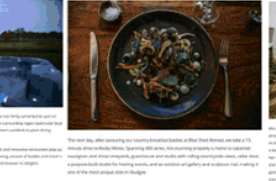
This is really the reason you visit Mudjeje. The wine. Maybe some cheese too. We spent a good three days sampling the best of the region and so did only have three more. You have to visit more than once to get some that all but go unrepeated, stopping in the following wine shops. Learn more, Learn more, Learn more. Right then it's to with them, from the wine shop, the wine shop and the wine shop.



Mudjeje has to be one of the best wine regions in Australia. It's got a long history of wine making and the region is now one of the most famous in the world. The wine is made from a mix of grapes and the climate is perfect for growing them. The wine is made from a mix of grapes and the climate is perfect for growing them. The wine is made from a mix of grapes and the climate is perfect for growing them.

HIGHLIGHTS

What your appetite in Mudjeje



Click Vacations & travel. We offer a wide range of travel services including flights, hotels, and more. Contact us for more information.



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HIGHLIGHTS



Mudgee Wine and Food Festival at Balmoral Beach



TIME OUT SAYS

DETAILS

USERS SAY

Balmoral welcomes a slice of Mudgee to its beautiful beachfront

A taste of one of New South Wales' great food and wine regions will be coming to the sandy shores of Balmoral when Mudgee Wine and Food Festival pops up on Sunday August 12. Running along the foreshore of Balmoral Beach, the one-day foodie festival will bring wines by Bunnamagoo Estate, De Beaupaire, Robert Oatley Vineyards and Slowfox Wines. The cellar door style experience will let you chat with winemakers and of course sample the fruits of their labour. Mudgee's much loved local providers will also make the trip up to Sydney, so you can try widges of High Valley Cheese, cozy honey and treats from Mudgee Honey Haven and Milnes of Mudgee and more. There will also be a petting zoo, live acoustic music and the chance for one lucky attendee to score a weekend escape to the Mudgee.

POSTED: WEDNESDAY JULY 18 2018

HIGHLIGHTS



Mudgee scoops the pool at Regional Tourism Awards

17 July 31, 2018 | Africa, America, Asia, Australia, Europe, India, Middle East, New Zealand, Top Stories, Tourist Bureau News | No comments



Mudgee scoops the pool at Regional Tourism Awards

Mudgee scoops the pool at Regional Tourism Awards
Mudgee Region Tourism was front and centre on Saturday night at the 2018 Country and Outback Regional Tourism Awards, taking home the gold across two categories: Destination Marketing, thanks to their hugely successful Let's Skip Town Mid-Week campaign, and Visitor Information Services.

Further cementing the region's award-winning travel experiences are Sierra Escape and The Parkview Hotel, receiving gold awards across Unique and Deluxe Accommodation category. Korzen Serviced Accommodation taking Silver in Self-contained Accommodation category and Blue Wines named finalists in Tourism Wineries, Distilleries and Breweries category.

The Regional Tourism Awards provide tourism organisations and individuals the opportunity to gain an insight into their industry, their business, achieve recognition for their success and promote tourism within their region.
Cara George, Mudgee Region Tourism's CEO, comments "Mudgee Region offers the quintessential Australian country experience, with a sophisticated boutique wine and foodie heartbeat. Visitors arrive with certain expectations and the region continues to surpass them. We are thrilled and honoured to bring home a swag of awards to celebrate our wonderful partners and welcoming community."

The program rewards businesses that demonstrate significant achievement throughout the year, showcasing a variety of tourism products and businesses delivering outstanding service to guests in NSW.

The Mudgee Region is just a 3.5-hour drive from Sydney, or a 45-minute flight with Flybush, and delivers one of the country's most sought-after boutique wine region experiences. It is renowned for its food and wine with more than 40 cellar doors, as well as excellent art, music, nature and history experiences.

Regional Tourism Awards winners will progress to the NSW Tourism Awards as Finalists, with a gala dinner to be held in Sydney 22 November, where they may then progress to the Qantas Australian Tourism Awards.

For more information on Mudgee Region, visit www.visitmudgeeregion.com.au.

About Mudgee Region
The Mudgee Region is a destination on everyone's bucket list right now, and rightly so. Known primarily for its boutique wine and sophisticated country charm with around 40 family-owned wineries, a distillery and brewery, it is nestled in the hills and surrounded by quaint country towns, rich with heritage and a variety of established quality visitor experiences.

Located less than 270km northwest of Sydney, the fuss-free journey is all part of the adventure, and what awaits is a stunning mix of charm and sophistication. It's just a 3.5-hour drive from Sydney, or 45-minute flight from Sydney airport with flights departing each day.

Embracing the towns of Mudgee, Gulung, Kandos and Rylington (and small villages in between), the Mudgee Region offers an array of food and wine, arts and culture, sports and leisure, nature and small villages to explore.

HIGHLIGHTS



The Planner

ART

ANIMATED WORKS
Contemporary Chinese artist Sun Xun will screen 10 animations in conjunction with his Museum of Contemporary Art exhibition, showing works from 2003 and year, including some of his early hand-drawn pieces. Catch them at the MCA on August 15, tickets \$10-\$22.
The animations of Sun Xun, mca.com.au

PAST MASTERS
To celebrate the Art After Hours program running in the Art Gallery of NSW is bringing together the creative talents of Tim Minchin and Ben Quilty for a night of conversation, to share their thoughts on art, creativity and the Archibald. The live event is on August 15 from 6.30pm.
Tim Minchin and Ben Quilty, artgallery.nsw.gov.au/

Don't miss this solo show of landscape painter William Robinson's work capturing the unique Australian environment. The exhibition, *Genesis*, takes in five decades of his watercolours, gouache, ink and graphic work, alongside lithographs and etchings, including his Archibald-winning self-portrait.



Call it at the SH Ervin Gallery until October 7, entry \$4-\$10.
William Robinson, shervin.com.au

FOOD & DRINK

GO CRAY FOR CRAY

Crabs are back in town with the Lachlan Cray and David Smith's new book, *Crab*, which is a step-by-step guide to catching and preparing crabs. Available in bookstores from August 18 and is \$49 per person.
lakeside.com.au



TASTE OF MUDGEE

The most indulgent festival book has a Balmoral Beach location, bringing the best of the region's wine and food to your very doorstep.

FLAVOURS OF INDONESIA

Every year, award-winning chef Robert Oatley returns to his home country of Indonesia to bring back the best of Indonesian cuisine. This year, he's bringing back the best of Indonesian cuisine to the Mudgee Region. The festival is a celebration of the region's food and wine, featuring a variety of Indonesian dishes and drinks. Tickets are \$95 per person, with food and drink included.
Visit indonesiainfo.com.au

FAMILY

THE SCIENCE OF PLANTS

Check out the National Science Week events taking place at the Royal Botanic Gardens this weekend. Spend the afternoon under the trees at the Royal Botanic Gardens, where people of all ages can explore the fascinating world of plants. The events include a variety of activities, including a guided tour of the gardens, a plant hunt, and a workshop on plant anatomy. Tickets are \$10 per person.
National Science Week, scienceweek.net.au

WARM UP TO XMAS

Winter is the perfect time to get to know the region's food and wine. The Mudgee Region is a destination on everyone's bucket list right now, and rightly so. Known primarily for its boutique wine and sophisticated country charm with around 40 family-owned wineries, a distillery and brewery, it is nestled in the hills and surrounded by quaint country towns, rich with heritage and a variety of established quality visitor experiences. Located less than 270km northwest of Sydney, the fuss-free journey is all part of the adventure, and what awaits is a stunning mix of charm and sophistication. It's just a 3.5-hour drive from Sydney, or 45-minute flight from Sydney airport with flights departing each day. Embracing the towns of Mudgee, Gulung, Kandos and Rylington (and small villages in between), the Mudgee Region offers an array of food and wine, arts and culture, sports and leisure, nature and small villages to explore.



The Daily Telegraph



GENESIS OF OZ

INNER REFLECTIONS
Inner West culture is featured on the northern beaches has two new exhibitions on show. The first, *Genesis of Oz*, by Belinda Bagen showcases the past's abstract paintings which are a reflection of the artist's connection with the region. *Chasing the Sun* is a group show by the gallery's regular artists responding to the sun and its place on the earth through watercolours, ceramics, sculpture and oils. Both exhibitions are on show until August 20.
innerwestculture.com.au



delicious.



Country calling
Once again the country is headed for the beach with the return of the 28th annual Mudgee Wine and Food Festival to Balmoral Beach in Sydney on August 12. From 11.00am to 5.00pm, the entire foreshore of Balmoral Beach will play host to the longest running regional wine and food fair. Guests will be able to sip on blends by Bunnamago Estate, De Beaurepaire, Robert Oatley Vineyards, and newcomers Slowfox Wines, as well as savour fresh produce by local providers including High Valley Cheese, Mudgee Honey Haven and Milnes of Mudgee, and see the sights of Mudgee with a new state-of-the-art Virtual Reality Experience. For more festival information including shuttle service visit mudgeeregion.com.au.

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HIGHLIGHTS

What's On In Regional NSW This September

By *Maddy Kingston* 17/09/2018



As Sydneyians may know our way around a dam fine happy hour, a sojourn just about anything and smartly good looking local brew... but to gaily do we have reasons for you to escape the big smoke this September.

It's fair to say that regional New South Wales is serving up the goods this month, we're talking river galas, an utterly befitting drag queen performance, a kangaroo lunch, a celebrity chef cooking demonstration and some epic bars.

The Mudgee Wine & Food Festival | From Saturday 7 September

It's one of New South Wales' longest running wine and food festivals so let's just say these peeps are serving up the goods this month. For almost the whole glorious month of September, a bunch of wineries, restaurants and venues will be serving the people with all things delicious. We're talking sunset sippings, cocktail masterclasses, late night shopping, obnoxiously long lunches and a whole lotta' tunes to accompany all that food and wine consumption you'll be doing. Safe to say we think you'll be pigs in 'Mudgee' at this one. To view the full program, head on over [here](#).

When: Saturday 7 to Sunday 30 September
Where: Various locations, Mudgee
Cost: Varies

HIGHLIGHTS

The Sun-Herald

SUNDAY SNAPSHOT

By Mada Elshak

TODAY AUGUST 12
Celebrating the vibrant '60s

When customers drop by hunting for 1960s gear at Gemma Murphy's Market along Over the Top Village, some of them aren't even close to having been alive during the swinging decade.

The hair right down to her navel, Gemma Murphy of her clientele. "I think the '60s is quite popular at the moment - it's fun," Murphy begins collecting dishes in the mid-'70s while living in London and touring through the jungle zone of there. She sells to the general public but has supplied perfect period accessories to television series such as *Love Child* and *Friday Black*.

She is just one of the stallholders at Gemma's Market, a place that has become a hub for vintage fashion and retro items. Visitors can peruse the vintage markets, watch go-go dancing performances, take a hot air balloon ride or view a demonstration of the hair and make-up tricks from the time.

The event is designed to coincide with the penultimate weekend of Market Fair Beer, a major survey of the eye-opening career of the Australian interior designer. Much like her, Murphy is drawn to the groovy aesthetic and bold patterns of the era. "All those geometric and optical prints, were just so

raved going to the Australian Children's Music Foundation, 20m, the Cosmocon, 403 Fildes Avenue, Chalmers, \$19-\$45, sydneyyouthfestival.com.au

TALK Good Robot! Good Robot is a discussion about the increasing use of intelligent machinery in our lives and what it could mean for humanity, with panelists including AI academic Toby Walsh, data consultant Ellen Broad and research scientist Rose Wilson. 7pm, Sun, Sydney Opera House, \$45, culturenewsworld.com.au

THIS WEEK

MONDAY, AUGUST 13
MUSIC The original Katy Perry (until August 17) brings out her well-oiled arena spectacular, *Witness: The Tour*, Grammy-winning DJ and producer Zedd is the special guest for Perry's Sydney show. 7.30pm, Qudos Bank Arena, corner Eldon Road, Armadale and Olympic Boulevard, Sydney Olympic Park, \$80-\$254.95, katieperry.com.au

TUESDAY, AUGUST 14
STAGE Come aboard the Peppercorn whaling ship as Capt Tom Jones put on a production of the Herman Melville masterpiece *Moby Dick* (until August 20) with the maximum novel squeezed down to 90 minutes of theatre. 8.30pm, Wyvern Centre, corner City Road and Cleveland Street, Chalmers, \$45, www.wyvern.com.au

Pacific region, 8pm, Carriageworks, 243 Wilson Street, Darling, \$10, carriageworks.com.au

FRIDAY, AUGUST 17
MUSIC The Sydney Cherry Blossom Festival (until August 20) launches with an 18-and-over DJ opening night featuring Japanese Akiha Tribute act Akiba. 9-11pm, Autumn Robot, Gardens, corner Chalmers and Cleveland roads, Auburn, \$10, mombobbed.com.au

SATURDAY, AUGUST 18
MUSIC Bob Dylan is back for his first tour since 2014, giving fans the chance to hear the cuts from classic albums such as *The Freewheelin' Bob Dylan*, *Highway 61 Revisited* and *Blonde on Blonde*. 8pm, FCC Sydney Theatre, Darling, 10.95pm, \$129-\$155, bobdylan.com



Stallholder Gemma Murphy (top) at the Market Fair Beer, Photo: A&P
Stallholder Helen McQuinn (middle) at the Market Fair Beer, Photo: A&P
A golden crown (bottom), Photo: A&P

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HIGHLIGHTS

Weekend Escape: A Three-Day Getaway to Mudgee
Welcome to the land of wine and fireplaces.



Published on 01 August 2018
by ANZOMIA KINOSION
SHARE

It's home to 65 vineyards and more than 40 cellar doors, but Mudgee isn't your typical wine region. These and a half hour drive northwest of Sydney, the laid-back country town offers you a true wine road on the highway, ignore the ratings and just enjoy a good drop, with good food, by a fireplace.
Located in the Central Tablelands, this pretty hill-side in winter and hot in summer - regional towns has an easy charm. And lots of natural beauty. If you're driving from Sydney, you'll pass near Katoomba (130 or so kilometers before you get to Mudgee), a historic town dating back to the 1830s. It's the gateway to the Wollemi National Park - where the thought-to-be extinct Wollemi pine was rediscovered recently, and where Dorrigo Swamp camping and picnic area is. Visit this spectacular dramatic swampy fire in its undisturbed canyon, wetlands and Indigenous culture.
But if wine tasting is more your thing, in Mudgee proper in Barossa Wines, it's owned and run by the affable Trine and Andy Gao. Wander up to the old dance hall on the main street and you'll probably be greeted by the local customer service officer, Bonnie the dog. Andy explains Barossa has very little nearby tall waggles. But you're not just here for the dog and dad jokes - Barossa's headlines are in easy-drinking whites and an award-winning Shiraz.

Time has been responsible for adding two varieties of sparkling to the Barossa offering (the Lucky Ford cause is appropriately named), while Andy's pet project is the new 5th Barossa Lager. The duo has recently introduced a tasting flight that pairs four 75-ml glasses with local cheeses and charcuterie - chandenerie with a sharp, crumbly cheddar; shiraz with smoked, spicy chorizo; and cabernet sauvignon with a wedge of creamy brie.
If you're here on a Saturday you can order pizza instead and while away the afternoon sitting on the grass. Book the rustic on-site Woomoolah Cottage, complete with fireplace, ahead of time so there's no need to drive anywhere if you don't want to.
Alternatively, luxury glamping retreat Sierra Escape is a 20-minute drive out of Mudgee. It's set on a beautiful 280-acre property that features wildlife, ridges and creeks. The high-end tents have lounge beds and glass sliding doors to take in the views of the surrounding bush. They sit on top of a hill and offer panoramic views of the valley.

STAY IN THE KNOW

Get our pick of the best news, features and events delivered twice a week
Email address _____

Another charming family-run vineyard is Budgee, a 15-minute drive north of the town centre. Stop in for a tasting of shiraz, cabernet sauvignon or read in Kay and Gerry Norman-Knight's garden. While Gerry is in charge of the vines, Kay organises an annual sculpture exhibition (held on the second weekend in October) and runs art workshops throughout the year.
If you've been to a range of local wines without having to leave your bar stool, head into town for an evening at Ruth's Wine Bar. There are more than 100 regional drops to choose from under the roof of this historic converted terrace, which was originally a general store selling "under the counter" beverages. It's now the oldest continually operating licensed venue in the state and hosts live music in the "shed" out the back on Friday and Saturday nights. (Gin drinkers should take the opportunity to also sample local Baker Williams gin at the bar or, better yet, make time to visit its cellar door on Henry Lawson Drive for the full range of spirits, which includes whiskey and a surprisingly delicious lemon-meringue liqueur.)

BROADSHEET MELBOURNE

There's more live music at Mudgee Brewery, as well as six signature beers, a range of seasonal brews and a fireplace. The food's good, too; new chef Aaron Gale is responsible for menu additions such as the white pork crackling croquette and the chicken scintillated with spent grains from the brewing process.
Come daybreak, look for the curved, wrought-iron gates on Market Street to lead you to the pretty courtyard of Alley & Eaters in a handsome terrace from 1873. Good for brunch, it has a short menu offering the likes of chilli and tomato-mustard local mushrooms with organic poached eggs on woodruff, and the Eater's jaffle, with smoked ham, egg, cheese and relish. The coffee is by Yarrakon Road Roasters and is arguably the best in town.
Browse Mudgee's storefronts and you'll find a mix of cute and stylish boutiques, such as Lull (lower town to the Clively flagship in Sydney's eastern suburbs) and Whimsy (which stocks everything from Australian-made jewelry and candles to clothing and contemporary art). Stop in at Cedar Cicada to admire Lucy Thane's curated collection of furniture and homewares - think handwoven by Sheila Coon's The Sycamore Bay, Bush ceramics, Laminé candles, St Albans dresses, Vintage Mason cushions, Marble Basics trays and Big Chop boards.
The afternoon calls for more cheese, more wine and another fireplace, this time at the highly Instagrammable Cellar by Gilbert, before continuing to dinner at Pippin Pumpshouse.

Located on the Robert Stain Vineyard - where winemaker Jacob Stein is making some of the region's better wines - the Pumpshouse kitchen is run by chef Judy Crestani and offers produce-driven dishes such as house-made charcuterie, goat's cheese croquette with celery, pear and walnut, and gnocchetti with duck and juniper ragù. There are three customizable degustation menus - it's seriously great value.
There's plenty more vineyards to visit as you head back home towards Sydney. Check out the rolling - and the view - at Blackstone Estate, pick up a bottle of Ridge of Tears shiraz and Concrete Power gin at upmarket Logan, and visit the shipping container cellar door at Fine Ridge, home to Italian varietals such as Barbera, sangiovese and Pinot. Viticulturist Colin Milson says the climate is perfect for Italian grapes - but also, that's just what he likes to drink.

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HIGHLIGHTS



Let's Go, Mudgee

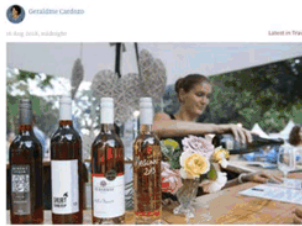
Mudgee is a beautiful town in the heart of the Murrumbidgee region, known for its wine and food. It's a great place to visit for a weekend getaway. The town is surrounded by rolling hills and vineyards. There are many things to do in Mudgee, including wine tasting, hiking, and visiting the local markets. The town is also home to many beautiful buildings and parks. It's a great place to visit for a weekend getaway.

Table with 5 columns: WINE REGION, WINE TYPE, WINE NAME, WINE PRICE, WINE AVAILABILITY. Lists various wine regions and their products.



HIGHLIGHTS

Savour the flavour at Mudgee Wine and Food Festival



KNOCKY ON CELLAR DOORS: Dine and sip your way through the wines of the region at Mudgee Wine and Food Festival. For details, go to mudgeewine.com.au or Phone: (02) 6372-1010

Mention Mudgee and your thoughts wander to days spent sampling local wines at cellar doors, feasting on regional delights and then walking it all off in stunning surroundings.

While it's true Mudgee, on the banks of the Cudgerup River, is a great getaway any time of year, September is a highlight in the country town's calendar.

It's when many visitors flock to the region for the month-long Mudgee Wine and Food Festival - one of Australia's longest-running wine and food festivals.

Festivities kick off on September 7 and run until October 1 with events including live music, tastings, lunches, dinners and more. The headline event is the Flavours of Mudgee in the CBD on September 22 from 4pm.

Join winemakers, producers, bakers, cooks, distillers and brewers for tastings and meals with a backdrop of historic buildings and the famous Clock Tower. Entry is free, with tables and glasses available to buy for wine tasting.

Here are some other festival events:

- Serious wine lovers may want to secure tickets for the Mudgee Wine Show, from September 4-6, followed by the Mudgee Wine Show Dinner at Craigmoor Pavilion on September 7 where you sit alongside winemakers for a locally-inspired dinner. Trophy-winning wines will be announced on the night and matched alongside each course. Phone 6372-7499, email info@mudgeewine.com.au

- On September 8, the public can taste wines entered into the wine show at the Go Tasting event at the Australian Regional Education Centre, selecting from more than 100 of the best wines in the region. Phone 6372-1010, mudgeewine.com.au

- Wednesday Night Wine evenings on September 13, 19 and 26 are a chance for midweek guests to join experts from the local wine industry for an interactive wine discovery, with a different theme each week. Held at Ruth's Wine Bar there will be small bites and share plates. Phone 6378-2850, mudgeewine.com.au

- Also check out what different wineries are doing during the festival, with many offering food and wine pairings, special tastings, platters and tasting flights.

click

HIGHLIGHTS



The Zin House's beetroot and pomegranate tartare with sign crisp

Eat, drink, shop

For breakfast and coffee

PIPECLAY PUMPHOUSE
 @ Robert Stein Vineyard & Winery,
 Pipeclay Lane, Mudgee
 @ pipeclaypumphouse.com.au

On the grounds of the Robert Stein winery sits a shed-like, corrugated iron-clad restaurant that overlooks the Steins' paddocks and dam (from which, last hot summer, the yabbies crawled out). Pied Piper-style, into the aircon of the restaurant, the standout breakfast dish is chef Andy Crestani's bacon and egg gnocchi with truffle oil and baby herbs (from pigs and gardens on the family farm) but who could go past the French toast, made of huge puffs of homemade sourdough bread scattered with pear, raspberries, strawberries and chocolate sauce?

For lunch
THE ZIN HOUSE
 @ 329 Finja Lane, Mudgee
 @ zinhouse.com.au

If heaven had a restaurant, it would be The Zin House, with its pretty views of the hills and

Lowe Wines' organic and biodynamic zinfandel vineyard. Dining here means entering a gorgeous farmhouse with impeccable hospitality and a cracking wine list. Children can play in the gardens while adults relax over five perfectly pitched courses, which may include dishes such as the chicken and pistachio terrine with duck rillette and crab apples poached in rose.



Enjoy a tasty bite, fine wines and live music at Roth's Wine Bar

For dinner

ROTH'S WINE BAR
 @ 30 Market Street, Mudgee
 @ rothswinelab.com.au

Sometimes, after a day of cellar doors and provolones, a casual take on Central Ranges hospitality is required. On the main street of town, Roth's offers tapas, thin-based pizza, live music on Fridays and Saturdays and a bottle shop with knowledgeable staff and more than 100 regional wines to choose from.

For taking home
ARTISAN ON LEWIS
 @ 11 Lewis Street, Mudgee
 @ artisanonlewis.business.asia

This charmer with a sun-dappled courtyard sells jams, oils, teas, sweets and a panoply of walking sticks, wearings, bird paintings and crafts. Child-, dog- and gourmand-friendly, the cafe uses produce from local suppliers – Leemore Farm mushrooms, Mudgee sourdough, Murrumbidgee Pistachios and Farmer George lamb.

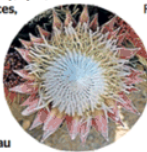
HIGHLIGHTS

The Sydney Morning Herald

out of town

JAZZ IN THE GARDEN
 Saxophone quartet Sax Blue will play early 20th century jazz classics in the garden of Sacred Spaces Convent. Guests should be sure to bring picnic rugs, food and drinks. Sunday, 2pm, Sacred Spaces, 30 Queen Street, Singleton, Hunter Valley, \$5-\$30, 6572 2398, sacredspaces.org.au

PLANT FAIR
 The annual Bellingen Spring Plant Fair (pictured) returns with 70 stalls of tropical, subtropical, native, exotic and food-bearing plants, garden furniture and workshops. Saturday, 8am, Bellingen Market Park, corner of Ford and Park streets, Bellingen, free entry, bellingen.nsw.gov.au



Claire Corbett, Saturday, noon-5pm, Thirroul Neighbourhood Centre, 352-360 Lawrence Hargrave Drive, \$5-\$60, theoneperennialpress.com

WRITERS' FESTIVAL
 Celebrating the women writers who reclaim, restore and reimagine women's stories, the Heroines Festival will include guests Catherine McKinnon, Kate Forsyth and

FOOD AND WINE FESTIVAL
 This weekend, the Mudgee Food and Wine Festival gives an opportunity to taste more than 100 wines from the region at Go Tasting, with a performance from Sydney band Wolves in Fashion at Naked Lady Wines. Until September 30, various times and prices, 9372 1020, visitmudgeeregion.com.au

HIGHLIGHTS



Discover New South Wales: Winetrails in the Australian outback

Edison Thomas Published: | 07th September 2018 05:30 PM



You will never see as many fit and good-looking people in one frame at any given point in time as you will in Sydney. Fitness is a way of life for Australians and the staff at the bell desk will insist you try out their gyms and I say this in the plural as the hotel we stayed in, QT Sydney, had more than one - one for the light stuff and the other for the more serious workout-oholics, that Australia has several of. More notes on fitness were made when our cabbie, very much an Indian, pooh-pooed our short ride to a nearby restaurant, telling us, "Why don't you walk!" Thankfully, Sydney was just a stopover, and we were soon headed to a laidback outback.

We hit the road to Mudgee, via the Blue Mountains, one cool Sydney Morning with not too many thermals but with hot coffee to warm us from the inside. You have to do this by road and we had a gregarious and knowledgeable gent who answered to Matt Mudgee drive us there. It's about a four-hour drive to Mudgee and we suggest a few pit-stops along the way. The air gets cooler as we climb and Sarah Shields our guide took the call for our first stop at Katoomba to give us a chance to get used to the chill and get a quick look at the Three Sisters at Echo Point. Legend has it that the Three Sisters were originally three beautiful girls who were turned into stone by a magic spell, which some say was cast by the father to protect them from a burlap, while others say was cast by a witch doctor who did so to protect them from angry members of the tribe who wanted to kill them for falling in love with three bothers from another tribe. Either way, the sad story has it that both the father and the witch doctor intended to turn them back to their beautiful selves, but the father lost his magic bone and the witch doctor died in battle. So today the Three Sisters stand sentinel over the Blue Mountains attracting over 1 million visitors every year.



Back on the road, you realize it's been a two-hour drive, and you mind to once again thinking coffee. The Aussies take good care of their road users with rest areas every few kilometers; but you still need to find the right place for good coffee. We suggest the Anonymous Café in Blackheath. Their cookies come warm and their coffees use freshly roasted canvas beans. Take it back and skip the sugar for a true hit.

Two hours later we find our lunch seats booked at the Tin House in proper QT outback with nary a building or barn in sight, save their mother's. Low wines, but still bookings here are a must for on a week day, they run a packed house at 3 pm in the afternoon.



Wine over matter
A list has changed in the Australian outback since the days of Crocodile Dundee. Hunting knives are not sold on the streets, and wine has won the battle over beer, with not just more people drinking it but with more Australians even making it. Today an Australian outback experience is not complete without a wine trail woven into it.



Zin overdose
The Zin House is a country restaurant on an organic and biodynamic farmland and vineyard in this wine region of Mudgee. Everything on the table was organic. They grow their own food and the menu is seasonal, dependent on what's available. Our respect for the day began with house made khachapuri sourdough with cultured butter and pork head terrine. This was served with caramelised onion tart and a salad of bitter greens. Every region in Australia has a different flavor of bread and this treat before us buttered ever so lightly made our eyes close in agreement. Accompanying the food was a selection of the Low wines and we stayed with the Low Mudgee Blue Shiraz Cabernet. On offer were David Hooker Old Vine Chardonnay and the Craighero Butyrils, all local wines from the Mudgee region.

Then came Tagliatelle served with Lamb Ragù. One bite into this and the tad high price (of AUD 90 per person) at the Zin House is justified. Desert was a 12 with a Zabaglione with sliced and Palets Bretons. Once done with this you're good for nothing else for the rest of the day, but the Low Winery next door was too much of a temptation and we chose to walk to it hoping to burn off some of the Zin overdose.



Low Wines are a certified organic facility that specialises in small batch winemaking using innovative techniques. Their vineyards are unirrigated, unirrigated and certified organic. If you want to make the most of your visit here, buy yourself a bottle of their Headstone Road. With this we were all primed for our outback getaway and what a thrill it was to drive into the gates of Peppertree Hill Cottages.

Palm at Peppertree
Situated in the heart of Mudgee's best vineyards, Peppertree Hill is located on 250 acres of private farmland. It consists of 10 luxury cottages and one homestead. All the spaces are thoughtfully designed and aptly named for an outback experience - Stay's head Retreat, Hittop, Gum Tree, Wood Shed, etc. I got to stay at Pally.

Eat and treat yourself to Mudgee.

If you're into scenic drives, local produce and full-bodied reds, Mudgee is the place for you.

Just four hours out of Sydney, this quintessential country town is quickly becoming one of the most popular destinations in NSW. With plenty of unique food and a buzzing wine scene, Mudgee lends itself perfectly to a long weekend away.



The drive to Mudgee consists of wine, fresh country air, rolling green hills and more wine.

Keen to experience the Mudgee food and wine trail first hand, *The Living Room's* Miguel Maestre hit the road in his new Ford Escape SUV to visit some of the passionate and skilled local producers in the Mudgee Region.



Cheers to your many weekends in Mudgee!

Here are some tips on where to eat, drink and play in Mudgee.

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Hit the Road! A Guide To Mudgee



Treasurer's Report

1. Nature of Report

- a. This is the financial report for the first quarter of the MRTI 2018-19 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 September 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 \$172K which is \$14K ahead of budget, due operational timings for expenses.

3. Trading Income

Retail trading income at end Q1 \$3.8K below budget, due to shortfall in anticipated retail and mid-year membership sales.

4. Total Income

Overall income \$5.7K under budget, due to cost of goods sold higher than anticipated, resulting in Gross Profit 1% below budget.

5. Total Expenses

Total expenses \$20K or 6% under 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 December) taking into consideration negative retained earnings from audited financials 2017-18 and MWRC's recent confirmation of a one-off \$50K additional contribution. Our ambition is to rebuild retained earnings without losing momentum in market and off-setting negative retained earnings by June 2019.

6. Cash Funds

At the end of Q1 of the 2018-19 Financial Year, cash is the primary current asset \$165,000.

7. Balance Sheet

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

Mudgee Region Tourism Incorporated
Balance Sheet as of September 2018

Balance Sheet — Mudgee Region Tourism Inc 1	
Sep 2018	Sep 2018
Asset	
Current Assets	266,655
Cash on Hand	165,000
Visa Debit Cards	2,670
Debtors	83,530
Stock on Hand	13,338
Prepayments	2,116
Non-Current Assets	60,353
Motor Vehicle (Nett)	49,417
Office Furn & Equip (Nett)	5,845
Intangible Assets	5,091
Total Asset	327,007
Liability	
Current Liabilities	151,239
Trade Creditors	22,415
Sundry Creditors	11
Accruals	45,853
Chattel Mortgage (current)	48,026
GST Liabilities	5,083
Payroll Liabilities	29,852
Prepaid Income	32,711
Membership Income 2018/2019	32,711
Ticket Sales	31,327
Seat Advisor EFT	1,952
123Tix Ticket Sales	29,375
Total Liability	215,277
Net Assets	111,730
Equity	
Retained Earnings	(59,843)
Current Earnings	171,573
Total Equity	111,730

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

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

Jul 2018 - Sep 2018

	Actuals	Budget	Variance (\$)	Full Year Budget	Full Calendar Year Variance Jan 2018 - Dec 2018
Income					
Retail Sales	26,952	28,949	(1,998)	95,759	(68,807)
Ticket Sales Income	3,859	4,634	(775)	16,114	(12,256)
Membership Income	340,961	342,019	(1,057)	388,905	(47,944)
Booking Agency Fees	0	0	0	550	(550)
Mid Western Regional Council	100,881	100,881	0	399,762	(298,881)
International VFR Campaign	40,000	40,000	0	40,000	0
Interest Received	0	12	(12)	1,600	(1,600)
Total Income	512,653	516,495	(3,842)	942,690	(430,037)
Cost of Sales					
COGS Retail	19,156	18,545	(611)	61,322	42,166
COGS Ticketing	1,663	376	(1,287)	2,406	743
Total Cost of Sales	20,819	18,922	(1,898)	63,728	42,909
Gross Profit	491,833	497,573	(5,740)	878,962	(387,128)
Expense					
Advertising	605	1,010	405	2,641	2,036
Audit Fees	1,125	1,125	0	4,618	3,493
Bank Charges	0	13	13	39	39
Bank Charges - Merchant	908	821	(86)	1,903	995
Cleaning	720	703	(17)	2,496	1,776
Computer Expenses	2,674	2,888	213	8,702	6,028
Depreciation	4,828	4,872	44	20,339	15,511
Electricity	670	883	213	3,068	2,398
Visitors Centre Costs	161	4,250	4,089	5,008	4,847
Insurance	678	708	30	3,171	2,493
Insurance - Workers Comp	297	287	(10)	1,573	1,276
Motor Vehicle Running	1,651	2,421	771	6,556	4,905
MV Interest	789	974	185	2,541	1,752
Office Supplies	233	125	(108)	525	292
General Postage	116	113	(3)	460	344
Member Expenses	4,035	2,221	(1,814)	3,400	(635)
Printing & Stationery	1,075	875	(200)	3,600	2,525
Professional Fees	164	248	84	3,530	3,366
Rent Mudgee Visitors Centre	491	491	0	491	0
Gulgong Visitors Centre	0	0	0	150	150
Rylstone/Kandos running costs	0	38	38	38	38
Repairs & Maintenance	286	532	246	1,914	1,628
Staff Amenities & Ent	412	5,884	5,472	8,809	8,397
Board Meeting Expenses	0	62	62	225	225
Subscriptions & Memberships	1,765	1,849	84	2,474	709
Sundry Expenses	0	25	25	1,050	1,050
Security	134	136	3	673	539
Telephone, Fax & Internet	1,402	1,617	216	6,859	5,457
Travel Expenses - Non Wages	0	75	75	75	75
Website Expenses	3,823	2,000	(1,823)	6,994	3,171
Visitor Guide Exp	108,299	110,457	2,159	119,854	11,555
Wages and Salaries	111,885	111,034	(852)	446,650	334,765
Fringe Benefits Tax	1,500	1,425	(75)	5,850	4,350
Regional Marketing Expenditure	69,537	80,523	10,986	175,714	106,178
Total Expense	320,260	340,685	20,425	851,988	531,728
Operating Profit	171,573	156,888	14,685	26,974	144,599
Net Profit	171,573	156,888	14,685	26,974	144,599

Item 8: Development

8.1 DA0046/2019 - Subdivision - Torrens Title - 1 into 16 Lots - 20-24 Bell Street, Mudgee

REPORT BY THE SENIOR TOWN PLANNER
TO 12 DECEMBER 2018 ORDINARY MEETING
GOV400066, DA0046/2019

RECOMMENDATION

That Council:

- A. receive the report by the Senior Town Planner on the DA0046/2019 - Subdivision - Torrens Title - 1 into 16 Lots - 20-24 Bell Street, Mudgee;
- B. allow the applicant to defer the payment of developer contributions for 6 months in accordance with Council’s *Section 94 Contributions Plan – 2005-2021* and Council’s *Water and Sewer Development Servicing Plans*; and
- C. approve DA0046/2019 - Subdivision - Torrens Title - 1 into 16 Lots - 20-24 Bell 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. Approved documentation may include any Planning or Engineering reports submitted with and in support of the application as detailed below.

Title/Name	Drawing No/ Document Ref	Revision/Issue	Dated	Prepared by
Proposed Lot Plan	29701-CD02	B	15.08.18	Barnson
Proposed Services Plan	29701-CD03	B	15.08.18	Barnson

- 2. 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

Amended Plan Requirements

3. **An amended plan of subdivision must be submitted to create a four (4) metre by four (4) metre corner cutoff/splay at the corner of Bell Street and Saleyards Lane for road widening purposes.**
4. **Either of the following two (2) options may be adopted for stormwater management for the proposed subdivision (subject to approval of the stormwater drainage design by Council):**
 - a) **Detention Basin - the plan of proposed subdivision must be amended to provide a sufficient area of land as a Drainage Reserve for construction of a stormwater detention basin to provide for stormwater quality improvements generally in accordance with the Water Sensitive Urban Design (WSUD) guidelines.**
 - b) **Swales – the use of swales will require registration on titles of appropriately worded Encumbrances, Restrictions as to User or other instruments deemed necessary to ensure the ongoing maintenance and function of the infrastructure to prevent restriction of flows and potential inundation of adjacent land. Additional requirements may also include provision for, and ongoing maintenance of, open type wire mesh fencing on each boundary crossing the swale for the width of the swale.**

Other

5. **Notwithstanding approved plans, no structures or earthworks are permitted to encroach within any easements for the purposes of utility infrastructure as specified in *Mid-Western Development Control Plan 2013*.**
 6. **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.**
 7. **Dual sets of water services, sewer junctions, and stormwater connections are to be provided to each lot nominated as a dual occupancy lot within the subdivision.**
 8. **The developer is to ensure that any defects in the works that become apparent within the 24 months following the issue of a Subdivision Certificate, are remedied to Council's satisfaction. If these defects are not satisfactorily remedied, Council may use bond money to carry out rectification works.**

Any unspent bond money will be returned to the developer at the end of the 24 month period, less the cost of any rectification works carried out by Council.
 9. **Street trees of an approved species are to be provided at a rate of one tree per allotment.**
 10. **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.**
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11. **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.**

Stormwater

12. **The developer must provide for the design and construction of all stormwater drainage infrastructure to service the development.**
13. **A fully detailed Stormwater Drainage Plan must be submitted to and approved by Council that provides for control and treatment of stormwater runoff generated by future development of the land. Recommended stormwater drainage design requires the use of an inter-allotment drainage system discharging into a detention basin situated in a drainage reserve prior to discharge by an approved method into the intermittent watercourse located on adjoining land.**
14. **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.**
15. **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.**

Water and Sewer Services

16. **The applicant is to provide separate water and sewer reticulation services to each allotment within the subdivision.**
17. **Council does not permit other bodies to insert new junctions into “live” Sewer and water mains. Please contact Council’s Operations Water and Waste Department by calling 02 6378 2850 or by emailing council@midwestern.nsw.gov.au to obtain a quote for the connection of the new sewer extension and water service (Private Works Order).**
18. **The developer is to extend and meet the full cost of water reticulation 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*.**
19. **The developer is to extend and meet the full cost of sewer reticulation 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*.**
20. **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 \$1,844 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.

21. 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.
22. 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.

Telecommunications and electricity supply

23. Underground electricity, street lighting and telecommunications are to be supplied to the Subdivision in accordance with the relevant authority's standards. Each allotment is to be provided with a service point / connection to an underground electricity supply.

PRIOR TO ISSUE OF THE CONSTRUCTION CERTIFICATE (CIVIL WORKS)

The following conditions must be complied with prior to Council issuing a Construction Certificate for the civil works required for the proposed subdivision.

24. A Construction Certificate is required for but not limited to the following civil works:
 - a) Water and sewer main extensions;
 - b) Stormwater drainage such as inter-allotment drainage, detention basins;
 - c) Footpath; and
 - d) 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, eg. *Plumbing and Drainage Act 2011*, and *Plumbing and Drainage Regulation 2017* for water and sewer infrastructure works.

25. 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:
 - a) Runoff calculations.
26. 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 20 year ARI event. All stormwater detention details including analysis shall be included with the drainage report.
27. 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.

28. **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*.**
29. **The only waste derived fill material that may be received at the development site must be:**
 - a) **Virgin excavated natural material, within the meaning of the *Protection of the Environment Operations Act 1997*; and**
 - b) **Any other waste-derived material the subject of a resource recovery exemption under cl.91 of the *Protection of the Environment Operations (Waste) Regulation 2014* that is permitted to be used as fill material.**
30. **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:**
 - a) **Saving available topsoil for reuse in the revegetation phase of the development;**
 - b) **Using erosion control measures to prevent on-site damage;**
 - c) **Rehabilitating disturbed areas quickly; and**
 - d) **Maintenance of erosion and sediment control structures.**
31. **Prior to the issue of a Construction Certificate for civil works, the developer is to nominate which lots within the proposed subdivision are likely to be developed for dual occupancy development in the future and provide written notice to Mid-Western Regional Council of the nominated dual occupancy lots.**
32. **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.**

PRIOR TO THE COMMENCEMENT OF WORKS

33. **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; and**
 - 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.**
 34. **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.

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.

36. Prior to the commencement of subdivision works, the following actions are to be carried out:

- a) A site supervisor is to be nominated by the applicant;
- b) Council is to be provided with two (2) days notice of works commencing; and
- c) 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.

37. 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.

38. 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.

39. 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.

40. 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.

DURING CONSTRUCTION

41. The subdivision works are to be inspected by a Certifier (i.e. Council or a private

certifier) to monitor compliance with the consent and the relevant standards of construction, encompassing the following stages of construction:

- a) Installation of sediment and erosion control measures;
 - b) Water and sewer line installation prior to backfilling;
 - c) Stormwater drainage pipe installation prior to backfilling; and
 - d) Practical Completion.
42. The footpath and driveway levels are not to be altered outside the property boundary without Council's permission.
 43. 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 NSW Land Registry Services.
 44. 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.
 45. 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.
 46. In the event of any Aboriginal archaeological material being discovered during earthmoving/construction works, all work in that area shall cease immediately and the Office of Environment and Heritage (OEH) notified of the discovery as soon as practicable. Work shall only recommence upon the authorisation of the OEH.
 47. Where it is proposed to import fill, the material shall be certified as free of hazardous materials and contamination and be classified as VENM or ENM under the guidelines of the NSW Environmental Protection Authority by a 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*.
 48. 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.
 49. The developer is to grant Council unrestricted access to the site at all times to enable inspections to enable inspections or testing of the subdivision works.

PRIOR TO ISSUE OF THE SUBDIVISION CERTIFICATE

Under the Environmental Planning & Assessment Act 1979, a Subdivision Certificate is required before the linen plan of subdivision can be authorised for registration with NSW Land Registry Services.

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

Note: the fee to issue a *Subdivision Certificate* is set out in Council's Fees and

Charges.

51. The final inspection report shall be submitted to Council with the Subdivision Certificate application.
52. A linen plan and two (2) copies are to be submitted to Council for approval and endorsement by the General Manager (or their delegate).
53. Prior to the issue of a Subdivision Certificate, a survey drawing is to be submitted to Council, demonstrating that all private water services, sewer services and water meters are located wholly within the lot that they serve.

Where lots are nominated to be developed in the future for dual occupancy development, dual services for water, sewer and stormwater are to be provided for the nominated lots.

54. Following completion of the subdivision works, work-as-executed plans (WAE) are to be provided to Council in the following formats:
 - a) PDF; and
 - b) 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.

55. The adjustment of existing services or installation of new services and metres, 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.
56. 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 *Australian Standard AS 2870 – 2011: Residential Slabs and Footings*. Results are to be submitted to Council prior to issue of the Subdivision Certificate.
57. 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 Subdivision Certificate.

Defects Liability Bond

58. Prior to the release of the Subdivision Certificate, a defects liability bond of 5% of the construction costs for all civil engineering work (not carried out by Council), shall be lodged with Council. The defects liability bond will be held by Council for a period of 24 months, to ensure that any defects that become apparent during that time are remedied by the developer.

Developer Contributions

59. In accordance with the provisions of section 7.11 of the *Environmental Planning and Assessment Act 1979* and the *Mid-Western Regional Council Section 94 Development Contributions Plan 2005-2021*, either of the following is to occur prior to the issue of a Subdivision Certificate:
-

- a) A monetary contribution in accordance with the following Schedule of Contributions must be paid in full (including indexation, where applicable); or
- b) A Bank Guarantee for the contributions identified in the following schedule (subject to indexation, where applicable) is to be given to Council, on the following terms:
- (i) A Bank Guarantee is to be prepared to the value of contributions payable as agreed to by Council (this is to include indexation, where applicable).
 - (ii) The Bank Guarantee is to be made in favour of Council.
 - (iii) Council is to be the custodian of the original Bank Guarantee.
 - (iv) The maximum time frame granted for deferment is six (6) months. Should the contribution not be paid by this time, Council will exercise its right under the agreement to call in the Bank Guarantee without notice.
 - (v) Should the deferment overlap into the following financial year, then the contributions payable will be subject to indexation.

Schedule of Section 94 Contributions		
16 additional lots (minus credit for existing)		
<i>Mudgee (Catchment 2)</i>	<i>Per Lot</i>	<i>15 Lots</i>
<i>Public Amenity or Service</i>		
Transport Management		
Traffic Management	\$1,282.00	\$19,230
Open Space		
Local Open Space	\$2,013.00	\$30,195.00
District Open Space	\$2,732.00	\$40,980.00
Community Facilities		
Library Buildings	\$263.00	\$3,945.00
Library Resources	\$316.00	\$4,740.00
Drainage		
Drainage Works	\$0.00	\$0.00
Administration		
Plan Administration	\$614.00	\$9,210.00
Total	\$7,220.00	\$108,300.00

Note: the contribution amount will be adjusted by the Consumer Price Index, if not paid in the same financial year the development consent was issued.

Note: Council's *Section 94 Development Contributions Plan 2005-2021* is available for perusal at Council's Administration Centre at 86 Market Street, Mudgee or on Council's website www.midwestern.nsw.gov.au under Council Documents/Strategies and Plans.

Certificate of Compliance

60. The developer shall obtain a *Certificate of Compliance* under the *Water Management Act 2000*, from Council.

Note 1 – Refer to Advisory Notes in relation to payment of contributions to obtain a Certificate of Compliance.

Restrictions on Title

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

The stormwater and sewerage lines are to be located 1.5m from the property boundary and internal edge of the easement. Services are to be located approximately 1.0m apart within the centre of the easement.

62. Three metre wide easements, including associated Section 88B instruments, are to be created in favour of Council over any existing or newly constructed water reticulation components located within the subject property, or extended through adjoining private properties as a result of this subdivision, where necessary.
63. Where the stormwater drainage arrangements for the subdivision result in an on-site detention system within proposed Lot 16, as identified in the approved plans, a drainage reserve with an access handle to Saleyards Lane is to be created over the on-site detention basin. The terms of the easement or restriction are to provide Council with maintenance access to the drainage reserve.
64. Where the stormwater drainage design involves a drainage swale, appropriately worded encumbrances, restriction as to user or other instruments are to provide for the ongoing maintenance and function of the infrastructure to prevent restriction of flows and potential inundation of adjacent land. Additional requirements may also include provision for, and ongoing maintenance of, open type wire mesh fencing on each boundary crossing of the swale for the width of the swale.
65. Suitably worded restrictions, covenants or other similar instruments are to be provided for proposed Lots 15 and 16 (as required) identified on the approved plans, to ensure any future buildings on the land are constructed with a finished floor level (FFL) that is at least 0.5m above the 1 in 100 (i.e. 1% Annual Exceedance Probability flood event) flood level.

Prior to the preparation of the covenant/restriction, the developer shall obtain written notification from Council of:

- a) the flood level and required FFL to be incorporated into the covenant/restriction; and
- b) the lots that are flood affected in the subdivision.

66. Suitably worded restrictions, covenants or other similar instruments are to be provided for proposed Lots 15 and 16 identified on the approved plans, to ensure any fencing allows for the free passage of flood waters, within the 1 in 100 (i.e. 1% Annual Exceedance Probability) flood level.

Prior to the preparation of the covenant/restriction, the developer shall obtain written notification from Council of:

- a) The flood level and required FFL to be incorporated into the
-

- covenant/restriction; and
- b) The lots that are flood affected in the subdivision.

Electricity and Telecommunication Certificates

67. 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 electricity supply to the subdivision;
 - b) Satisfactory evidence that arrangements have been made 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 works required by the consent be completed in accordance with the consent.
68. Underground electricity and telecommunications are to be supplied to the Subdivision in accordance with the relevant authority's standards.

STATEMENT OF 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 satisfactory in terms of the matters identified in Section 4.15 of the *Environmental Planning and Assessment Act 1979*.
3. The proposed development satisfactorily addresses the issues raised in submissions received in response to public notification of the development, as follows:
 - a) A condition requiring a corner truncation has been applied to assist in vehicles being able to see around the corner of the Saleyards Lane and Bell Street intersection.
 - b) A condition has been applied requiring a Notice of Arrangement to be obtained from the electricity supplier.

OTHER APPROVALS

General Terms of Approval

A copy of the NSW Natural Resources Access Regulator's General Terms of Approval are attached.

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".
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- 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 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 attached General Terms of Approval issued by NSW's Water Authority do not constitute an approval under the *Water Management Act 2000*. The development consent holder must apply to NSW's Water Authority for a Controlled Activity approval after consent has been issued by Council and before the commencement of any work or activity.

A completed application form must be submitted to NSW's Water Authority together with any required plans, documents, application fee, security deposit or bank guarantee (if required) and proof of Council's Development Consent. Finalisation of an approval can take up to eight (8) weeks from the date the application and all required supporting documentation is received.

Application forms are available from the NSW's Water Authority website at: www.water.nsw.gov.au > [Water Licensing](#) > [Approvals](#).

- 8 This development consent requires a Certificate of Compliance under the *Water Management Act 2000* to be obtained prior to the issue of a Subdivision Certificate.

A person may apply to Mid-Western Regional Council, as the water supply authority, for a Certificate of Compliance pursuant to section 305 of the *Water Management Act 2000*.

Please be advised that as a precondition to the granting of a Compliance Certificate, either of the following is to occur:

- a) A monetary contribution in accordance with the following Schedule of Contributions must be paid in full (including indexation, where applicable); or
 - b) A Bank Guarantee for the contributions is to be given to Council, on the following terms:
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- The Bank Guarantee is 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.
- The maximum time frame granted for deferment is six (6) months. Should the contribution not be paid by this time, Council will exercise its right under the agreement to call in the Bank Guarantee without notice.
- Should the deferment overlap into the following financial year, then the contributions payable will be subject to indexation.

Schedule of Contributions				
Development Consent DA0046/2019				
Public Service	No. of Equivalent Tenements (ET)	Contribution Rate (Amount per ET)	Contribution Levied	Date until which contribution rate is applicable
Water	15.0	\$8,407	\$126,105.00	30 June 2019
Sewer	15.0	\$3,838	\$57,570.00	30 June 2019
		TOTAL	\$183,675.00	

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

Note: Council's *Development Servicing Plan for Mid Western Regional Council Water Supply* and *Development Servicing Plan for Mid Western Regional Council Sewerage* are available for perusal at Council's Administration Centre at 86 Market Street, Mudgee or on Council's website www.midwestern.nsw.gov.au under Council Documents/Strategies and Plans.

Executive summary

OWNER/S	William James Bensley & Sally Elizabeth Bensley
APPLICANT:	Barnson Pty Ltd
PROPERTY DESCRIPTION	Lot 211 DP1070725
PROPOSED DEVELOPMENT	Subdivision – Torrens Title – 1 into 16 Lots
ESTIMATED COST OF DEVELOPMENT:	Not applicable
REASON FOR REPORTING TO COUNCIL:	Request to defer payment of developer contributions
PUBLIC SUBMISSIONS:	Two (2)

Council is in receipt of a development application that seeks approval to subdivide 20-24 Bell Street, Mudgee (Lot 211 DP1070725) into 16 allotments.

The proposed development will include the provision of sewer, water and stormwater lines within an easement adjacent to the north-eastern and north-western boundaries of the site.

The application has been placed on public exhibition in accordance with Council policy. The exhibition period ended on 19 October 2018 and one (1) submission was received from a member of the public, and one (1) submission was received from Essential Energy.

The applicant is seeking to defer payment of developer contributions for six (6) months from the date the Subdivision Certificate is released. The reason is to allow the funds to be used to provide the services to the development. A bank guarantee will be provided to ensure the developer contributions will be paid upon completion of the six (6) month period.

As the proposal involves a variation to the timing of the payment of developer contributions, the application cannot be determined by delegated staff – Council is required to determine the application.

The application is recommended for approval.

Background

The subject site is located at 20-24 Bell Street, Mudgee. The long street boundary of the site fronts Saleyards Lane and the short frontage adjoins Bell Street. An electricity sub-station is located on the opposite side of Saleyards Lane to the south of the site. A holiday park adjoins the north-eastern boundary of the site. The north-western boundary of the site adjoins an intermittent creek. The site appears as a grazing paddock and there is no significant vegetation on the site. The site is relatively flat with a slight fall towards the creek on the north-western boundary.



Figure 1: Subject site

Council has received a development application for a 1 into 16 lot subdivision at 20-24 Bell Street, Mudgee. The site is zoned R1 General Residential and subdivision is permissible with the consent of Council.

The subdivision will be connected to water, sewer and stormwater services. Sewer and stormwater lines will be located within an easement adjacent to the north-eastern and north-western boundaries. Stormwater is proposed to discharge into the intermittent creek adjacent to the north-

western boundary of the site. Electricity and telecommunication services will be provided to each lot.

Proposed Lot 16 is the only lot nominated to be developed for a dual occupancy development. The proposal does not involve a variation to the requirements prescribed within *Mid-Western Regional Local Environmental Plan 2012* or *Mid-Western Regional Development Control Plan 2013*.

The application includes a request to allow the payment of developer contributions to be deferred for a period a six (6) months from the issue of the Subdivision Certificate. A bank guarantee will be provided to ensure payment is provided.

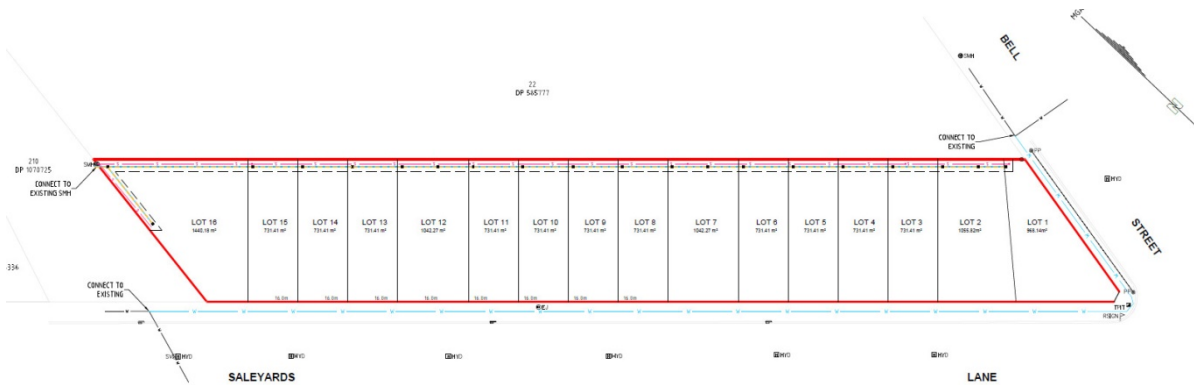


Figure 2: Proposed Site Plan

Disclosure of Interest

Nil

Detailed report

LEGISLATIVE REQUIREMENTS

Environmental Planning and Assessment Act 1979

Designated Development

Not applicable.

The proposed development is not identified as designated development, in accordance with Schedule 3 of the *Environmental Planning and Assessment Regulation 2000*.

Integrated Development

The proposed development triggers integrated development, in accordance with section 4.46 of the *Environmental Planning and Assessment Act 1979*, as follows:

- A controlled activity approval in accordance with Section 91 of the *Water Management Act 2000*.

The proposed development involves works, being the provision of sewer and stormwater lines, within 40m of a watercourse.

In order to approve the development application, General Terms of Approval are required from DPI Water/ NSW Natural Resources Access Regulator. These General Terms of Approval have been received and are included as part of the recommendation.

SECTION 4.15(1) – MATTERS FOR CONSIDERATION – GENERAL

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.

(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.

State Environmental Planning Policy (Infrastructure) 2007

Not applicable.

The proposed subdivision:

- Is not located near a rail line or classified road;
- Will not trigger the Traffic Generating Development threshold of 200 or more lots; and
- Is not adjacent to any known electricity easements.

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 (Exempt and Complying Development Codes) 2008

Not applicable.

The proposed development does not comply with the exempt requirements for subdivision and requires development consent from Council.

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

The following clauses of the MWRLRP 2012 have been assessed as being relevant and matters for consideration in the assessment of the Development Application.

1.2 Aims of Plan

The proposed development is not contrary to the relevant aims and objectives of the plan.

1.4 Definitions

The proposal is defined as a *subdivision*.

2.3 Zone objectives and Land Use Table

The land is zoned R1 – General Residential pursuant to MWRLEP 2012. The proposed *subdivision* is permissible with the consent of Council in the zone and complies with the relevant objectives in that it:

- Will provide for the housing needs of the community;
- Will provide additional lots that will accommodate a variety of housing types and densities; and
- May accommodate other land uses that provide facilities or services to meet the day to day needs of residents.

2.6 Subdivision – consent requirements

As the proposed development is for subdivision, it will require development consent.

4.1 Minimum subdivision lot size

The proposed subdivision meets the objectives of the clause as the proposal:

- Will occur in a manner that promotes suitable land uses and development;
- Will minimise any likely impact of the subdivision on the amenity of neighbouring properties;
- Will provide lot sizes and dimensions that are able to accommodate development, consistent with relevant development controls; and
- Will not have an inappropriate impact on the natural environment.

The minimum lot size pursuant to mapping is 600m². The proposed lots have areas ranging from 731.41m² to 1440.18m². Accordingly, the proposal complies with the development standard.

6.2 Flood planning

Part of the subject site is identified as sitting within the Low Risk and Medium Risk level flood area. This flooding is associated with stormwater surcharge from the watercourse adjoining the north-western boundary of the site. The Probable Maximum Flood (PMF) from Cudgegong River does not significantly affect the subject site. Accordingly, the development is to satisfy the provisions of clause 6.2(3) as discussed below and identified within the Statement of Environmental Effects prepared by the applicant:

(a) The development is compatible with the flood hazard of the land.

The proposal, being a residential subdivision, is identified as a compatible land use in accordance with the Urban or Non-Urban Floodplains Matrix contained within the *Mid-Western Regional Development Control Plan 2013*.

Approximately half of proposed Lot 16 and a quarter of proposed Lot 15 are affected by the Medium Flood Risk Precinct (i.e. 1 in 100 flood level) mapping. There is ample area on each site that is above the 1 in 100 flood level on which to erect a dwelling. The flood impacts on future buildings may be addressed in detail in future development applications for those buildings.

It is noted that the flood mapping for the site is over 10 years old. Since the mapping was created, a culvert has been installed within the watercourse in Saleyards Lane and a number of on-site detention systems have been installed in the upstream catchment. These works may have the effect of reducing the flood impacts on the subject land compared to the current version of the flood mapping.

- (b) The development is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties.

The proposed subdivision does not involve any significant earthworks and will not lead to increases in the potential flood affectation of other properties.

- (c) The development incorporates appropriate measures to manage risk to life from flood.

No measures are required for the proposed subdivision. This matter may be addressed in future development applications for buildings on the proposed lots. A condition is included in the recommendation requiring a restriction on title to be applied for any future buildings on the effected lots to have a floor level above the 1 in 100 flood level.

- (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.

No significant earthworks are included in the proposed subdivision. The proposed stormwater outlet will discharge into the watercourse adjacent to the north-western boundary of the site. NSW Natural Resources Access Regulator (formerly DPI Water) has provided General Terms of Approval for the works required within the watercourse.

- (e) The development is not likely to result in unsustainable social or economic costs to the community as a consequent of flooding.

Future development of the lots may be designed to account for the flooding constraints on proposed Lots 15 and 16, in such a manner that there will be no unsustainable social or economic costs to the community as a consequence of flooding.

6.3 Earthworks

Not applicable – No significant earthworks are proposed as part of the proposed subdivision.

6.4 Groundwater Vulnerability

The site is identified as groundwater vulnerable in accordance with Council's mapping. No broad excavation is needed to facilitate the proposal and no significant impacts upon those matters contained within clause 6.4(3) is expected as a result of the proposed development. Given the limited extent of excavation associated with the installation of water, sewerage and stormwater services, it is considered that the development would not cause groundwater contamination, adversely affect any groundwater dependent ecosystems, will not cumulatively impact potable water supply, and therefore no special measures, or conditions of consent would be considered necessary.

6.8 Airspace Operations – Mudgee Airport

The proposal will not penetrate the relevant height limits for safe operations of the Mudgee Airport. In addition, future development of the proposed lots will not penetrate the Airport Obstacle Limitation Surface (OLS) as the clearance between the ground and OLS is at least 60m.

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, as follows:

- The proposed development may connect to the reticulated water supply available within Bell Street and Saleyards Lane.
- Fire hydrants are intermittently along the waterlines located in Saleyards Lane and Bell Street. The whole of each lot is located within 120m of at least one of the existing fire hydrants. In this regard, secondary hydrants will not be required within the proposed development.
- The proposed development may be connected to existing electricity infrastructure servicing the site. Underground electricity is proposed.
- The proposed development may connect to the existing sewer manhole located on the northern corner of the subject site.
- Stormwater will be managed to ensure post-development flows do not exceed pre-development flows. Stormwater is proposed to be directed to a swale drain located adjacent to the north-eastern boundary of the site. This stormwater will then discharge to the watercourse adjacent to the north-western boundary of the site. Stormwater drainage works will include installation of a stormwater line, concrete stormwater pits, concrete headwalls and a rip-rap energy dissipater.
- Each lot has street frontage of sufficient width to accommodate a driveway crossover in future.

Conditions are recommended to ensure sufficient details and the necessary follow-on approvals are obtained in relation to the above matters.

(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)

5.2 Flooding

Proposed Lots 15 and 16 will have a significant proportion of the lot area under the 1 in 100 flood level. Despite this, there is ample area remaining on each of these lots on which to erect a dwelling. In addition, it is recognised that the flood mapping for the site is over 10 years old and there is some speculation as to its accuracy, given works that have been undertaken within the catchment within the last ten (10) years. These works will likely reduce the proportion of proposed Lots 15 and 16 that will be flood affected.

A condition is included in the recommendation to ensure a restriction on title is applied to proposed Lots 15 and 16, to ensure that the floor level of future buildings are erected above the 1 in 100 flood level.

5.3 Stormwater Management

A Stormwater Concept Plan has been provided with the application. Stormwater is proposed to be directed to a grass swale adjacent to the north-eastern boundary of the property and discharged to the watercourse adjacent to the north-western boundary of the subject site – this may necessitate works within private lands, and the need to obtain landowners consent. An alternate option for stormwater disposal is through the construction of an on-site detention system and weir.

Either option could, depending on the final design, appropriately manage stormwater in accordance with the requirements of the DCP. Conditions have been imposed requiring further details of the stormwater system to be submitted to and approved by Council officers. The option of stormwater disposal will be approved as part of the Civil Construction Certificate, including appropriate encumbrances and the need for landowners consent – and determined by Council's Development Engineer.

5.4 Environmental Controls

An Aboriginal Heritage Information Management System (AHIMS) search indicated that there are no known Aboriginal sites in or in the near vicinity of the proposed development.

The site is not identified as bush fire prone land.

The watercourse adjoining the north-western boundary of the subject site has been identified in the application. There is no significant riparian vegetation adjoining the watercourse. The proposed works within the watercourse, including connection to the sewer manhole and stormwater discharge, have received General Terms of Approval from the Natural Resource Access Regulator (formerly DPI Water).

No trees will be removed as part of the proposed development and no threatened species are known to occur on the site.

The site is not known to be saline.

8.1 Urban Subdivision

DEVELOPMENT CONTROL REQUIREMENT	COMPLIES?
Applies to	
Land zoned residential; village zones; rural residential lots up to 2 hectares	Land is zoned Residential.
Lot size	
Minimum lot size as determined by MWRC LEP 2012	Complies. All lots are over the minimum 600m ² lot size.
All lots have street frontage	Complies. All lots have frontage to Saleyards Lane or Bell Street.
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	Not applicable. Approximately 1 degree. All lots are greater than 600m ² .
All lots have 16m width at building line in residential and village zones	Complies. Each lot has a frontage of at least 16m.
Battle-axe handles in R1, R3 and RU5 Village have width of 4m	Not applicable.
Battle-axe handles in R2 and R5 residential zones have width of 6m	Not applicable.
Lot Design	
For infill subdivision lot orientation maximises solar access and takes account of existing pattern of development	Complies. Adequate solar access.
For new release subdivision lot orientation maximises solar access by maximising north-south lots	Complies.
For new release subdivision east-west orientated lots have increased width and midpoint	Not applicable.
Lots generally rectangular in shape	Complies. The development includes a majority of rectangular lots. The lots are all of sufficient

DEVELOPMENT CONTROL REQUIREMENT	COMPLIES?
Lots on southern side of road provide greater frontage width for better solar orientation of future dwelling	size to accommodate a substantial building envelope. Not applicable.
Corner lots have sufficient area to allow dual occupancy and independent utility connection points	Complies. Lot 16 has an area of 1440m ² . Lot 1 has an area of 961m ² .
Street Layout and Design	
Traffic Impact Statement submitted for 5+ lots	Complies. Condition to be applied requiring a Traffic Impact Statement, with any recommendations made to be put in place and implemented prior to any works beginning.
Traffic Impact Statement submitted for all subdivisions where new road required	Not applicable. No new roads proposed.
Subdivision integrates with existing residential area	Complies.
New roads must provide “through road” connections to surrounding roads and road heads where they exist in the locality	Not applicable.
Where cul-de-sac treatment unavoidable, pedestrian linkages between streets provided	Not applicable.
Multiple cul-de-sacs and “no through roads” discouraged	Not applicable.
Maximum number of lots in cul-de-sac is 12 lots	Not applicable.
Subdivision >80 lots should not require backtracking	Not applicable.
Road Standards for New Development	
Urban Road Standards required	Complies. Existing rollover kerb along Saleyards Lane and barrier kerb along Bell Street frontage.
1 x 1.2m footpath, barrier kerbing	Complies. Existing footpath along Saleyards Lane, on opposite side from site.
Commercial and Industrial Subdivision roads: 22m road reserve, 13m carriageway, 2 x 4.5m nature strip, 1 x 1.2m footpath, barrier / rollover kerbing	Not applicable.
Cycle ways and footpaths	
Cycle ways and pedestrian networks included in new subdivisions	Complies. Concrete footpaths will be provided in development, as appropriate.
If subdivision site identified in Council cycle way plan or pedestrian strategy, subdivision needs to respond to strategy	Complies. Pedestrian Access and Mobility Plan has been accounted for.

DEVELOPMENT CONTROL REQUIREMENT	COMPLIES?
New subdivisions provide direct, convenient and safe access to major facilities	Complies. Existing access to Mudgee retained.
Cul-de-sacs may be required to include 10m wide shared overland flow/pathway	Not applicable.
Developer to provide contribution to Council for installation of cycle ways and footpaths prior to release of subdivision certificate	Complies. Developer to construct.
Open Space	
Greenfield sites >20 lots ensure that lots are <400m from local park, playground or passive open space	Not applicable.
Where on-site detention basins double as open space, must include raised level area which incorporates playground or fitness equipment etc and shading landscaping	Not applicable.
Landscaping	
Landscape plan provided, detailing treatment of public domain	Not applicable.
Land dedicated as public reserve top soiled, levelled, turfed prior to release of subdivision certificate and maintained by developer for period of two years	Not applicable.
Street Trees	
Two (2) street trees provided per lot	Yes. Condition for one street tree per lot to be provided as part of the proposed subdivision. Second street tree to be provided at a later date in association with the construction of dwellings.
Developer provides levy to Council to provide these trees after 80% of works carried out	Not applicable.
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	Not applicable. Condition for Notice of Arrangement for electricity and telecommunications services, prior to the issue of a Subdivision Certificate.
Dual utility services to be provided for lots nominated or Dual Occupancy	Complies. Application nominates only Lot 16 as being a Dual Occupancy site. Other lots within the subdivision lend themselves to Dual Occupancy development. Condition for dual services to be provided to nominated Dual Occupancy lots.

(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)

Conditions prescribed by the Regulations are applied, where applicable. These conditions include requirements for compliance with the Building Code of Australia, signage for construction sites and excavation near property boundaries.

(e) The likely impacts of development – 4.15(1)(b)

Context and Setting & Site Design and Internal Design

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

Access, transport and traffic

The proposed subdivision will have direct frontage to Saleyards Lane and Bell Street for access. Both roads are sealed and kerb and gutter is installed. The traffic generation from the proposed subdivision will not exceed the capacity of the local road network.

Utilities

The proposed subdivision is located in a built-up area and will have access to water, reticulated sewerage, electricity and stormwater infrastructure available to the site. Conditions of development consent will require the connection of each of the residential lots to any necessary utilities.

Heritage

The subject site is not effected by any items of European or Aboriginal heritage.

Other land resources

The approved development will not impact on other land resources.

Water

The proposal is not expected to create any water pollution issues, subject to a condition for sediment erosion controls during construction.

Soils

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

Air and Microclimate

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

Flora and Fauna

There is no significant vegetation on the site requiring removal.

Waste

Waste service available.

Energy

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

Noise and vibration.

The proposal is not a use that will generate significant noise, except for a limited duration over the construction phase.

Natural Hazards

The site is not identified as being effected by geological/soil instability. The site is not bushfire prone.

Part of proposed Lots 15 and 16 are affected by the 1 in 100 year flood level. Conditions are recommended requiring a restriction be placed on title of Lots 15 and 16 to ensure that the floor level of any building on these lots are above the 1 in 100 year flood level.

Technological Hazards

Not applicable.

Safety, security and crime prevention

Increased passive surveillance as a result of the proposed development.

Economic and Social impact in the locality

Generally positive.

Construction

The impacts of construction activities may be regulated by conditions.

Cumulative impacts

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

(f) The Suitability of the Site for the Development – 4.15(1)(c)

Does the proposal fit in the locality?

The proposed development fits into the residential context within which it sits. Utility services have the capacity to service the development.

Are the site attributes conducive to development?

Yes. The proposed development is designed to respond to the flood affectation on two of the proposed lots. No adjoining land uses will have an adverse impact on the proposed subdivision.

(g) Submissions made in accordance with Act or Regulations – 4.15(1)(d)

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. The submission period ended on 19 October 2018 and two (2) submissions were received.

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

Sight Lines Around Street Intersection

Comment: The submission simply requested a clear view around the Bell Street and Saleyards Lane intersection. The proposed subdivision includes a corner truncation at the road reserve in the corner of this intersection. The impact of new dwellings on sightlines around this intersection may be addressed in future development applications for dwellings.

General Comments from Essential Energy

Comment: The general comments from Essential Energy did not raise any specific issues in relation to the proposed development. A condition is included in the recommendations for

satisfactory arrangements to be made between the developer and Essential Energy for the proposed supply of electricity services to the proposed lots.

(h) The Public Interest – 4.15(1)(e)

Federal, State and local government interests and community interests

There are no matters that would be considered to be contrary to the public interest.

Covenants and easements effecting the proposal

Council has no record of easements or restrictions on the property title.

CONSULTATIONS

Natural Resources Access Regulator (formerly DPI Water)

General Terms of Approval (GTA's) were received from the Natural Resources Access Regulator on 17 October 2018. These GTA's are incorporated into the recommendation.

Development Engineer

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

DEVELOPER CONTRIBUTIONS

Section 7.11 (formerly s94) Contributions

The proposed subdivision creates 16 new lots. The parent lot will carry a single ET credit for Section 94 contributions. Therefore, Section 7.11 contributions are payable for 15 lots/equivalent tenements (ETs). The subject site is located in Catchment 2. A condition will be applied requiring the payment of 15 ET's of Section 7.11 contributions, prior to the issue of a Subdivision Certificate.

Section 64 Contributions – Water and Sewer Headworks

The subject site is located in Council's water and sewer servicing areas.

Water

The existing lot, with an area of 1.36 ha, carries a 1.5 ET credit for a large residential lot.

The proposed lots generate the following ET demands for the purposes of calculating s64 contributions:

Proposed Lot No	Area (m2)	S64 category	Water ET's	Sewer ET's
1	961.65	Medium lot	1	1
2	1055.82	Medium lot	1	1
3	731.41	Medium lot	1	1
4	731.41	Medium lot	1	1
5	731.41	Medium lot	1	1
6	731.41	Medium lot	1	1
7	1042.27	Medium lot	1	1
8	731.41	Medium lot	1	1
9	731.41	Medium lot	1	1
10	731.41	Medium lot	1	1
11	731.41	Medium lot	1	1

12	1042.27	Medium lot	1	1
13	731.41	Medium lot	1	1
14	731.41	Medium lot	1	1
15	731.41	Medium lot	1	1
16	1440.18	Large lot	1.5	1.05
			16.5 ET's total	16.05 ET's total

Water contributions are to be calculated on the basis of the following:
 = (16.5 ET's) – (1.5 ET credit)
 = 15 ET's

Sewer

The existing lot carries a 1.05 ET credit.

Sewer contribution are to be calculated on the basis of the following:
 = (16.05 ET's) – (1.05 ET's)
 = 15 ET's

Conditions are included in the recommendation to ensure the required contribution amounts are paid.

Applicant's request for Deferment of Payment of Contributions

The application includes a request to defer the payment of Section 7.11 Contributions and Section 64 Contributions for a period of six (6) months from the issue of the Subdivision Certificate, subject to the lodgement of a bank guarantee to cover the contribution amount. A copy of the request is attached.

Section 1.10 of Council's *Section 9 Development Contributions Plan 2005-2021* allows Council to consider and accept a request to defer the payment of developer contributions, subject to lodgement of an appropriate bank guarantee.

Section 5.3.2 of *Development Servicing Plan for Mid-Western Regional Council Sewerage and Development Servicing Plan for Mid-Western Regional Council Water* states that the following in relation to deferral of payment of developer contributions for water and sewer headworks:

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 timeframe 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 deferment overlap into the following financial year, then the contribution(s) payable will be subject to indexation.

Council does not permit the payment of contributions in instalments, rather opting for the preparation of a Bank Guarantee in lieu of payment of contributions.

The applicant has provided the following reasons for the request that relate to this particular subdivision.

- *Given the location of the site and the socio-economic profile of the area, the intent of the subdivision is to provide affordable housing blocks for the community and Mudgee Housing market. The requested deferment shall assist in rolling out the subdivision to provide affordable vacant blocks for future residential occupancies;*
- *The upfront costs of works to provide initial infrastructure to the subdivision (lead in works) will impeded cash flow;*
- *There would be no immediate draw on Council's resources until the dwellings are being built and occupied;*
- *A bank guarantee to the value of the payable Section 64 and 94 contributions shall be provided to ensure that the contributions will be paid upon completion of the six (6) month period;*
- *The bank guarantee will formerly provide the surety to Council that the contributions will be paid and that there is no risk to Council accepting this, which ultimately provides a more realistic approach to the subdivision development.*

Council has allowed the deferral of the payment of developer contributions in the past for subdivision applications (eg. 77 Bellevue Road, Mudgee). It is recommended Council defer developer contributions, water and sewer headwork contributions for the proposed development, as allowed for under the DSP and Contributions Plan.

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

Not applicable.

Council Policies

Mid-Western Regional Local Environmental Plan 2012
Mid-Western Regional Development Control Plan 2013
Mid-Western Regional Water and Sewer Development Servicing Plans
Development Contributions Plan 2005-2021

Legislation

Environmental Planning and 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 the Subdivision Certificate. The applicant has proposed the use of a bank guarantee 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).

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.

There are positive economic benefits for the Region in encouraging new development activity. For example, a release of 16 lots with an average construction cost of \$300,000, generates an additional \$4,800,000 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.

ILIJA SUSNJA
SENIOR TOWN PLANNER

LINDSAY DUNSTAN
MANAGER, STATUTORY PLANNING

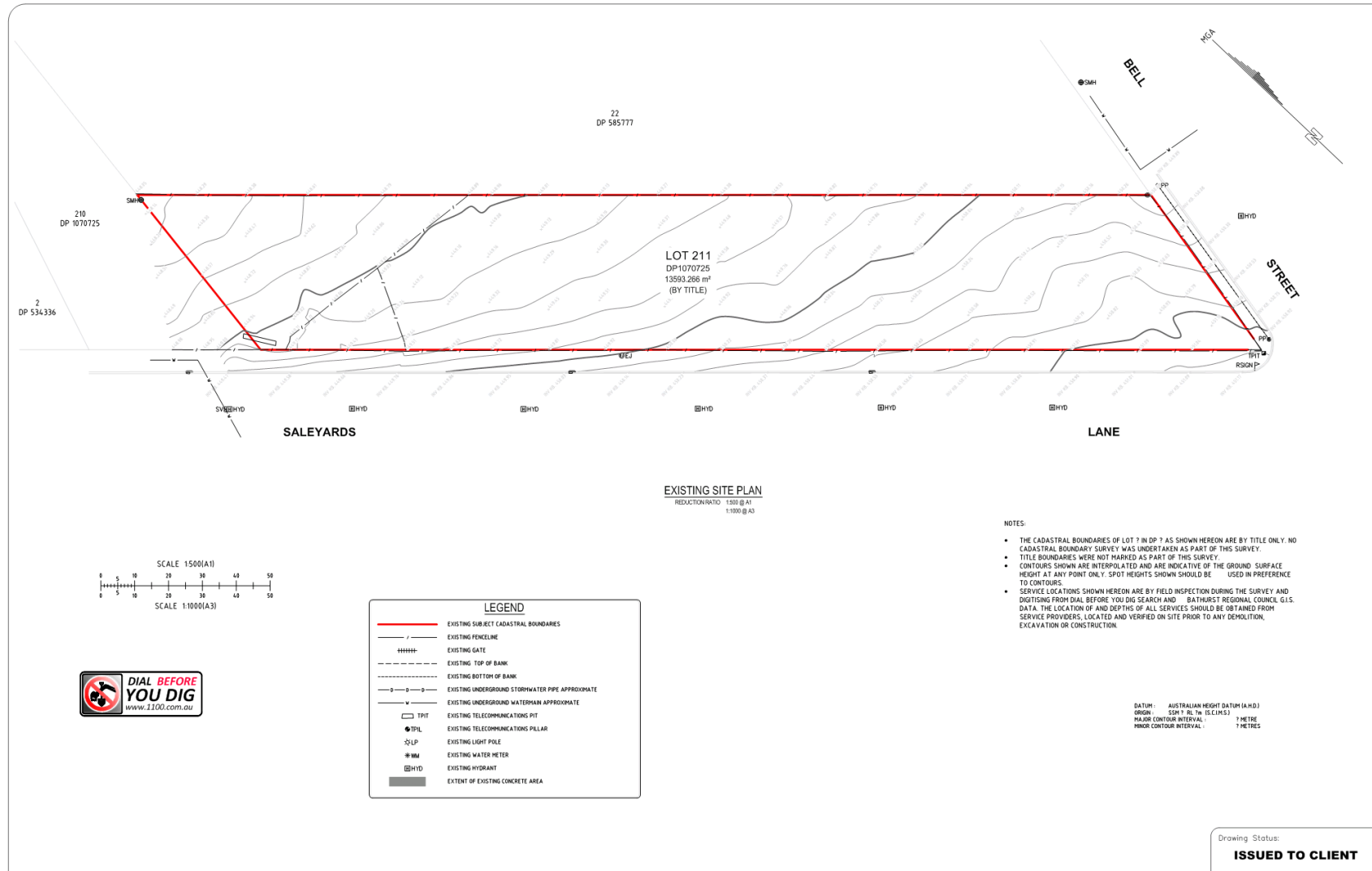
JULIE ROBERTSON
DIRECTOR DEVELOPMENT

22 November 2018

- Attachments:*
1. Plans of Proposed Subdivision.
 2. Request to defer developer contributions.
 3. Copy of submissions.
 4. NRAR General Terms of Approval.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



Offices Located
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t 1300 BARNSON (1300 227 6766)
e generalenquiry@barnson.com.au
w www.barnson.com.au



Client: Mr MAX WALKER

Project:
PROPOSED SUBDIVISION,
Lot 211, DP1070725,
20-24 Bell Street, MUDGEE

Drawing Title:
EXISTING SITE PLAN

Design LM
Check RAK
Drawing Sheet A1 - Original site - Scale as noted A3 - Administration - Not to scale

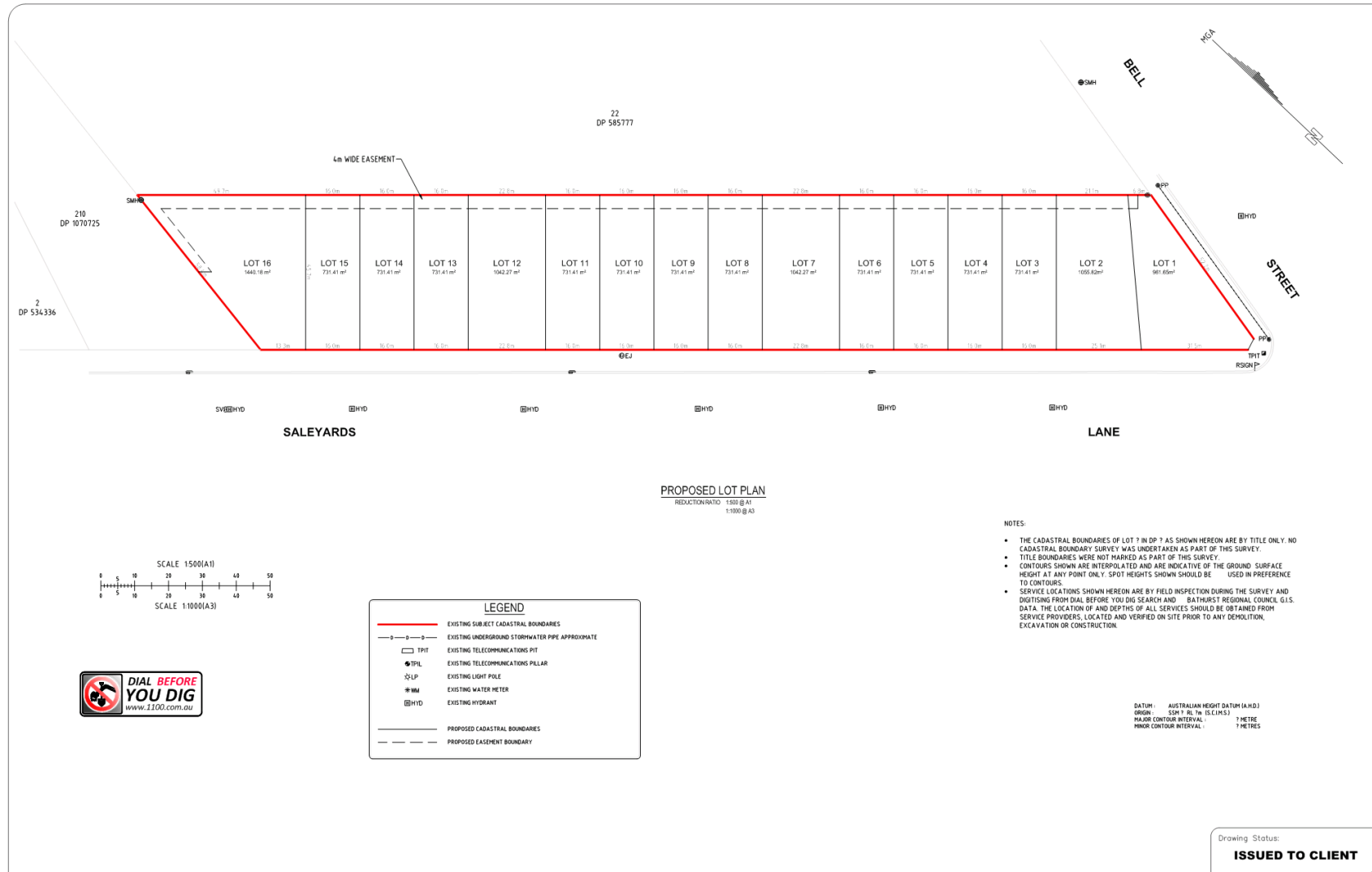
Rev Date Amendment

A 24.07.2018 ISSUED FOR APPROVAL

Certification

Drawing Number
29701-CD01

Revision
A



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Client: Mr MAX WALKER

Project:
 PROPOSED SUBDIVISION,
 Lot 211, DP1070725,
 20-24 Bell Street, MUDGEE

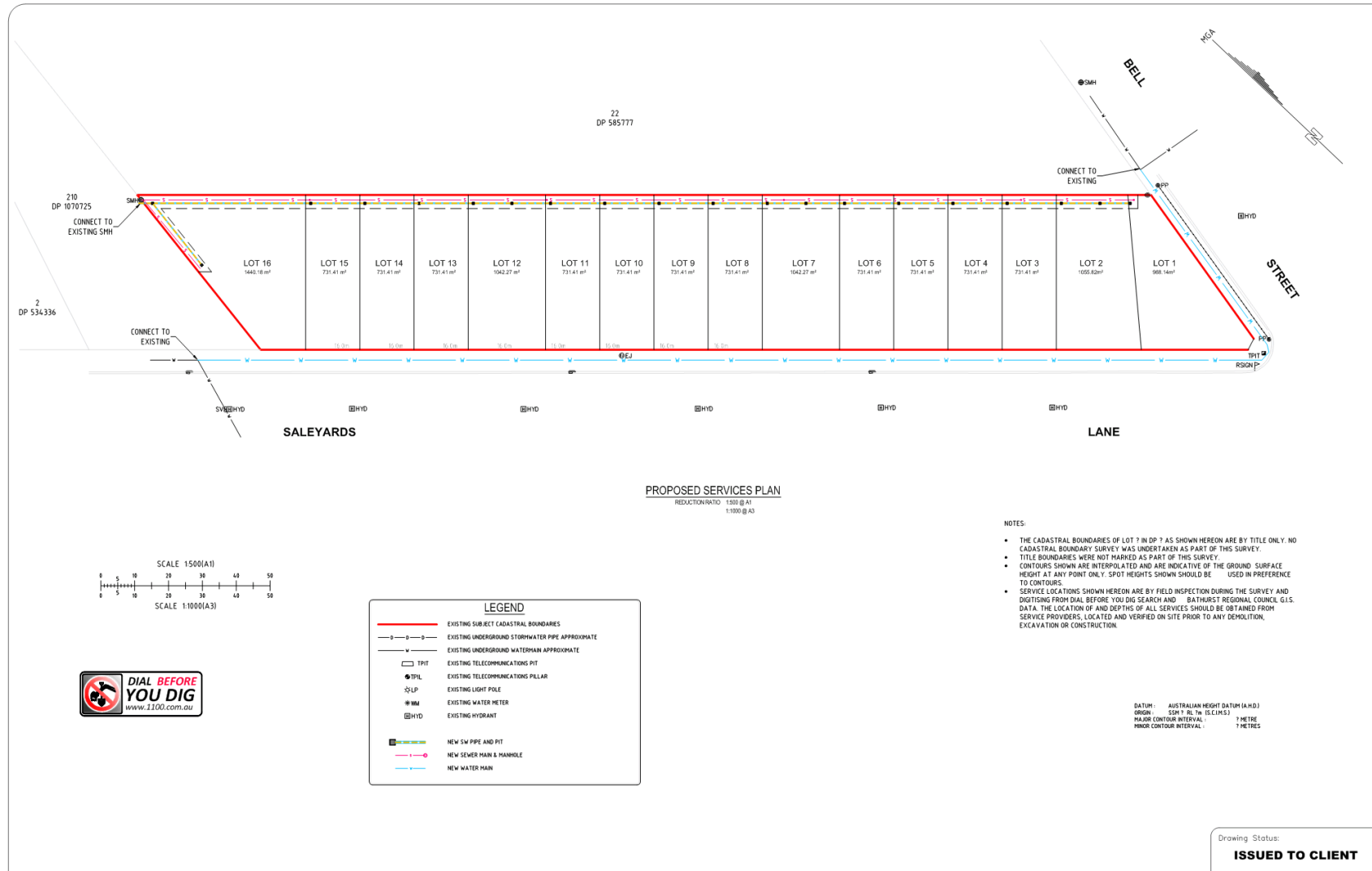
Drawing Title:
 PROPOSED LOT PLAN

Design	Drawn	Rev	Date	Amendment
LM	UM			
Check	QA			
RAN	RAN			
Drawing Sheet		B	15.08.2018	LOT LAYOUT AMENDED
A1 - Original site - Scale as noted		A	24.07.2018	ISSUED FOR APPROVAL
A3 - Administration - Not to scale				

Certification

Drawing Number
 29701-CD02

Revision
 B



Drawing Status:
ISSUED TO CLIENT



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Accredited Laboratories
 Dubbo & Bathurst

Client: Mr MAX WALKER

Project:
 PROPOSED SUBDIVISION,
 Lot 211, DP1070725,
 20-24 Bell Street, MUDGEE

Drawing Title:
 PROPOSED SERVICES PLAN

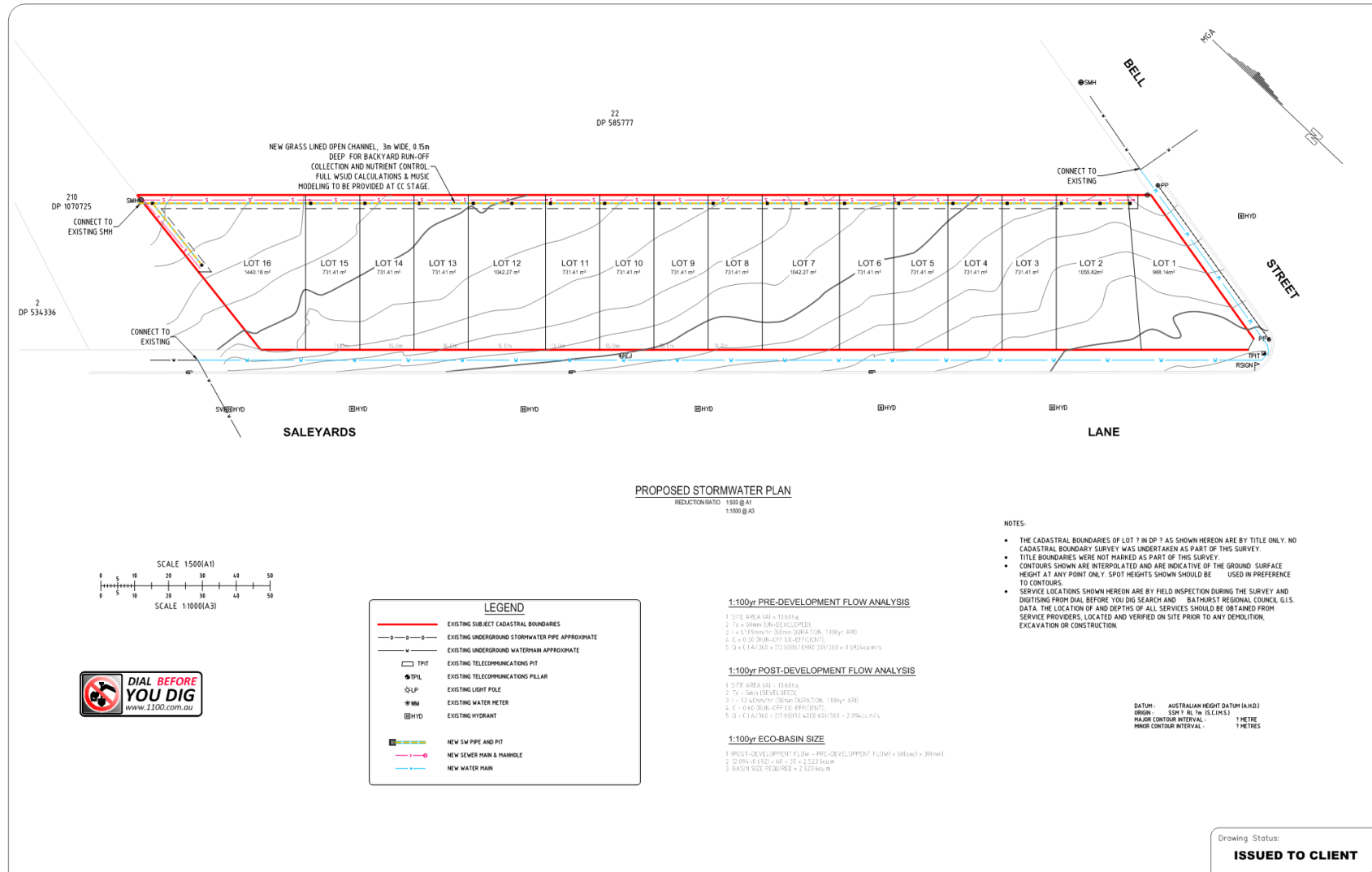
Design	Drawn	Rev	Date	Amendment
LM	LM	B	15/08/2018	LOT LAYOUT AMENDED
Check	QA	A	24/07/2018	ISSUED FOR APPROVAL
RAN	RAN			

A1 - Original size - Scale as noted
 A3 - Minimization - Not to scale

Certification

Drawing Number
 29701-CD03

Revision
 B



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 e generalenquiry@barnson.com.au
 w www.barnson.com.au



Client: Mr MAX WALKER

Project:
 PROPOSED SUBDIVISION,
 Lot 211, DP107025,
 20-24 Bell Street, MUDGEE

Drawing Title:
 PROPOSED STORMWATER
 PLAN

Design	Drawn	Rev	Date	Amendment
LM	UM	B	15/08/2018	LOT LAYOUT AMENDED
Check	QA	A	24/07/2018	ISSUED FOR APPROVAL
RM	RM			

Drawing Sheet
 A1 - Original site - 50mm BA ROAD
 A3 - Administration - NOT to scale

Certification	Drawing Number	Revision
	29701-CD04	B



a Unit 4 / 108-110 Market Street
Mudgee NSW 2850
t 1300 BARNSON (1300 227 676)
e generalenquiry@barnson.com.au
w www.barnson.com.au

date

21.09.2018

reference

29701-PL01_A

receiver

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

Dear Sir/Madam,

Development Application 0046/2019 Payment Deferral Request for S94 & S64 Contributions

Reference is made to Development Application 0046/2019 for a new sixteen (16) lot subdivision at 20-24 Bel Street, Mudgee NSW 2850. Pursuant to clause 55 of the *Environmental Planning & Assessment Regulation 2000* (EP&A Regulation) we are writing to seek to amend the DA to vary the timeframe in which the Section 64 and 94 contributions will need to be paid.

Section 94 Contributions

Mid-Western Regional Council's *Section 94 Development Contributions Plan 2005 – 2021* (Section 94 Plan) requires payment of applicable Section 94 Contributions for new subdivision development at the lodgement of the Subdivision Certificate. This is ordinarily imposed as a condition of the subdivision development consent.

Clause 1.7 of the Section 94 Plan enables Council to agree to changing the timing of when contributions are to be paid under this plan. We therefore request the timing be changed as follows.

It is requested the payment of the Section 94 Contributions be deferred for a period of six (6) months for the development, with the lodgement of a bank guarantee for the Section 94 contributions in the interim.

Section 64 Contributions

Ordinarily, a Compliance Certificate under the *Water Management Act 2000* is required to be obtained prior to the issue of a Subdivision Certificate for each stage of subdivision developments, which requires payment of Section 64 headworks charges in accordance with Council's Development Servicing Plans.

Clause 5.3.2 of the *Development Servicing Plan for Mid-Western Regional Council Sewerage* and the *Development Servicing Plan for Mid-Western Regional Council Water Supply* enables deferment of contributions under both plans subject to a formal resolution of council.

In accordance with Clause 5.3.2 of the servicing plans, it is requested that the payment of the Section 64 Contributions be deferred for a period of six (6) months for the development, with the lodgement of a bank guarantee for the Section 64 contributions in the interim.



Justification

The deferment is requested due to the high cost of infrastructure works required to be undertaken at the beginning of the subdivision. Using a bank guarantee makes available cash flow to allow initial infrastructure works to be delivered until the lots are sold. The request is considered justified in that:

- Given the location of the site and the socio-economic profile of the area, the intent of the subdivision is to provide affordable housing blocks for the community and Mudgee Housing market. The requested deferment shall assist in rolling out the subdivision to provide affordable vacant blocks for future residential occupancies;
- The upfront costs of works to provide initial infrastructure to the subdivision (lead in works) will impede cash flow;
- There would be no immediate draw on Council's recourses until the dwellings are being built and occupied;
- A bank guarantee to the value of the payable Section 64 and 94 contributions shall be provided to ensure that the contributions will be paid upon completion of the six (6) month period;
- The bank guarantee will formerly provide the surety to Council that the contributions will be paid and that there is no risk to Council in accepting this, which ultimately provides a more realistic approach to the subdivision development.

I trust that this is sufficient for the purposes of the deferment request. However, if you require any additional information regarding this matter, please do not hesitate to contact the undersigned.

Yours faithfully,
BARNSON PTY LTD

A handwritten signature in black ink, appearing to read "Jack Massey".

Jack Massey
B. Urb. Reg. Planning
Town Planner

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

John Marskell
122 Church St
MUDGEE NSW 2850

16.10.18

Dear Sir,

Re: - Development Application DA0046/2019

I have no objection to the sub division at 20 – 24 Bell Street, however may I suggest some sort of a clear view at Bell Street and Saleyards Lane left hand side as it is bad enough now.

Also, Saleyards Lane should be Mortimer St.

Thanking you.

Yours faithfully


John Marskell
0428962711



Ilija Susnja

From: Melinda White <melinda.white@essentialenergy.com.au>
Sent: Thursday, 27 September 2018 2:39 PM
To: Ilija Susnja
Subject: RE: Development Application DA0046/2019, 20-24 Bell Street Mudgee being Lot 211 in DP1070725

My apologies it should say in proximity to the property.

Regards,

Melinda White
Acting Conveyancing Team Leader
Governance and Corporate Services



T: 02 6588 6778 (Extn 86778) | melinda.white@essentialenergy.com.au

PO Box 5730 Port Macquarie NSW 2444 | essentialenergy.com.au
General enquiries: 13 23 91 | Supply interruptions (24hr): 13 20 80

Follow us  

From: Ilija Susnja <Ilija.Susnja@midwestern.nsw.gov.au>
Sent: Thursday, 27 September 2018 2:01 PM
To: Melinda White <melinda.white@essentialenergy.com.au>
Subject: RE: Development Application DA0046/2019, 20-24 Bell Street Mudgee being Lot 211 in DP1070725

Melinda,

I have reviewed your comments and am puzzled by the reference to electricity infrastructure located within the property.

I undertook a site inspection this morning and found there are timber pole electricity lines on 3 sides of the property, outside the fence-line of the property. The property itself appears as a vacant grazing paddock. There is an electricity substation on the southern side Saleyards Lane, opposite the property.

I have reviewed Council's version of the DP and there are no electricity easements shown.

Could you please provide a plan or other form of description identifying the electricity infrastructure within the property? Perhaps your record is a historical reference and the infrastructure has since been removed.

Any assistance you are able to provide to clarify this issue would be appreciated.

If you have any enquiries in relation to this matter, please contact me on (02) 6378 2850 or by replying to this email.

Yours faithfully,

Ilija Susnja
Senior Town Planner

Mid-Western Regional Council

From: Melinda White [<mailto:melinda.white@essentialenergy.com.au>]

Sent: Wednesday, 26 September 2018 3:29 PM

To: Council <Council@midwestern.nsw.gov.au>

Subject: Development Application DA0046/2019, 20-24 Bell Street Mudgee being Lot 211 in DP1070725

We refer to Council's correspondence seeking comment from Essential Energy in relation to the proposed development at the above property .

Strictly based on the documents submitted, Essential Energy has no comments to make as to potential safety risks arising from the proposed development.

Essential Energy makes the following general comments:

- As part of the subdivision, an easement/s are/is created for any existing electrical infrastructure. The easement/s is/are to be created using Essential Energy's standard easement terms current at the time of registration of the plan of subdivision;
- If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment;
- Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with; and
- Council should ensure that a Notification of Arrangement (confirming satisfactory arrangements have been made for the provision of power) is issued by Essential Energy with respect to all proposed lots which will form part of the subdivision, prior to Council releasing the Subdivision Certificate. It is the Applicant's responsibility to make the appropriate application with Essential Energy for the supply of electricity to the subdivision, which may include the payment of fees and contributions.
- In addition, Essential Energy's records indicate there is electricity infrastructure located within the property. Any activities within this location must be undertaken in accordance with the latest industry guideline currently known as *ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure*.
- Prior to carrying out any works, a "Dial Before You Dig" enquiry should be undertaken in accordance with the requirements of *Part 5E (Protection of Underground Electricity Power Lines)* of the *Electricity Supply Act 1995* (NSW).
- Given there is electricity infrastructure in the area, it is the responsibility of the person/s completing any works around powerlines to understand their safety responsibilities. SafeWork NSW (www.safework.nsw.gov.au) has publications that provide guidance when working close to electricity infrastructure. These include the *Code of Practice – Work near Overhead Power Lines* and *Code of Practice – Work near Underground Assets*.

Should you require any clarification, please do not hesitate to contact us.

Regards,

Melinda White
Acting Conveyancing Team Leader
Governance and Corporate Services



Natural Resources
Access Regulator

Contact: Jeremy Morice
Phone: 02 4224 9736
Email: jeremy.morice@nrar.nsw.gov.au

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

Our ref: IDAS1110120
Your ref: DA46/2019

17 October 2018

Dear Sir/Madam

Re: Integrated Development Referral – General Terms of Approval
Dev Ref: DA46/2019
Description: Subdivision 1 lot into 16 lots
Location: Lot 211 DP 1070725 – 20-24 Bell Street, Mudgee, NSW

I refer to your letter regarding an integrated Development Application (DA) proposed for the above location. Attached, please find Natural Resources Access Regulator's General Terms of Approval (GTA) for part of the proposed development requiring a Controlled Activity approval under the *Water Management Act 2000* (WM Act), as detailed in the subject DA.

Please note Council's statutory obligations under section 4.47 of the *Environmental Planning and Assessment Act 1979* (EPA Act) which requires a consent, granted by a consent authority, to be consistent with the general terms of any approval proposed to be granted by the approval body.

If the proposed development is approved by Council, NRAR requests these GTA be included (in their entirety) in Council's development consent. Please also note NRAR requests notification:

- if any plans or documents are amended and these amendments significantly change the proposed development or result in additional works or activities (i) in the bed of any river, lake or estuary; (ii) on the banks of any river lake or estuary, (iii) on land within 40 metres of the highest bank of a river lake or estuary; or (iv) any excavation which interferes with an aquifer.

NRAR will ascertain from the notification if the amended plans require review of or variation/s to the GTA. This requirement applies even if the amendment is part of Council's proposed consent conditions and do not appear in the original documentation.

-2-

- if Council receives an application under s96 of the EPA Act to modify the development consent and the modifications change the proposed work or activities described in the original DA.
- of any legal challenge to the consent.

As the proposed work or activity cannot commence before the applicant applies for and obtains an approval, NRAR recommends the following condition be included in the development consent:

The attached GTA issued by NRAR do not constitute an approval under the *Water Management Act 2000*. The development consent holder must apply to NRAR for a controlled activity approval **after consent** has been issued by Council **and before** the commencement of any work or activity.

A completed application form must be submitted to NRAR together with any required plans, documents, application fee, security deposit or bank guarantee (if required) and proof of Council's development consent. Finalisation of an approval can take up to eight (8) weeks from the date the application and all required supporting documentation is received.

Application forms are available from the NRAR website at:

www.industry.nsw.gov.au > [Water](#) > [Licensing & Trade](#) > [Approvals](#).

NRAR requests that Council provide a copy of this letter to the development consent holder.

NRAR also requests a copy of the determination for this development application be provided by Council as required under section 91A (6) of the EPA Act.

Yours Sincerely,



pp

Irene Zinger
Manager Regional Water Regulation (East)
Water Regulatory Operations
Natural Resources Access Regulator



Natural Resources
 Access Regulator

General Terms of Approval

for proposed development requiring approval
 under s89, 90 or 91 of the Water Management Act 2000

Reference Number: IDAS1110120
Issue date of GTA: 17 October 2018
Type of Approval: Controlled Activity
Description: Subdivision 1 lot into 16 lots
Location of work/activity: 20-24 Bell Street MUDGEE
DA Number: DA46/2019
LGA: Mid-Western Regional Council
Water Sharing Plan Area: Macquarie Bogan Unregulated and Alluvial Water Sources

The GTA issued by NRAR do not constitute an approval under the *Water Management Act 2000*. The development consent holder must apply to NRAR for the relevant approval **after development consent** has been issued by Council **and before** the commencement of any work or activity.

Condition Number	Details
Design of works and structures	
GT0009-00010	Before commencing any proposed controlled activity on waterfront land, an application must be submitted to Natural Resources Access Regulator, and obtained, for a controlled activity approval under the Water Management Act 2000.
GT0019-00003	Any proposed excavation on waterfront land must be undertaken in accordance with a plan submitted as part of a controlled activity approval, to be approved by Natural Resources Access Regulator.
Erosion and sediment controls	
GT0014-00007	A. The consent holder must ensure that any proposed materials or cleared vegetation, which may: i. obstruct water flow, or ii. wash into the water body, or iii. cause damage to river banks, are not stored on waterfront land, unless in accordance with a plan held by Natural Resources Access Regulator as part of a controlled activity approval. B. When the carrying out of the controlled activity has been completed, surplus materials must be removed from waterfront land.
GT0021-00004	The proposed erosion and sediment control works must be inspected and maintained throughout the construction or operation period of the controlled activity and must not be removed until the site is fully stabilised.
Plans, standards and guidelines	
GT0002-00568	A. This General Terms of Approval (GTA) only applies to the proposed controlled activity described in the plans and associated documents found in Schedule 1, relating to Development Application 46/2019 provided by Council to Natural Resources Access Regulator. B. Any amendments or modifications to the proposed controlled activity may render the GTA invalid. If the proposed controlled activity is amended or modified, Natural Resources Access Regulator, Parramatta Office, must be notified in writing to determine if any variations to the GTA will be required.
GT0005-00193	A. The application for a controlled activity approval must include the following plan(s): - Vegetation Management Plan, Stormwater Management Plan, Stormwater Outlet Structure Plan, Sediment and Erosion Control Plan. B. The plan(s) must be prepared in accordance with Natural Resources Access Regulator's guidelines located on the website https://www.industry.nsw.gov.au/water/licensing-trade/approvals/controlled-

Level 11, 10 Valentine Avenue, Parramatta, NSW 2124 | LOCKED BAG 5123, Parramatta, NSW 2124
water.enquiries@dpi.nsw.gov.au | www.water.nsw.gov.au



Natural Resources
Access Regulator

General Terms of Approval

for proposed development requiring approval
under s89, 90 or 91 of the Water Management Act 2000

Reference Number:	IDAS1110120
Issue date of GTA:	17 October 2018
Type of Approval:	Controlled Activity
Description:	Subdivision 1 lot into 16 lots
Location of work/activity:	20-24 Bell Street MUDGEE
DA Number:	DA46/2019
LGA:	Mid-Western Regional Council
Water Sharing Plan Area:	Macquarie Bogan Unregulated and Alluvial Water Sources
activities.	
GT0008-00024	A. Before the proposed controlled activity can commence, a riparian corridor must be clearly marked, protected and maintained in accordance with a plan submitted as part of the controlled activity approval, and approved by Natural Resources Access Regulator. B. The corridor must extend for: i. a width of 20 m, measured horizontally landward from the highest bank of the river, and ii. the length of the site directly affected by the controlled activity.
GT0010-00006	All documents submitted to Natural Resources Access Regulator as part of an application for a controlled activity approval must be prepared by a suitably qualified person.
GT0012-00004	Any proposed controlled activity must be carried out in accordance with plans submitted as part of a controlled activity approval application, and approved by Natural Resources Access Regulator.
GT0030-00006	The application for a controlled activity approval must include plans prepared in accordance with Natural Resources Access Regulator's guidelines located on the website https://www.industry.nsw.gov.au/water/licensing-trade/approvals/controlled-activities .
Rehabilitation and maintenance	
GT0023-00001	Vegetation clearance associated with the proposed controlled activity must be limited to where the controlled activity is to be carried out, as shown on the approved plan(s).
Reporting requirements	
GT0016-00003	The consent holder must inform Natural Resources Access Regulator in writing when any proposed controlled activity carried out under a controlled activity approval has been completed.

SCHEDULE 1

The plans and associated documentation listed in this schedule are referred to in general terms of approval (GTA) issued by NRAR for integrated development associated with DA46/2019 as provided by Council:

- Statement of Environmental Effects

8.2 DA0072/2019 - Detached dual occupancy and subdivision - 20 Baskerville Drive, Mudgee

REPORT BY THE TOWN PLANNER
TO 12 DECEMBER 2018 ORDINARY MEETING
GOV400066, DA0072/2019

RECOMMENDATION

That Council:

- A. receive the report by the Town Planner on DA0072/2019 – detached dual occupancy and subdivision – 20 Baskerville Drive, Mudgee;
- B. approve DA0072/2019 – detached dual occupancy and subdivision – 20 Baskerville Drive, Mudgee subject to the following conditions, and Statement of Reasons:

APPROVED PLANS

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

Title / Name:	Drawing No / Document Ref	Revision / Issue:	Date [dd.mm.yyyy]:	Prepared by:
Site & Landscaping Plan	3396-A01	A	May 2018	Giselle Denley Drafting Services
Unit 1 – Floor Plan	3396-A02	A	May 2018	Giselle Denley Drafting Services
Elevations – Unit 1	3396-A03	A	May 2018	Giselle Denley Drafting Services
Unit 2 – Floor Plan	3396-A04	A	May 2018	Giselle Denley Drafting Services
Elevations – Unit 2	3396-A05	A	May 2018	Giselle Denley Drafting Services
Typical Section	3396-A06	A	May 2018	Giselle Denley Drafting Services
Subdivision Plan	3396-A07	A	May 2018	Giselle Denley Drafting Services
BASIX Certificate	929941S	-	20 September 2018	Rohrs Refrigeration
BASIX Certificate	929962S	-	20 September 2018	Rohrs Refrigeration

DUAL OCCUPANCY

GENERAL CONDITIONS:

2. A 1.8 metre high screen fence is to be provided to all side and rear boundaries prior to occupation of the development. All fencing forward of the building line cannot be 'Colorbond'. All fencing is to be provided at full cost to the developer.
3. A 1.8 metre high screen fence is to be provided between the private open space areas of the units, prior to occupation of the development.

4. No fences, structures or landscaping exceeding 1 metre in height are to be located within the triangle formed by a sight line 6 metres x 6 metres from the intersection of Baskerville Drive located on the south east corner of the site.
5. Outdoor drying facilities and letterboxes are to be provided for each unit prior to occupation.
6. Switchboards for gas, electricity, etc., must not be attached to the front or street facing elevations of the buildings.
7. Private open space areas for both unit 1 and unit 2 are to be provided with a level surface to at least 50% of the open space area.
8. All earthworks, filling, building, driveways or other works, are to be designed and constructed 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.
9. All stormwater runoff from roof and developed surfaces, including overflow from rainwater tanks, is to be controlled in such a manner so as not to flow or discharge over adjacent properties. Stormwater is to be discharged to the street kerb and channel using an approved adaptor.
10. Sealed access crossovers and driveways must be constructed from Baskerville Drive to provide access to each of the proposed new dwellings. Construction must be in accordance with the requirements of Council's "Access to Properties" Policy with particular emphasis paid to control of stormwater runoff.

Note: Separate approval is required under the provisions of Section 138 of the *Roads Act 1993* for works in the road reserve associated with the construction of driveways.

PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE (BUILDING)

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

11. 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.
12. Prior to the issue of a Construction Certificate 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:

Section 64 Contributions	
Water Headworks	\$ 4,203.50
Sewer Headworks	\$ 1,919.00
Total Headworks	\$ 6,122.50

- b) The adjustment of existing services or installation of new services and metres, 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 Consumer Price Index increase at 1 July each year. Please contact Council's Development Department regarding any adjustments.

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. Prior to commencement of dwelling construction a detailed site plan must be submitted to and approved by Council demonstrating that all earthworks, filling, building, driveways or other works, are designed and constructed 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.
 15. Prior to the commencement of building work a detailed stormwater drainage design must be submitted to Council for approval. In addition to Basix requirements for storage and re-use of runoff, the stormwater drainage design should incorporate suitably sized detention storage to ensure that stormwater runoff from the site is not increased beyond the existing undeveloped state and must ensure that all stormwater runoff from roof and developed surfaces, including overflow from rainwater tanks, is controlled in such a manner so as not to flow or discharge over adjacent properties.
 16. The site shall be provided with a waste enclose (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
 17. 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; and
 - b) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours;
 - c) the name, address and telephone number of the principal certifying authority for the work; and
 - d) the sign shall be removed when the erection or demolition of the building has been completed.
 18. With the exception of work where there is in force an exemption under clause 187 and 188 of the *Environmental Planning and Assessment Act 1979* all building work that involves residential building work for which the *Home Building Act* requires there to be a contract of insurance in force in accordance with Part 6 of that Act, such a
-

contract of insurance is to be in force.

19. Prior to the commencement of works on site, the applicant shall advise Council's Operations Department, in writing, of any existing damage to Council property.
20. The development site is to be managed for the entirety of work in the following manner:
 1. 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;
 2. Appropriate dust control measures;
 3. Construction equipment and materials shall be contained wholly within the site unless approval to use the road reserve has been obtained;
 4. 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

21. 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.
 22. All plumbing and drainage work must be carried out by a licensed plumber and drainer and must comply with the Plumbing Code of Australia.
 23. 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.
 24. 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.
 25. Structural members subject to attack by subterranean termites shall be protected by one of the methods outlined in AS 3660.1 and a durable notice must be permanently fixed to the building in a prominent location, such as a meter box or the like, indicating:
 - a) the method of protection; and
 - b) the date of installation of the system; and
 - c) where a chemical barrier is used, its life expectancy as listed on the National Registration Authority label; and
 - d) the need to maintain and inspect the system on a regular basis.
 26. The requirements of BASIX Certificate number 929941S issued on 20 September 2018 (unit 1) and BASIX Certificate number 929962S issued on 20 September 2018 (unit 2) must be installed and/or completed in accordance with the commitments contained in that certificates. Any alteration to those commitments will require the submission of an amended BASIX Certificate to the Council and/or the Principal Certifying Authority prior to the commencement of the alteration/s.
 27. All stormwater is to discharge to the street with the use of non-flexible kerb adaptors.
-

28. The strength of the concrete used for the reinforced concrete floor slab must be minimum 25Mpa.
29. Fill must not direct stormwater onto adjoining properties and drainage pits for overland flow paths are to be provided.
30. No fill is permitted within water or sewer easements.
31. Any fill used must be clean fill and a geotechnical assessment issued for the fill to demonstrate compaction to the Australian Standard.
32. 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 for accurately locating all existing services before any development works commence to satisfy this condition.
33. 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.

CULTURAL HERITAGE

34. In the event of any Aboriginal archaeological material being discovered during earthmoving/construction works, all work in that area shall cease immediately and the Office of Environment and Heritage (OEH) notified of the discovery as soon as practicable. Work shall only recommence upon the authorisation of the OEH.

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.

35. Prior to the occupation of a new building, or occupation or use of an altered portion of, or an extension to an existing building, an Occupation Certificate is to be obtained from Mid-Western Regional Council.

SUBDIVISION

DEVELOPMENT CONTRIBUTIONS

36. In accordance with the provisions of section 7.11(1)(b) 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 for the purpose of:

MUDGEЕ CATCHMENT 2A (one additional 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	\$ 5,508.00
Administration Plan Administration	\$ 614.00
TOTAL	\$12,728.00

37. Any unpaid contributions or charges nominated in the development consent will be indexed to CPI at the beginning of the new financial year.

WATER AND SEWER

38. Prior to the issue of a Subdivision Certificate the applicant is to provide separate water and sewer reticulation services to each allotment within the subdivision.
39. The developer is to provide a water service and meter for each new lot in the subdivision. This can be achieved by making a payment to Council of \$1,800 per lot to cover the cost of installing both the service and a 20mm meter on the water main (SUBJECT TO CPI INCREASE).
40. The developer is to provide a sewer junction for each new lot in the subdivision. This can be achieved by making a payment to Council of \$1,665 per new junction to cover the cost of Council installing a junction in an existing main (SUBJECT TO CPI INCREASE).

PRIOR TO THE ISSUE OF SUBDIVISION CERTIFICATE

41. 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)

42. A linen plan and two (2) copies are to be submitted to Council for approval and endorsement by the General Manager.
43. 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.

44. Prior to the issue of the Subdivision Certificate, an inspection report from the Principle Certifying Authority is to be provided indicating that both dwellings are at lock up stage.

45. Prior to the 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 made for the installation of fibre-ready facilities to all individual lots so as to enable fibre to be readily connected to any premise 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.
- d) All contributions must be paid to Council and all works required by the consent be completed in accordance with the consent.

STATEMENT OF REASONS

The determination decision was reached for the following reasons:

1. The proposed development generally 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. Submissions received within the public notification period have been adequately addressed.

Executive summary

OWNER/S	Pirie Homes Pty Limited
APPLICANT:	Pirie Homes Pty Limited
PROPERTY DESCRIPTION	20 Baskerville Drive, Mudgee Lot 10 DP1207180
PROPOSED DEVELOPMENT	Detached dual occupancy and subdivision
ESTIMATED COST OF DEVELOPMENT:	\$430,000
REASON FOR REPORTING TO COUNCIL:	Application was called up by a Councillor following circulation of memorandum
PUBLIC SUBMISSIONS:	Five (5) submissions have been received

A Development Application seeking to construct a detached dual occupancy and to subdivide the land into two lots at 20 Baskerville Drive, Mudgee was received by Council on 21 September 2018.

The proposed dwellings will each consist of three bedrooms, open plan family/meals/kitchen and a garage. The dwellings will be brick veneer with a hipped roof and colorbond roofing. It is also proposed to subdivide the existing lot (approximately 852 square metres in size) into two Torrens Title lots being 442m² and 410m² in size in accordance with the dual occupancy layout, found in Attachment 1.

The land is located within a cul-de-sac which is currently being developed for new housing, it contains existing and newly established dwellings with some undeveloped lots located toward the end of the cul-de-sac. The subject site is located at a turn in the road giving it two frontages to Baskerville Drive as shown in Figure 1.

During the notification period the proposal received a total of five submissions. For this reason, the application was circulated to all Councillors for a period of 3 days in accordance with staff

delegations. During the circulation period, the application was called up to Council for determination.

All five submissions oppose the development with the main issues raised relating to the development being inconsistent with the quiet cul-de-sac containing single dwelling homes. It was also raised that the development is inconsistent with a single dwelling restriction affecting the site and concern that the proposal did not meet certain aspects of the Development Control Plan. These issues are addressed later in this report.

The land is zoned R1 General Residential and the proposal for a detached dual occupancy is permissible with consent and complies with Council's minimum lot size provisions for detached dual occupancy developments and subdivision.

The proposal includes a small variation to the private open space requirement of Unit 1 prescribed by the *Mid-Western Regional Development Control Plan 2013*. The variation is less than 10% of the standard and is supported by Council staff. Other than this the proposal is consistent with the requirements of the *Mid-Western Local Environment Plan 2012* and the objectives of the *Mid-Western Development Control Plan 2013*.

The application is recommended for approval subject to conditions.



Figure 1: Location Plan (note the aerial image is not up to date)

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 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 (Building Sustainability Index: BASIX) 2004

The proposal involves development that requires the issue of a BASIX certificate. The applicant has provided the relevant BASIX certificates and a condition of consent has been included ensuring that the commitments be met as listed in the certificate.

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:

dual occupancy (detached) means 2 detached dwellings on one lot of land, but does not include a secondary dwelling.

Clause 2.3 Zone objectives and Land Use Table

The land is zoned R1 General Residential pursuant to MWRLEP 2012. The proposal being a ***dual occupancy (detached)***, being a type of ***Residential Accommodation*** is permissible with consent in the zone.

** See Clause 4.1 B below, this allows a single development application for the subdivision of land and erection of a dual occupancy (detached) if the size of each lot is equal to or greater than 400m².

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 1.9A Suspension of covenants, agreements and instruments

The land is subject to a Section 88B Instrument under the *Conveyancing Act 1919* including several easements and restrictions on the use of the land.

Clause 1.9A contains provisions requiring that any agreement, covenant or similar instrument that restricts the carrying out of development in accordance with the Mid-Western Regional LEP or under the *Environmental Planning and Assessment Act 1979* do not apply. Meaning that in relation to the development application process, any restrictions that limits development which is permissible in the zone are suspended. This does not however, stop the beneficiaries of the restriction taking their own legal action.

It is noted that one of the restrictions burdening the land limits development of the lot to only erect a dwelling house suitable for the occupation of one family. However, given the requirements of this clause and that a detached dual occupancy and subdivision are permissible with consent in the R1 General Residential Zone, approval of the development application is not precluded by this Restriction, which must be set aside.

Clause 2.6 Subdivision – consent requirements

As the proposal involves subdivision this will also require development consent.

Clause 2.7 Demolition requires development consent

N/A – no demolition proposed.

Clause 4.1 Minimum subdivision lot size

The proposed lots have an area of 442.6m² and 410 m², and accordingly do not meet the minimum lot size (MLS) for the area, being 600m².

The applicant proposes to utilise clause 4.1B (discussed below) which allows exceptions to minimum lot sizes in some circumstances.

Clause 4.1B Exceptions to minimum lot sizes for certain residential development

This clause applies as the land is zoned R1 General Residential.

The proposal involves the erection of a *dual occupancy (detached)* and a subdivision that will result in a lot size of not less than 400m² for each dwelling. Accordingly, the proposal complies with this development standard and is therefore permitted. The application of the MLS requirements under clause 4.1 can be set aside.

Clause 4.3 Height of buildings

The subject site is mapped for a maximum height limit of 8.5m above existing ground level. The development is proposed single storey and will not exceed 8.5m.

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.

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

Clause 6.2 Flood planning

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

Clause 6.3 Earthworks

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

Clause 6.4 Groundwater vulnerability

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

Clause 6.5 Terrestrial biodiversity

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

Clause 6.7 Active street frontages

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.

(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 the report.

*Part 2 Fast Track Development Applications -
 Part 2.2 Dual Occupancy Development*

Consideration is given to the "Fast-track" criteria in the table below. Where the application does not meet the fast track criteria then the application is assessed against Part 3 of the Development Control Plan relating to "Discretionary Development Standards".

CRITERIA	COMMENT / COMPLIANCE
MINIMUM LOT SIZE Detached dual occupancy – minimum area 800m ²	Complies – lot is 852.6m ²
BUILDING SETBACKS <i>R1 where lot size is less than 900m²</i> <u>Street:</u> 4.5m to building line or average of adjoining properties 5.5m to the garage. <u>Side/Rear</u> 900mm <u>Secondary Frontage for corner lots</u> 0m for garages in laneways 2m to side boundary.	Complies. <u>Street</u> Minimum front setback is 4.5m to both dwellings and 5.5m to the garages of both units. <u>Side/Rear</u> North is 5m and West is 1.96m. <u>Secondary frontage</u> Minimum setback to south boundary (Baskerville (secondary)) is 2m.
BUILDING HEIGHT	

Single storey (single storey dwelling is one that has only one storey as defined by the BCA) and the Finished Floor Level (FFL) is less than 1 metre above natural ground level.	Complies – development is single storey with a FFL less than 1 metre above ground level.
DESIGN	
Council will <u>not</u> consider mirror reversed or duplication of design for the two dwellings when fronting streets.	Complies – the units do not represent a mirror image of each other.
75% of internal living areas shall receive at least three hours effective sunlight between the hours of 9.00am and 3.00pm on 21 June (Winter solstice).	Complies – the orientation and location of openings of the proposed development allows effective sunlight access to be achieved.
For attached and detached dual occupancies, any separation between the two dwellings is to be a minimum of 3 metres apart.	Complies – the dwellings will have a minimum separation of 3 metres.
Compliment the appearance of the streetscape through the replication of scale, spacing, fenestration, articulation, roof forms, setbacks and landscaping of dwelling on adjoining and surrounding lots. All dual occupancies must have direct street frontage; that is no dual occupancy can be developed in a battle-axe arrangement.	Complies – the dwellings will be single storey with a hipped roof form, which is consistent with surrounding dwellings. The units have been appropriately designed to address both frontages to Baskerville Drive. Proposed materials for the units consisting of brick and colorbond roofing is used throughout the street. Both dwellings will have direct street frontage with no battle-axe arrangements.
No windowless facades at the street frontage(s).	Complies - two windows are provided to the east elevation of both units and the south elevation of Unit 1 contains four windows.
Street elevations are to include at least 5% of openings including windows, doors.	Complies – windows and door openings on the east elevations of Unit 1 and 2 and the south elevation of Unit 1 are in excess of 5%.
The dwellings shall not be relocated or manufactured homes.	Complies – the dwellings are not relocated or manufactured homes.
Garages – the aggregate width of the garage door or carport shall not exceed 45% of the front elevation of each dwelling.	Complies - Unit 1 is 32.4% and Unit 2 is 43%.
SLOPE & CUT AND FILL	
The slope of the development site cannot exceed 15 degrees	Complies.
Cut is to be limited to 1,000mm.	Complies – maximum cut is 300mm
Fill is restricted to 600mm. It must be clean fill and a geotechnical assessment issues for the fill to demonstrate compaction to the Australian Standard.	Complies – maximum fill is 500mm. Appropriate condition will be imposed in relation to the fill to be placed on site.
Any cut and/or fill must be provided with retaining walls, drainage and must be setback a minimum of 300mm from any boundary.	N/A
Fill must not direct stormwater onto adjoining	Complies – a standard condition will be

properties and drainage pits for overland flow paths are to be provided.	included to ensure this.
Cut and fill is not permitted within water or sewer easements.	An easement is located on the east and north boundary of the site – a condition will be included to ensure this requirement is met.
OPEN SPACE	
Private open space should be on the northern or eastern side of the dwelling with direct access to the main living areas. Cannot be forward of the building line	Complies – POS will be located on the north side of each unit and will have direct access from the open plan family/meals/kitchen area of each unit.
Each dwelling shall have one principal private open space with a minimum area of 80 square metres and a minimum dimension of 5 metres (depth and width).	Unit 1 – does not comply. Refer to further assessment against the discretionary development standards below. Unit 2 – complies, with an area of 87m ² with a minimum dimension of 5m.
Decks, balconies and alfresco areas at or near ground level may only be counted as principal private open space area where that have a direct northerly aspect and no more than 25% of the private open space requirement.	Complies – alfresco areas have a northerly aspect and contribute 22.04% (Unit 1) and 13.37% (Unit 2) to POS.
Council may consider private open space within the front setback.	N/A
At least 75% of each required private open space area, courtyard, balcony terrace or the like shall receive at least three hours effective sunlight between the hours of 9.00am and 3.00pm on 21 June (Winter solstice). Council may require submission of shadow diagrams to demonstrate compliance with the requirement above.	Shadow diagrams have not been provided, however not required due to good orientation of the proposal.
SITE COVERAGE Maximum site coverage of 35%	Complies with the discretionary development standard of 50% for dual occupancies. The development will have a site coverage of 45%
PARKING	
Each dwelling to have two car parking spaces, at least one being a garage. The second space may be provided in a stacked arrangement in front of the garage providing the space is contained wholly within the subject site.	Complies – a garage and space for a car space in front of the garage in a stacked arrangement is provided to each unit.
All parking and manoeuvring areas to be hardstand.	Complies – concrete driveways are provided to both units.
Driveways to be located 6m from an intersection.	Complies – the driveway of Unit 1 will

	be more than 6m from the intersection of Baskerville Drive.
UTILITIES	
Buildings and structures are to be located clear of utility infrastructure (minimum 1m from light/power poles).	Complies – standard condition included in the recommendation.
No building can be located within an easement for the purposes of utility infrastructure.	Complies – building footprint clear of easements.
Structures are to be located 1500mm from the centre line of the water / sewer main.	Complies.
Details of water supply and sewer reticulation are to be provided. If the development is within 500 m of the reticulated water and sewer network it must connect to that reticulated network.	Complies – site is serviced by water & sewer services
Stormwater shall be designed to flow to a gravity system. Alternatives are not acceptable.	Complies
No building over flow paths, no increase in flows.	Complies
FENCING	
All dual occupancy development are required to provide a 1.8m high fence on the boundary of the development site and between private open space areas of individual units (all residential zones excluding R5 zone). All fencing is to be provided at full cost to the developer. All fencing which is in front of the building line shall be constructed of timber and/or masonry materials.	Complies – standard conditions to be included.
Dividing fences is not to adversely affect the flow of surface water or create flooding problems to adjoining properties.	Complies – standard condition to be included.
For corner allotments no fences, structure or landscaping exceeding 1 meter in height are to be located within the triangle formed by a sight line 12 metres x 6 metres from the intersection of the two street boundary lines.	Complies – standard condition to be included.

Private Open Space – The proposed area of the private open space (POS) for Unit 1 at 75m² is below the deemed to satisfy requirement of 80m² (6% shortfall). In addition, a small part of the POS does not meet the minimum dimension requirement of 5.0m being 4.61m (7.8% shortfall). This is shown below in Figure 2.

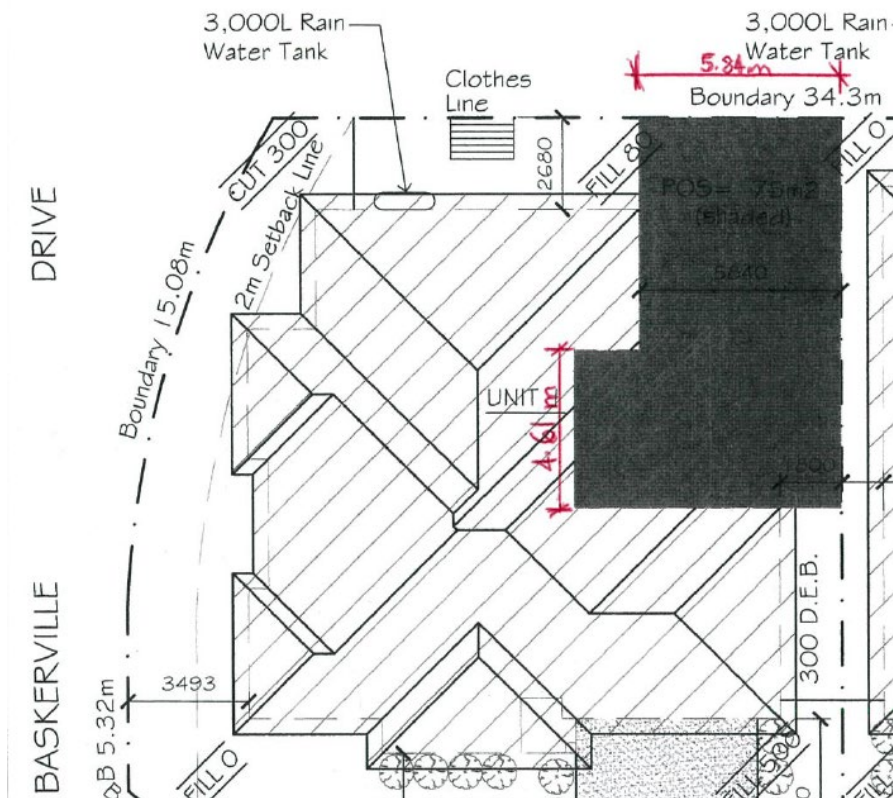


Figure 2: Private Open Space – Unit 1

Part of the POS comprises a covered alfresco area. The alfresco area is 16.53m² which is 22% of the total POS area and is less than the maximum of 25% allowable under the DCP.

Overall, the POS represents a usable private open space area with adequate solar access and good flat useable land with direct access from the living areas. In addition to this, when deciding whether the variation is appropriate the overall design of the development and constraints of the site should also be considered. In this case the site is constrained by a curved south boundary to Baskerville Drive, had it been straight, the requirements of the POS would have been able to be met while also meeting the required 2 metre setback. In addition, the following design aspects have been included which have impacted on the POS area, including:

- Provision of articulation to the south Baskerville Drive frontage to improve the presentation of Unit 1 to the secondary Baskerville Drive frontage; and
- Provision of a short wall on the western wall of Unit 1 to provide some protection from the western sun in the area where the minimum dimension is reduced to 4.61m.

Overall, the proposed variations are negligible and minor in nature and given the benefits gained as a result, the variation to the POS is considered acceptable.

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.

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 with Clause 4.1B – each lot is greater than 400m ² in size.
	All lots have street frontage.	All lots have frontage to Baskerville Drive.
	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	N/A – the land is relatively flat and meets the lot size requirements of Clause 4.1B of the MWLEP.
	All lots have 16m width at building line in residential and village zones.	Complies – Lot 101 will have a minimum width of 16.44m and Lot 102 will have a minimum width of 17.86m.
	Battle-axe handles in R1, R3 & RU5 Village have width of 4m.	N/A
	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.	Yes achieves adequate solar access
	For new release subdivision lot orientation maximises solar access by maximising north-south lots.	N/A
	For new release subdivision east-west orientated lots have increased width and midpoint.	N/A
	Lots generally rectangular in shape.	Complies – both lots will be generally rectangular in shape.

Part 7.1 Urban Subdivision	Requirement	Compliance/Comment
	Lots on southern side of road provide greater frontage width for better solar orientation of future dwelling.	N/A
	Corner lots have sufficient area to allow dual occupancy and independent utility connection points.	N/A
Street Layout & Design		Not Applicable – no new streets proposed / required.
Road Standards for New Development.		Not Applicable – no new streets or road upgrades proposed / required.
Cycle ways and footpaths		Not Applicable – no new cycleway or footpaths proposed / required.
Open Space	Subdivision of Greenfield sites where more than 20 lots are proposed shall ensure that all lots are within 400m of a local park, playground or passive open space.	N/A
Landscaping	Landscape plan provided detailing treatment of public domain.	N/A
	Land dedicated as public reserve top soiled, levelled, turfed prior to release of subdivision certificate and maintained by developer for period of two years.	N/A
Street Trees	2 street trees provided per lot. Developer provides levy to council to provide these trees after 80% of works carried out.	N/A (addressed during previous subdivision).
Utility Services	Servicing plan submitted showing provision of underground electricity, sewer, water, drainage and telecommunications to the development.	A condition will be included to ensure the lots are connected to reticulated water, sewer, electricity and telecommunications.
	Evidence of consultation with relevant authorities submitted with application.	N/A (Small subdivision)
Drainage	As per Section 5.3 Stormwater & Drainage.	Detailed stormwater plan to be lodged at CC stage. Concept plan adequate.

Developer Contributions

Section 64 Contributions

Section 64 Contributions to be charged as follows:

Water -

Creation of Residential allotment (small) <650sqm 0.75ET x 2 = 1.5ET – 1 ET Credit Residential allotment (medium 650sqm – 1,200sqm) = 0.5ET

Sewer-

Creation of Residential allotment (small) <650sqm 0.75ET x 2 = 1.5ET – 1 ET Credit Residential allotment (medium 650sqm – 1,200sqm) = 0.5ET

Section 64 Contributions			
	ET/Unit	Current Rate	TOTAL
Water Headworks	0.5	\$8,407.00	\$ 4,203.50
Sewer Headworks	0.5	\$3,838.00	\$ 1,919.00
Total Headworks			\$ 6,122.50

Section 7.11 Contributions (Previously Section 94)

Pursuant to Council’s Section 94 Development Contributions Plan 2005 – 2021, the site is located within Catchment 2A, and with the provision of one additional lot the following contributions are payable to Council:

MUDGE CATCHMENT 2A (one additional 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	\$ 5,508.00
Administration	
Plan Administration	\$ 614.00
TOTAL	\$12,728.00

S4.15(1)(a)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 does not involve any demolition of a building. Accordingly, no further consideration is necessary.

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 does not involve works as specified in 94(1) and therefore no further consideration is necessary.

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

Suitable access and car parking will be made available to the development as discussed throughout the report. In accordance with the RTA Guide to Traffic Generating Developments, dwelling houses generate an average of 9 vehicle trips per day which is considered reasonable in a relatively low traffic area.

(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

Electricity to be connected to the development.

(m) Noise & vibration

N/A

(n) Natural Hazards

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

(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 for a period of 14 days in accordance with MWRDCP 2013 and the Regulations. The submission period ended on 15/10/2018 and five (5) submissions were received opposing the development. A copy of the submissions is available in Attachment 2. The issues are summarised and addressed as follows:

A restriction affects the land which does not allow a dual occupancy on the lot

Comment: Concerns were raised that the dual occupancy will contravene the terms of a restriction registered on the 88B Instrument and burdening Lots 2-10 on DP1207180. It is specifically referenced that the development will contravene Restriction 2. Part (vi) which states:

No main building shall be erected on the lot burdened other than a main building comprising a dwelling of no more than one storey suitable for the occupation of one family.

A review of the 88B Instrument indicates that the restriction applies to the subject lot and benefits Lots 1-10 on DP1207180.

Clause 1.9A of the *Mid-Western Regional Council Local Environment Plan 2012 (MWRLEP)* states that any agreement, covenant or other similar instrument that restricts the carrying out of development does not apply to the extent necessary to serve that purpose, meaning that as a detached dual occupancy and subdivision is permissible with consent in the R1 General Residential Zone, approval of the development application is not limited by this Restriction.

The DCP confirms this position and states that “*where inconsistency arises between the DCP and any private covenant, the provision of the DCP will prevail. Council is not required to have regard to private covenants in the assessment of development applications*”.

Notwithstanding this, however, lots which benefit from this restriction (i.e. Lots 1-10 DP1207180) may take their own legal action in relation to this restriction.

Dual occupancy inconsistent with single dwellings on a lot in the locality / visual appearance of duplexes / not in context with surrounding area

Comment: A common objection to the proposal was that the dual occupancy is not consistent with the quiet cul-de-sac and single dwelling homes in the area. It is noted that the area is dominated by single dwellings, but this does not preclude dual occupancies from being constructed in the area. Detached dual occupancies are permissible with consent in the R1 General

Residential Zone with objectives of the zone including “to provide for a variety of housing types and densities”.

Approximately 9% of the population of the Mid-Western Region reside in the form of housing proposed by this development (ie. live in duplex, townhouse or apartment accommodation). Of those living in in duplex, townhouse or apartment accommodation, the majority are single person households (63%). Family households make up 33% and group households 4%. Providing for a range of housing types is an important part of managing diversity, affordable housing and an ageing population.

The proposed dwellings will be single storey in height with a hipped roof. The proposed materials of brick and colorbond roof sheeting is consistent with the existing buildings in the area. Whilst the development is not a single dwelling on a lot, dual occupancies are permissible in the zone, and the design of the development is consistent in terms of bulk and materials to the surrounding area. In addition, the application generally meets the requirements of the DCP and the relevant objectives of the MWRLEP.

Private Open Space (POS) Requirements

Comment: Concerns were raised that the private open space for Unit 1 does not meet the minimum requirement of 80m² with a minimum dimension of 5m. It is acknowledged that the private open space area of Unit 1 does not meet the numerical requirements of the DCP requirements as discussed earlier in this report. The variation has been considered and is considered to be appropriate in this context.

Location of driveways

Comment: Concerns were raised that the proposed driveways will be directly across from some objectors. Driveways opposite each other is not uncommon in an urban setting. The road is two lane, with adequate visibility to allow reasonable people to back out of their driveway safely. The location of the driveways is considered to be adequate.

Development will attract renters & increase traffic

Comment: Concerns were raised that a dual occupancy will attract renters who will damage the quiet cul-de-sac and result in large amounts of traffic and hazards on the street. Council cannot pre-empt, nor have any authority over who will occupy the buildings. With approximately 27.4% of the population in the Mid-Western Region being renters at the 2016 Census, it is inevitable that renters will occupy all forms of housing types in the residential areas across the region (not just dual occupancy).

With regard to traffic volume, in accordance with the RTA Guide to Traffic Generating Developments, dwelling houses generated an average of 9 vehicle trips per day which is considered reasonable in a relatively low traffic area.

Devaluation of property

Comment: Concerns were raised that the dual occupancy will result in the devaluation of properties. The valuation of properties is not a matter for consideration under Section 4.15 of the *Environmental Planning & Assessment Act 1979*.

Development does not meet the requirements of the Development Control Plan (DCP)

Comment: Concerns were raised that aspects of the development does not meet the requirements of Council's DCP particularly in relation to site coverage, car parking and that the

setbacks only just comply with DCP requirements. It was also queried whether subdivision is permissible under Torrens Title in the area. All of these issues have been addressed in the body of the report and are considered to meet the relevant requirements of the DCP and MWRLEP.

(b) Submissions from public authorities

No submissions were sought or received from public authorities.

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 noting the following in relation to the development:

- All necessary services and utilities (water, sewer, electricity and telecommunications) are available to the land. Separate water and sewer connections will need to be provided for both allotments.
- Both proposed allotments can adequately drain and dispose of stormwater runoff to the kerb and channel in Baskerville Drive.
- Both dwellings will be provided with a double car garage with access from Baskerville. Garage setbacks will also enable additional car parking to be accommodated in the driveways.
- Application has been made for the construction of driveway crossovers. Separate approval under the provisions of Section 138 of the *Roads Act 1993* may be provided subsequent to the issue of a DA Consent.
- It is noted that some of the objections reference an increase in traffic volumes. In development engineering, pavement design is generally based on the value of each dwelling generating 8 -10 vehicle movements per day. A dual occupancy development is not considered to significantly generate an excessive number of vehicle movements.

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

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

The applicant will be required to pay Section 64 and Section 94 development 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.

SARAH HOPKINS
TOWN PLANNER

LINDSAY DUNSTAN
MANAGER, STATUTORY PLANNING

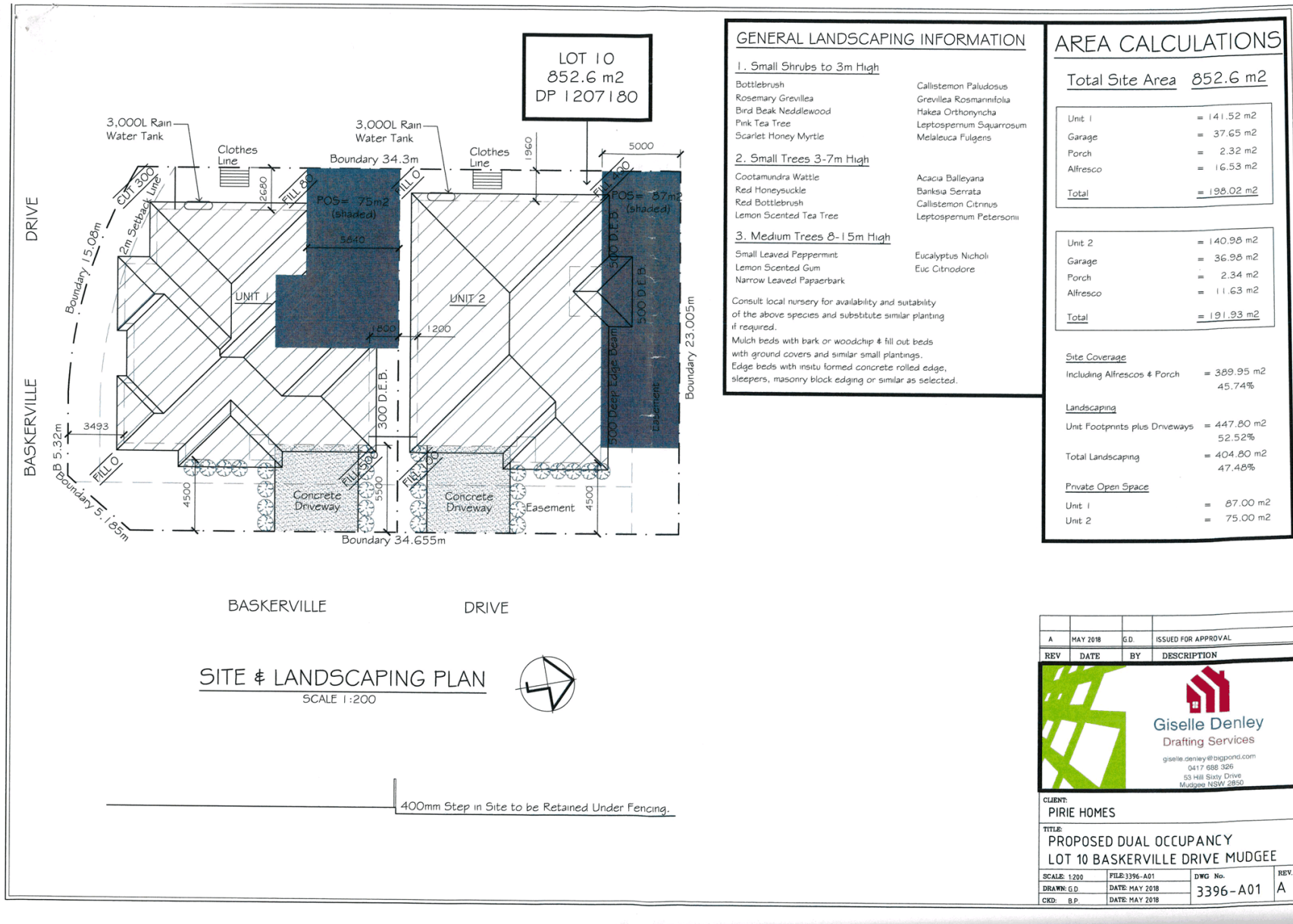
JULIE ROBERTSON
DIRECTOR DEVELOPMENT

12 November 2018

Attachments: 1. Plans.
2. Submissions.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



- ### GENERAL LANDSCAPING INFORMATION
- Small Shrubs to 3m High**
 - Bottlebrush
 - Rosemary Grevillea
 - Bird Beak Needlewood
 - Pink Tea Tree
 - Scarlet Honey Myrtle
 - Callistemon Paludosus
 - Grevillea Rosmannifolia
 - Hakea Orthocncha
 - Leptospermum Squarrosum
 - Melaleuca Fulgers
 - Small Trees 3-7m High**
 - Cootamundra Wattle
 - Red Honeysuckle
 - Red Bottlebrush
 - Lemon Scented Tea Tree
 - Acacia Baileiana
 - Banksia Serrata
 - Callistemon Citrinus
 - Leptospermum Petersonii
 - Medium Trees 8-15m High**
 - Small Leaved Peppermint
 - Lemon Scented Gum
 - Narrow Leaved Paperbark
 - Eucalyptus Nicholi
 - Euc Citriodore
- Consult local nursery for availability and suitability of the above species and substitute similar planting if required.
 Mulch beds with bark or woodchip & fill out beds with ground covers and similar small plantings.
 Edge beds with insitu formed concrete rolled edge, sleepers, masonry block edging or similar as selected.

AREA CALCULATIONS

Total Site Area	852.6 m²
Unit 1	= 141.52 m ²
Garage	= 37.65 m ²
Porch	= 2.32 m ²
Alfresco	= 16.53 m ²
Total	= 198.02 m²

Unit 2	= 140.98 m ²
Garage	= 36.98 m ²
Porch	= 2.34 m ²
Alfresco	= 11.63 m ²
Total	= 191.93 m²

Site Coverage

Including Alfrescos & Porch	= 389.95 m ²	45.74%
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Landscaping

Unit Footprints plus Driveways	= 447.80 m ²	52.52%
Total Landscaping	= 404.80 m²	47.48%

Private Open Space

Unit 1	= 87.00 m ²
Unit 2	= 75.00 m ²

A	MAY 2018	G.D.	ISSUED FOR APPROVAL
REV	DATE	BY	DESCRIPTION



Giselle Denley
 Drafting Services
 giselle.denley@bigpond.com
 0417 688 326
 53 Hill Sixty Drive
 Mudgee NSW 2850

CLIENT:
PIRIE HOMES

TITLE:
**PROPOSED DUAL OCCUPANCY
 LOT 10 BASKERVILLE DRIVE MUDGEE**

SCALE: 1:200	TITLE: 3396-A01	DWG No:	REV.
DRAWN: G.D.	DATE: MAY 2018	3396-A01	A
CKD: B.P.	DATE: MAY 2018		

EAST ELEVATION
SCALE 1:100

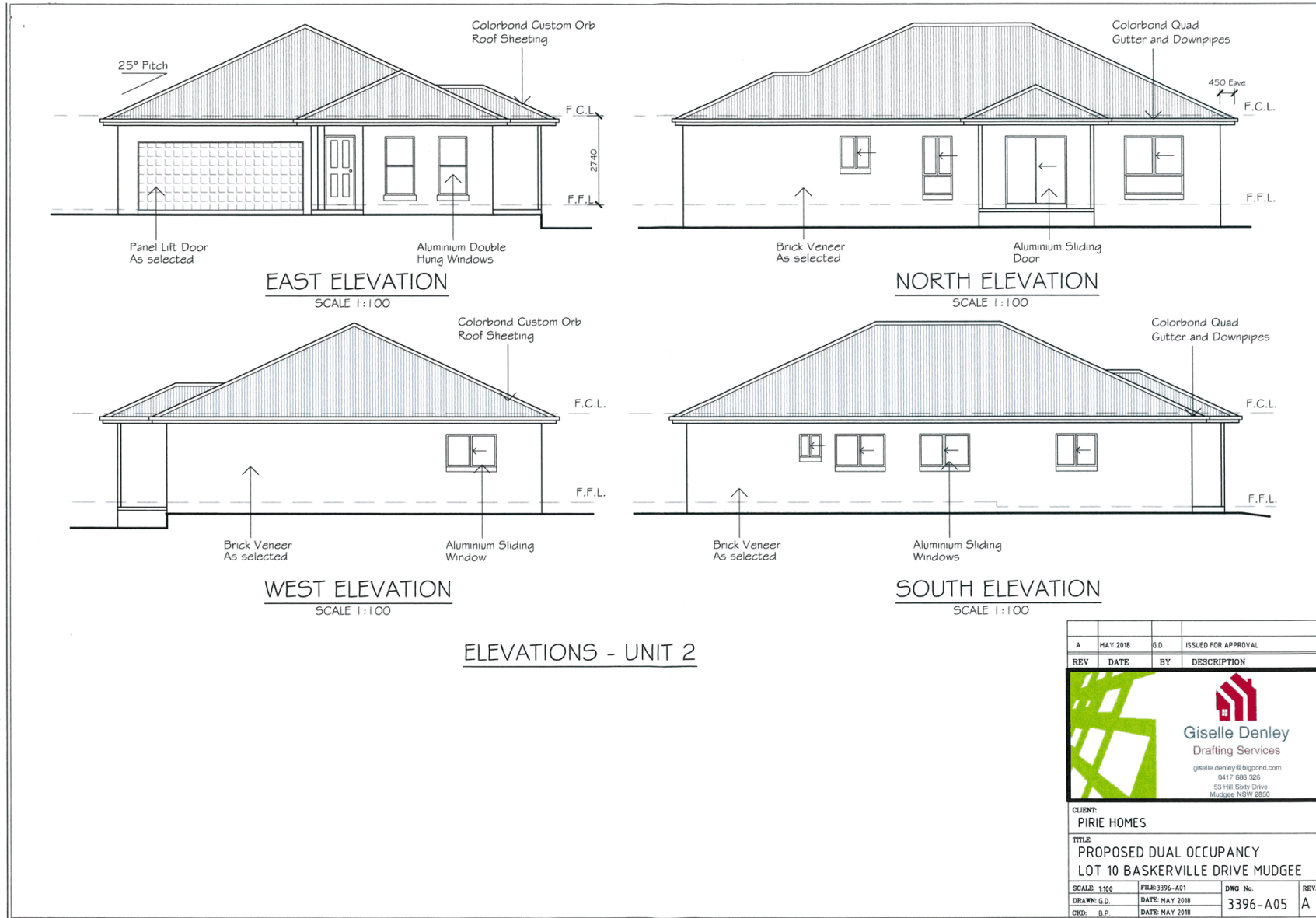
NORTH ELEVATION
SCALE 1:100

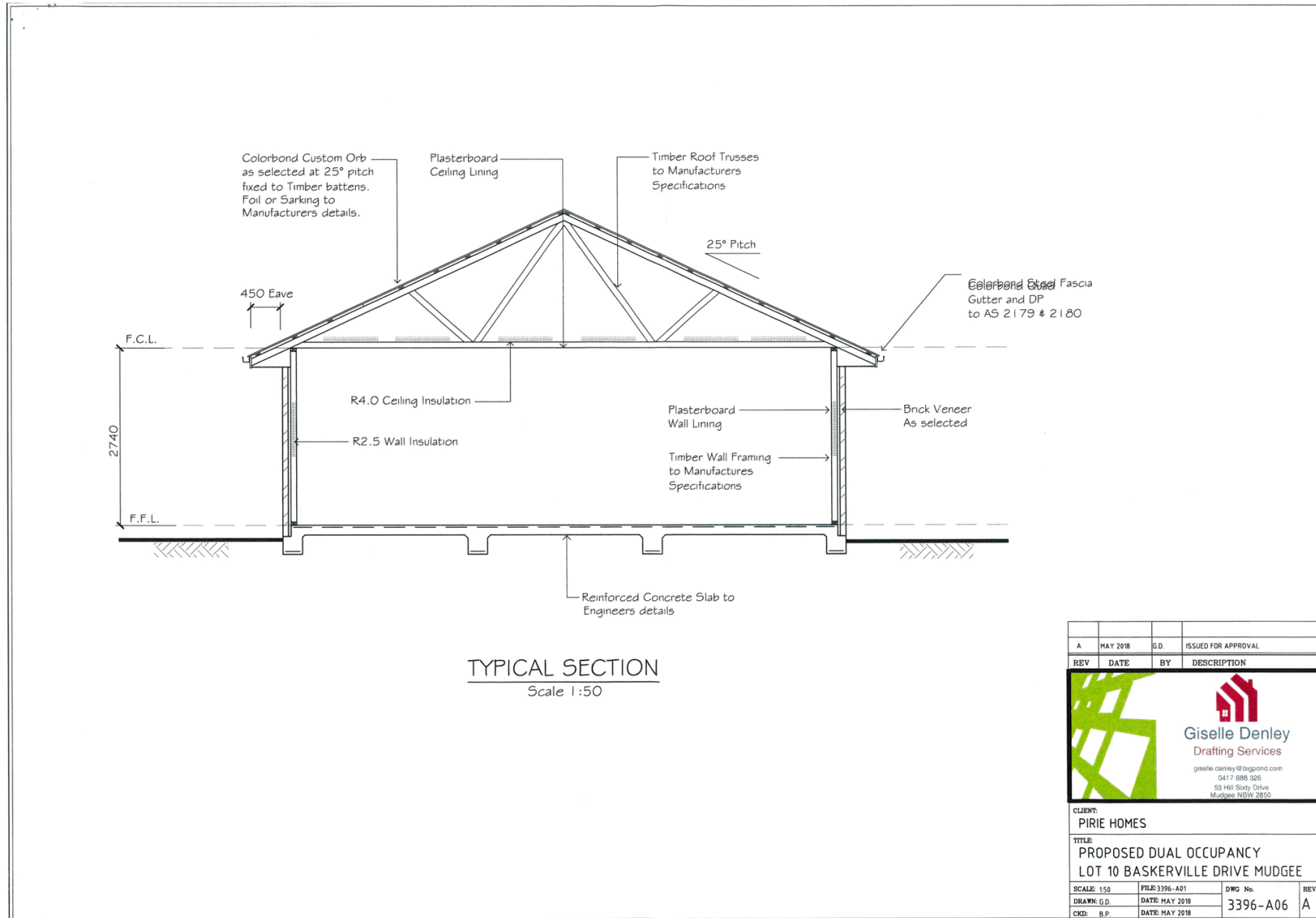
WEST ELEVATION
SCALE 1:100


SOUTH ELEVATION
SCALE 1:100

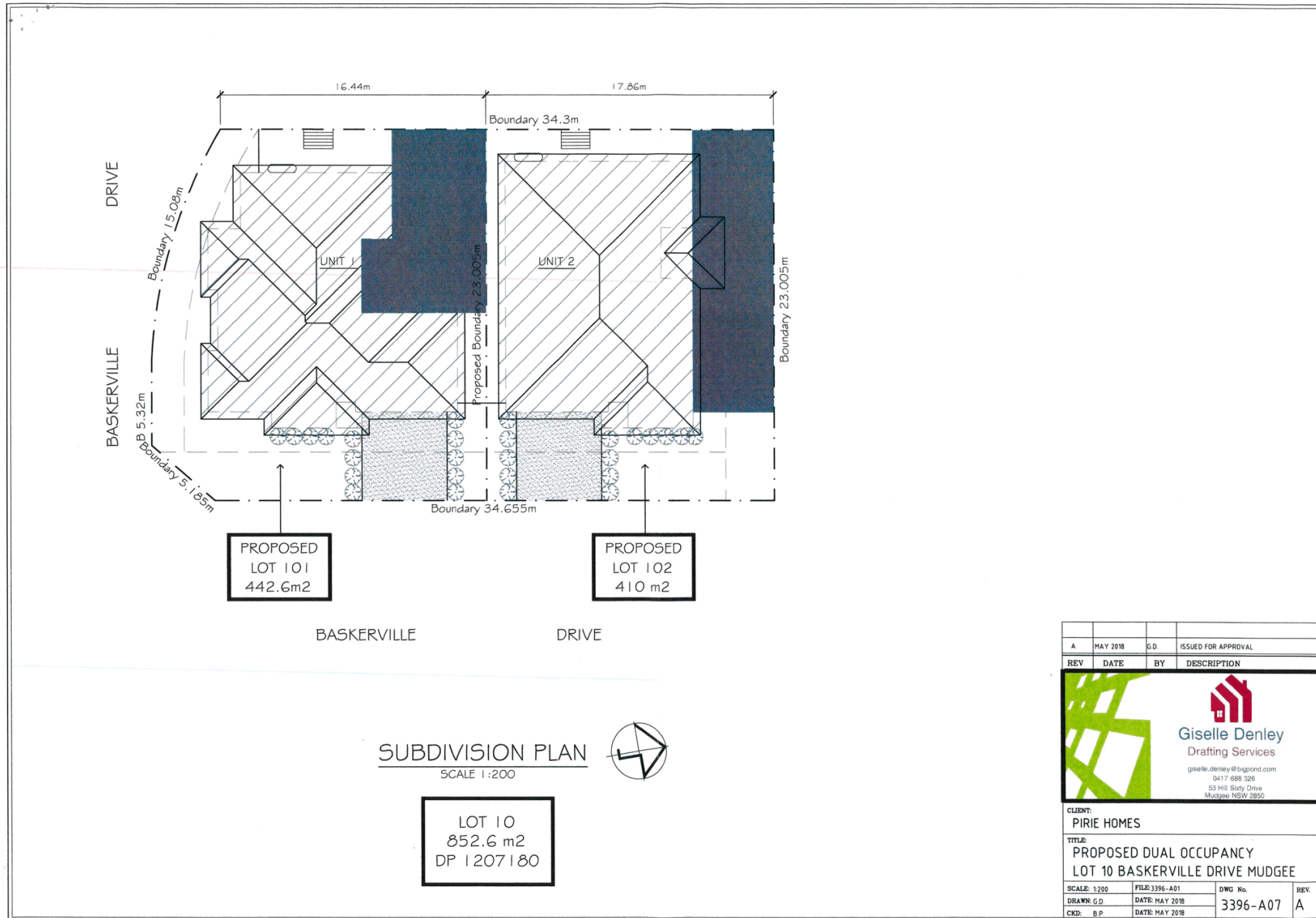
ELEVATIONS - UNIT 1

A	MAY 2018	G.D.	ISSUED FOR APPROVAL
REV	DATE	BY	DESCRIPTION
<p>Giselle Denley Drafting Services giselle.denley@bigpond.com 0417 888 426 53 Hill Sixty Drive Mudgee NSW 2850</p>			
CLIENT: PIRIE HOMES			
TITLE: PROPOSED DUAL OCCUPANCY LOT 10 BASKERVILLE DRIVE MUDGEE			
SCALE: 1:100	FILE: 3396-A01	DWG No:	REV.
DRAWN: G.D.	DATE: MAY 2018	3396-A03	A
CHKD: B.P.	DATE: MAY 2018		





A	MAY 2018	G.D.	ISSUED FOR APPROVAL
REV	DATE	BY	DESCRIPTION
 <p>Giselle Denley Drafting Services giselle.denley@bigpond.com 0417 688 326 53 Hill Sixty Drive Mudgee NSW 2850</p>			
CLIENT: PIRIE HOMES			
TITLE: PROPOSED DUAL OCCUPANCY LOT 10 BASKERVILLE DRIVE MUDGEE			
SCALE: 1:50	FILE: 3396-A01	DWG No.	REV.
DRAWN: G.D.	DATE: MAY 2018	3396-A06	A
CHKD: B.P.	DATE: MAY 2018		



Reference DA Application DA0072/2019

Rebecca & Cheyne Hanson
13 Baskerville Drive Mudgee
0407012815

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

To Who it may concern.

This letter is in relation to a notice we received recently regarding a proposed Subdivision occupancy for 20 Baskerville Drive Mudgee and to make known our objection to and concerns regarding said development.

Our immediate concern is that this development is not in line with the current surrounding new homes that young families such as ourselves and chosen to build. We have taken on a considerable investment that the afore mentioned proposal is likely to have a significant impact on.

We purchased our block in early 2017 with the main reason being that the street had an immediate family orientated feel, mainly due to it being such a quiet No through street. At the time of purchase there were two single dwelling houses and two more being built, we were of the understanding that all blocks where single dwelling blocks.

We feel our objection is valid due to the fact we currently have several families in the street with multiple children under the age of 8 years old, all of our children play together most days and every weekend. Whilst we understand the financial benefits to Pirie homes should this application be passed, we ask you take into consideration the visual appearances of duplexes and the financial impact this will have on our biggest asset our home. I firmly believe that a duplex will attract Multiple occupants Creating large amounts of Traffic and hazards in a small quiet street, which for safety reasons would limit our children being able to enjoy our street. When you consider the fact that you motto is looking after the community I'm sure you can appreciate this concern. After several conversations with our neighbours it has been made clear that they too object to the above mentioned proposal and share the same concerns that we do. I have also spoken to someone who is considering purchasing one of the vacant blocks in the street, they too have a young family and have stated that a development such as the one proposed would be a huge factor that would deter them from purchasing land in Baskerville Drive.

It has also been brought to our attention that the plan set backs shown on plan, on all fronts appear to only just comply with all the provisions set out in the building setbacks table in the DCP and the maximum site coverage appears more than the 35% noted in the DCP and appears to be around the 45%. We are also concerned that this development is not in line the covenant we had to abide by when building our single dwelling family home. We understand Pirie Homes is trying to make the most money out of their investment, however most duplexes are rentals. These particular rentals with low maintenance lawns/gardens generally attract young adults. Who would have cars coming and going at all hours. Of great concern to us is the fact that the proposed double driveways are both directly across the street from our home.

We trust that you will take our concerns on board and cease progress with the duplex application as we will happily support a single dwelling build application.



Regards Cheyne and Rebecca Hanson.

Reference DA Application – DA0072/2019

To: The General Manager
Mid-Western Regional Council
PO Box 156 Mudgee, NSW 28950

To Whom it may concern

This letter is in relation to a notice we received last week on a proposed Subdivision - Torrens title and Dual occupancy for 20 Baskerville Drive Mudgee.

My immediate and personal concern is that this development is not in context with the surrounding new homes that young families have decided to build for themselves, and their families. They have also taken on a considerable investment that this proposal, which a development such as the proposed will likely have a negative impact on.

We are also looking to build soon, on a block we have, and this proposed development is of concern to ourselves.

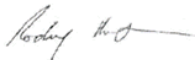
As I am certain the application will be assessed by council on its merits and compliance, I do not have access to a copy of the covenants across this subdivision and we currently live too far away to visit council, however some of the below items do raise some level of concern.

Referring to the provided Proposed Dual Occupancy Site and Landscape plan provided in the notification and reference to the Development and Control Plan 2013 Amendment no 2 which I downloaded from the Council Website the below items I would like to at least raise

1. Can a Subdivision lot be created in this area under Torrens title?
2. Confirm Garages are suitable for two cars or at least a minimum of two parking spots for cars of normal size within the allotment boundary and Garage doors comply with maximum aggregate width.
3. Is the open Space of the minimum required of 80 m2 including the conditions noted about alfresco areas?
4. Maximum site coverage appears more then the 35% noted in the DCP and appears to around the 45%
5. The plan setbacks shown on plan, on all fronts appear to only just comply with all the provisions set out in the building setbacks table in the DCP

Thank you for considering my comments in relation to above mentioned proposal,

With Regards



Rodney Hart

11 Barwon Street
Burleigh Waters, QLD 4220
Email r.hart@live.com.au
Phone 0477641717



Amanda Wilson & Craig Mitchell
25 Baskerville Drive
MUDGEES NSW 2850
Phone: 0418429412 0410532662
Email: amandawilsonpt@gmail.com



To the general manager of MWRC,

RE: Development Application for Lot 10, 20 Baskerville Drive Mudgee with Pirie Homes Pty Ltd.

We strongly object to the above mentioned proposed development and would like to express our concerns as to why we disagree to the development going ahead.

Firstly Baskerville Drive does not have any other duplexes in the street and it will look very out of place, I am also concerned that due to its low selling value that it may also depreciate other nearby homes (our included).

We purchased in this street for the fact that there were only single dwelling homes with young families and not many rental properties, we feel with the development that this would change and attract non home owners in our street.

We would gladly agree upon a single dwelling being constructed there but we do not agree to this above proposal.

I have seen this happen in other streets around Mudgee that began with single dwelling homes and it has destroyed other streets in Mudgee and depreciated the value of homes in those streets. A classic example of this is Dickson Court. My mother owns a property in that street and most of those duplex lots with two dwellings on the one block have attracted young people who like to have late night house parties and speed down the street, not to mention not looking after their homes. In the end my mother moved out of the street and rented her property out as the constant hooning up the street and parties were too much.

I would not like to see this happen to our lovely street. We have all purchased in this street because it's a nice residential street with young families. Our children are safe here, they play out the front of our home together and all the cars drive slowly knowing there are small children playing in our street.

All the other home owners in Baskerville Drive that we have spoken to about this are of the same opinion. How can this go ahead if all other surrounding home owners object? All in order for someone to make some extra money. None of us agree and we will be trying our best to stop this from going ahead.

Yours sincerely
Amanda Wilson & Craig Mitchell

A handwritten signature in blue ink, appearing to be "AW & CM".



Jonathan & Lauren Marchant
11 Baskerville Drive, Mudgee
0428129670

8th October 2018

To The General Manager of MWRC,

RE: Development Application for Lot 10, 20 Baskerville Drive Mudgee.
Applicant: Pirie Homes Pty Ltd

This letter is to make known our objection to the development of Duplexes at 20 Baskerville Drive Mudgee.

We purchased our block of land in April 2016. We decided to buy here as it was in a quiet cul-de-sac with all single dwelling homes, no duplexes or units and all vacant blocks were being sold as single blocks for single dwellings.

There were 2 new single dwelling homes built in our end of the cul-de-sac before we built our 5 bedroom single dwelling family home. Since our home was built 3 more single dwelling homes have been erected.

Our cul-de-sac has many young families with children aged between 2 & 7. Our children have all become quite close and often play out in the street together.

We have several concerns and objections regarding this development application.

Firstly I understand Pirie Homes is trying to make the most money from the investment, however most duplexes are rentals. These particular rentals with low maintenance lawns/gardens generally attract young adults. They would have cars coming and going at all hours. Which is another major issue for us as the proposed double driveways are both directly across the street from our home.

Our street as it is now is very family orientated, quiet and child friendly.

There are still no duplexes or units in our street and we would like it to stay this way. These duplexes would not only look odd and out of place, they will become a hazard concern to the current residents and to the welfare of their children.

There is also the issue of the financial effect of devaluation these duplexes would have to our main asset our home.

I have spoken with the other neighbouring properties and they too are deeply concerned and object to the thought of duplexes in our street.

Being your motto is looking after our Community, I trust you will take our concerns on board and not progress with the application for duplexes.

Yours Sincerely
Jonathan & Lauren Marchant



Reference DA Application – DA0072/2019

To: The General Manager
Mid-Western Regional Council
PO Box 156 Mudgee, NSW 28950

To Whom it may concern

This letter is in relation to a notice we received last week on a proposed Subdivision - Torrens title and Dual occupancy for 20 Baskerville Drive Mudgee.

We wish to object to the DA Application and our concerns relate to the building of a Dual Occupancy on a block designed for one dwelling. The cul-de-sac is a quiet area with single dwelling homes occupied by young families and we believe that a dual occupancy on this block would cause congestion within the cul-de-sac. Especially if used as rentals and several occupants take up occupation of the two dwellings.

We note that the whole neighbourhood of Baskerville Drive is comprised of single dwelling homes and believe that allowing a Dual Occupancy would have considerable negative impact on the value of our home which we have recently build. Built on the presumption that Dual Occupancy was not permitted within the area.

We have obtained a copy of the Section 88B for Lot 10 DP1207180 – copy attached and do not believe that Restriction 2. vi) would allow for the development of a Dual Occupancy.

We understand the application will be assessed by council on its merits and compliance but wish for our objections to be considered.

Yours faithfully



Sebastian Flack & Kirsty Orr

15 Baskerville Drive

Mudgee NSW 2850

Email: Sebastianflack33@gmail.com



Req:R407514 /Doc:DP 1207180 B /Rev:08-Apr-2015 /Sts:SC.OK /Pgs:ALL /Prt:12-Oct-2018 09:26 /Seq:1 of 5
Ref:170325 /Src:M DP 1207180 ePlan

Instrument setting our Terms of Easements intended to be created or release, and of Profits à Prendre, Restrictions on the Use of Land and Positive Covenants intended to be created pursuant to Section 88B of the Conveyancing Act, 1919, as amended

Lengths are in metres

Sheet 1 of 5 sheets

Plan: **DP1207180**

Subdivision of Lot 1 in DP 857568
(8-16 Richards Street, Mudgee)
covered by Council's Subdivision
Application No SC058/2015

Full names and addresses
of owners of the land

DAVID JORDAN and
MURIEL EMMELINE WATT
158 Del Monte Place,
Copacabana NSW 2251

PART 1 (Creation)

- 1. Identity of Easement firstly referred to in abovementioned Plan. Easement to drain Sewage 3 wide & variable


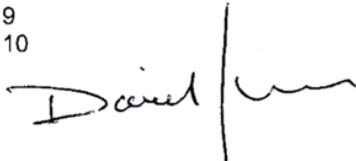
Schedule of Lots affected

<u>Lot Burdened</u> Lots 1, 2, 3, 4, 5, 6, 7, 8, 9 & 10	<u>Lot or Authority Benefited</u> Mid-Western Regional Council
--	---

- 2. Identity of Easement secondly referred to in abovementioned Plan Easement to drain Water 3 wide

Schedule of Lots affected

<u>Lot Burdened</u> Lot 6 Lot 9 Lot 10	<u>Lot Benefited</u> Lot 1 Lot 8 Lots 8 & 9
---	--



Req:R407514 /Doc:DP 1207180 B /Rev:08-Apr-2015 /Sts:SC.OK /Pgs:ALL /Prt:12-Oct-2018 09:26 /Seq:2 of 5
Ref:170325 /Src:M UP12U/10U erian

Instrument setting our Terms of Easements intended to be created or release, and of Profits à Prendre, Restrictions on the Use of Land and Positive Covenants intended to be created pursuant to Section 88B of the Conveyancing Act, 1919, as amended

Lengths are in metres

Sheet 2 of 5 sheets

Plan: **DP1207180**

~~Application No~~ Subdivision of Lot 1 in
DP 857568 (8-16 Richards Street, Mudgee)
covered by Council's Subdivision
Application No SC058/2015

3. Identity of Easement or Restriction thirdly referred to in abovementioned Plan Restriction on the Use of Land

Schedule of Lots affected

Lot Burdened
Lots 1, 2, 3, 4, 5, 6, 7, 8, 9 & 10

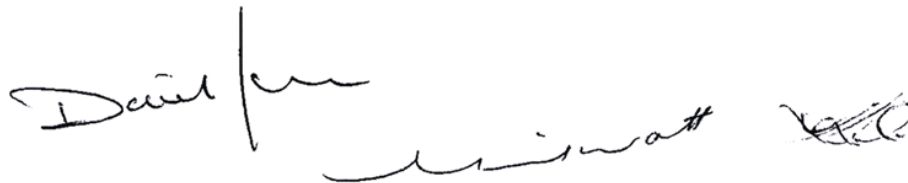
Lot Benefited
Each other Lot

4. Identity of Easement or Restriction fourthly referred to in abovementioned Plan Restriction on the Use of Land

Schedule of Lots affected

Lot Burdened
Lots 2, 3, 4, 5, 6, 7, 8, 9 & 10

Lot Benefited
Lots 1, 2, 3, 4, 5, 6, 7, 8, 9 & 10



Req:R407514 /Doc:DP 1207180 B /Rev:08-Apr-2015 /Sts:SC.OK /Pgs:ALL /Prt:12-Oct-2018 09:26 /Seq:3 of 5
Ref:170325 /Src:M DP 1207180

Instrument setting our Terms of Easements intended to be created or release, and of Profits à Prendre, Restrictions on the Use of Land and Positive Covenants intended to be created pursuant to Section 88B of the Conveyancing Act, 1919, as amended

Lengths are in metres

Sheet 3 of 5 sheets

Plan: **DP1207180**

Application No Subdivision of Lot 1 in
DP 857568 (8-16 Richards Street, Mudgee)
covered by Council's Subdivision
Application No SC058/2015

PART 2

1. Terms of Restrictions thirdly referred to in abovementioned Plan

Fences

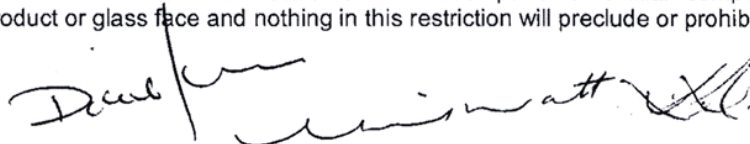
For the benefit of any adjoining land owned by David Jordan and Muriel Watt but only during their ownership thereof by and David Jordan and Muriel Watt their respective successors and assigns other than purchasers on sale no fence shall be erected on the boundaries of any of the Lots burdened to divide the same from any adjoining land owned by David Jordan and Muriel Watt their respective successors and assigns other than purchasers on sale without the consent of their respective successors and such fence is erected without expense to David Jordan and Muriel Watt their respective successors and assigns other than purchasers on sale and in favour of any person dealing with the registered proprietor of any such Lot such consents shall be deemed to have been given in respect of every fence for the time being erected.

2. Terms of Restrictions fourthly referred to in abovementioned Plan

Dwelling Houses

- i) No building shall be erected or permitted to remain erected on any Lot burdened with external wall or walls other than brick stone natural timber hebel panel or similar composite product or glass or any combination thereof provided that ten percentum (10%) of the total external wall area may be of a material other than that stipulated herein but nothing in this restriction contained shall preclude or prohibit a building being erected or permitted to remain erected on the Lot burdened which is a building having an inner framework of its external walls constructed or timber or other materials with an external brick stone natural timber hebel panel or similar composite product or glass face and nothing in this restriction will preclude or prohibit

0069531



Req:R407514 /Doc:DP 1207180 B /Rev:08-Apr-2015 /Sts:SC.OK /Pgs:ALL /Prt:12-Oct-2018 09:26 /Seq:4 of 5
Ref:170325 /Src:M DP1207180

Instrument setting our Terms of Easements intended to be created or release, and of Profits à Prendre, Restrictions on the Use of Land and Positive Covenants intended to be created pursuant to Section 88B of the Conveyancing Act, 1919, as amended

Lengths are in metres

Sheet 4 of 5 sheets

Plan: **DP1207180**

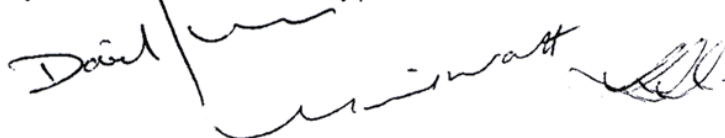
~~Application No~~ Subdivision of Lot 1 in
DP 857568 (8-16 Richards Street, Mudgee)
covered by Council's Subdivision
Application No SC058/2015

the construction of any shed and or workshop or separate garage of materials other than that stipulated herein.

- ii) No main building shall be erected or permitted to remain erected on any Lot burdened with a roof having a pitch of less than 20 degrees and which is constructed of a material other than slate terracotta tiles or concrete tiles or of metal sheeting which at the point of manufacture has had its upper surface pre-coloured by a bonded colouring process.
- iii) No main building shall be erected or permitted to remain erected on any Lot burdened unless it has a minimum aggregate floor area of 150 square metres including any garage under the same roof patio balcony or covered walkways.
- (iv) No fence of any kind shall be erected on any street frontage of any Lot burdened provided that in the case of a corner lot then this restriction shall only apply to one street frontage and no fence exceeding one (1) metre in height shall be erected on any Lot burdened between the street frontage and the minimum building alignment nominated from time to time by the Mid-Western Regional Council unless such fence shall also forms the rear boundary fence of any other Lots.
- v) No existing building shall be partly or wholly moved to, placed upon, re-erected upon, or re-constructed on any Lot burdened.
- vi) **No main building shall be erected on the lot burdened other than a main building comprising a dwelling of no more than one storey suitable for the occupation of one family.**

The persons who are entitled to release vary or modify the restriction numbered 4 in the plan are David Jordan and Muriel Watt but only while they are the registered proprietor of any land in the subdivision or any part thereof.

0069531



Req:R407514 /Doc:DP 1207180 B /Rev:08-Apr-2015 /Sts:SC.OK /Pgs:ALL /Prt:12-Oct-2018 09:26 /Seq:5 of 5
Ref:170325 /Src:M DP 1207180

Instrument setting our Terms of Easements intended to be created or release, and of Profits à Prendre, Restrictions on the Use of Land and Positive Covenants intended to be created pursuant to Section 88B of the Conveyancing Act, 1919, as amended

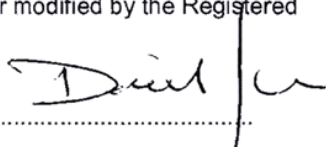
Lengths are in metres

Sheet 5 of 5 sheets

Plan: **DP1207180**

~~Application No~~ Subdivision of Lot 1 in
DP 857568 (8-16 Richards Street, Mudgee)
covered by Council's Subdivision
Application No SC058/2015


The restrictions hereby created can be released varied or modified by the Registered Proprietor for the time being of the lot benefited.



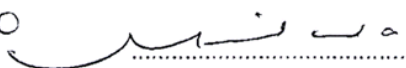
SIGNED SEALED AND DELIVERED by

the said DAVID JORDAN

in the presence of;



Leanne Kaye Cordery
15 Yakaloo Crescent
Forrester's Beach NSW
2260

SIGNED SEALED AND DELIVERED by



the said MURIEL EMMELINE WATT

in the presence of:


LEANNE KAYE CORDERY
15 Yakaloo Crescent
Forrester's Beach NSW 2260

SIGNED SEALED AND DELIVERED by

MID-WESTERN REGIONAL COUNCIL by

Its authorised officer in the presence of:

Sarah Armstrong
(S. Armstrong)
86 Market Street
Mudgee NSW 2850



Gary Bruce
Manager Statutory Planning

0069531

REGISTERED  8.4.2015

8.3 MA0021/2019 Modification to DA0155/2014 - Proposed Demolition and Remediation Works and Temporary Installation of a Concrete Crushing Plant - Cement Works, 1 Jamison Street, Kandos

REPORT BY THE TOWN PLANNER
TO 12 DECEMBER 2018 ORDINARY MEETING
GOV400066, MA0021/2019

RECOMMENDATION

That Council:

- A. receive the report by the Town Planner on the Modification to DA0155/2014 - Proposed Demolition and Remediation Works and Temporary Installation of a Concrete Crushing Plant - Cement Works, 1 Jamison Street, Kandos;
- B. approve MA0021/2019 Modification to DA0155/2014 - Proposed Demolition and Remediation Works and Temporary Installation of a Concrete Crushing Plant - Cement Works, 1 Jamison Street, Kandos subject to the following modification:
 - I. Delete Condition 18;
 - II. Endorse the inclusion of a Statement of Reasons.

Executive summary

OWNER/S	Kandos Development Corporation Pty Ltd
APPLICANT:	Kandos Development Corporation Pty Ltd
PROPERTY DESCRIPTION	Cement Works 1 Jamison Street, Kandos (Lot 143 DP 755749 and Lot 3 DP 1187085)
PROPOSED DEVELOPMENT	Modification to proposed demolition and remediation works and the temporary installation of a concrete crushing plant
ESTIMATED COST OF DEVELOPMENT:	Not applicable
REASON FOR REPORTING TO COUNCIL:	Applicant seeks to remove requirement to pay developer contributions
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 26 October 2018. The proposed modification of Development Consent DA0155/2014 seeks to:

- Remove the condition requiring the developer to pay Section 94A developer contributions.

As the proposed modification is seeking to vary developer contributions, the application cannot be determined by delegated staff – Council is required to determine the application.

The proposed modification seeking to remove Condition 18, which relates to the payment of developer contributions, is recommended for approval.

Disclosure of Interest

Nil

Detailed report

Background

Original Approval

The original development consent, approved on 18 December 2013, was for the proposed demolition and remediation works of the former Cement Works, and the temporary installation of a concrete crushing plant.

Condition 18 of the consent requires the payment of a 1% levy on the cost of development to Council in accordance with the provisions of former section 94A (now section 7.12) of the *Environmental Planning and Assessment Act 1979*.

Based on the proposed cost of works being \$6,000,000, the levy payable to Council is \$60,000.

Proposed Modification

The current application for a modification of development consent seeks approval to remove Condition 18, which relates to the payment of the developer contribution.

In support of this proposed modification, the applicant has provided an alternate interpretation to the *Mid-Western Regional Council Section 94A Development Contributions Plan 2005-2021*, with reference to the former Section 94A of the *Environmental Planning and Assessment Act 1979*, stating that Council erred by including this condition, which has no legal basis.

Council has undertaken a review of the original application together with the *Environmental Planning and Assessment Act 1979* and the *Mid-Western Regional Council Section 94A Development Contributions Plan 2005-2021* and concur with the applicant's findings. It appears that the developer contributions were applied incorrectly, and therefore staff support the removal of Condition 18.

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 in relation to the demolition and remediation of the Cement Works.

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 demolition and remediation. The proposed modification is administrative in nature.

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 demolition and remediation, 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*, *Development Control Plan 2013* and the applicable State Environmental Planning Policies.

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 demolition and remediation 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 – the development was not required to be neighbour notified or advertised.

h) *The public interest.*

The proposed modification for the removal of the requirement to pay developer contributions accurately reflects the provisions of Council's Section 94A Developer Contributions Plan and the *Environmental Planning and Assessment Act 1979*.

ASSESSMENT OF PROPOSED MODIFICATIONS

Proposed Amendment of Condition 18 – Removal of Developer Contributions Condition

The applicant has argued that the developer contributions have been applied in contravention to the *Environmental Planning and Assessment Act 1979* and Council's Section 94A contributions plan.

Development – defined under the Environmental *Planning and Assessment Act 1979*.

In s1.5 of the Environmental *Planning and Assessment Act 1979* (formerly s4) **development** is defined as any of the following:

- (a) the use of land,
- (b) the subdivision of land,
- (c) the erection of a building,
- (d) the carrying out of a work,
- (e) **the demolition of a building or work,**
- (f) any other act, matter or thing that may be controlled by an environmental planning instrument.

Under this section, “demolition” is included in the meaning of “development”.

With respect to development contributions, s7.12 (formerly s 94A) provides:

- (1) *A consent authority may impose, as a condition of development consent, a requirement that the applicant pay a levy of the percentage, authorised by a contributions plan, of the proposed cost of carrying out the development.*

The definition of development applies to s7.12, which requires that contributions be *authorised by a contributions plan*.

Mid-Western Regional Council Section 94A Development Contributions Plan 2005-2021

Under s7.18(1) of the *Environmental Planning and Assessment Act 1979*, a Council may prepare and approve a contributions plan for the purpose of imposing conditions for the purpose of development contributions. S7.18(2) states that a *plan is to specify the type or area of development in respect of which a condition under s7.12 may be imposed*.

According to the definition of development under Part C of the Plan:

Development means:

- *The erection of a building on that land*
- *The carrying out of a work in, on, over or under that land*
- *The use of that land or of a building or work on that land*
- *The subdivision of that land.*

Where s1.5 *Environmental Planning and Assessment Act 1979* includes demolition in the definition of “development”, it is a notable omission from the contributions plan definition of “development”. Demolition is not considered to be “the carrying out of work” as demolition is independently and expressly included within the definition in the enabling Act that empowers the contributions plan.

Council considers the definition in the contributions plan to be consistent with the *Environmental Planning and Assessment Act 1979*, and therefore the omission of “demolition” from the contributions plan is deliberate. From this, it follows that the intention of the Plan was not to impose a requirement for payment of a levy in respect of demolition works, where those works are not incidental to other forms of development.

The imposition of such a levy would be inconsistent with its purpose. The rationale for a monetary contribution is to provide for the increased demand upon public services resulting from the approved development. Demolition by itself does not result in the increased use of public amenities, instead will reduce the need for such services. That is, the demolition and remediation works approved under the Consent will reduce rather than increase the need for services.

This position is consistent with a number of Council's contributions plans across NSW, confirming that demolition without replacement development is generally not subject to paying contributions.

Conclusion

It is recommended that Condition 18 be deleted from the consent, to accurately reflect the provisions of MWRC's Section 94A Developer Contributions Plan and the *Environmental Planning and Assessment Act 1979*. The application of developer contributions should not be applied when the only development being undertaken is demolition.

THE PUBLIC INTEREST

Federal, State and local government interests and community interests

The proposed modification for the removal of the requirement to pay developer contributions accurately reflects the provisions of Council's Section 94A Developer Contributions Plan and the *Environmental Planning and Assessment Act 1979*.

Community Plan implications

Theme	Protecting Our Natural Environment
Goal	Protect and enhance our natural environment
Strategy	Minimise the impact of mining and other development on the environment, both natural and built

Strategic implications

Council Strategies

Mid-Western Regional Development Contributions Plan 2005-2021

Council Policies

Not Applicable

Legislation

Environmental Planning and Assessment Act 1979

Financial implications

If the request to remove the requirement to pay developer contributions is agreed, no contributions will be payable to Council.

Associated Risks

The recommendation of staff is to approve the modification application. Should Council refuse the modification 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

23 November 2018

Attachments: 1. MA0021-2019 - DA0155-2014.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

ATTACHMENT – MA0021/2019 (DA0155/2014)

Full Set of Conditions as amended in accordance with Recommendation

CONDITIONS

APPROVED PLANS

1. Development is to be carried out generally in accordance with stamped plans Figure 2 Statement of Environmental Effects and the Application received by Council on 30 October 2013 except as varied by the conditions listed herein. Any minor modification to the approved plans will require the lodgement and consideration by Council of amended plans. Major modifications will require the lodgement of a new development application.

DEMOLITION WORKS

2. The demolition is to be carried out in accordance with the Australian Standard 2601- 2001 Demolition of Structures, and WorkCover standards.
3. 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 the Asbestos Management Plan prepared by a suitable qualified occupational hygienist
 - Council has been provided with a copy of any required Hazardous Substance Management Plan;
 - The licensed demolition contractor and/or principal contractor has inspected the site and is satisfied that all measures are in place to comply with the provisions of such Plan;
 - b) The removal, handling and disposal of any asbestos material (in excess of 10m²) is to be undertaken only by an asbestos removal contractor who holds the appropriate class of Asbestos Licence, issued by WorkCover NSW, and in accordance with the requirements of WorkCover NSW, the Work Health and Safety Act 2011 and Australian Standard 2601-2001
 - c) All asbestos and other hazardous materials are to be appropriately contained and disposed of at a facility holding the appropriate license issued by the NSW Environmental Protection Agency;
 - d) Seven working 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.
4. Any structure proposed to be demolished by explosives is to be decontaminated and a report certifying the removal of asbestos, lead paint and other contaminants is to be submitted to Council prior to the structures demolition.
5. Demolition/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

WASTE DISPOSAL

6. The demolition contractor shall contact Mid-Western Regional Council's Waste team a minimum of two weeks prior to the planned transportation of waste detailing the following:
 - The nature and type of the asbestos contaminated materials proposed to be delivered
 - The anticipated number and time of arrival at the waste facility of trucks per day
 - The transportation requirements and truck decontamination requirements prior to leaving the site
7. If the total amount of asbestos contaminated material proposed to be disposed of at the Mudgee Waste Facility will exceed 350m³ then the applicant or the demolition contractor is to contact the Business Manager Resources and Recreation to negotiate the further disposal of contaminated material prior to removing said material off site.
8. The applicant is to submit to Council a plan showing the location of the sub level areas filled and capped with the GPS details of each site where fill has been placed.
9. Any contaminated soil proposed to be disposed of at the Mudgee Waste Facility is to be decontaminated on site prior to removal to Council's Waste Facility. Council will not accept waste that is not classified as General Solid Waste
10. Council will not accept any recovered underground storage tanks at its waste facilities.
11. All contaminated material is to be disposed of to a licensed waste facility. Evidence of the disposal of material is to be submitted to Council.
12. Should the level of contaminated soil exceed the threshold under the Protection of the Environment Operations Act, an Environmental Protection License shall be obtained from the EPA.

GENERAL

12. The concrete crushing plant is to be removed from the site on the completion of the demolition works and the filling of the sub ground level voids.
13. The material to be used to fill the sub levels shall be certified as free of hazardous materials and contamination by a suitably qualified geotechnical engineer. All sub level areas proposed to be filled are to be compacted in accordance with AS3798-2007 Guidelines on Earthworks for Commercial and Residential Developments.
14. 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;
 - Building 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.

BUSHFIRE PREVENTION WORKS

15. Weather conditions are to be considered when using spark producing equipment and plant and is to be limited to times of lower bushfire risk, such as when temperature and wind are low and humidity is high.
16. When welding, grinding or gas cutting activities are being undertaken in the open, an area three (3) metres around the work area is to be cleared and wet down with adequate water or fire extinguishers ready and available for emergency use.

NOTE: BE AWARE THAT VEHICLES DRIVEN INTO GRASS CAN CAUSE FIRES WHEN HEATED AREAS OF THE VEHICLE COME INTO CONTACT WITH DRY GRASS

17. Vehicles are to follow existing tracks and constructed roadways and to park in marked car parks or cleared areas only when practicable.

SECTION 94A CONTRIBUTION

18. DELETED BY MA0021/2019

19. *An historic and photographic record of the buildings located on site is to be prepared and submitted to Council in accordance with NSW Heritage Office guidelines prior to the commencement of demolition works.*

STATEMENT OF REASONS

The determination decision was reached for the following reasons:

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. There is sufficient justification to support the removal of the requirement to pay Section 94A Developer Contributions.

8.4 Development Control Plan Amendment 3 - Post Exhibition Report

REPORT BY THE MANAGER, STRATEGIC PLANNING
TO 12 DECEMBER 2018 ORDINARY MEETING
GOV400066, LAN9000081

RECOMMENDATION

That Council:

1. **receive the report by the Manager, Strategic Planning on the Development Control Plan Amendment 3 - Post Exhibition Report;**
2. **approve the Development Control Plan Amendment 3 pursuant to Part 3, Division 3 Approval of Development Control Plans, Clause 21 (1) (a) of the Environmental Planning and Assessment Regulation 2000 as exhibited with the deletion of the word “title” in the first and last sentences; and**
3. **give public notice pursuant to Part 3, Division 3 Approval of Development Control Plans, Clause 21 (2) of the Environmental Planning and Assessment Regulation 2000 of commencement of the plan.**

Executive summary

The Development Control Plan Amendment 3, Post Exhibition report was considered at Council’s 21 November 2018 meeting. At the meeting, Councillors resolved to defer consideration of the report to seek clarification of the points raised by the objector during open day. The report has been reviewed and some minor changes made to assist in clarifying the issues raised.

The purpose of this report is to seek approval of Amendment 3 to the Mid-Western Development Control Plan 2013 (DCP) following public exhibition. The amendment relates to the inclusion of provisions that stipulate water requirements for subdivision creating lots with a minimum area of 2ha.

The draft DCP Amendment 3 was placed on public exhibition for a period of 28 days. There were two public submissions received. Matters raised in the submissions are discussed in the body of the report and a staff comment provided.

It is recommended that DCP Amendment 3 as exhibited be approved pursuant to Part 3, Division 3 Approval of Development Control Plans, Clause 21 (1) (a) of the Environmental Planning and Assessment Regulation 2000.

It is noted that there is a minor adjustment to the wording to correct a typing error (removal of the word “title” in the first and last sentences).

Disclosure of Interest

Nil.

Detailed report

What is a Development Control Plan

A Development Control Plan (DCP) contains detailed planning and design requirements for new development to support the planning controls in the Local Environmental Plan. The requirements in the DCP need to be considered in the preparation of a Development Application.

DCP Amendment 3 as Exhibited

At Council's 15th August 2018 meeting it was resolved to place Draft DCP Amendment 3 on public exhibition.

The below clause as inserted into Section 7.2 Rural Subdivision and a full copy of the draft DCP Amendment 3 was placed on public exhibition for a period of 28 days from Friday 17th August 2018 until Friday 14th September 2018.

Additional provision for the creation of lots with a mapped minimum lot size of 2ha

Water Supply For the purpose of this Clause a water reticulation system is a reticulated community title bore scheme.

Required water volumes are detailed in the Department of Primary Industries Water publication 'How Much Water Do I need for my Rural Property'. The average combined dwelling and outbuilding rainwater catchment area for the region equates to a required potable water supply of 0.256 mega litres per year.

For lots with a minimum area of 2 hectares, a minimum non-potable water supply of 0.200 mega litres per year must be provided.

To demonstrate this, a copy of the licence issued in accordance with the Water Industry Competition Act (WICA) 2006 issued by the Independent Pricing and Regulatory Tribunal NSW is to be provided to Council with the development application for subdivision.

If it is demonstrated that a licence issued in accordance with the WICA 2006 is not required, a draft Community Management Statement and Community Title Subdivision Plan is to be submitted with the development application for subdivision. The statement and plan must detail all the required infrastructure (both private and common) for the reticulated community title bore scheme.

Submissions received and matters raised

One submission was received during the exhibition period and a second submission received after the exhibition period concluded. Both submissions have been provided as Attachment 2.

The matters raised have been summarised in the table below and a staff comment provided.

<i>Issue raised in the submission</i>	<i>Staff comment</i>
Impact on groundwater from community bore scheme.	This was a matter for consideration with the Planning Proposal and any future Development Application. However, as outlined in a previous Council report, the community bore is part of the Planning Proposal at Wilbetree Road and Castlereagh Highway, part of lot 2 DP 136904 and Lot 4 DP

	<p>1204035.</p> <p>The Planning Proposal including the pressure and water quality testing of the existing bore was referred to the Department of Primary Industries Water (DPI Water) who considered the suitability of the water source for the community water scheme. The Department of Planning and Environment (DP&E) on behalf of DPI Water advised Council that they were satisfied with the Planning Proposal and specifically the method of demonstrating a sustainable water supply.</p> <p>Any future new bores will require approval from DPI Water.</p>									
<p>Inclusion of adjoining site in the community bore scheme.</p>	<p>It is not the responsibility of Council to negotiate this.</p>									
<p>Setbacks</p> <p>Increased setback to 100 metres for building, outbuildings, sheds, animal shelters, shipping containers etc. to maintain privacy and rural outlook.</p> <p>AND</p> <p>The need for buffer zones between existing agricultural land and new residential development.</p>	<p>Council has considered setbacks between existing agricultural pursuits and the three sites subject to Planning Proposals for rural lifestyle opportunities with a minimum of 2ha:</p> <ol style="list-style-type: none"> 1. Burrundulla and Castlereagh Highway; 2. Broadhead Road; and 3. Wilbetree Road and Castlereagh Highway. <p>Council considered a number of factors, including existing DCP setbacks and the established setbacks contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Code)</p> <p>The Code was prepared by DP&E and facilitates a range of complying development. Complying development is a simpler application for development that must satisfy specific requirements detailed in the Code.</p> <p>The following tables provide comparisons of the Code setbacks and setbacks contained in the DCP.</p> <p>For <u>dwelling</u>s on lots zoned R5 Large Lot Residential with an area of at least 4,000m², the following setbacks apply:</p> <table border="1" data-bbox="794 1832 1412 1937"> <thead> <tr> <th></th> <th>Code</th> <th>DCP</th> </tr> </thead> <tbody> <tr> <td>Side setback</td> <td>10 metres</td> <td>20 metres</td> </tr> <tr> <td>Rear setback</td> <td>15 metres</td> <td>20 metres</td> </tr> </tbody> </table> <p>For <u>outbuildings</u> on lots zoned R5 Large Lot Residential with an area of at least 4,000m², the following setbacks apply:</p>		Code	DCP	Side setback	10 metres	20 metres	Rear setback	15 metres	20 metres
	Code	DCP								
Side setback	10 metres	20 metres								
Rear setback	15 metres	20 metres								

	<p>Outbuildings for agricultural use:</p> <table border="1" data-bbox="796 318 1412 423"> <thead> <tr> <th></th> <th>Code</th> <th>DCP</th> </tr> </thead> <tbody> <tr> <td>Side setback</td> <td>10 metres</td> <td>20 metres</td> </tr> <tr> <td>Rear setback</td> <td>10 metres</td> <td>20 metres</td> </tr> </tbody> </table> <p>Outbuildings for all other uses:</p> <table border="1" data-bbox="796 524 1412 629"> <thead> <tr> <th></th> <th>Code</th> <th>DCP</th> </tr> </thead> <tbody> <tr> <td>Side setback</td> <td>5 metres</td> <td>20 metres</td> </tr> <tr> <td>Rear setback</td> <td>5 metres</td> <td>20 metres</td> </tr> </tbody> </table> <p>The Code infers the potential for land use conflict between the following uses by requiring a greater setback for dwellings and outbuildings of 250m:</p> <ul style="list-style-type: none"> (i) forestry, (ii) intensive livestock agriculture, (iii) intensive plant agriculture, (iv) mines and extractive industries, (v) railway lines, (vi) rural industries. <p>It is noted that general agricultural land use and associated practices are not considered by DP&E to create potential land use conflict, accordingly the standard setbacks apply.</p> <p>As detailed above the current DCP setbacks are greater than those in the Code. It is anticipated that a significant percentage of dwellings and outbuildings will be erected under complying development approvals consistent with the setbacks established by DP&E. If Council were to increase the setbacks further it would likely encourage landowners to satisfy the complying development requirements to achieve the outcome they wish.</p> <p>Further, the side and rear setbacks for land zoned R5 Large Lot Residential, RU4 Primary Production Small Lots and RU1 Primary Production with a minimum ranging from 2ha to in excess of 100ha is 20 metres. The setbacks in the DCP have been in place and rarely varied since the adoption of the plan. The key objective of setbacks is to provide separation, these established setbacks have been achieving this objective across the three zones of varying lot sizes. Accordingly, it is not necessary for the setbacks to be increased.</p>		Code	DCP	Side setback	10 metres	20 metres	Rear setback	10 metres	20 metres		Code	DCP	Side setback	5 metres	20 metres	Rear setback	5 metres	20 metres
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	Code	DCP																	
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Rear setback	5 metres	20 metres																	
Inclusion of building height restrictions	The subject site is not currently mapped with a maximum building height under the Mid-																		

	<p>Western Regional Local Environmental Plan 2012. Areas mapped with either a 5 or 8.5 metre maximum height are those areas of higher density development within the towns of Gulgong, Kandos, Mudgee and Rylstone.</p> <p>If Council were to receive a development application for a structure with excessive height, Council would undertake a merit based assessment of the application, determine any detrimental impacts and the necessity to reduce the height.</p>
Planting of vegetation to retain privacy and limit noise.	The planting of vegetation in relation to a specific site is a matter for any future development application.
Renewal of boundary fencing	<p>The erection of boundary fencing is typically exempt development, in accordance with Clause 2.35 and 2.36 Fences of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.</p> <p>The erection of fencing in excess of the above stipulations of the Clause will require the development consent of Council.</p>
Accuracy of calculation of water requirements for rural residential properties	<p>The DCP Amendment 3 stipulates minimum volumes in accordance with DPI Water publication 'How Much Water Do I need for my Rural Property' and further detailed in correspondence from DPI Water, specifically in relation to a 'House Garden' water requirement of a minimum non-potable water supply of 0.200 mega litres. This supply is to accommodate a 1000m² house garden which was informed by DPI Water as part of the gateway process.</p> <p>The submission provided as Attachment 2, proposes a significantly greater water supply of 4 mega litres of non-potable water for a house garden. The calculations provided in the submission assume a house garden of 2 hectares in size (compared to 1000m² as above). This proposed volume assumes the entire site is developed as a garden and is inconsistent with information provided by DPI Water and DP&E regarding options to satisfy Condition 1 of all three Planning Proposal Gateway Determinations.</p>
An updated explanation of the definition of Bushfire Prone Land.	<p>The NSW Rural Fire Service has 'pre-released' Planning for Bushfire Protection 2018 and it is anticipated it will become legislated mid-2019.</p> <p>Planning for Bushfire Protection 2018 includes new information covering development in grassland areas. It specifies the standards of</p>

	<p>development in bushfire prone areas which to be applied during the development assessment process.</p> <p>If and when a future development application is received by Council it will be assessed in accordance with the legalisation in force at the time.</p>
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The matters raised in the submissions have been considered and it is recommended that the DCP Amendment 3, as exhibited (with the deletion of the two references to 'title') be approved pursuant to Part 3, Division 3 Approval of Development Control Plans, Clause 21 (1) (a) of the Environmental Planning and Assessment Regulation 2000. A copy of the DCP recommended for adoption is included in Attachment 1.

The recommended Clause with the two references to 'title' deleted is provided below:

Additional provision for the creation of lots with a mapped minimum lot size of 2ha

Water Supply For the purpose of this Clause a water reticulation system is a reticulated community bore scheme.

Required water volumes are detailed in the Department of Primary Industries Water publication 'How Much Water Do I need for my Rural Property'. The average combined dwelling and outbuilding rainwater catchment area for the region equates to a required potable water supply of 0.256 mega litres per year.

For lots with a minimum area of 2 hectares, a minimum non-potable water supply of 0.200 mega litres per year must be provided.

To demonstrate this, a copy of the licence issued in accordance with the Water Industry Competition Act (WICA) 2006 issued by the Independent Pricing and Regulatory Tribunal NSW is to be provided to Council with the development application for subdivision.

If it is demonstrated that a licence issued in accordance with the WICA 2006 is not required, a draft Community Management Statement and Community Title Subdivision Plan is to be submitted with the development application for subdivision. The statement and plan must detail all the required infrastructure (both private and common) for the reticulated community bore scheme.

Further Clarification of Issues Raised During Open Day

There were three main issues raised during Council's open day session prior to the 21 November Council meeting.

1. Inaccurate Calculation of Water Supply Requirements

The issue raised at Open Day was that the water supply requirement for a 2ha lot has been inaccurately calculated. The table demonstrates the differences between staff and the submission in calculating the water supply requirements for Domestic Household Use.

It should be noted that the method used to calculate water supply requirements was informed by DPI Water and DP&E during the gateway process for three separate 2ha

planning proposals. The gateway process specifically required demonstration of a sustainable water supply using the NSW Department of Primary Industries January 2016 publication.

	Water Requirements (Megalitres)	
	Staff	Submission
Household Use with Septic	0.256	0.256
House Garden Use	0.200	4.000
Total Domestic Water Use	0.456	4.256

The water supply requirements for Domestic Household Water Use calculated by staff (and confirmed by DPI Water and DP&E during the gateway process) is 0.456 megalitres. The water supply requirements for Domestic Household Water Use calculated in the submission is 4.256 megalitres.

In order to calculate the water requirements, two assumptions were made:

- Number of people per household – both staff and submission assume 4 people per household on a 2ha lot. However, it could also be argued that this number should be lower given the average number of people per household at the last Census 2016 was 2.4.
- Size of garden area – staff have assumed that on a 2ha lot, 1,000 square metres would be dedicated garden area. This assumption was consistently applied throughout the gateway process for three planning proposals. The submission has assumed that the entire 2ha lot would be for garden use (ie. 20,000 square metres).

House Garden Use	Assumed Garden Area (m2)	Consumption Rate m3/Person (A)	No. of Units (B)	m3 Amount (AxB)	Megalitres Required
For each 1,000m2 (Staff)	1,000	200	1	200	0.200
For each 1,000m2 (Submission)	20,000	200	20	4,000	4.000

Therefore, the key difference between the two calculations is the assumed amount of garden space that a future 2ha lot may have.

Throughout the gateway process for three planning proposals, Council, DPI Water and DP&E accepted that 1,000 square metres of dedicated garden area was a reasonable assumption on a 2ha lot. It is acknowledged that some land owners may decide to have larger gardens and some may have less. It is also accepted that some land owners may decide to install additional tanks for garden purposes which would reduce reliance on a community bore scheme for household garden purposes.

Nevertheless, the purpose of the DCP Amendment No. 3 is to provide guidance for any future land owner regarding the minimum amount of water required for 2ha lots for domestic household use and to reinforce the proposal which was supported throughout the gateway process for three planning proposals.

As a guide to how much water a typical household may use, staff have considered the average annual water usage for areas with established larger residential lots which access the reticulated town water system. The average annual water usage for households in the Putta Bucca area (with 4,000 square metre lots) is 0.3285 megalitres per year.

Staff remain of the view that the minimum amount of water supply proposed by DCP Amendment No. 3 for domestic water use of 0.456 megalitres is reasonable.

2. Inclusion of Grasslands as Bushfire Prone Land

The issue raised at Open Day was that future changes to RFS mapping will result in all grasslands areas in the Mid-Western Region being classified as bushfire prone. This is the case with new legislation to be introduced in mid-2019.

The submission requests that the DCP Amendment No. 3 should incorporate bush fire protection measures and expand upon the description of Bush Fire Prone Areas currently contained in the DCP (as written below).

Bush Fire Prone Areas

Safe siting of lots within Bushfire Prone Areas is essential. Such sites should avoid the need for extensive clearing of native vegetation and must provide for safe access for Bushfire and Emergency Service vehicles where the land is Bush Fire Prone Land. A bushfire risk assessment must be submitted in accordance with Planning for Bushfire Protection 2006, a NSW Rural Fire Service Publication. Council is able to identify if the subject land is Bushfire Prone prior to the lodging of a development application. Please note a referral fee (payable to the NSW Rural Fire Service) is required with all mandatory referrals to the NSW Rural Fire Service.

The submission suggests an additional sentence to be added after the first sentence as follows: "In addition to historic Bushfire Prone Land such as scrub and timbered areas, this includes any grasslands in the Council that have been remapped as Bushfire Prone".

Whilst staff recognise the importance of ensuring adequate planning measures are in place to undertake development in bush fire prone areas, staff do not recommend that additional measures be included in the DCP for the following reasons:

- There is existing legislation in place through the *Environmental Planning and Assessment Act 1979*, *Rural Fires Act 1997* and *Mid-Western Local Environment Plan 2012* to ensure consideration of bush fire land is adequately addressed throughout the development assessment process;
- This legislation already triggers disclosure of bush fire prone land on 149 certificates, integrated referral to the RFS as part of any future subdivision and consideration of site specific constraints at the development application stage for a dwelling or other structure; and
- The RFS maintains a publication (which is referred to in the DCP) which establishes the standards for development on bush fire prone land and which is consistently used by planners, developers and industry professionals across NSW.

As per the table above addressing submissions received, the RFS has recently issued a pre-release of its updated publication *Planning for Bush Fire Protection 2018*. This revised publication will not come into effect until the legislative changes have been made, which are scheduled to occur in mid-2019. This would be the appropriate time to update the reference to the publication in the DCP.

Planning for Bush Fire Protection 2018 will continue to be the main source of guidance in assessing development in bush fire prone areas. The requirement to consider this document is already reflected in the legislation and development controls outlined above. It is important to note that the requirement to consider bush fire prone areas is not limited to RFS mapped areas only. The legislation also requires natural hazards such as bush fire constraints to be considered as part of any site inspection.

3. Buffers between Agricultural and Rural Residential Land Uses

The issue raised at Open Day is the establishment of buffers between agricultural and rural residential land uses. The submission referenced reports written during the planning

proposal process that staff would consider whether additional buffers were required for 2ha development.

Staff did undertake a review of the current setbacks in the DCP which included a comparison to the setbacks contained in the State and Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Staff have confirmed that the DCP setbacks are already greater than those provided by state planning policy, which means increasing these setbacks even further to accommodate buffers would only encourage future land owners and developers to pursue the state planning policy pathway for development approval.

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

Amendment 3 to the DCP is consistent with the Mid-Western Regional Comprehensive Land Use Strategy Part C – Strategy, Addendum – 2 hectare criteria, in particular with regard to the provision of a sustainable water supply.

Council Policies

The purpose of this report is to amend one of Council’s policies the Mid-Western Development Control Plan 2013.

Legislation

The amendment to the Development Control Plan is being undertaken in accordance with Division 3.6 Development Control Plans of the Environmental Planning and Assessment Act 1979 and Part 3 Development Control Plans of the Environmental Planning and Assessment Regulation 2000.

Financial implications

Nil.

Associated Risks

If Council does not wish to proceed with the adoption of DCP Amendment 3, it can resolve not to proceed with the plan. In this case, Council and must provide notice to the community of the decision not to proceed and must include the reasons for the decision.

If Council does not proceed with the adoption of the DCP Amendment 3, it creates a situation for Council’s Planning Staff to approve a Development Application for subdivision without knowing if a sustainable water supply can be achieved. A landowner could receive a subdivision development consent and could not create/register the lots.

SARAH ARMSTRONG
MANAGER, STRATEGIC PLANNING

JULIE ROBERTSON
DIRECTOR DEVELOPMENT

27 November 2018

Attachments: 1. DCP Amendment 3 as exhibited with minor amendment. (separately attached)
2. DCP Amendment 3 Submissions. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

8.5 Funding Acceptance NSW Department of Industry Infrastructure Grant

REPORT BY THE MANAGER ECONOMIC DEVELOPMENT
TO 12 DECEMBER 2018 ORDINARY MEETING
GOV400066, GRA600038

RECOMMENDATION

That Council:

1. **receive the report by the Manager Economic Development on the Funding Acceptance NSW Department of Industry Infrastructure Grant;**
2. **accept grant funding of \$150,654 plus GST from the NSW Department of Industry Infrastructure Grants for the installation of Glen Willow Regional Stadium Video Scoreboard;**
3. **authorise the Mayor and General Manager to finalise and sign the funding agreement with the NSW State Government; and**
4. **amend the 2018/19 Operational Plan and Delivery Program 2017/21 as follows**
 - **in 2018/19 increase the project expenditure budget for the installation of a video scoreboard at Glen Willow Regional Stadium by \$141,300 to be funded \$70,650 from grant funding and \$70,650 from Unrestricted Cash.**

Executive summary

Council has received a \$150,654 plus GST grant from the NSW Department of Industry Infrastructure Grants for the installation of Glen Willow Regional Stadium Video Scoreboard. 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 to install the new Video Scoreboard.

Disclosure of Interest

Nil

Detailed report

Glen Willow Regional Stadium has developed a reputation to host regional, state and national level sporting events. In 2018 and 2019, the Region will host four major NRL matches that has been estimated to generate approximately \$4.6m in economic value. Further, in 2018, the stadium has been host to an A-league football game and Council staff continue to negotiate with a range of other sporting codes for state and national level fixtures.

It has been identified to continue to host national level competitions in the region; the stadium requires the installation of a video scoreboard that is utilised both for in-ground viewing and the televising of matches. To date, Council has hired this infrastructure, which is a significant cost component of hosting these matches. Further, when hiring the video scoreboard this is placed

outside the stadium in bus parking area which increases risk of pedestrian incidents as pedestrians often walk onto the road to avoid the temporary infrastructure.

In the 2018/19 Operational Plan, a budget of \$160,000 was allocated to this project. Investigations into the infrastructure have identified that total budget is \$301,300 to include the scale required to meet broadcast requirements.

Council has received a \$150,654 grant from the NSW Department of Industry Infrastructure Grants for the installation of Glen Willow Regional Stadium Video Scoreboard.

It is recommended that Council accept the grant funding of \$150,654 plus GST and endorse the proposed amendments to the Delivery Program and Operational Plan in 2018/19 to ensure the delivery of this worthy project.

Community Plan implications

Theme	Looking After Our Community
Goal	A safe and healthy community
Strategy	Support networks, program and facilities which promote health and wellbeing and encourage healthy lifestyles

Strategic implications

Council Strategies

This project is aligned with the key theme of Looking after our community in the 'Towards 2030 Mid-Western Region Community Plan'

Council Policies

Council's Procurement Policy will be followed in the delivery of this project

Legislation

Not Applicable

Financial implications

The acceptance of a \$150,654 grant from the NSW Department of Industry Infrastructure Grants for the installation of Glen Willow Regional Stadium Video Scoreboard requires an amendment to Council's Delivery Program and Operational Plan in 2018/19.

The total project budget for the Video Scoreboard is to be increased by \$141,300 to be funded \$70,650 from grant funding and \$70,650 from Unrestricted Cash.

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

Associated Risks

The installation of the new Video Scoreboard will be managed by Council's Manager Recreation Services to ensure any construction related risks are appropriately identified and managed.

ALINA AZAR
MANAGER ECONOMIC DEVELOPMENT

JULIE ROBERTSON
DIRECTOR DEVELOPMENT

5 December 2018

Attachments: 1. NSW Infrastructure Grants Funding Agreement.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



Infrastructure Grants Funding Agreement

Department: NSW Department of Industry

Name of organisation: Mid-Western Regional Council

Name of Project: The installation of the Glen Willow
Regional Stadium scoreboard

Details

Department	Name	The Crown in right of the State of New South Wales acting through the NSW Department of Industry (ABN 72 189 919 072).
	Agency/ Division	Office of Responsible Gambling, NSW NSW Department of Industry
	Address	323 Castlereagh Street, Sydney NSW 2000
	Postal Address	Liquor & Gaming NSW GPO Box 7060 Sydney NSW 2001
Department Authorised Person	Name	Natalie Wright
	Role	Director, Office of Responsible Gambling
Department Contact	Telephone	02 9995 0992
	E-mail	info@responsiblegambling.nsw.gov.au
Organisation ('You')	Name	Mid-Western Regional Council
	ABN	96 149 391 332
Organisation address	Address	86 Market Street, Mudgee NSW 2850
Organisation postal address	Postal Address	P.O. Box 156, Mudgee NSW 2850
Organisation Contact Person	Name	Mr Brad Cam
	Role	General Manager
	Telephone	(02) 6378 2850
	Mobile	0427 431 578
	E-mail	brad.cam@midwestern.nsw.gov.au
Organisation Authorised Person	Name	Brad Cam
	Role	General Manager
	Telephone	(02) 6378 2850
	Mobile	0427 431 578
	E-mail	brad.cam@midwestern.nsw.gov.au
Project name	The installation of the Glen Willow Regional Stadium scoreboard	
Grant	A maximum of \$150,650 plus GST payable in the amounts as outlined in Schedule A.	
Commencement Date	The date the Agreement is signed by both parties.	

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Terms

1 Interpretation and Definitions

1.1 Interpretation

Unless the context requires otherwise, in this Agreement:

- (a) words in the singular include the plural and vice versa;
- (b) where any time limit pursuant to this Agreement falls on a day which is not a Business Day then the time limit will be deemed to have expired on the next Business Day;
- (c) a reference to a statute, regulation, ordinance or by-law will be deemed to include a reference to all statutes, regulations, ordinances or by-laws amending, consolidating or replacing same from time to time;
- (d) headings are for convenience only and do not affect the interpretation of this Agreement;
- (e) the meaning of general words is not limited by specific examples introduced by “including” or “for example” or similar expressions;
- (f) references to persons include bodies corporate, government agencies and vice versa;
- (g) references to the parties include references to respective directors, officers, employees and agents of the parties;
- (h) nothing in this Agreement is to be interpreted against a party solely on the ground that the party put forward this Agreement or any part of it; and
- (i) where an expression is defined, any other grammatical form of that expression has a corresponding meaning.

1.2 Definitions

Agreement means this Funding Agreement document and includes the Details, Terms, Schedule A – Funding, Schedule B – Reporting Requirements, Schedule C – Media, Schedule D – Variations and reporting and any other schedules, annexures or other documents cross-referenced in this Agreement.

Budget refers to a budget for expenditure of the Grant for the purposes of conducting the activity or performing obligations under this Agreement.

Business Day means any day other than a Saturday, Sunday or public holiday in New South Wales.

Capital Equipment means any item of tangible property, purchased, leased, created or otherwise brought into existence wholly, or in part, with the use of the Grant, which has at that time a value of over \$5,000 inclusive of GST, but does not include Project Material.

Claim means any cost, expense, loss, damage, claim, action, proceeding or other liability (whether in contract, tort or otherwise), however arising and includes legal costs on a full indemnity basis.

Confidential Information of a party means all trade secrets, financial information and other commercially or scientifically valuable information of whatever description and in whatever form (whether written or oral, visible or invisible) which:

- (a) is by its nature confidential;
- (b) has been designated as confidential by a party;

- (c) is capable of protection at law or equity as confidential information; or
- (d) is derived or produced partly from the Confidential Information, but does not include information that:
- (e) is in the public domain; or
- (f) is independently known or developed by the party receiving the information other than as a result of a breach of this Agreement or any other obligation of confidentiality owed by or to any other person.

Consequential Loss means loss of revenue, loss of profits, loss of anticipated savings or business, pure economic loss, loss of data, loss of value of equipment (other than the cost of repair), loss of opportunity or expectation loss and any other form of consequential, special, indirect, punitive or exemplary loss or damage.

Grant means any part of the Grant used for the Project.

Grant Application means the application to Grant round as submitted by the due date.

Grant Period means the period commencing on the Signing Date and ending on the date that you have completed the Project to the Department's satisfaction and the Department has made all payments due.

GST Law means *A New Tax System (Goods and Services Tax) Act 1999*.

Intellectual Property or IP includes:

- (a) all rights in relation to copyright, inventions, plant varieties, trademarks, designs, patents; and
- (b) all other rights resulting from intellectual activity in the industrial, scientific, literary or artistic fields including trade secrets and know-how, but does not include Moral Rights.

Interest means the 90 day bank-accepted bill rate (available from the Reserve Bank of Australia) less 10 basis points on a daily compounding basis.

Moral Rights has the same meaning as in the *Copyright Act 1968 (Cth)*.

Notice means any approvals, consents, instructions, orders, directions, statements, requests and certificates, or other communication to be given under this Agreement.

Objectives means the objectives of the activities described in the approved application, which are the agreed results you must achieve and ensure your subcontractors achieve.

Personal Information has the same meaning as in the *Privacy and Personal Information Protection Act 1998 (NSW)*.

Project means the Project as outlined in the Grant application and as approved for funding.

Project Material means material created as part of or in performance of the Project including any documents or data.

Quarter means 1 July, 1 October, 1 January and 1 April of each year of the term of the Agreement.

Report means Project Material that is provided to the Department for reporting purposes on matters stipulated in Schedule B – Reporting Requirements.

RCTI means a Recipient Created Tax Invoice and has the same meaning given to it in the GST law and the GST ruling No 2000/10.

Signing Date means the date that this Agreement was signed by the last party.

Unspent Grant means Grant paid to you that is unspent at the end of the Grant Period and includes any Grant that is committed but unspent.

2 Commencement

This Agreement will commence on the Commencement Date being the date on which both parties have signed the Agreement.

What you must do

3 Your Obligations

You must:

- (a) ensure the Grant is used only for the approved Project;
- (b) ensure the Grant is spent in accordance with the Project;
- (c) ensure the Project is completed within 2 years of signing this Agreement;
- (d) comply with the reporting requirements set out in Schedules A and B;
- (e) comply with media and signage requirements at Schedule C;
- (f) comply with the Variation requirements set out in Schedule D; and
- (g) comply with all policies, guidelines and reasonable directions the Department provides to you.

4 Holding of Grant

The Grant must be managed with sufficient accounting controls in place to track the expenditure of the Grant and all records must be held in compliance with current tax requirements and laws.

About the Grant

5 Payment of Grant

- 5.1 The Department will pay you the Grant at the times and under the Terms set out in Schedule A.
- 5.2 The Grant is capped at the amount specified in Schedule A. The Department is unable to provide additional or ongoing funds including through the Clubgrants Category 3 Fund for the Project. You accept that the Grant is capped and non-recurrent.

6 GST

- 6.1 Unless otherwise defined in this Agreement, words or expressions used in this clause have the same meaning as defined in the GST Law.
- 6.2 Unless otherwise indicated all amounts referred to in this Agreement are exclusive of GST.
- 6.3 Where you are registered for GST you allow us to issue you with a Recipient Created Tax Invoice (RCTI) for any payments made under this Agreement as outlined in Schedule A.
- 6.4 The Department will issue you within 28 days of making or determining the value of the taxable supply the original or copy of the RCTI and will retain a copy of the RCTI.

- 6.5 If you are not registered for GST any invoice to the Department must be as set out in Schedule A.

7 Withholding, Suspension, Changes to Payments and Repayment

- 7.1 If you are not complying with this Agreement, the Department may withhold or suspend payment until you comply with your obligations to the Department's satisfaction.
- 7.2 You must repay within 28 days of a Notice being sent:
- (a) any payment spent in breach of this Agreement;
 - (b) all Unspent Grant funds.
- 7.3 Any repayment the Department claims from you under this clause will be a debt due and owing by you to the Department.

8 Capital Equipment

- 8.1 Any Capital Equipment acquired with the Grant for the purposes of the Project will become your property and you will be fully responsible for, and bear all risks relating to, the use or disposal of all Capital Equipment
- 8.2 You must not acquire any Capital Equipment with the Grant unless the Capital Equipment is specified in the Grant Application or the Department has provided you with prior written consent to acquiring that Capital Equipment.
- 8.3 You must for the term of this Agreement not sell, restrict, cease to use or otherwise dispose of any Capital Equipment acquired with the Grant without first obtaining written consent from the Department.

9 Reporting Requirements

- 9.1 You agree to provide the Department with written progress Reports in the format, at the times and containing the information specified in Schedule B – Reporting Requirements.
- 9.2 You will provide to reports to the Department, within 30 days of completion of the Project, a Final Report and a Project Acquittal and Financial Certification as specified in Schedule B – Reporting Requirements.:

10 Public Announcements and Acknowledgement

- 10.1 You must comply with publicity and signage requirements as outlined in Schedule C.
- 10.2 The Department may publicise the awarding of the Grant at any time and include:
- (a) your name;
 - (b) the amount of the Grant; and
 - (c) the title and brief description, including outcomes, of the Project.
- 10.3 If requested to do so, you must obtain written authorisation from relevant Project recipients, representatives or beneficiaries authorising the Department to name those recipients in any media statements, include their identities in the Department's

Annual report or in media releases issued by it from time to time setting out any successful inquiries arising from the administrative activities funded by the Department.

Material and Information

11 Intellectual Property

Intellectual Property in all Project Material vests in you, unless otherwise stated in any special conditions.

12 Confidential Information

- 12.1 Each party as the recipient of Confidential Information (“**Recipient**”) must in relation to the Confidential Information of the other party (“**Discloser**”):
- (a) keep it confidential;
 - (b) not copy it or any part of it that is in material form other than as strictly necessary and must mark any such copy ‘Confidential – ([Name of Discloser]);
 - (c) implement security practices against unauthorised copying, use and disclosure;
 - (d) immediately notify the Discloser if the Recipient becomes aware of any unauthorised copying, use or disclosure in any form; and
 - (e) cooperate with the Discloser in any reasonable action it takes to protect the Confidential Information.
- 12.2 The Recipient must promptly:
- (a) comply with any request by the Discloser to return or destroy any or all copies of Confidential Information; and
 - (b) upon expiry or termination of this Agreement, return to the Discloser all Confidential Information provided to it by the Discloser,
- except that the Recipient may in good faith keep one copy of Confidential Information in safe custody on a confidential basis where needed for the purpose of determining any continuing legal obligations.
- 12.3 A Recipient may disclose Confidential Information to only those of its employees, directors, officers, subcontractors, agents and legal, financial or other professional advisers who have a need to know the information for the purposes of this Agreement, provided that, prior to the disclosure, the Recipient:
- (a) ensures that those persons are made aware of the confidential nature of the Confidential Information; and
 - (b) procures an assurance that any such Confidential Information will be kept confidential.
- 12.4 A Recipient may disclose Confidential Information to the extent that it is required to be disclosed by law, provided that:
- (a) the Recipient must, to the extent reasonably practicable, give prior notice to the Discloser of the proposed disclosure with full details of the circumstances and the information to be disclosed;
 - (b) the Recipient must postpone any disclosure required by law for as long as the Recipient is able to, without prejudicing the Recipient’s own position; and

- (c) the Recipient acknowledges that the Discloser, at its cost and expense, is entitled to make representation to the relevant court, tribunal or other body seeking or ordering disclosure as to whether the Confidential Information should be disclosed.

13 Privacy

Both parties will:

- (a) ensure that Personal Information that is provided by the Department or collected by you under or in connection with this Agreement is used only for the purposes of this Agreement and is protected against loss and against unauthorised access, use, modification or disclosure or against other misuse;
- (b) not disclose any such Personal Information without the written consent of:
 - (i) the individual to whom the Personal Information relates; or
 - (ii) the Department,unless otherwise required or authorised by law;
- (c) comply with the Information Protection Principles applying to NSW public sector agencies under the *Privacy and Personal Information Protection Act 1998 (NSW)* when doing any act or engaging in any practice in relation to Personal Information as if it were an agency directly subject to that Act; and
- (b) include equivalent requirements regarding Personal Information (including this **clause 13**) in any subcontract entered into for the provision of any of the Activities under this Agreement.

Dealing with Risk

14 Insurance

- 14.1 On request by the Department, you must provide a copy of valid and current certificates of currency for each or any of the insurance policies.
- 14.2 Each party warrants that it has and will maintain appropriate insurance to cover any liability it may incur in relation to this Agreement, including a broadform public liability policy of insurance to the value of at least \$10 million in respect of each claim and unlimited in the aggregate as to the number of occurrences in the policy period.

15 Indemnities

- 15.1 You must indemnify and keep indemnified the Department, the Crown in right of the State of New South Wales and their officers, employees and agents from and against any loss (including legal costs and expenses on a solicitor/own client basis) or liability incurred or suffered by, or made against, any of those indemnified arising directly or indirectly from any Claim by any person as a result of or in connection with:
 - (a) the Grant or the use of any outcomes from the Project;
 - (b) your breach of this Agreement;
 - (c) any unlawful or negligent act or omission by you or your subcontractors in connection with this Agreement;
 - (d) any illness, injury or death of any person caused or contributed to by you or your subcontractors in connection with this Agreement;
 - (e) any loss or damage to real or personal property caused or contributed to by you or your subcontractors in connection with this Agreement; or

- (f) any act or omission by you or your subcontractors in connection with this Agreement that is in infringement of any Intellectual Property, or privacy rights of the Department or any third party.
- 15.2 Your liability to indemnify the Department under this clause will be reduced proportionately to the extent that any negligent or unlawful act or omission by the Department, its officers, employees or agents contributed to the relevant loss or liability.
- 15.3 No party will be liable to the other party under or in respect of the Agreement whether in contract, tort (including negligence), statute or any other cause of action for Consequential Loss.
- 15.4 Your liability to indemnify the Department under this clause does not exclude or reduce the liability of, or benefit to, a party that may arise by operation of the common law, statute or the other terms of this Agreement.

Expiry and Termination of the Agreement

16 Termination

- 16.1 Unless terminated earlier in accordance with this clause, this Agreement will end at the end of the Grant Period and once you have completed the Project to the Department's satisfaction and the Department has made all payments due.
- 16.2 Where a party has breached this Agreement:
 - (a) the other party may give a Notice to that party requiring it to rectify that breach within 30 days of receiving that Notice; and
 - (b) if the party which received the Notice fails to rectify that breach in time, the other party may terminate this Agreement immediately by giving a further Notice.
- 16.3 The Department may terminate this Agreement immediately by written Notice if:
 - (a) you breach a provision of this Agreement in a manner that, in the Department's opinion, is not capable of remedy;
 - (b) you breach any of the following provisions: clause 3 (Your Obligations), clause 4 (Holding of Grant), clause 9 (Reporting Requirements) or clause 14 (Insurance).
 - (c) you become insolvent, if you are the subject of a debtors or creditors petition under the *Bankruptcy Act 1966*, or if you resolve to go into administration or liquidation or have a summons for your winding up presented to a Court or enter into any scheme of arrangement with your creditors.
- 16.4 The Department may terminate this Agreement by giving you 30 days' Notice, if any one or more of the following occurs:
 - (a) in the Department's opinion you are not carrying out the Project diligently and competently;
 - (b) you have not completed one or more of the activities by the date they are due to be completed;
 - (c) the Department considers the Project no longer viable; or
 - (d) the Department considers that there has been a material change in circumstances in your financial position, your structure or your identity.

17 Survival

The following clauses survive termination or expiry of this Agreement:

- (a) **clause 11** (Intellectual Property);
- (b) **clause 12** (Confidential Information);
- (c) **clause 13** (Privacy);
- (d) **clause 15** (Indemnities);
- (e) **clause 16** (Termination);
- (f) **clause 19** and

any other clause which by its nature is intended to survive this Agreement.

Other Legal Matters

18 Dispute Resolution

- 18.1 If a dispute arises in relation to this Agreement (“a Dispute”), a party must comply with this clause 18 before starting arbitration or court proceedings except proceedings for urgent interlocutory relief.
- 18.2 A party claiming that a dispute has arisen must notify the other party in writing giving details of the dispute (Dispute Notice) in accordance with the requirements of clause 19 (Notices).
- 18.3 Following receipt of a Dispute Notice, each party must refer the Dispute to a senior representative, who:
 - (a) does not have prior direct involvement in the Dispute; and
 - (b) has authority to negotiate and settle the Dispute.
- 18.4 If the Dispute is not resolved within 10 Business Days, from the date the Dispute Notice is received by the party to whom the Dispute Notice is given, the party which gave the Dispute Notice under clause 18.2 must refer the Dispute for mediation by the Australian Disputes Centre Limited (ADC) for resolution in accordance with the mediation rules of the ADC.
- 18.5 If the Dispute is not resolved within 40 Business Days after referral to mediation either party may initiate proceedings in court.
- 18.6 Each party must pay its own costs of complying with this clause and split the costs of the mediator evenly.
- 18.7 Each party must pay its own costs of complying with this clause and split the costs of the mediator evenly.

19 Notices

- 19.1 Unless otherwise stated in this Agreement, all Notices to be given under this Agreement must be in writing, and hand-delivered, posted or emailed to the Authorised Officer specified in the Details or as otherwise notified in writing.
- 19.2 The receiving party will be deemed to have received the Notice as follows:
 - (a) if hand delivered, on the day on which it is delivered or left at the relevant address;
 - (b) if sent by post within Australia:

- i. if posted using Express Post, the priority letter service option of regular post, or the priority service option for Registered Mail, on the fourth Business Day after the day on which it is posted;
 - ii. if posted using the regular post option, on the tenth Business Day after the day on which it is posted;
 - (c) if sent by email before 5.00pm on a Business Day, the first of the following occurring:
 - i. when the sender receives an automated message confirming delivery; or
 - ii. four hours after the time sent (as recorded on the device from which the sender sent the email) unless the sender receives an automated message that the email has not be delivered.
 - (d) if sent by email after 5pm on a Business Day or on a day that is not a Business Day, then it will be deemed to be received on the next Business Day.
- 19.3 Any such mode of service will be in all respects valid notwithstanding that the party on whom service is affected may be in liquidation, bankruptcy or wound up and notwithstanding any other matter or event whatsoever.

20 General

- 20.1 **Keeping of records, audit and rights of access to such records:** You:
- (a) authorise the Department for the purposes of this Agreement (the “Auditors”), to undertake audits, to examine and inspect, at reasonable times and on reasonable notice, any records you hold, and allow any such Records to be copied; and
 - (b) provide all reasonable assistance in order for the Auditors to properly carry out the inspections and audits referred to in this clause.
- 20.2 **Conflict of Interest:** You must not carry on or be involved in any capacity in an activity or business, which may conflict with, or adversely affect, your ability to carry out your obligations under this Agreement.
- 20.3 **Entire Agreement:** This Agreement supersedes all prior contracts, obligations, representations, conduct and understandings related to the Project as provided by this Department.
- 20.4 **Variation:** This Agreement may only be varied by a Agreement in writing signed by the parties.
- 20.5 **Negation of employment, partnership or agency**
- (a) This Agreement does not create a relationship of agency, partnership, and/or employment between the parties.
 - (b) You must not represent itself as being an employee or agent of the Department or as otherwise able to bind or represent the Department.
- 20.6 **Waiver**
- (a) Any waiver by the Department of a breach of this Agreement must be in writing and will not be construed as a waiver of any further breach of the same or any other provision.
 - (b) If the Department fails to exercise any of its rights under this Agreement, or delays exercising those rights, that failure or delay will not operate as a waiver

of those rights or any future rights or in any respect stop a party from relying on the terms of this Agreement to their full force and effect.

- 20.7 **Governing Law:** The laws of New South Wales govern this Agreement and the parties submit to the non-exclusive jurisdiction of the courts in that State.
- 20.8 **Child Protection:** You are responsible for complying with the provisions of the *Children & Young Persons (Care and Protection) Act 1998 (NSW)*, *Ombudsman Act 1974 (NSW)*, *Child Protection (Working with Children) Act 2012(NSW)* and any other laws which apply to child protection and identifying your child protection responsibilities, as required by law and establishing systems for ensuring that you meet your child protection responsibilities.

Signatory Page

Signed, sealed and delivered for and on behalf of the Crown in right of the State of New South Wales acting through the Department by its authorised signatory but not so as to incur personal liability:

Signature

Natalie Wright

Name

Director, Office of Responsible Gambling

Title

Date

Your organisation: Mid-Western Regional Council

Mid-Western Regional Council

Signed, sealed and delivered for and on behalf of (funded organisation)

Signature of Authorised Representative

Brad Cam

Name of Authorised Representative

General Manager

Position of Authorised Representative

Date

Schedule A – Funding schedule

Total Amount of Grant: **\$150,650 (excluding GST)**

Instalment	Name of Activity	Description of Activities	Grant payment (excluding GST)	Supporting documentation required	Date of Completion	Payment Timing
First Instalment payment	Funding Agreement execution	Funding Agreement is finalised, signed and submitted to Liquor & Gaming NSW.	\$135,585	Signed Funding Agreement.	On execution of Funding Agreement and receipt of EFT.	Within six weeks of Funding Agreement execution.
Second and final instalment payment	Final Report, Acquittal and Financial Statement submission	Submission of satisfactory Final Report, Acquittal and Financial Certification Statement.	\$15,065	The Final Report must include: <ul style="list-style-type: none"> – details on achievement of Project milestones as outlined in your approved application; – details on the final Project output/outcomes including details on Project design and ongoing commitment as outlined in your application; – Project materials (e.g. photographs, promotional material); and – any other supporting 	Submitted within 30 days of completion of the Project.	Within six weeks of receipt of satisfactorily completed final acquittal.

				documents requested by us. Acquittal and Financial Certification Statement as per Schedule B.		
Recipient Created Tax Invoice (RCTI) Agreement and general invoicing						
<p>If you are registered for GST the following applies.</p> <p>You and the Department declare that this RCTI agreement applies to any supply under this Funding Agreement if you are registered for GST. The Department can issue tax invoices in respect of these supplies. You will not issue tax invoices in respect of these supplies. You acknowledge that you will notify the Department if you cease to be registered for GST. The Department acknowledges that it is registered for GST and that it will notify you if it ceases to be registered. Acceptance of this RCTI constitutes acceptance of the terms of this written agreement. Both parties to this supply agree that they are parties to this RCTI agreement. You agree to notify the Department if you do not wish to accept the proposed agreement within 21 days of receiving this document.</p> <p>If you are not registered for GST and will issue tax invoices to the Department, the following applies.</p> <p>1. All Tax Invoices must:</p> <ul style="list-style-type: none"> a) be clearly addressed to: NSW Department of Industry, Liquor & Gaming NSW, Grants Team, b) be sent to the Grants Team, at Level 16, 323 Castlereagh St, Haymarket 2000 (or) GPO Box 7060, Sydney NSW 2001 and emailed to info@responsiblegambling.nsw.gov.au; and c) display prominently the words "Tax Invoice". <p>2. All Tax Invoices must contain the following information:</p> <ul style="list-style-type: none"> a) creation date of the invoice b) your own reference number c) the name of the Project d) Your name e) Your ABN f) Your bank details including bank name, branch number, account number, account name g) the total amount requested. 						

Schedule B – Reporting Requirements

Reporting requirements:

1. You must provide to the Department:
 - (a) Reports meeting the description and requirements specified below, at the times and frequency specified below. We may prescribe the form of reports and manner of submission by written notice to you from time to time.
 - (b) All financial reports must comply with Australian Accounting Standards issued by the Australian Accounting Standards Board, as amended from time to time.

Report name	Description	Special requirements	Reporting period and frequency of submission
Progress Reports	1. A report documenting progress of the Project (format will be provided by L&GNSW).	The report must be signed by your authorised representative. The information in the Progress Report will be used to confirm expenditure of the Grant, as well as provide evidence of meeting Project milestones.	Report to be submitted to us every six months after the Project start date.

Report name	Description	Special requirements	Reporting period and frequency of submission
Final Report	<ol style="list-style-type: none"> 1. A report documenting completion of the Project (format will be provided by L&GNSW); 2. A copy of promotional and marketing material and any media reports relating to the Project. 	<p>The information in the Final Report will be used to confirm expenditure of the Grant, as well as provide evidence of meeting Project milestones.</p> <ol style="list-style-type: none"> 1. All unspent Grant money must be returned to us either: <ol style="list-style-type: none"> (a) by cheque submitted with the Final Report; or (b) electronically by EFT direct to our bank, on the same day as the Final Report is submitted to us. 	<p>Report to be submitted to us within 30 days of the earlier of:</p> <ol style="list-style-type: none"> (a) the completion of the Project; (b) the expiry of this Agreement; or (c) the termination of this Agreement.
Project Acquittal	1. The following financial	The Profit & Loss Statement must be:	

and Financial Certification	information: (a) Certified Profit & Loss Statement; and (b) Any additional documents required in accordance with any notes to the financial statements.	(a) prepared in accordance with Australian Accounting Standards and any statutory requirements that govern your accounting and financial records; (b) be signed by your Chief Financial Officer or equivalent authorised officer; and (c) incorporate a statement by an independent qualified accountant certifying that the financial statements present fairly that the Grant has been spent solely on the Project and in accordance with the Agreement.	
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2. You also acknowledge and agree:

(a) the Department will maintain regular contact with you to monitor implementation of this Agreement including site visits as required by the Department;

(b) in addition to any other reporting obligations under this Agreement, you must, if the Department requests, provide additional information to the Department concerning the Project, subject to the Department's request being reasonable in terms of administrative overheads and costs involved with compliance.

3. The Department may use any information contained in reports it receives from you subject to compliance with its obligations under this Agreement not to disclose your Confidential Information.

Schedule C – Media

Media, Public Announcements and Acknowledgement

1. You must ensure that any media opportunities and speaking engagements relating to this Grant or Project are discussed with and approved by the Department two (2) months prior to the event or publication.
2. You must ensure the following wording and graphics appear on all published materials:
 - (a) Funded by the NSW Government; and
 - (b) Approved NSW Government brand marks including logo and graphics
3. Verbal recognition of NSW Government support should be acknowledged across all media, publicity and public engagements.
4. Signage requirements are as per the NSW Government *NSW Funding Acknowledgement Guidelines* as set out at:
5. <https://communications.dpc.nsw.gov.au/assets/dpc-nsw-gov-au/files/Communications-and-Engagement/fa6fd6d77a/Funding-Acknowledgement-Guidelines-for-Recipients-of-NSW-Government-Grants.pdf>

Schedule D – Variations

Making changes to your funded Project or Service

All funded Projects and services should be delivered as outlined in your original Grant application and Funding Agreement.

We understand sometimes things need to change. If you want to alter part of your Project or service delivery, please call the Grants Team on (02) 9995 0992 **before** making any changes.

What changes are acceptable?

Some changes are small and will not require a formal variation request. When you ring the Grants Team we will let you know if you are in this category.

Other changes are more significant and need approval from Liquor & Gaming NSW to ensure the Project or service still achieves what it was funded to do. If this is the case, the team will ask you to submit a written Variation Request.

Can I ask for more money?

Requesting additional funding will depend on the type of Grant you have been given:

- Project Grants: this is one-off funding and no option for additional funds is provided.
- Service Delivery Grants: recipients may be entitled to additional funds for unforeseen expenses that may impact on service delivery and cannot be managed within the existing funding.

When to ask for a variation?

Whether you are seeking a variation to make a change to a Project or requesting more money for service delivery, you must ring the Grants Team **before** you make changes or spend additional funds.

Variations can only be approved for future events. You cannot ask for a variation for reimbursement or a change already made. If you make a change without approval you may be in breach of your Funding Agreement. In addition, for Project Grants, you may be requested to place all activities on hold while your Variation Request is assessed. So make sure you contact the Grants Team as soon as you start considering any changes.

How do we decide if a variation is approved?

When assessing Variation Requests, the following are considered:

- the type and scope of change to the Project/service delivery
- the impact on intended outcomes including delivery timeframes and Project/Service delivery beneficiaries
- if the change still fits within the Grant eligibility and assessment criteria to ensure equity and fairness to all applicants of the funding program.

When will you know if your variation is successful?

You will receive an update on your written Variation Request within 10 working days from when we receive your email. In most instances this first update will let you know if your request is approved or unsuccessful. If you requested significant changes, the update will let you know how much longer the assessment is likely to take and if any additional information is required.

Once a decision is made, the outcome of your Variation Request will be emailed to you. If approved you will receive any special conditions and if required, a Funding Variation will be attached to your Funding Agreement.

Steps for a variation

1. Contact the Grants Team to discuss your variation needs on:

Phone

(02) 9995 0992

Translating and Interpreter Service

131 450

Relay Service

133 677 (TTY) or 0423 677 767 (SMS relay).

2. If advised by the Grants Team, submit a variation request in writing.
3. Assessment of Variation Request by L&GNSW.
4. L&GNSW will provide an update on your variation within 10 days of receiving your written request.



Department of Industry

NSW Department of Industry
Liquor & Gaming NSW, Grants Team
Electronic Funds Transfer - Banking Details

ORGANISATION

Name of Organisation: Mid-Western Regional Council

Address: 86 Market Street, Mudgee NSW 2850

ABN: 96 149 391 332

Contact Officer (Name & Title): Mr Brad Cam

Phone: (02.)6378 2850 Fax: (02.)6378 2815

E-mail council@midwestern.nsw.gov.au

BANKING DETAILS

Financial Institution Name: National Australia Bank

Financial Institution Address: 64 - 66 Church Street, Mudgee NSW 2850

Bank Account name in full: Mid-Western Regional Council

BSB: 0 8 2- 7 2 6 (6 digit code) Bank Account number: 169938918

Type of Account: Savings (Savings, cheque, cash mgt. etc.)

AUTHORISATION

To be authorised by a representative of the governing organisation:

Signature

Name Brad Cam

Title General Manager

Date

8.6 2018-19 Local Heritage Grants - Reallocation

REPORT BY THE MANAGER, STRATEGIC PLANNING
TO 12 DECEMBER 2018 ORDINARY MEETING
GOV400066, GRA600032

RECOMMENDATION

That Council:

1. **receive the report by the Manager, Strategic Planning on the 2018-19 Local Heritage Grants - Reallocation; and**
2. **provide a Local Heritage Grant to the following projects:**
 - a) **\$1000 for restoration works at 125 Denison Street Mudgee; and**
 - b) **\$2000 for restoration works at 30 Denison 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 reallocation of the grant funding.

Two of the successful applicants declined the grants offered. Accordingly, the report recommends the allocation of that funding to two new projects.



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 were recommended for funding. Two of the grant recipients did not accept their funding offer.

One of the grant applications received failed to provide a quote at the time of applying. However, a quote has been obtained since then. Another application was lodged after the closing date. It was a complete application and is for an individually listed property. These two applications have been summarised in the table below. The two applications are consistent with funding priorities of Council's Local Heritage Grants Policy and can work within the grant funding deadlines.

AMOUNT RECOMMENDED	TOTAL PROJECT COST	PROJECT ADDRESS	RESTORE VERANDAH TIMBER FLOORING	HERITAGE ITEM	WITHIN A HCA	ACCESSIBLE BY THE PUBLIC	FUNDING RECEIVED IN LAST 5 YEARS	PHOTO OF SUBJECT SITE
\$2,000	\$9,986	30 Denison Street, Mudgee	Restoration works and painting	Yes	Yes	No	No	
\$1,000	\$11,500	125 Denison Street, Mudgee	Restore verandah timber flooring	No	Yes	No	No	

Taking into account the \$16,000 budget available, Council's Local Heritage Grants Policy, and the two project costs, it is recommended the projects be allocated funding in accordance with the recommendation.

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

27 November 2018

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

8.7 Monthly Development Applications Processing and Determined

REPORT BY THE DIRECTOR DEVELOPMENT
TO 12 DECEMBER 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 November 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

28 November 2018

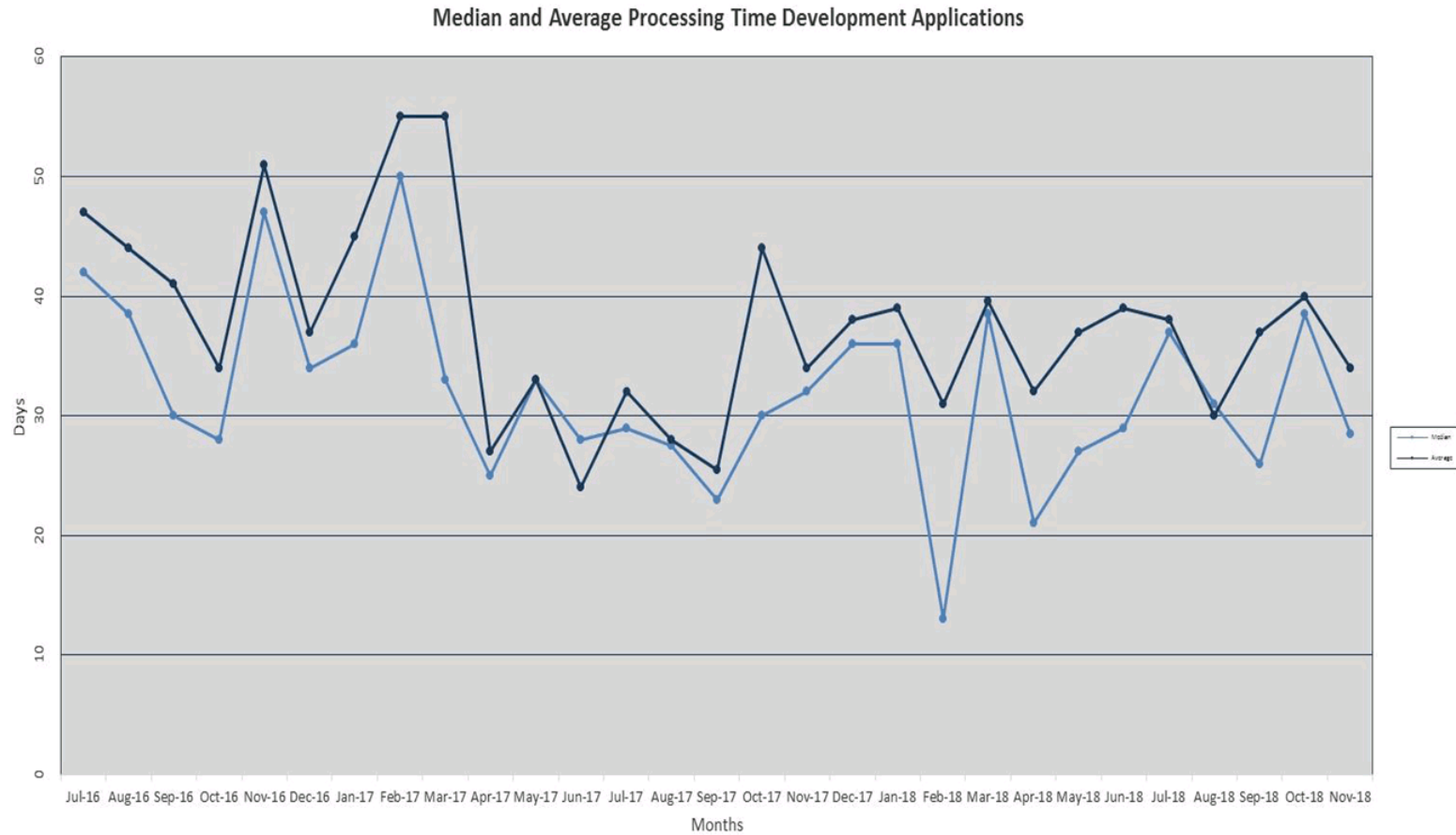
Attachments: 1. Monthly Development Applications Processing and Determined - November 2018.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

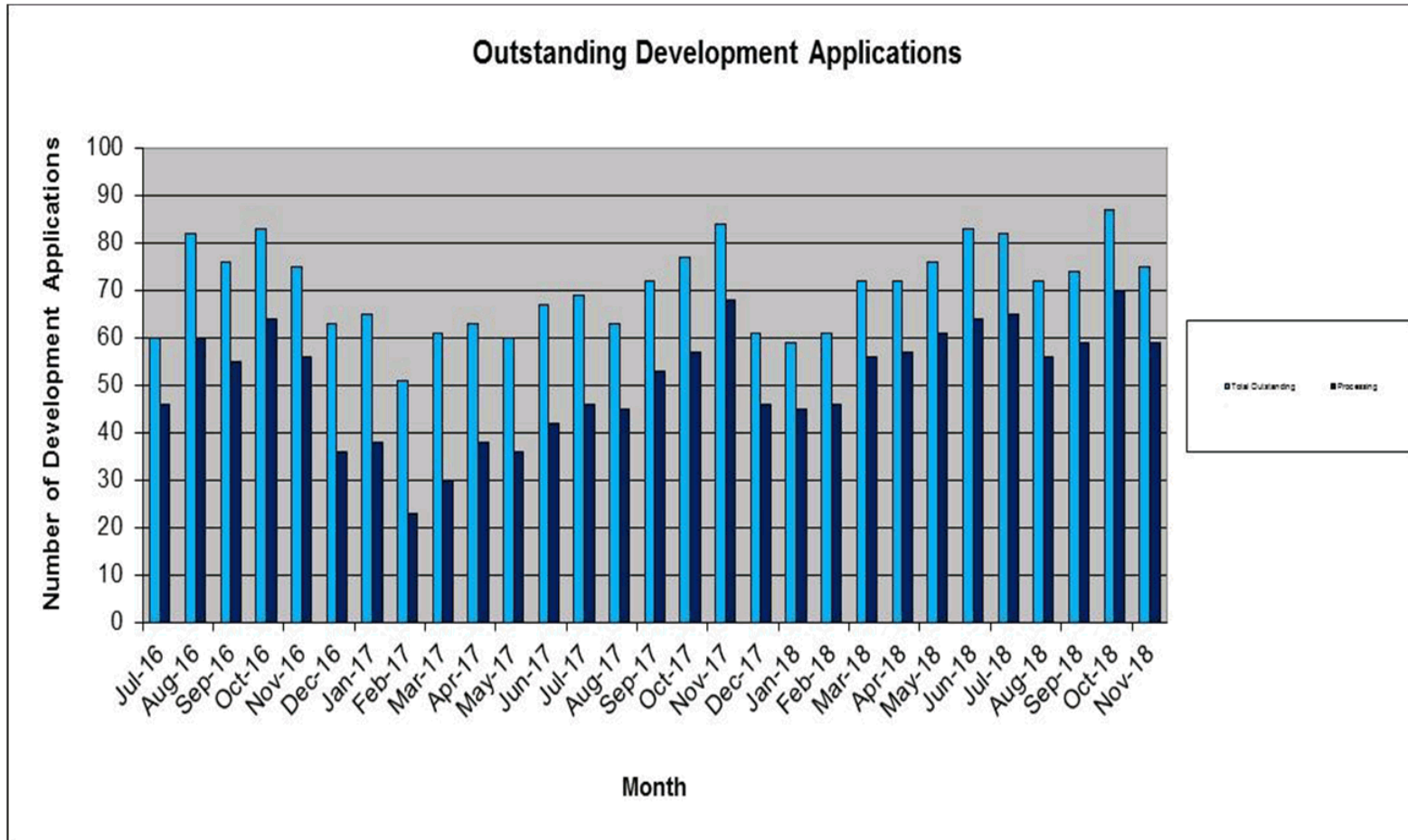
Monthly Development Application Processing Report – November 2018

This report covers the period for the month of November 2018. Graph 1 indicates the processing times up to 30, November 2018 with the month of November having an average of 34 days and a median time of 28.5 days.



Monthly Development Application Processing Report – November 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 – November 2018

The Planning and Development Department determined 40 Development Applications either by Council or under delegation during November 2018.

Development Applications Determined – November, 2018

Appl/Proc ID	Description	House No	Street Name	Locality
DA0296/2018	Change of use - Education Establishment	77	Louee Street	RYLSTONE
DA0002/2019	Alterations & Additions	47	Herbert Street	GULGONG
DA0010/2019	Alterations & Additions	54	Depot Road	MUDGEE
DA0033/2019	Carport	4	Fleetwood Avenue	MUDGEE
DA0035/2019	Light Industry	6	John Street	ULAN
DA0050/2019	Commercial Premises	22	Sydney Road	MUDGEE
DA0058/2019	Serviced Apartment	110	Saleyards Lane	MUDGEE
DA0069/2019	Dual Occupancy	131	Beragoo Road	GRATTAI
DA0074/2019	Change of use - Secondary Dwelling	20	Bumberra Place	BOMBIRA
DA0076/2019	Community Facility	11	Nicholson Street	MUDGEE
DA0079/2019	Commercial Alterations/Additions	30	Sydney Road	MUDGEE
DA0080/2019	Alterations & Additions	1537	Wollar Road	COOYAL
DA0081/2019	Demolition	150	Mortimer Street	MUDGEE
DA0083/2019	Dual Occupancy	44	Melton Road	MUDGEE
DA0084/2019	Dwelling House	5	Yamble Close	MUDGEE
DA0086/2019	Commercial Alterations/Additions	21	Douro Street	MUDGEE
DA0091/2019	Residential Shed	272	Strikes Lane	EURUNDEREE
DA0092/2019	Residential Shed	42	Aerodrome Road	RYLSTONE
DA0093/2019	Residential Shed	24	Aerodrome Road	RYLSTONE
DA0094/2019	Residential Shed	1178	Campbells Creek Road	WINDEYER
DA0097/2019	Building Identification Sign	32	Sydney Road	MUDGEE
DA0099/2019	Dwelling House	1	Clifton Avenue	MUDGEE
DA0100/2019	Dwelling House	1	Clifton Avenue	MUDGEE
DA0102/2019	Residential Shed	15	Clare Court	MUDGEE
DA0104/2019	Residential Shed	20	MacLachlan Street	KANDOS
DA0109/2019	Alterations & Additions	61	Mortimer Street	MUDGEE
DA0110/2019	Farm Building	312	Castlereagh Highway	BURRUNDULLA
DA0112/2019	Alterations & Additions	72	Inglis Street	MUDGEE
DA0113/2019	Carport	45	Ilford Road	KANDOS
DA0114/2019	Residential Shed	11	Cudgegong Road	RYLSTONE

Monthly Development Application Processing Report – November 2018

DA0115/2019	Moveable Dwelling	1544	Bocoble Road	CARCALGONG
DA0117/2019	Residential Shed	54	Boronia Road	RYLSTONE
DA0123/2019	Dwelling House	10	Banjo Paterson Avenue	MUDGEE
DA0124/2019	Swimming Pool	299	Melrose Road	MOUNT FROME
DA0128/2019	Swimming Pool	20	Hardwick Avenue	MUDGEE
DA0129/2019	Swimming Pool	17	Tongbong Street	RYLSTONE
DA0133/2019	Carport	12	Waterworks Road	MUDGEE
DA0136/2019	Carport	27	Lewis Street	MUDGEE
DA0137/2019	Alterations & Additions	10	Roy Cross Place	GULGONG
DA0138/2019	Swimming Pool	715	Spring Flat Road	SPRING FLAT

Monthly Development Application Processing Report – November 2018

Development Applications currently being processed - November, 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 - Shed to Dwelling and Studio	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
DA0199/2018	Residential Shed	2018	Campbells Creek Road	CARCALGONG
DA0214/2018	Camping Ground	2970	Lue Road	LUE
DA0226/2018	Dwelling House	308	Cypress Drive	YARRAWONGA
DA0232/2018	Shed >150m2	1132	Bocoble Road	BOCOBLE
DA0250/2018	Community Centre	363	Ulan Road	EURUNDEREE
DA0280/2018	Subdivision - Torrens Title	155	Bruce Road	MUDGEES
DA0301/2018	Commercial Premises	20	Sydney Road	MUDGEES
DA0311/2018	Alterations & Additions	6241	Ilford Sofala Road	SOBALA
DA0321/2018	Alterations & Additions	20	Mudgee Street	RYLSTONE
DA0020/2019	Residential Shed	8	Consadine Grove	SPRING FLAT
DA0032/2019	Subdivision - Torrens Title	3	Sydney Road	BURRUNDULLA
DA0044/2019	Function centre	111	Mount Pleasant Lane	BUCKAROO
DA0046/2019	Subdivision - Torrens Title	20	Bell Street	MUDGEES
DA0056/2019	Fence	42	Bateman Avenue	MUDGEES
DA0061/2019	Cellar Door Premises	138	Craigmoor Road	EURUNDEREE
DA0063/2019	Boundary Adjustment	2358	Henry Lawson Drive	CANADIAN LEAD
DA0064/2019	Dwelling House	51	Elouera Road	STUBBO

Monthly Development Application Processing Report – November 2018

DA0065/2019	Subdivision - Torrens Title	1049	Castlereagh Highway	MULLAMUDDY
DA0068/2019	Depot	14	Burrundulla Road	BURRUNDULLA
DA0070/2019	Industrial Building	4	Industrial Avenue	MUDGEES
DA0072/2019	Subdivision - Torrens Title	20	Baskerville Drive	MUDGEES
DA0077/2019	Dwelling House	2	Canary Street	CLANDULLA
DA0082/2019	Subdivision - Torrens Title	45	Callaghan Street	CLANDULLA
DA0087/2019	Carport	21	Stockmans Drive	PUTTA BUCCA
DA0089/2019	Change of use - Dwelling to Serviced Apartment	2037	Coxs Creek Road	RYLSTONE
DA0096/2019	Residential Shed	166	Mortimer Street	MUDGEES
DA0098/2019	Dwelling House	23	Oxley Street	KANDOS
DA0103/2019	Residential Shed	846	Eurunderee Lane	EURUNDEREE
DA0106/2019	Subdivision - Torrens Title	316	Broadhead Road	SPRING FLAT
DA0107/2019	Residential Shed	176	Broadhead Road	SPRING FLAT
DA0108/2019	Change of use – Serviced Apartment	1343	Lower Piambong Road	PIAMBONG
DA0111/2019	Dwelling House	555	Jennings Road	BARA
DA0116/2019	Alterations & Additions	50	Robertson Street	MUDGEES
DA0118/2019	Commercial Alterations/Additions	3	Sydney Road	BURRUNDULLA
DA0120/2019	Change of use - Agricultural Produce Industry & Serviced Apartment	63	Oaklands Road	MOUNT FROME
DA0122/2019	Residential Shed	6	Robert Hoddle Grove	BOMBIRA
DA0125/2019	Commercial Alterations/Additions	5	Sydney Road	MUDGEES
DA0126/2019	Change of use – Industrial Training Facility	15	Industrial Avenue	MUDGEES
DA0130/2019	Signage	15	Lewis Street	MUDGEES
DA0134/2019	Dwelling House	21	George Street	MUDGEES
DA0135/2019	Residential Shed	3	Sawyers Place	MUDGEES
DA0140/2019	Dwelling House	8	Staggerwing Road	RYLSTONE
DA0141/2019	Residential Shed	12	Maher Place	MUDGEES
DA0142/2019	Residential Shed	19	Banksia Way	RYLSTONE
DA0143/2019	Awning	20	Industrial Avenue	MUDGEES
DA0144/2019	Change of use - Serviced Apartment	499	Lue Road	MILROY
DA0145/2019	Commercial Alterations/Additions	18	Bulga Street	GULGONG
DA0146/2019	Subdivision - Torrens Title	1193	Yarrabin Road	YARRABIN
DA0147/2019	Carport	53	Mudgee Street	RYLSTONE

Monthly Development Application Processing Report – November 2018

Heritage Development Applications currently being processed – November 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
DA0026/2019	Signage	75	Denison Street	MUDGEE
DA0062/2019	Subdivision - Community Title	13	Court Street	MUDGEE
DA0101/2019	Dwelling House	6	Anzac Avenue	KANDOS
DA0119/2019	Alterations & Additions	24	Perry Street	MUDGEE
DA0121/2019	Alterations & Additions	5	Dawson Street	RYLSTONE
DA0131/2019	Alterations & Additions	42	Louee Street	RYLSTONE
DA0132/2019	Demolition	61	Horatio Street	MUDGEE
DA0139/2019	Alterations & Additions	75	Gladstone Street	MUDGEE
DA0271/2011	Alterations & Additions	87	Short Street	MUDGEE
DA0091/2017	Residential Shed	42	Louee Street	RYLSTONE
DA0058/2018	Fence	1	Dunphy Crescent	MUDGEE

Item 9: Finance

9.1 Community Grants Program Policy Review

REPORT BY THE ACTING CHIEF FINANCIAL OFFICER
TO 12 DECEMBER 2018 ORDINARY MEETING
GOV400066, GRA600009

RECOMMENDATION

That Council:

- 1. receive the report by the Acting Chief Financial Officer on the Community Grants Program Policy Review;**
 - 2. place the revised Community Grants Program Policy on public exhibition for 28 days; and**
 - 3. adopt the revised Community Grants Program Policy if no submissions are received.**
-

Executive summary

A review of Council's Community Grants Program Policy has been undertaken with track changes shown on the attachment to this report. A summary of amendments includes:

- that Council do not provide grants to programs that typically fall under the responsibility of another level of government
- adding a category to address funding of business associations in the area
- removing the amount of resident participation from the assessment criteria
- removing requirement to return unspent grants
- acknowledgement that applications may be considered at meetings outside the quarterly schedule at council's discretion.

Disclosure of Interest

Nil.

Detailed report

Alterations proposed are shown in the attachment and are summarised above. More detail on each change is provided below.

That Council do not provide grants to programs that typically fall under the responsibility of another level of government

Council occasionally receives applications from State Government departments and organisations that promote programs that are typically the responsibility of the State or Federal Government. The impact of cost shifting from both the New South Wales and Federal Government is continually

monitored and a recent Local Government NSW report puts the total cost shifted onto councils at \$820 million per year. For this reason, it is recommended to exclude these types of activities from Council's community grant program funding.

Adding a category to address funding of business associations in the area

At Council's Ordinary Meeting of 19 September it was resolved that a report be brought back to Council on funding assistance provided by Council to Business Associations (Res 273/18).

The table below shows financial assistance payments that Council has made over the last three financial years and the current year to date.

Organisation	2015/16	2016/17	2017/18	2018/19 Year to date
Gulgong Chamber Of Commerce	\$ 10,000	\$ 10,000	\$ 10,000	-
Kandos Rylstone Community Radio	\$ 11,000	\$ 11,000	\$ 11,000	\$ 10,000
Mudgee Chamber of Commerce	-	\$ 10,000	\$ 7,000	\$ 5,000

As is noted in the revised policy, supporting local industries and businesses aligns with the goals of Council's Community Plan theme Building a Strong Local Economy. The recommendation to include this category of financial assistance within the Community Grants Program Policy is based on the principle that business associations represent and assist the business community with the Mid-Western Regional Council area and are striving to achieve similar goals to Council.

To provide certainty to business associations and Council it is recommended to determine an annual funding amount up to \$10,000. After this amount is determined each financial year, further applications for funding under the community grants program from that organisation would not be accepted.

Removing the amount of resident participation from the assessment criteria

Assessment of these criteria was based on estimates provided by the applicant. It is also reasoned that the number of participants may not be an indication of need in the community therefore this should not be stand-alone criteria assessed. These aspects will still be assessed as part of considering the overall degree of benefit to the community.

Removing requirement to return unspent grants

Due the varied nature of projects and organisations that are funded from this policy it can be difficult and onerous to determine whether unspent grants exist due to mixed funding sources. As grants are relatively small compared to the time that would be required to assess and recover unspent funds it is recommended to remove this requirement. Instead, more flexibility is recommended by noting that unspent grants may affect future funding opportunities.

Acknowledgement that applications may be considered at meetings outside the quarterly schedule at council's discretion.

The current policy has a timetable designed to limit reports to a quarterly schedule, however on many occasions projects require a commitment to financial support in a timelier manner. This addition to the policy documents the discretion given to accept and assess applications outside of the proposed timetable.

Community Plan implications

Theme	Looking After Our Community
Goal	A safe and healthy community
Strategy	Support networks, program and facilities which promote health and wellbeing and encourage healthy lifestyles

Strategic implications

Council Strategies

Not applicable.

Council Policies

By adopting the recommendation, Council is endorsing the Community Grants Program Policy changes to be placed out on public exhibition for comment. Should any submissions be received a further report will be presented back to Council for consideration. If no submissions are received at the end of the exhibition period, the revised policy will be adopted and apply from that date.

Legislation

Not applicable.

Financial implications

Not applicable.

Associated Risks

Not applicable.

NEIL BUNGATE
ACTING CHIEF FINANCIAL OFFICER

5 September 2018

Attachments: 1. POLICY - REVIEW - Community Grants Program.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



COMMUNITY GRANTS PROGRAM POLICY

*A prosperous
and progressive
community*

ADOPTED	REFERENCE	V32
COUNCIL MEETING MIN NO 150/17	REVIEW DATE	MAY 2021
DATE: 21 JUNE, 2017	FILE NUMBER	FIN300138

Objective

The objective of this policy is to:

- establish clear and transparent criteria by which financial assistance requests will be assessed and allocations determined;
- provide a process which allows Council to conduct a meaningful and equitable comparison of requests
- provide guidelines for the submission of applications and assessment process
- inform grantees of the requirements to acquit their funding

Scope

This policy applies to requests for financial assistance from not-for-profit community based organisations, groups and individuals that meet community needs and benefit residents in our community.

The purpose of the Community Grants Program is to enable Council to support local projects and activities put forward by those organisations that offer a significant contribution to community outcomes and goals as provided in the Towards 2030 Community Plan. In doing so, financial assistance is to be provided in a consistent, equitable and transparent manner.

Legislative requirements

The Community Grants Program is governed by the following legislative framework.

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.
- (2) A proposed recipient who acts for private gain is not ineligible to be granted financial assistance but must not receive any benefit under this section until at least 28 days' public notice of the council's proposal to pass the necessary resolution has been given.
- (3) However, public notice is not required if:
 - (a) the financial assistance is part of a specific program, and
 - (b) the program's details have been included in the council's draft operational plan for the year in which the financial assistance is proposed to be given, and
 - (c) the program's proposed budget for that year does not exceed 5 per cent of the council's proposed income from the ordinary rates levied for that year, and
 - (d) the program applies uniformly to all persons within the council's area or to a significant group of persons within the area.
- (4) Public notice is also not required if the financial assistance is part of a program of graffiti removal work.

POLICY: COMMUNITY GRANTS PROGRAM |

The Local Government Act 1993, Section 377, states:

(1) A council may, by resolution, delegate to the general manager or any other person or body (not including another employee of the council) any of the functions of the council, other than the following:

(q) a decision under section 356 to contribute money or otherwise grant financial assistance to persons,

Related policies and plans

- Sponsorship Acknowledgement Policy
- Conflict of Interest Policy
- Towards 2030 Community Plan

Policy

General Eligibility Criteria

To be eligible for assessment all applicants must:

- Bbe an incorporated not-for-profit organisation or Individual. Unincorporated community groups are eligible to apply provided they are auspiced by an incorporated not-for-profit organisation;
- Have met any previous Mid-Western Regional Council grant acquittal requirements;
- Have no outstanding debts of any kind to Mid-Western Regional Council; and
- Complete the online application form by the applicable cut-off time and date.

Mid-Western Regional Council does not provide grants under this policy for:

- Events that are eligible to apply for the Events Assistance Program, excluding the Mudgee, Gulgong and Rylstone Shows'
- programs that typically fall under the responsibility of another level of government.

In-kind support for the waiver of rates, fees and charges is considered financial assistance within this policy and therefore eligible for applications. The waiver of a bond or security deposit is not considered financial assistance, however if any damage should arise as a result of the event, the applicant will be liable for the cost.

Youth Representative Grants Category

Youth representative grants are open to:

- Persons that meet the eligibility criteria to represent on Youth Council; and
- Are selected to represent Australia at any international competition or event, including but not limited to sporting, academic or the arts.

This grant is limited to \$1,000, and will be excluded from the requirements of the Community Grants Assessment Criteria.

Funding of business associations in the local government area

Business associations are organisations that represent the business community within the Mid-Western Regional Council area. To be eligible for funding the objectives of these organisations should align with strategies identified within Council's community plan theme 'Building a Strong Local Economy'.

For the purpose of this policy the business areas available for funding are:

- Gulgong
- Kandos/Rylstone
- Mudgee

Council may allocate an annual funding amount to a business association in each area. The annual amount for each financial year shall not exceed \$10,000.

Grants Management Process

APPLICATIONS

All grant applications are to be completed online, accessed from the Mid-Western Regional Council website. If you are unable to access the internet, facilities are available for lodgement at Council's Customer Service locations.

ASSESSMENT

All applications (except Youth Representative Grants) received are assessed by a panel of at least three relevant staff members. If ~~required~~considered relevant, some applications may be assessed by external parties who have skills and professional expertise that benefit the assessment process.

The application will be assessed 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 not-for-profit local groups in the planning and delivery of the project
- Organisational capacity to deliver the program or project

Unsuccessful applicants are encouraged to seek feedback from staff on their application. Even though an application may meet the criteria it may not be competitive against other applications.

APPROVAL

Only Council has authority to approve grants for financial assistance. Council will be provided with a report on a quarterly basis to consider the assessment panel's recommendations for which applications will be funded and to what amount.

ACQUITTAL REQUIREMENTS

To ensure financial assistance is used by the recipient for the specified purpose all grantees must submit reports back to Council in accordance with the below requirements depending on the type of activity.

POLICY: COMMUNITY GRANTS PROGRAM |

Grant Amount	Project	All other activities
<\$2,000	Brief report on the outcomes achieved at the end of the project	Brief report on the outcomes achieved at the end of the financial year
>\$2,000	In addition to the above a financial report with copies of invoices attached where relevant	In addition to the above annual financial statements with copies of invoices attached where relevant

UNSPENT GRANTS

Where unspent grants are reported in the acquittal [this may jeopardise future applications for funding that exceeds \\$200, the grantee will be required to return to Mid-Western Regional Council. Following review of the acquittal a tax invoice will be issued if payment is required.](#)

TIMETABLE

	Quarter 1	Quarter 2	Quarter 3	Quarter 4
Applications open online via MWRC website	1st May	1st July	1st October	1st January
Applications close	6 weeks after opening	6 weeks after opening	6 weeks after opening	6 weeks after opening
Report to Council meeting (month)	July	October	February	May

[Applications may be considered at meetings outside this schedule at council's discretion.](#)

**These dates are based on anticipated Council meeting dates, if a Council meeting is moved or cancelled - applications will be submitted at the next available meeting date.

PRIVACY

Applicants should be aware that copies of applications for financial assistance may be included in a report to Council which will be published in the Council Business Paper and will be publicly available as well as being published on Council's website.

Definitions

Term	Meaning
Acquittal	An acquittal is a written report submitted after the funded project is complete or at end of financial year. It details how the grantee administered the grant funds and met the outcomes in the funding application.
Auspice	An auspice is an incorporated not-for profit organisation who receives, administers and acquits the funding on behalf of an unincorporated grant applicant. Unincorporated groups seeking funding must apply for funding under an auspice.
Financial Assistance	<p>Payments given to individuals or organisations which are not commensurate with a reciprocal benefit received by Council. It should be noted the following examples are not considered financial assistance and are therefore outside this policy:</p> <ul style="list-style-type: none"> Payments made in exchange for the provision of a service which Council may otherwise provide itself. Statutory contributions such as SES, Rural Fire Service and NSW Fire Brigades. Waiver of a bond or security deposit.
Grant	Cash provided to applicants for the specified purpose as outlined in the application. A grant is given with conditions that is must be administered for that purpose identified with requirement for acquittal.

POLICY: COMMUNITY GRANTS PROGRAM |

In-kind	Refers to an arrangement whereby Council foregoes revenue on things for which they would normally charge a fee.
Not-for-profit organisation	A not-for-profit organisation is an organisation that does not directly operate for the profit or gain of its owners, members or shareholders, either directly or indirectly. Any profit must be used to implement the organisation's purpose and must not be distributed to members, owners or shareholders either while the organisation is operating or when it winds up.
Project	A Project is a temporary organisation that is created for the purpose of delivering one or more business products according to an agreed Business Case

The online application form requires the below information.

APPLICATION FORM – COMMUNITY GRANTS

Applicants Details

- Name of organisation
- Contact person
- Address
- Phone
- Email
- ABN
- Bank Account

Project/Activity Details

- Name of project/activity
- Amount of funding requested
- Start and finish date
- Briefly describe project/activity

Address Criteria

- 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 project/activity

Financial Information

- Income
- Expenditure
- Net budget. If the application shows a budget surplus there must be an explanation provided to justify why surplus funds are required and how they are to be used. For example a charitable donation or organisation fund raising towards a major purchase
- Most recent bank account balance, from either bank statement or treasurers report

Attachments

- Certificate of incorporation or letter from auspicing body

APPLICATION FORM – YOUTH REPRESENTATIVE GRANTS

Applicants Details

- Name
- Date of Birth
- Address
- Phone
- Email
- ABN
- Bank Account

Project/Activity Details

- Name of project/activity
- Amount of funding requested
- Start and finish date
- Briefly describe project/activity

REVIEW

9.2 Naming of Jack Webb Bridge over Cooyal Creek on Ulan Road Frog Rock/Linburn

REPORT BY THE PROPERTY SUPPORT OFFICER
TO 12 DECEMBER 2018 ORDINARY MEETING
GOV400066, ROA100071

RECOMMENDATION

That Council:

1. **receive the report by the Property Support Officer on the naming of Jack Webb Bridge over Cooyal Creek on Ulan Road Frog Rock/Linburn; and**
2. **formally approve the name of Jack Webb Bridge for this bridge.**

Executive summary

Formal approval is requested to name a bridge over Cooyal Creek, on Ulan Road on the border of the localities of Frog Rock and Linburn, Jack Webb Bridge.

Disclosure of Interest

Nil.

Detailed report

Council received a request for the bridge over Cooyal Creek on Ulan Road to be named. Council wrote to neighbours of the bridge requesting their naming suggestions and public consultation was also invited in an advertisement placed in the 17 August 2018 Mudgee Guardian.

From submissions received, Council provisionally approved the name of Jack Webb Bridge at their 17 October 2018 meeting.

Jack Webb Bridge was advertised in the 26 October 2018 Mudgee Guardian and on Council's website with no further submissions received. Notices of the new bridge name were also served on Australia Post, the Registrar General, the Surveyor General, the NSW Ambulance Service, NSW Fire & Rescue, NSW Rural Fire Brigades, NSW Police Force, NSW SES and NSW VRA with no objections received.

Council has the authority to name bridges and the naming of this bridge will assist in identifying locations along Ulan Road when reporting incidents to 000.

Council currently has no policy in relation to the naming of bridges. Unlike road naming and place naming, the Geographical Names Board does not have any authority over the naming of bridges and this is entirely in Council's purview. Therefore, using Council's Road Naming Policy as a reference, should Council formally endorse the naming of this bridge, notice of the approved name will be:

1. published in the Government Gazette and the Mudgee Guardian.

2. concurrently, notice of the new name will be sent to Australia Post, the Registrar General, the Surveyor General, the NSW Ambulance Service, NSW Fire & Rescue, NSW Rural Fire Brigades, NSW Police Force, NSW SES and NSW VRA, and, in the case of a classified road – the RMS.

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

Not applicable.

Council Policies

Road Naming Policy (by reference).

Legislation

Not applicable.

Financial implications

Cost of Gazettal notice is currently within existing advertising budgets.

Cost of two name signs and cost of installation is currently within existing street signage budgets.

Associated Risks

Nil.

CAROLYN ATKINS
PROPERTY SUPPORT OFFICER

NEIL BUNGATE
ACTING CHIEF FINANCIAL OFFICER

8 November 2018

Attachments:

1. Submission.
2. Submission.
3. Submission.
4. Submission.
5. Map of bridge being named.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

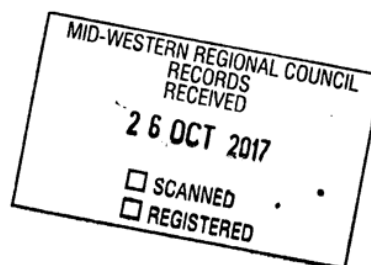
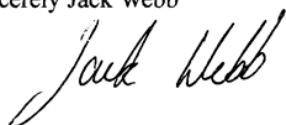
To the General Manager of the Mid-Western Regional Council

I wish to bring to the council's attention that for some years there has been no sign at the Cooyal Creek bridge along the Ulan Road formally known as the Cassilis Road.

With the recent road upgrades on the Ulan Road I would like to suggest that this bridge be sign posted as "Cooyal Creek" Webb's bridge.

My Great Grandfather William Earnest Webb took up the homestead portion of the property "Cooyal Station" in 1923 after moving from Wilbertree where our family settled in the 1850's. As nothing in this district is named after our family and I feel that this is an appropriate request as the bridge is at the entrance into our property.

Sincerely Jack Webb



COOYAL STATION
1909 Ulan Road
LINBURN 2850
PH: 02 6373 3951
MOBILE: 0428 134 398

MID-WESTERN REGIONAL COUNCIL RECORDS RECEIVED
- 4 SEP 2018
<input type="checkbox"/> SCANNED
<input type="checkbox"/> REGISTERED

31 August, 2018

The General Manager
Mid-Western Regional Council
86 Market Street
PO Box 156
MUDGEE 2850

Dear Sir,

RE: NAMING OF BRIDGE OVER COOYAL CREEK

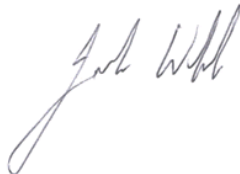
I am responding to your letter dated 14 August 2018, Reference: CA:ROA100071, regarding naming of the bridge over "Cooyal Creek" at the entrance of our property. I wish to submit the name "Webb's Bridge" this being appropriate for the following reasons.

My grandchildren are the fifth generation to live on "Cooyal Station". My Grandfather, William Ernest Webb, took up the Homestead portion of "Cooyal Station" when it was subdivided in 1923. Our family have many memories of the various bridges over the creek beginning with the original Humped bridge. My late sister attended the Murabah school which was situated within 50 meters of that bridge.

Webb's tender was accepted for the first bridge over the Cooyal Creek at Home Rule in 1973 during the Gold Rush. As this bridge is already named I feel it is only fitting that the Ulan Road bridge over the "Cooyal Creek" bears the Webb name.

I hope the Council will give favorable consideration to my submission.

Yours faithfully,



Please see over

John Webb
Cooyal Station

Attachments: Photos of W E Webb
Extract from “Diary of a Goldfield”

extract from local paper 21-6-1873

Sudden Death

On Sunday last a man named Michael Doran, residing at *Lowe's Paddock*, died of heart attack. Evidence given at the inquest stated he had been unwell for some time previously but no one suspected danger. He showed improvement just before the death seizure. Doran, who was 40 years of age, was much respected, and a large concourse of miners followed his remains to their last resting place.

Home Rule Bridge

The tender of Messrs Webb & Co, for the sum of £875, has been accepted by the Government for the erection of the bridge over the Cooyal Creek at *Home Rule*.

Mining Matters

The weather - though just now passably fine - does not appear to be settled; and the wise ones predict rain till the change of the moon, and perhaps a month of it afterwards. On the whole the rain has been beneficial to the mining interest, notwithstanding it caused a large amount of damage. Many shafts are entirely lost by the soaking of the surface water, and several are still in jeopardy. Even the quartz workings have not escaped, owing to the open nature of the rock. Underground work has been going on in all dry claims, but puddlers and carters have done little or nothing since our last report; and consequently are getting a long way behind, and will have to put their best foot forward as soon as the carts can travel.

Mining news of all kinds is very scant. A rumour, requiring confirmation, comes in from *Budgee Budgee* to the effect that the first washings averaged only 5 dwts to the load, but this is no proof that the lead is poor. Much headings and mullock were probably mixed with the wash.

Editorial Comment

It has lately been proposed to establish a £10,000 tweed manufactory at Singleton, a town in the Hunter River district. A preliminary meeting was held at Singleton to consider the desirability of establishing such a manufactory in that town, and the movement was enthusiastically supported by the leading gentlemen and the general public of the district. Singleton is admirably suited for such an industry in a variety of ways. It is within easy distance of the port of Newcastle and has railway communication, which will materially lessen the cost of carriage. It is the centre of a great wool producing district and possesses an abundance of the raw material for manufacturing. As this material can be bought on the ground at a moderate price and in unlimited quantities, free from carriage, insurance, agency, and storage costs, it is hard to imagine a more suitable place to carry on the manufacture of tweeds and other articles of clothing.

Town Talk

A slight mistake was made last Wednesday by my clever friend of the *Argus* but in the instance to which I alluded he was decidedly too clever by half; for he picked me up before I had fallen. It is sometimes the misfortune of a genius of transcendent abilities to overreach himself, and by one false step he is hurled from the sublime to the ridiculous. The high-pedestal on which the virtue-loving and able scribe of the 'penny trumpet' has taken his stand, has evidently made his brain dizzy, and in a sort of 'delirium' he has committed an absurdity which even my charity will not consent to veil from the scrutiny of a public. He says I was so busy getting up a letter to publish that I had no time to write anything under the heading of 'Town Talk.' Poor fellow! In his itching desire to say something severe about the *Guardian*, he has dug a pit into which he himself has fallen. In commenting on the absence of 'Town Talk' in Wednesday's issue, he forgot the important little item that Saturday is the day when 'Town Talk' appears - not Wednesday. You were mighty smart in telling the cheap readers section of the public - who invest a penny in your daily organ of information and righteousness - in which you write yourself down as an ass, and which affords less than 10 minutes reading. To make such a childish ludicrous blunder is not creditable to the penetration of such a famous literary servant. To think that the *Argus*, with its hundred eyes, should not have had even one of them open! Why, a three day old kitten, a bat, or an owl could see plainer in daylight than that. I ask the intelligent public who is really the muddler?

Home Rule Correspondent

Rain and slush are certainly the masters of the situation in this part of the world at present. The weather has done no small amount of mischief, mostly by getting into shafts and causing them to fall in. I hear the blockers on the new rush at the *Red Lead* have suffered a good deal in this way, and several fresh shafts must be commenced. The casualties in crossing Cooyal Creek have been plenty, but fortunately there has been no loss of human life. The chief inconvenience experienced by the public has arisen from the unavoidable irregularity in the dispatch and receipt of mails. Someone wants stirring up about the bridge. If the contractors are unreasonable in their demands, the authorities ought to do something at once, if only to place a rope and small punt for the transit of foot passengers and horsemen.

It is hardly necessary for me to say that mining news is as scarce as mud is plentiful. Where bailing is unnecessary, underground work is carried on much as usual, and large quantities of washdirt await cartage. Some of the puddlers and carters harnessed up their horses on Friday and Saturday last, but yesterday's rain again stopping them. The sluicers appear to be the only workmen above ground who lost no time through the wet. Hurley and his mate have just finished their first large heap of mullock, with satisfactory results, and are now engaged in turning the water towards another heap. McKay and party, on block No.2 *Home Rule*, have united the streams from three small gullies, and are sluicing their mullock in a very profitable manner. No doubt the headings thrown aside on all these claims will pay well, provided a good head of water can be continually and cheaply secured.



William Ernest Webb at Cooyal Station
Born 18-1-1874 at Mudgee
Died 7-5-1957 in Mudgee

William Ernest Webb and Florence Ann, Golden Wedding Anniversary 1945
Sons Jack and Bob in background
Florence Ann's Father was Mayor of Gulzburg in 1873



William Ernest & Team



Unit 6 Centenary Gardens
18 George Street
MUDGEE 2850

1st September, 2018

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



RE: NAMING OF BRIDGE OVER COOYAL CREEK

Dear Sir,

I would like reply to Council's advertisement in the "Mudgee Guardian" dated August 17th 2018 requesting a name for the bridge over Cooyal Creek on Ulan Road between Frog Rock and Linburn Lane.

The name I would like to submit is "WEBB'S BRIDGE".

The Webb family have lived in the Mudgee area since the family migrated from Guilden Morden, Cambridgeshire UK in 1855. They moved from Wilbertree to "Cooyal Station" in 1924. Five generations of that family have now lived there.

The entry to the Webb property "Cooyal Station" is where the bridge is situated and the Cooyal Creek forms the Southern Boundary of the property for many miles.

"Cooyal Station" is among the very few large working properties that remain to the North between Ulan and Mudgee. Due to five generations of hard work the Webb family have improved and extended their holding.

Although the family have been very active in the Mudgee community for many generations, to my knowledge nothing in the area bears their name.

Jack Webb, Son of William Ernest who moved the family to Cooyal in 1924, was very involved in the Road Safety Project of the 1950's. He was also involved in the Murabah School, situated at the Bridge, the Local Fire Brigade and Tennis Club.

I do hope due consideration is given to naming the bridge over the Cooyal creek "Webb's Bridge"

Yours faithfully



Neva Cavenagh

Friday August 17, 2018 MUDGEE GUARDIAN 9

Mid-Western Regional Council WEEKLY ADVERTISEMENTS



**FLAVOURS
OF MUDGEE**

STREET FESTIVAL

Saturday 22 September 2018
4pm to 8pm
www.flavoursofmudgee.com.au

STREET CLOSURE INFORMATION

Please be advised that Council will be implementing the following road closures on Saturday 22 September from 12pm - 10pm for the annual Flavours of Mudgee Street Festival:

- Market Street between Perry and Lewis Streets
- Church Street between Short and Mortimer Streets

For more information on the event please visit
www.flavoursofmudgee.com.au

REQUEST FOR TENDER

Mid-Western Regional Council is seeking 'Request for Tender' (RFT) from interested parties for the provision of:

Design & Construct Mudgee Waterpark

Reference: RFT 2018/17

Construction of the Mudgee Waterpark

Documents can be downloaded for free from 13 August 2018 at <http://www.midwestern.nsw.gov.au/business/Tenders--Expressions-of-Interest/>, alternatively please request documents from council@midwestern.nsw.gov.au in which a link to VendorPanel will be provided allowing access to documents.

Tenders will close on Monday, 17 September 2018 at 1.00 pm.

REQUEST FOR SUBMISSIONS

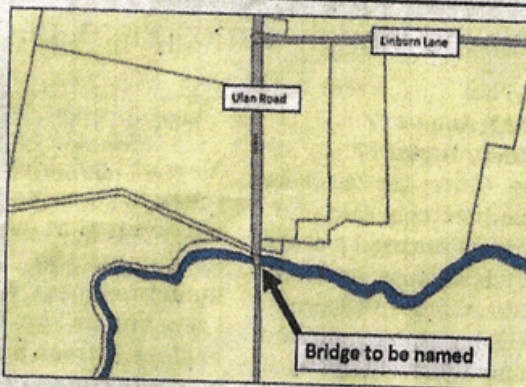
Proposed Bridge Name

Council is seeking submissions for the naming of the bridge over Cooyal Creek on Ulan Road on the border of the localities of Frog Rock and Linburn.

Submissions should be in writing, giving reasons and addressed to the General Manager.

Submissions will be accepted until Friday, 7 September 2018.

Should you have any queries or wish to discuss this matter please contact Council's Revenue and Property Department on (02) 6378 2850 or 1300 765002.



NOTICE OF PROPOSED DEVELOPMENT

PROPOSAL	Light Industry – workshop & relocatable office building
LAND	Lot 4 Sec 4 DP 759017, 6-8 John Street ULAN NSW 2850
APPLICATION NO.	DA0035/2019
CONSENT AUTHORITY	Mid-Western Regional Council
APPLICANT:	CR Engineering Australia Pty Ltd

Any person is invited to inspect the application and plans at Council's Administration Centre, 86 Market Street, Mudgee. Plans may also be made available at the following locations:



A.W.Walker
Trading as Midwest Shed Company
ABN 54 284 849759
8 Bawden, Road, Mudgee NSW 2850
Ph: 02 6372 7601 Fax: 02 6372 7613
email: midwest@hwy.com.au



Friday 9th September 2018

Midwestern Regional Council
Att: Planning Dept

RE: **Naming the Bridge over the Cooyal Creek on the Ulan Road**

I would like to put the name forward " Jack Webb Bridge" .

The Webb family have owned Cooyal station since 1923. It is on the left hand side of the Ulan Road.

Earnest Webb, took ownership of the property in 1923 when he arrived from England. John Webb's family is the 5th Generation of Webbs.

There is nothing that I am aware of that bares the Webb name in the area and considering that John Webb spent several years on Mudgee Council serving the community and a member of the Cook's Gap fire brigade.

The Webb ancestors came to Australia from Cambridgeshire in the UK as free settlers in 1855.

The great, great Grandfather Edward Webb brought his three surviving sons and one daughter.

They were tenanted farmers in the UK and came here for a better life, living first at Wilbertree, farming, until they moved to Cooyal station.

Cooyal Station was a big station in the 1900s. It started at Cooyal post office, followed Lindburn Lane and Cooyal Creek to Mud Hut lane to Homerule and along Henry Lawson Drive.

The Webb family have farmed and run Merino sheep for over 100 years.

I think it is only fitting that this bridge be named Jack Webb Bridge.

John Webb's father was Jack Webb and John Webb has a son called Jack Webb.

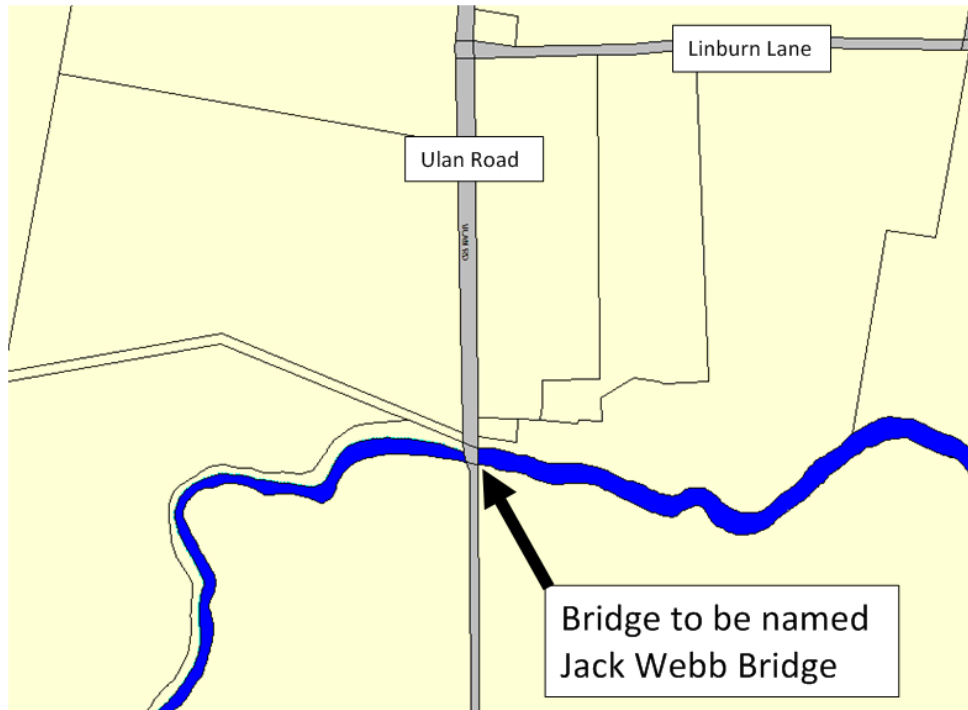
50 years ago the bridge was called Hump bridge, it was made of wood and had a hump in it.

20 years ago council removed the old wooden bridge and relaced it with a flat concrete bridge.

Kind Regards,

Sincerely,

Sandy Walker (Chairman National Party, Mudgee Branch.)



9.3 Community Grants Program

REPORT BY THE GRADUATE ACCOUNTANT - GRANTS & CONTRIBUTIONS
TO 12 DECEMBER 2018 ORDINARY MEETING
GOV400066, FIN300159

RECOMMENDATION

That Council:

1. receive the report by the Graduate Accountant - Grants & Contributions on the Community Grants Program;
2. provide financial assistance to the following applications in accordance with the criteria and guidelines of the Community Grants Program Policy;

Mudgee Civilian Rifle and Smallbore Club Inc.	\$500
Mudgee District U3A Inc.	\$180
St Paul's Presbyterian Church of Mudgee	\$1,000

3. do not collect a facility hire bond from Mudgee District U3A Inc for the event detailed in this report; and
4. decline the request from Rylstone Kandos Show Society to provide \$550 financial assistance towards bin hire at Bull-a-rama.

Executive summary

This report considers requests 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 have been 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 a recommendation.

Applicant	Project/Activity	Total Project Cost \$	Funding Request \$	Recommended Funding \$	Total Score out of 12
Mudgee Civilian Rifle and Smallbore Club Inc.	Land Rates	1,500	1,500	500	8
Mudgee District U3A Inc.	Enrolment Day	180	180	180	10
St Paul's Presbyterian Church Mudgee	Combined Churches Community Christmas Lunch	3,000	1,000	1,000	9

Detailed report

The information provided below gives more detail on each application and the scoring against the policy criteria. Copies of all applications are provided as attachments to the report.

Mudgee Civilian Rifle and Smallbore Club Inc.

The Mudgee Civilian Rifle and Smallbore Club Inc. provide facilities for licenced shooters to take part in target shooting activities, for hunters to sight in their rifles and run firearms safety training and assessment courses.

The club has about twenty-five members with at least half of these taking part in weekly shoots. The club has requested full reimbursement of annual land rates totalling \$1,500.

2 ★★

Benefits and link to the community plan

1 ★

Amount of resident participation

2 ★★

Consultation and collaboration with other local groups

3 ★★★

Capacity to deliver the program or project

RECOMMENDATION

\$500

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.

Mudgee District U3A Inc.

The Mudgee District U3A is a self-help group built on the premise that collectively older people have the skills and knowledge to provide learning opportunities for themselves. Membership helps promote health and wellbeing and encourages healthy lifestyles.

The official enrolment day is on 12th of January 2019 at Council's Stables building. Mudgee District U3A request in-kind support for waiver of the hire of the stables to the value of \$180.

2 ★★

Benefits and link to the community plan

2 ★★

Amount of resident participation

3 ★★★

Consultation and collaboration with other local groups

3 ★★★

Capacity to deliver the program or project

RECOMMENDATION

\$180

Link to Community Plan: 1.1.3 Support networks, 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.

St Paul's Presbyterian Church Mudgee – for Combined Churches of Mudgee

St Paul's Presbyterian Church Mudgee, acting on behalf of the Combined Churches of Mudgee request financial support for the annual Christmas Luncheon.

The event allows the isolated and lonely people around our region the opportunity to celebrate Christmas Day with others in the community. The Combined Churches request \$1,000 financial assistance towards the operational expenditure incurred for this event.

3 ★★★

Benefits and link to the community plan

2 ★★

Amount of resident participation

1 ★

Consultation and collaboration with other local groups

3 ★★★

Capacity to deliver the program or project

RECOMMENDATION

\$1,000

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: 1.1.3 Support networks, program 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

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

Rylstone Kandos Show Society – for Rylstone Rodeo Co

The Rylstone Rodeo Co. intend to host the first Rylstone Bull-a-rama on the 28th of December at the Rylstone Showground. The projected attendees for this event are in excess of 2,000.

The Rylstone Rodeo Co. have requested additional supply and collection of 15 bins for this event, to the value of \$550.

NOT RECOMMENDED

It is recommended to decline this request as Rylstone Rodeo Co has not completed the application form in time. Staff have therefore been unable to assess the application.

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. \$73,119 has already been allocated, leaving a balance of \$48,681.

Should Council approve the recommendations in the report, a balance of \$47,001 will remain.

Associated Risks

Not applicable

ALISON CAMERON
GRADUATE ACCOUNTANT - GRANTS &
CONTRIBUTIONS

NEIL BUNGATE
ACTING CHIEF FINANCIAL OFFICER

19 November 2018

Attachments:

1. Mudgee Civilian Rifle and Smallbore Club Inc..
2. Mudgee District U3A Inc..
3. St Paul's Presbyterian Church Mudgee.
4. Bull-A-Rama.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

COMMUNITY GRANTS



Application Form

APPLICANTS DETAILS

Name of Organisation	Mudgee Civilian Rifle and Smallbore Club Inc.
Contact Person	Leigh Milton
Address	PO Box 206 Mudgee NSW 2850
Phone	0263724013
Email	pbasky1@bigpond.com
ABN	97978709577
Bank Account Name	Mudgee Civilian Rifle and Smallbore Club Inc
BSB	012740
Account Number	410196931

PROJECT / ACTIVITY DETAILS

Name of Project / Activity	Rates Relief / Reimbursement	
Amount of funding requested	\$ 1,500.00	
Start and Finish date	START (click to tick)	FINISH (click to tick)
	1/07/2018	30/06/2018
Briefly, describe Project / Activity	The Club wishes to apply for Land Rates Relief / Reimbursement as per previous agreement with Council.	

COMMUNITYGRANTS

ADDRESS CRITERIA

How will your project benefit the Mid-Western Region Community?

(Note: limited number of characters)

The Mudgee Rifle Range was established in 1877 and the Mudgee Rifle Club was established in 1908 and has been an important part of the Community for many years. The present Club members are trying to keep the Club active. We believe the Club benefits the Community by having a Smallbore Rifle Range in easy access for its members and visitors. On weekends such as Easter visiting shooters bring their families and book town accomodation and visit local attractions. The Club also provides Firearms Safety Awareness training and Firearms Licence testing.

What is the expected amount of resident participation?

(Please provide no. of estimated participants)

(Note: limited number of characters)

The Club has 25 members and conducts Smallbore shoots on the Range every week. Sometimes visitors from other clubs / organisations attend these weekly shoots. The Club hopes to be able to hold an Easter Prize Shoot in 2019 which in the past has attracted shooters and their families from a wide area.

What level of consultation and collaboration with other local groups has your organisation undertaken?

(ie what other local community groups are or will be involved in this project?)

(Note: limited number of characters)

The Club is involved in the Sport of Rifle Target Shooting and members often visit other clubs to attend their shoots and vice versa. The Club uses local contractors for range maintenance activities when required. The Club has in the past used local Bush Fire Brigades to cater for Easter Shoots. The Club also has qualified members who conduct Firearms Safety Awareness Training and Licence testing.

Outline your organisation's capacity to deliver the Project / Activity OR describe previous experiences.

(Note: limited number of characters)

The Club struggles finacially since the Fullbore Range was closed by the Firearms Registry Inspectors in 2016. The closure of that Range more than halved the Clubs income. Previous reimbursement of rates by Council has greatly assisted the Club remain viable. The Club has been in existance since 1908.

COMMUNITY GRANTS

	Community Grant (amount sought from Council)	\$ 1,500.00
Project Income	Expected Sales Revenue i.e. Entry Fee, Membership Sales	
	Other Income	
TOTAL INCOME		\$ 1,500.00

List proposed cash expenditure (provide copies of quotes for equipment)

	Rates paid for 2018 / 2018	\$ 1,622.33
Project Expenditure		
TOTAL EXPENDITURE		\$ 1,622.33
TOTAL SURPLUS / DEFICIT		-\$ 122.33

If positive or surplus budget, please provide further details/explanation what this surplus will be used for.

(Note: Unspent grants >\$200 will be required to be returned to MWRC)

FINANCIAL DETAILS

	YES (click to tick)	NO (click to tick)
Is your group/organisation Incorporated?	<input checked="" type="radio"/>	<input type="radio"/>
Have you registered for Goods & Services Tax (GST) purposes?	<input type="radio"/>	<input checked="" type="radio"/>
Do you have an Australian Business Number (ABN)? Note: If you do not have an ABN please attach a 'Statement by Supplier' form	<input checked="" type="radio"/>	<input type="radio"/>

COMMUNITY GRANTS

Has your organisation/group previously received a Community Grant from Council?	YES (click to tick) <input checked="" type="radio"/>	NO (click to tick) <input type="radio"/>
If yes, please advise date and amount	DATE / YEAR 2017	AMOUNT \$ 500.00
Did your group return the acquittal form?	YES (click to tick) <input checked="" type="radio"/>	NO (click to tick) <input type="radio"/>
Closing bank balance from the most recent bank statement or treasurer's report	\$ 7,161.13	
Comment on cash set aside for specific projects (optional)	Payment of Rates when due. Payment of water rates. Payment of Club Insurance Payment of lease on land owned by Department of Industry.	

APPLICATION CHECKLIST

If the following are not attached with the application, this may result in the application not being considered.

	SUPPLIED? (click to tick)	
	YES	NO
A copy of the group's/organisation's most recent bank statement or treasurer's report	<input checked="" type="radio"/>	<input type="radio"/>
A copy of the group's/organisation's public liability insurance	<input checked="" type="radio"/>	<input type="radio"/>
Where the group intends to purchase equipment, a copy of the quote/s obtained	<input checked="" type="radio"/>	<input type="radio"/>
Where the groups/organisations does not have an ABN, 'Statement by Supplier' is required	<input checked="" type="radio"/>	<input type="radio"/>
If your group is not incorporated, please supply a letter from your auspicng body	<input checked="" type="radio"/>	<input type="radio"/>

AUTHORISATION OF APPLICANT

Name	Leigh Milton
Position	Club Secretary
Date	7/11/2018

- I confirm that the information contained in the application form and within the attachments are true and correct.
- I confirm that this application has been submitted with the full knowledge and support of the applicant.
- I acknowledge the Community Grants Program acquittal requirements and understand that surplus funds may be required to be returned to Council.
- I am aware that this application will be reproduced in the Council Business Paper, and authorise public release of information provided.

 **COMMUNITYGRANTS**

SUBMIT YOUR APPLICATION

EMAIL: After you complete this digital form, please save it to your computer and email to council@midwestern.nsw.gov.au

DELIVER TO: Customer Service Locations

86 Market Street
MUDGEEE

109 Herbert Street
GULGONG

77 Louee Street
RYLSTONE

MAIL TO: Mid-Western Regional Council
Attn: Finance Department
PO Box 156
MUDGEEE NSW 2850

[SUBMIT ONLINE](#)

[COMMUNITY GRANTS POLICY](#)

[PRINT MY APPLICATION](#)



QBN Insurance Services

ABN 99 674 419 769 AR 310702
 P.O. Box 1 Mobile: 0428 875 683
 Mt Kuring-gai Email: john@qbninsurance.com.au
 NSW 2080

CERTIFICATE OF INSURANCE

From: John Leask

We hereby confirm that we have arranged the insurance cover mentioned below:

National Rifle Association Of Australia
 P.O. Box 414
 Carina QLD 4152

Date: 14/01/2018

Our Reference: NATRIFLE

ENDORSEMENT

Page 1 of 5

<p>Class of Policy: Public &/or Products Liability Insurance Insurer: Lloyds Of London United Kingdom ABN: The Insured: National Rifle Association Of Australia</p>	<p>Policy No: 71148913 Invoice No: 250558 Period of Cover: From 30/12/2017 to 30/11/2018 at 4:00 pm</p>
--	--

Details:

See attached schedule for a description of the risk insured

IMPORTANT INFORMATION

The Proposal/Declaration:

- is to be received and accepted by the Insurer
- has been received and accepted by the Insurer

The total premium as at the above date is:

- to be paid by the Insured
- part paid by the Insured
- paid in full by the Insured
- paid by monthly direct debit

Premium Funding

- This policy is premium funded

Please note that the policy defined above is subject to the receipt of the Proposal Declaration and acceptance by the Insurer (if not already completed and accepted) and subject to the full receipt and clearance of the total premium payable by the insured.

Schedule of Insurance

Page 2 of 5

Class of Policy: Public &/or Products Liability Insurance	Policy No: 71148913
The Insured: National Rifle Association Of Australia	Invoice No: 250558
	Our Ref: NATRIFLE

This policy has been placed with

JUA Underwriting Agency Pty Ltd
ABN 70 004 566 465
Suite 1610, 530 Little Collins St, Melbourne

JUA Underwriting Agency Pty Ltd is underwritten by

Lloyds Of London
United Kingdom

Insured: National Rifle Association of Australia Ltd, the Executive, NSW, Victorian, QLD, Tasmania, SA, NT, ACT, NQRA and W A Rifle Associations, Queensland Shooting Club, Committees, Sub-Committees, Branches, Clubs, Members, Range Officers, Coaches, Trainees and Authorised Visitors

Geographical Limit: World Wide (Excluding USA & Canada)

Occupation: Rifle Shooting Clubs and any other associated activities of the Insured

Interested Parties:

1. Commonwealth of Australia (as property owner)
2. ADI Lithgow (as property owner) National Parks & Wildlife (as property owner)
3. State Forests of NSW (as property owner) Department of Land & Water Conversation (as Property owner)
4. Conservation of Land Management WA (as property owner)
5. Forestry Tasmania (as property owner)
6. Department of Primary Industries, Water & Environment (TAS) (as property owner)
7. Queensland Government - Department of National Parks, Sport and Racing
8. Queensland Government - Department of Natural Resources and Mines
9. NSW Department of Arts, Sports and Recreation
10. The Minister Administering "Sports Venue Management 2008"
11. Southern Highlands Regional Shooting Complex Inc
12. City of Greater Shepparton
13. Griffith City Council
14. Northern Territory Firearms Council
15. "The Crown in Right of Tasmania" (as property owner).
16. Bathurst Regional Council (as Property Owner)
17. IJ & BK Tillack (as Property Owner)
18. VicTrac
19. Small Arms Factory at Lithgow
20. John Ronald Slater & William Horace Slater
21. Alice Margaret Colls
22. City of Wodonga
23. Crown Lands and National Parks and Wildlife
24. Department of Lands and National Parks
25. Parks Victoria in respect to Bendigo Rifle Club
26. NSW Department of Lands and water

Limit of Indemnity:
Public Liability \$ 20,000,000
Products Liability \$ 20,000,000

Excess: \$ 1,000
\$ 5,000 whilst in USA or Canada
(When agreed by Underwriter)

Extensions:

RATES

**RATES & CHARGES NOTICE
01/07/2018 TO 30/06/2019**

ABN 96 149 391 332
TAX INVOICE

Notice is given that the below mentioned rates & charges have been made and levied on the land described hereunder by virtue of S546 of the Local Government Act 1993.



Mudgee Civilian Rifle &
Small Bore Club
C/- Mr LJ Milton
PO Box 206
MUDGEES NSW 2850

PO BOX 156, MUDGEES NSW 2850
PH: (02) 6378 2850 | 1300 765 002
FAX: (02) 6378 2815
EMAIL: council@midwestern.nsw.gov.au
WEBSITE: www.midwestern.nsw.gov.au

Property Number
8456

Property Location and Description

Mudgee Rifle Range, 39 Rifle Range Road, MUDGEES NSW 2850
Lot 204 DP 756894, Lot 68 DP 735127 and 3 more

Valuation Base Date Interest Rate
01/07/2016 7.5% p.a.

Issue Date Due Date
20/07/2018 31/08/2018

Particulars of Rates and Charges	Rate in \$	Rateable Value	Amount
Residential Rural	0.654123 C IN \$	190000	1242.83
Water Access Charge - 20mm Service	\$154.00 PER SERVICE	1	154.00
* General Waste Disposal Charge	\$225.50 PER SERVICE	1	225.50
* GST			20.50



First Instalment	Second Instalment	Third Instalment	Fourth Instalment	Please deduct any payments since	TOTAL AMOUNT DUE
\$405.83 31/08/2018	\$405.50 30/11/2018	\$405.50 28/02/2019	\$405.50 31/05/2019	13/07/2018	\$1,622.33

4067371-RunB-ASA001-007060

PAYMENT OPTIONS

Property No.: 8456

Instalment Amount Due: \$405.83

RATES

IN PERSON

Mudgee Administrative Services Centre

86 Market St, Mudgee: 8.00am - 4.30pm

Gulgong Service Centre

109 Herbert St, Gulgong: 8.00am-1.00pm & 1.45pm-4.30pm

Rylstone Service Centre

77 Louee St, Rylstone: 8.00am-1.00pm & 2.00pm-4.30pm



PAY BY WEB

Visit www.midwestern.nsw.gov.au and follow the links to pay using Visa or Mastercard.



TELEPHONE & INTERNET BANKING: BPAY

this payment via internet or phone banking.

Receive your notice electronically via BPay View.



Bill Code 8698
Customer Ref: 2182 7280 7734 2

MAIL

Send your payment to PO Box 156, Mudgee NSW 2850.

Payment can be made by cheque or money order.



DIRECT DEBIT

Contact Council for an application form.



PAY BY PHONE

Call **1300 133 369** anytime to make payments using Visa or MasterCard.



Customer Ref:
2182 7280 7734 2

POSTBILLPAY Present this notice intact to make your payment by cash or cheque at any Australia Post Office.



*71 158 2182728077342 21



PAYMENTS RECEIVED BY COUNCIL BY POST OR OTHERWISE AFTER DUE DATE/S WILL NOT BE TREATED AS BEING PAID BY SUCH DUE DATE/S.



MUDGEE SHIRE COUNCIL

T. Cooke:FW 1.8

23rd December, 1987.

The Captain,
Mudgee Rifle Club,
Mr. J.G. Pirie,
8 Sydney Road,
MUDGEE, 2850.

Dear Sir,

RE: RIFLE RANGE RATES

I refer to your letter of 10th November, 1987, requesting Council to waive any rates which may be levied upon your purchase of the Rifle Range site.

The land is presently non-ratable, being Government owned, but will become ratable when purchased by your Club. Council does not have the power to waive rates in relation to such land, however Council resolved at its meeting on 21st December, 1987, to make a donation to your club of an amount equivalent to any general rate levy on the land.

It will be necessary for you to pay the rates when received and apply in writing for a donation each year.

Council is pleased to be able to assist your Club in this way and wishes you continued growth of your activities in the future.

Yours faithfully,

A handwritten signature in cursive script, appearing to read 'T.M. Cooke'.

T.M. COOKE
DEPUTY SHIRE CLERK

ADMINISTRATION CENTRE, 86 MARKET STREET, MUDGEE, N.S.W. 2850

TELEPHONE: (063) 72 1944

FAX: (063) 72 4718

ALL COMMUNICATIONS TO BE ADDRESSED TO: THE SHIRE CLERK, P.O. BOX 156, MUDGEE, N.S.W. 2850

Australian Government
Australian Business Register

ABN Lookup

Current details for ABN 97 978 709 577

ABN details

Entity name:	Mudgee Civilian Rifle and Small Bore Club Inc
ABN status:	Active from 06 Oct 2015
Entity type:	Other Incorporated Entity
Goods & Services Tax (GST):	Not currently registered for GST
Main business location:	NSW 2850

Deductible gift recipient status

Not entitled to receive tax deductible gifts

ABN last updated: 07 Oct 2015

Record extracted: 16 Nov 2018

Disclaimer

The Registrar makes every reasonable effort to maintain current and accurate information on this site. The Commissioner of Taxation advises that if you use ABN Lookup for information about another entity for taxation purposes and that information turns out to be incorrect, in certain circumstances you will be protected from liability. For more information see [disclaimer](#).

COMMUNITY GRANTS



MID-WESTERN REGIONAL COUNCIL
RECORDS
RECEIVED
12 NOV 2018
 SCANNED
 REGISTERED

Application Form

APPLICANTS DETAILS

Name of Organisation	Mudgee District U3A Inc
Contact Person	Judith Darling, President
Address	PO Box 469 Mudgee NSW 2850
Phone	0431 551 596
Email	judithdarling@bigpond.com
ABN	65 762 490 750
Bank Account Name	Mudgee U3A
BSB	082726
Account Number	396808275

PROJECT / ACTIVITY DETAILS

Name of Project / Activity	Enrolment/Showcase Day	
Amount of funding requested	\$ 180.00	
Start and Finish date	START (click to tick)	FINISH (click to tick)
	12/1/2019	12/1/2019
Briefly, describe Project / Activity	The official annual 2019 Enrolment Day for Mudgee District U3A membership is Saturday, 12th January 2019. The volunteer class Presenters & Committee will be available to enrol members & answer questions about the courses being offered in 2019. Thirty five were offered in 2018. This is a time to pay membership fees, \$25 for the year, & enrol in any of the classes.	

COMMUNITY GRANTS

ADDRESS CRITERIA

How will your project benefit the Mid-Western Region Community?

(Note: limited number of characters)

The principles of self-help & mutual support are the very cornerstones of the U3A movement. U3A's are basically volunteer, not-for-profit groups built on the premise that collectively retirees & semi-retirees have the skills & knowledge to provide learning opportunities (education) for themselves. Membership helps promote health & wellbeing & encourages healthy lifestyles.

What is the expected amount of resident participation?

(Please provide no. of estimated participants)

(Note: limited number of characters)

Our current membership for 2018 is 243 people from the the mid-western region.

What level of consultation and collaboration with other local groups has your organisation undertaken?

(ie what other local community groups are or will be involved in this project?)

(Note: limited number of characters)

Collaboration with groups listed below has occurred to gain suitable venues & resources to conduct classes & to enhance the opportunities for members of the community to participate.

Club Mudgee RSL	Mudgee Scouts
Pioneer House	Artisan on Lewis
Opal Mudgee Aged Care	Colonial Inn Museum
St John the Baptist Anglican Church	Prince of Wales Opera House
Mudgee Health Service Wellness Centre	Gulgong Library
Mid-Western Regional Council	Mudgee Aero Club
Mudgee Library	Housing Plus

Outline your organisation's capacity to deliver the Project / Activity OR describe previous experiences.

(Note: limited number of characters)

Founded in 1998, Mudgee District U3A celebrated its 20th Anniversary in 2018.

COMMUNITY GRANTS

	Community Grant (amount sought from Council)	\$ 180.00
Project Income	Expected Sales Revenue i.e. Entry Fee, Membership Sales	\$ 4,125.00
	Other Income	
TOTAL INCOME		\$ 4,305.00

List proposed cash expenditure (provide copies of quotes for equipment)

	Full day hire of The Stables complex. Confirmed booking.	\$ 180.00
Project Expenditure		
TOTAL EXPENDITURE		\$ 180.00
TOTAL SURPLUS / DEFICIT		\$ 4,125.00

If positive or surplus budget, please provide further details/explanation what this surplus will be used for.

Course Expenses, Functions, Venue Hire, Cleaning Adams Street Complex Meeting Room, Presenters' Materials, Advertising, Insurance, Copyright Licence Cover, Fair Trading Fees, Equipment Maintenance, Printing & Stationary, Postage & Website costs.

(Note: Unspent grants >\$200 will be required to be returned to MWRC)

FINANCIAL DETAILS

	YES (click to tick)	NO (click to tick)
Is your group/organisation Incorporated?	<input checked="" type="radio"/>	<input type="radio"/>
Have you registered for Goods & Services Tax (GST) purposes?	<input type="radio"/>	<input checked="" type="radio"/>
Do you have an Australian Business Number (ABN)? Note: If you do not have an ABN please attach a 'Statement by Supplier' form	<input checked="" type="radio"/>	<input type="radio"/>

COMMUNITY GRANTS

Has your organisation/group previously received a Community Grant from Council?

YES (click to tick) <input checked="" type="radio"/>	NO (click to tick) <input type="radio"/>
---	---

If yes, please advise date and amount

DATE / YEAR April 2018	AMOUNT \$ 170.00
---------------------------	---------------------

Did your group return the acquittal form?

YES (click to tick) <input checked="" type="radio"/>	NO (click to tick) <input type="radio"/>
---	---

Closing bank balance from the most recent bank statement or treasurer's report

Comment on cash set aside for specific projects (optional)

Since its inception, 20 years ago, Mudgee District U3A has never had a permanent tenancy agreement. The money set aside is to ensure we can meet any unexpected expenses that may occur in regard to the need to pay venue hire fees to maintain the delivery of our classes to members.

APPLICATION CHECKLIST

If the following are not attached with the application, this may result in the application not being considered.

	SUPPLIED? (click to tick)	
	YES	NO
A copy of the group's/organisation's most recent bank statement or treasurer's report	<input checked="" type="radio"/>	<input type="radio"/>
A copy of the group's/organisation's public liability insurance	<input checked="" type="radio"/>	<input type="radio"/>
Where the group intends to purchase equipment, a copy of the quote/s obtained	<input type="radio"/>	<input checked="" type="radio"/>
Where the groups/organisations does not have an ABN, 'Statement by Supplier' is required	<input type="radio"/>	<input checked="" type="radio"/>
If your group is not incorporated, please supply a letter from your auspicng body	<input type="radio"/>	<input checked="" type="radio"/>

AUTHORISATION OF APPLICANT

Name	Judith Darling
Position	President
Date	12th November 2018

- I confirm that the information contained in the application form and within the attachments are true and correct.
- I confirm that this application has been submitted with the full knowledge and support of the applicant.
- I acknowledge the Community Grants Program acquittal requirements and understand that surplus funds may be required to be returned to Council.
- I am aware that this application will be reproduced in the Council Business Paper, and authorise public release of information provided.

COMMUNITYGRANTS

SUBMIT YOUR APPLICATION

EMAIL: After you complete this digital form, please save it to your computer and email to council@midwestern.nsw.gov.au

DELIVER TO: Customer Service Locations

86 Market Street
MUDGEE

109 Herbert Street
GULGONG

77 Louee Street
RYLSTONE

MAIL TO: Mid-Western Regional Council
Attn: Finance Department
PO Box 156
MUDGEE NSW 2850

SUBMIT ONLINE

COMMUNITY GRANTS POLICY

PRINT MY APPLICATION



Mudgee District U3A - [INC.9874819]PO Box 451
Mudgee, NSW 2850**Analyse Balance Sheet****November 2018**11/11/2018
12:03:47 PM

	This Year	Last Year	\$ Difference	% Difference
Assets				
Current Assets				
Cash on Hand				
NAB Mudgee	\$4,663.91	\$4,762.23	-\$98.32	(2.1%)
Petty Cash	\$155.05	\$155.05	\$0.00	0.0%
Total Cash on Hand	<u>\$4,818.96</u>	<u>\$4,917.28</u>	<u>-\$98.32</u>	<u>(2.0%)</u>
Other Assets				
Term Deposit NAB 30day 88	\$5,394.84	\$5,315.60	\$79.24	1.5%
Term Deposit NAB 90day 75	\$5,515.96	\$5,407.14	\$108.82	2.0%
Total Other Assets	<u>\$10,910.80</u>	<u>\$10,722.74</u>	<u>\$188.06</u>	<u>1.8%</u>
Non Current Assets				
Equipment at Cost	\$8,300.91	\$8,300.91	\$0.00	0.0%
Total Non Current Assets	<u>\$8,300.91</u>	<u>\$8,300.91</u>	<u>\$0.00</u>	<u>0.0%</u>
Total Assets	<u>\$24,030.67</u>	<u>\$23,940.93</u>	<u>\$89.74</u>	<u>0.4%</u>
Liabilities				
Net Assets	<u>\$24,030.67</u>	<u>\$23,940.93</u>	<u>\$89.74</u>	<u>0.4%</u>
Equity				
Member's Equity				
Member's Capital	\$5,561.59	\$5,561.59	\$0.00	0.0%
Retained Earnings	\$19,517.84	\$18,802.20	\$715.64	3.8%
Current Year Earnings	-\$1,048.76	-\$422.86	-\$625.90	148.0%
Total Member's Equity	<u>\$24,030.67</u>	<u>\$23,940.93</u>	<u>\$89.74</u>	<u>0.4%</u>
Total Equity	<u>\$24,030.67</u>	<u>\$23,940.93</u>	<u>\$89.74</u>	<u>0.4%</u>

Mudgee District U3A - [INC.9874819]

PO Box 451
 Mudgee, NSW 2850

Profit & Loss Statement

August 2018 through November 2018

11/11/2018
 12:04:34 PM

	This Year	% of Sales	Last Year	LY % of Sales
Income				
Membership Fees	\$70.00	5.2%	\$185.00	9.5%
Function Fees Collected	\$25.00	1.9%	\$1,050.00	54.2%
Hall Hire Fees Collected	\$354.70	26.3%	\$703.25	36.3%
Miscellaneous Income	\$900.00	66.7%	\$0.00	0.0%
Total Income	\$1,349.70	100.0%	\$1,938.25	100.0%
Expenses				
Course Expenses				
Functions	\$1,545.00	114.5%	\$1,361.35	70.2%
Hall Hire & Cleaning	\$580.00	43.0%	\$670.00	34.6%
Photo Copying	\$0.00	0.0%	\$33.00	1.7%
Presenters Materials	\$29.50	2.2%	\$0.00	0.0%
Total Course Expenses	\$2,154.50	159.6%	\$2,064.35	106.5%
Administration Expenses				
Advertising	\$0.00	0.0%	-\$232.40	(12.0%)
Insurance	\$0.00	0.0%	\$135.00	7.0%
Fair Trading Fees	\$46.20	3.4%	\$45.00	2.3%
Printing & Stationary	\$93.20	6.9%	\$106.70	5.5%
Postage	\$117.92	8.7%	\$139.41	7.2%
Website costs	\$0.00	0.0%	\$144.00	7.4%
Sundry Expenses	\$27.00	2.0%	\$0.00	0.0%
Total Administration Expenses	\$284.32	21.1%	\$337.71	17.4%
Total Expenses	\$2,438.82	180.7%	\$2,402.06	123.9%
Operating Profit	-\$1,089.12	(80.7%)	-\$463.81	(23.9%)
Other Income				
Interest Income	\$40.36	3.0%	\$40.95	2.1%
Total Other Income	\$40.36	3.0%	\$40.95	2.1%
Other Expenses				
Net Profit/(Loss)	-\$1,048.76	(77.7%)	-\$422.86	(21.8%)

Mudgee District U3A - [INC.9874819]

PO Box 451
 Mudgee, NSW 2850

Reconciliation Report

11/11/2018
 12:02:34 PM

Page 1

ID#	Date	Payee	Deposit	Withdrawal
Cheque Account: 1-1120 NAB Mudgee				
Date of Bank Statement: 11/11/2018				
Reconciled Cheques				
tfer	27/10/2018	J.D. Club Mudgee venue		\$130.00
tfer	27/10/2018	E.R. Canaster cards		\$29.50
tfer	5/11/2018	K.D. Envl & Toner		\$57.00
74	7/11/2018	TAFE Mudgee Luncheon 20th		\$1,365.00
tfer	9/11/2018	K.D. Post Newsletter		\$63.04
Total:			\$0.00	\$1,644.54

Reconciliation

MYOB Balance on 11/11/2018:	\$4,663.91
Add: Outstanding Cheques:	\$0.00
Subtotal:	\$4,663.91
Deduct: Outstanding Deposits:	\$0.00
Expected Balance on Statement:	\$4,663.91

Aon Risk Services Australia Limited

Aon Risk Services Australia Limited
ACN 000 434 720 ABN 17 000 434 720

U3A Network NSW
Po Box 782
TORONTO NSW 2283

CLIENT COVERAGE SUMMARY

If you have any queries please contact :
Aon Risk Solutions
PO Box 1331
PARRAMATTA NSW 2124

Your contact is Nathan Richmond

Phone 02 8623 4000 Fax 02 9633 5009

Client Name : U3A Network NSW
Class of Insurance : VITAL PACK
Period of Insurance : From - 1st July 2018
: To - 28th February 2019

COVERING (Summary Only)

General Policy Information

INSURED

U3A Network NSW Inc
U3A Armadale
U3A Ballina/Byron Bay
U3A Batemans Bay
U3A Bathurst
U3A Bermagui & District
U3A Bridport
U3A Broken Hill
U3A Brunswick Valley
U3A Bunbury
U3A Central Coast NSW
U3A Central Coast Tasmania
U3A Central Illawarra
U3A Cessnock City
U3A Clarence River
U3A Coffs Harbour
U3A Cootamundra
U3A Cowra
U3A Cygnet
U3A Deniliquin
U3A Dorrigo Plateau
U3A Dubbo Chapter
U3A Eastlakes
U3A Forbes College for Seniors
U3A Forster/Tuncurry
U3A Geraldton
U3A Gloucester District
U3A Goulburn/Mulwarree

CLIENT COVERAGE SUMMARYU3A Network NSW
VITAL PACK

U3A Grafton
U3A Griffith
U3A Hawkesbury
U3A Hilltops (Young)
U3A Hobart
U3A Independent Scholars Assoc.
U3A Inverell
U3A Kempsey/Macleay Valley
U3A Kentish
U3A Kiama
U3A Kingborough
U3A Lake Macquarie
U3A Liverpool
U3A Macarthur
U3A Maitland
U3A Mandurah City
U3A Manjimup
U3A Manning Valley
U3A Margaret River
U3A Meander Valley
U3A Milton/Ulladulla
U3A Moree
U3A Mudgee District
U3A Myall Lakes
U3A Nambucca Valley
U3A Namoi
U3A Naturaliste
U3A Network WA
U3A Newcastle
U3A Norfolk Island
U3A Northern Illawarra
U3A Northern Rivers (Lismore)
U3A Oberon
U3A Orange
U3A Parkes College for Seniors
U3A Port Macquarie - Hastings
U3A Port Sorell
U3A Port Stephens Third Age Learning
U3A S.A.M (Scone, Aberdecu, Muswellbrook)
U3A Sapphire Coast
U3A Shellharbour City
U3A Shoalhaven
U3A Singleton
U3A Snowy Mountains
U3A Southern Highlands
U3A Southlakes
U3A Tamar Valley
U3A Tamworth Regional
U3A Tuggerah Lakes
U3A Tweed Coast
U3A UWA Inc

CLIENT COVERAGE SUMMARY

U3A Network NSW
VITAL PACK

U3A Wagga Wagga
U3A Warrumbungle
U3A Wollongong
U3A Wynyard
U3A Leeton

BUSINESS DESCRIPTION

Principally volunteer, community, charitable and not-for profit Organisations and all other associated and related activities including activities of volunteers.

**** IMPORTANT NOTICE ****

THIS COVERAGE SUMMARY HAS BEEN PREPARED FOR GENERAL REFERENCE ONLY. NOTHING CONTAINED HEREIN PREVAILS OVER THE TERMS, CONDITIONS AND EXCLUSIONS OF THE POLICY.

Primary Liability

BUSINESS DESCRIPTION

Principally volunteer, community, charitable and not-for profit Organisations and all other associated and related activities as declared by you on the liability declaration.

LIMIT OF LIABILITY

General Liability
Any one occurrence \$ 20,000,000

Products Liability
Any one period of Insurance \$ 20,000,000

SUB LIMITS OF LIABILITY

Property in physical or legal care, custody & control endorsement limit: \$ 50,000

The policy covers the organisation, its employees & volunteers from their legal liability to third parties for personal injury and/or property damage if proven legally liable or negligent as defined in the policy.

ENDORSEMENTS

Molestation Endorsement

The limit of the Insurer's liability in respect of any one Claim shall not exceed \$5,000,000.

The total aggregate liability of the Insurer during any one Policy Period shall not exceed \$5,000,000.

Supplementary Payments shall be included within the Limit of

CLIENT COVERAGE SUMMARYU3A Network NSW
VITAL PACK

Liability.

This Policy does not provide cover for legal liability arising out of or in any way connected with actual, threatened or perceived sexual assault, sexual harassment or molestation of any person arising from the operation or ownership of any school, religious organisation or child care centre.

EXCLUSIONS - REFER TO POLICY FOR FULL CONDITIONS

- All service providers to carry their own insurance
- Excludes professional indemnity
- Excludes all contractors and/or sub-contractors
- Warranted no known or reported incidents/claims
- Excludes Acts of War & Terrorism
- Policy excludes liability arising from the participation in any sporting activities
- Additional activities, events or fundraising not declared on original declaration not insured until referred to and accepted by the Insurer
- Excludes molestation

PROVISIONS

All service providers are required to carry their own insurance. A service provider is deemed as anyone hired by the Insured to provide a good or service. Service providers include but are not limited to security, amusement device operators, fireworks operators, caterers, contractors, venue owners, entertainers etc. It is a condition precedent to the policy that any Insured providing services to third party individuals or groups must hold the appropriate qualifications or licence. It is further agreed that staff/volunteers working for these Insured's must also be appropriately qualified in the activities they are conducting.

POLICY CONDITIONS

1. All NFP liability agreed terms and conditions to apply.
2. PROFESSIONAL LIABILITY EXCLUSION AMENDMENT

DEDUCTIBLE

\$ 1,000 each and every claim

INSURER	POLICY NUMBER	PROPORTION
INSURANCE AUSTRALIA LIMITED T/AS CGU INS A.B.N. 11 000 016 722 181 WILLIAM STREET MELBOURNE VIC 3000	10M1792939	100.0000%

Section Premium Details :

CLIENT COVERAGE SUMMARY

U3A Network NSW
VITAL PACK

Billing Currency : Australian Dollars
TOTAL 0.00

Premium Details :

Billing Currency : Australian Dollars
TOTAL 0.00

43A
Cheque No: 000073

Mid-Western Regional Council

ABN: 96 149 391 332

PO BOX 156
MUDGEE NSW 2850
1300 765 002

Tax Invoice
Official Receipt

17/10/2018 Receipt No: **411319**

To: Mudgee District USA
Mudgee NSW 2850

Hire fee 12/1/19 - gallery and meeting room

Qty/Applic	Reference	Amount
GL Receipt		
Qty 1, 2510	STABLE COMPLEX	\$163.64
	Hire fee 12/1/19 - gallery and meeting room	
	GLA806001172000	\$16.36

Transaction Total: \$180.00
Includes GST of: \$16.36

Amounts Tendered	
Cash	\$0.00
Cheque	\$180.00
Cr Card	\$0.00
Db Card	\$0.00
Money Order	\$0.00
Agency	\$0.00
Total	\$180.00
Rounding	\$0.00
Change	\$0.00
Nett	\$180.00

Printed 17/10/2018 3:18:55PM

www.midwestern.nsw.gov.au



Australian Government
Australian Business Register

ABN Lookup

Current details for ABN 65 762 490 750

ABN details

Entity name:	U3A Network - NSW
ABN status:	Active from 01 Aug 2007
Entity type:	Other Incorporated Entity
Goods & Services Tax (GST):	Not currently registered for GST
Main business location:	NSW 2000

Australian Charities and Not-for-profits Commission (ACNC)

U3A Network - NSW is registered with the [Australian Charities and Not-for-profits Commission \(ACNC\)](#) as follows:

ACNC registration	From
Registered as a charity view ACNC registration	03 Dec 2012

Trading name(s)

From 1 November 2023, ABN Lookup will not display trading names and will only display registered business names.

Trading name	From
U3A Network - NSW	01 Aug 2007

Charity tax concession status

U3A Network - NSW is a [Charity](#) endorsed to access the following tax concessions:

Tax concession	From
GST Concession	01 Jan 2007
Income Tax Exemption	01 Jan 2007

Deductible gift recipient status

Not entitled to receive tax deductible gifts

Disclaimer

The Registrar makes every reasonable effort to maintain current and accurate information on this site. The Commissioner of Taxation advises that if you use ABN Lookup for information about another entity for taxation purposes and that information turns out to be incorrect, in certain circumstances you will be protected from liability. For more information see [disclaimer](#).

COMMUNITY GRANTS



Application Form

APPLICANTS DETAILS

Name of Organisation	St Paul's Presbyterian Church Mudgee, for Combined Churches of Mudgee
Contact Person	Ian Halbisch
Address	105a Mortimer St Mudgee NSW 2850
Phone	0427 600 102
Email	ianhalbisch@gmail.com
ABN	93 056 521 481
Bank Account Name	Mudgee Baptist Church
BSB	704922
Account Number	100006618

PROJECT / ACTIVITY DETAILS

Name of Project / Activity	Combined Churches Community Christmas Lunch	
Amount of funding requested	\$ 1,000.00	
Start and Finish date	START (click to tick)	FINISH (click to tick)
	25/12/2018	25/12/2018
Briefly, describe Project / Activity	As in previous years, the local churches combine to host a lunch on Christmas day. The aim is to provide somewhere for disadvantaged, lonely or isolated residents to come and enjoy the celebration and relaxation of Christmas.	



ADDRESS CRITERIA

How will your project benefit the Mid-Western Region Community?

(Note: limited number of characters)

The project will be especially beneficial to lonely, isolated or disadvantaged families. It will promote community integration as these families gather together for support, company and encouragement on Christmas day.

What is the expected amount of resident participation?

(Please provide no. of estimated participants)

(Note: limited number of characters)

The entire project is facilitated and enjoyed by residents. We estimate that 100 people will attend.

What level of consultation and collaboration with other local groups has your organisation undertaken?

(ie what other local community groups are or will be involved in this project?)

(Note: limited number of characters)

There is a long history of collaboration among the churches, and the wider community, for this event.

Outline your organisation's capacity to deliver the Project / Activity OR describe previous experiences.

(Note: limited number of characters)

The event has run annually for a number of years. The project has been delivered well in the past, and this year is an extension of those efforts.



Project Income	Community Grant (amount sought from Council)	\$ 1,000.00
	Expected Sales Revenue i.e. Entry Fee, Membership Sales	\$ 0.00
	Other Income	\$ 1,500.00
TOTAL INCOME		\$ 2,500.00

List proposed cash expenditure (provide copies of quotes for equipment)

Project Expenditure	Catering	\$ 2,000.00
	Gifts	\$ 500.00
	Decorations	\$ 500.00
TOTAL EXPENDITURE		\$ 3,000.00
TOTAL SURPLUS / DEFICIT		-\$ 500.00

If positive or surplus budget, please provide further details/explanation what this surplus will be used for.

(Note: Unspent grants >\$200 will be required to be returned to MWRC)

FINANCIAL DETAILS

	YES (click to tick)	NO (click to tick)
Is your group/organisation Incorporated?	<input type="radio"/>	<input checked="" type="radio"/>
Have you registered for Goods & Services Tax (GST) purposes?	<input checked="" type="radio"/>	<input type="radio"/>
Do you have an Australian Business Number (ABN)? Note: If you do not have an ABN please attach a 'Statement by Supplier' form	<input checked="" type="radio"/>	<input type="radio"/>

COMMUNITY GRANTS

Has your organisation/group previously received a Community Grant from Council?	YES (click to tick) <input checked="" type="radio"/>	NO (click to tick) <input type="radio"/>
If yes, please advise date and amount	DATE / YEAR 2017	AMOUNT \$ 1,000.00
Did your group return the acquittal form?	YES (click to tick) <input type="radio"/>	NO (click to tick) <input checked="" type="radio"/>
Closing bank balance from the most recent bank statement or treasurer's report	<input type="text"/>	
Comment on cash set aside for specific projects (optional)	<div style="border: 1px solid black; padding: 5px;"> <p>Thanks to careful management, funds are held from previous years to provide for preparation for the lunch each year. Generally the event is revenue neutral. With the closure of 'Mudgee Churches Association' accounts, the funds are held by Mudgee Baptist Church.</p> </div>	

APPLICATION CHECKLIST

If the following are not attached with the application, this may result in the application not being considered.

	SUPPLIED? (click to tick)	
	YES	NO
A copy of the group's/organisation's most recent bank statement or treasurer's report	<input type="radio"/>	<input checked="" type="radio"/>
A copy of the group's/organisation's public liability insurance	<input checked="" type="radio"/>	<input type="radio"/>
Where the group intends to purchase equipment, a copy of the quote/s obtained	<input checked="" type="radio"/>	<input type="radio"/>
Where the groups/organisations does not have an ABN, 'Statement by Supplier' is required	<input checked="" type="radio"/>	<input type="radio"/>
If your group is not incorporated, please supply a letter from your auspicating body	<input type="radio"/>	<input checked="" type="radio"/>

AUTHORISATION OF APPLICANT

Name	Rev. Ian Halbisch
Position	Minister
Date	15th November 2018

- I confirm that the information contained in the application form and within the attachments are true and correct.
- I confirm that this application has been submitted with the full knowledge and support of the applicant.
- I acknowledge the Community Grants Program acquittal requirements and understand that surplus funds may be required to be returned to Council.
- I am aware that this application will be reproduced in the Council Business Paper, and authorise public release of information provided.



SUBMIT YOUR APPLICATION

EMAIL: After you complete this digital form, please save it to your computer and email to council@midwestern.nsw.gov.au

DELIVER TO: Customer Service Locations

86 Market Street
MUDGEE

109 Herbert Street
GULGONG

77 Louee Street
RYLSTONE

MAIL TO: Mid-Western Regional Council
Attn: Finance Department
PO Box 156
MUDGEE NSW 2850

[SUBMIT ONLINE](#)

[COMMUNITY GRANTS POLICY](#)

[PRINT MY APPLICATION](#)





Australian Government
Australian Business Register

ABN Lookup

Current details for ABN 93 056 521 481

ABN details

Entity name:	ST PAULS PRESBYTERIAN CHURCH MUDGEE
ABN status:	Active from 23 Mar 2000
Entity type:	Other Unincorporated Entity
Goods & Services Tax (GST):	Registered from 01 Jul 2000
Main business location:	NSW 2850

Australian Charities and Not-for-profits Commission (ACNC)

ST PAULS PRESBYTERIAN CHURCH MUDGEE is registered with the [Australian Charities and Not-for-profits Commission \(ACNC\)](#) as follows:

ACNC registration	From
Registered as a charity view ACNC registration	03 Dec 2012

Trading name(s)

From 1 November 2023, ABN Lookup will not display trading names and will only display registered business names.

Trading name	From
ST PAULS PRESBYTERIAN CHURCH MUDGEE	23 Mar 2000

Charity tax concession status

ST PAULS PRESBYTERIAN CHURCH MUDGEE is a [Charity](#) endorsed to access the following tax concessions:

Tax concession	From
GST Concession	01 Jul 2005
FBT Rebate	01 Jul 2005
Income Tax Exemption	01 Jul 2000

Deductible gift recipient status

Not entitled to receive tax deductible gifts

ABN last updated: 28 Sep 2018

Record extracted: 16 Nov 2018

Disclaimer

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27 November 2018

Mr Cam
General Manager
Mid Western Regional Council

Dear Mr Cam

I am writing to you today on behalf of the Rylstone Rodeo Co, a sub-committee of the Rylstone Kandos Show Society to ask for the donation of bins for the Rylstone Bull-a-rama on the 28th December at the Rylstone Showground. We feel like this event can have a significant impact on our community with expected numbers of 2,000 or more. Due to this, we want to make sure we have enough bins to meet demand, to keep the showground tidy and presentable.

We hope to hear from you with a positive outcome.

If you have any questions, feel free to contact me.

Thank you

Sherie Thorn
Event Coordinator
0423364750
rylstone.rodeo@outlook.com

9.4 Procurement Policy Review

REPORT BY THE ACTING CHIEF FINANCIAL OFFICER
TO 12 DECEMBER 2018 ORDINARY MEETING
GOV400066, GOV400047

RECOMMENDATION

That Council:

1. **receive the report by the Acting Chief Financial Officer on the Procurement Policy Review;**
2. **place the revised Procurement Policy on public exhibition for 28 days; and**
3. **adopt the revised Procurement Policy if no submissions are received.**

Executive summary

A review of Council's procurement policy has been undertaken with track changes shown on the attachment to this report. A summary of amendments includes:

- additional and revised information on the General Managers delegation of authority
- clearer instruction on obtaining exemptions
- clearer information on purchase methods between \$50,000 to \$149,999
- providing guidance to a project manager when participating in an external organisation tender
- removal of references to Centroc as Council is no longer a member
- addition of definitions for 'due diligence' and 'public advertising'
- terminology corrections

Disclosure of Interest

Nil

Detailed report

Generally, council requires policies to be reviewed at least once every 4 years or as required by Council. In the case of the Procurement Policy it is scheduled for review annually. Council's last revision of the Procurement Policy was on 19 July 2017.

Alterations proposed are shown in the attachment and are summarised above. They aim to improve the information available for users of the policy by reducing areas that require interpretation, assumed knowledge or reference to another document for key information.

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

By adopting the recommendation, Council is endorsing the Procurement Policy changes to be placed out on public exhibition for comment. Should any submissions be received a further report will be presented back to Council for consideration. If no submissions are received at the end of the exhibition period, the revised policy will be adopted and apply from that date.

Legislation

Not applicable.

Financial implications

Not applicable.

Associated Risks

Not applicable.

NEIL BUNGATE
ACTING CHIEF FINANCIAL OFFICER

27 November 2018

Attachments: 1. POLICY – REVIEW – Procurement Policy 2 NOVEMBER 2018.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



POLICY Procurement Policy

*A prosperous
and progressive
community*

ADOPTED	VERSION	1.32
COUNCIL MEETING MIN NO 182/17	REVIEW DATE	19 JULY 2018 12 DEC 2020
DATE: 19 JULY 2017	FILE NUMBER	A0100021

Objective

This policy aims to ensure Council's procurement of goods and services is legal, ethical and to Council's best advantage. The outcomes of this policy are:

- Open and fair competition;
- Value for money;
- Enhancement of the capabilities of local business and industry;
- Environmental protection; and
- Ethical behaviour and fair dealing
- Maintaining a high standard of health & safety management

Legislative requirements

- Local Government Act 1993
- Local Government (General) Regulation 2005
- WHS Act 2011

Related policies and plans

- Local Preference Policy
- Service Provider Management Policy
- Gifts & Benefits Policy
- Code of Conduct
- Statement of Business Ethics
- Risk Management Policy
- Disposal of Assets Policy
- HRWHS 008 WHS Responsibilities
- HRWHS 059 (Procedure) Framework for the Safety Management of Contractor & Construction Project Works

POLICY: PROCUREMENT POLICY |

Policy

In entering into contracts for the carrying out of work, or the supply of goods and services, Council officers will have regard to Mid-Western Regional Council's purchasing objectives as set out above.

Every effort should be made to ensure businesses operating within the Mid-Western Regional Council area are given an opportunity to quote.

The general objectives of this policy apply to all purchases regardless of whether payment is made via traditional Accounts Payable processes, petty cash or corporate purchase cards.

Those persons/organisations providing goods and services to Council shall be considered to be agents of Council and shall be required to comply with Council's relevant policies.

Breach of the requirements of this policy may result in disciplinary action.

Training of Staff

Staff involved in the procurement of goods and services will be appropriately trained in the relevant procedures to be followed.

Delegation of Authority

The General Manager has delegated authority to incur financial expenditure on behalf of Council under the following provisions:

- Where expenditure has been provided for in Council's budget; or
- [Genuine emergency or hardship to respond to an emergency, community safety issue or potential public liability issue at a cost not exceeding \\$50,000;](#)

The General Manager is authorised to enter into contracts on behalf of Council within the expenditure delegation authorised. [The Delegation of Authority for the General Manager at item 3.2 allows the General Manager to accept Council tenders with a contract value of up to \\$1,000,000 or a contract entered into through a prescribed entity tender, where all other tender requirements of section 55 of the Local Government Act 1993 and Part 7 of the Local Government Regulation 2005 are met.](#)

Other Council Officers may only incur expenditure on behalf of the Council if:

- The Officer has been granted a financial delegation by the General Manager and such delegation is recorded in the Delegations Register; and
- The expenditure is provided for in Council's budget; or
- In the case of genuine emergency or hardship where the power to incur expenditure in these circumstances has also been delegated.

Council Officers may only receive an expenditure delegation greater than \$1,000 where the Officer has completed appropriate training or has relevant experience which, in the opinion of the General Manager, qualifies the Officer to the delegated level.

Any Officer incurring expenditure may only do so in accordance with any constraints imposed by the Council or the General Manager in respect to a financial delegation.

POLICY: PROCUREMENT POLICY |

No Officer [other than the General Manager](#) may have a procurement delegation exceeding \$150,000.

Splitting of Orders

Council Officers are prohibited from splitting orders for the purposes of acquiring goods or services above their delegated financial and procurement levels, or to avoid the necessity to obtain quotes or call for tenders.

When party to a trade-in on goods, the delegated level of authority will be used for the purchase price of the goods not the purchase value less the trade in price.

Promotions & Incentives

The offering or acceptance of promotional goods, rewards, benefits or any other form of incentive in relation to the purchase of goods and services is strictly prohibited. Refer to Council's Gifts and Benefits Policy.

Allocation of Funds

Apart from delegated authority to purchase, it is essential that funds are made available for a purchase prior to any commitment being entered into. This means that a budget allocation must have been made by Council in the [ManagementOperational](#) Plan or subsequent reviews for the purpose to which the proposed expenditure applies.

For special projects, contribution works, and grant works not specifically detailed in the [ManagementOperational](#) Plan, approval to purchase is dependent upon the funds being available. These funds must either be received or committed in writing by the funding body and accepted by Council.

For any job which exceeds the preliminary estimate by more than an immaterial amount, initial approval for works to commence must be given by the General Manager and reported to Council via the Quarterly Budget Review process.

Budget allocations are provided for a purpose. Expenditure contrary to this purpose, (such as using a budget in one area to cover another, or using a recurrent budget to fund a capital purchase and vice versa), must be approved initially by the General Manager and then reported to Council via the Quarterly Budget Review process.

Aggregation of Requirements

Council has the opportunity to utilise contracts offered by Prescribed Entities (Local Government Procurement & Procurement Australia). Council Officers are encouraged to seek opportunities to aggregate purchases within these alliances as well as other groups when applicable.

Local suppliers should be encouraged to submit a quotation or tender in these circumstances (with the Prescribed Entities), and advertising of such tenders or expressions of interest in locally circulated media (Community News, Mudgee Guardian) is essential.

POLICY: PROCUREMENT POLICY |

Purchase of Goods and Services up to \$100

Purchases may be made via corporate credit cards or out of petty cash except as defined otherwise by the General Manager. The use of official purchase orders is also available, but not preferred.

Purchase of Goods and Services above \$100 and up to \$1,000

Purchases may be made via corporate credit card except as defined otherwise by the General Manager. An alternative to a corporate card purchase is the use of a ~~cheque requisition purchase form~~ [request form upon receipt of the invoice](#). The use of an official purchase orders is also available, but not preferred. Council staff may either request a specific purchase order or utilise Council's monthly order process.

For various services involving recurrent payments, such as telephone and electricity accounts, subscriptions, credit card purchases and monthly rentals, it is impractical to raise orders prior to receipt of the invoice.

Purchase of Goods and Services above \$1,000 and up to \$10,000

Purchases must be made by submitting an official purchase order to the supplier. Exceptions to placing a purchase order will be made for various services involving recurrent payments, such as telephone and electricity accounts, subscriptions, credit card purchases and monthly rentals, where it is impractical to raise orders prior to receipt of the invoice.

Purchases must be undertaken by:

- Accessing a Standing Offer Arrangement (SOA); or
- Accessing a Preferred Supplier Arrangement (PSA) or Pre-qualified Supplier Arrangement (PQA) (via Vendor Panel where applicable) or
- Obtaining at least two quotes (sole supplier situations excepted); including consideration for Council's Local Market Place on Vendor Panel; or
- Accessing Government contract pricing.

An exemption from obtaining two written quotations may only be issued by the Chief Financial Officer or the General Manager. [An exemption must be obtained in writing using the approved form.](#)

When utilising SOA, PSA or PQA procurement methods, Council must ensure that there is provision for the evaluation of the arrangements, including the removal of a supplier from an arrangement because of poor supplier performance.

An SOA or a PSA may be established if:

- The supply of goods or services is needed in large volumes and or on a frequent basis; and
- Use of an SOA or PSA will obtain better value for money by aggregating demand for the goods or services required.

POLICY: PROCUREMENT POLICY |

Purchase of Goods and Services above \$10,000 and up to \$50,000

Purchases must be made by submitting an official purchase order to the supplier. Public advertising for quotations is encouraged but is not essential. – If public advertising is used, the responsible Director or Council's Procurement Manager will assess the coverage of such public advertising.

Purchases must be undertaken by:

- Accessing a Standing Offer Arrangement (SOA); or
- Accessing a Preferred Supplier Arrangement (PSA) or Pre-qualified Supplier Arrangement (PQA); (via Vendor Panel where applicable) or
- Obtaining at least three written quotes (sole supplier situations excepted) including consideration for Council's Local Market Place on Vendor Panel; or
- Accessing Government contract pricing.

An exemption from obtaining three written quotations may only be issued by the General Manager. [An exemption must be obtained in writing using the approved form.](#)

All quotations received are to be given due consideration in accordance with Mid-Western Regional Council's purchasing objectives.

All persons and organisations that provide a quotation must be advised in writing of the outcome.

When utilising SOA, PSA or PQA procurement methods, Council must ensure that there is provision for the evaluation of the arrangements, including the removal of a supplier from an arrangement because of poor supplier performance or the inclusion of Council's Service Provider Management Policy.

An SOA or a PSA may be established if:

- The supply of goods or services is needed in large volumes and or on a frequent basis; and
- Use of an SOA or PSA will obtain better value for money by aggregating demand for the goods or services required.

Purchase of Goods and Services above \$50,000 and up to \$149,999

[Purchases must be made by submitting an official purchase order to the supplier.](#)

[Purchases must be undertaken by:](#)

- [Accessing a Standing Offer Arrangement \(SOA\); or](#)
- [Accessing a Preferred Supplier Arrangement \(PSA\) or Pre-qualified Supplier Arrangement \(PQA\); \(via Vendor Panel where applicable\) or](#)
- [Accessing Government contract pricing; or](#)
- [Public advertising for quotations ~~is essential~~.](#) The responsible Director or Chief Financial Officer will assess the coverage of such public advertising.

An exemption from public advertising for quotations may only be issued by the General Manager. Should such an exemption be issued, a minimum of three written quotations must be obtained. ~~or~~

POLICY: PROCUREMENT POLICY |

~~access to Government contract pricing.~~ [An exemption must be obtained in writing using the approved form.](#)

All quotations received are to be given due consideration in accordance with Mid-Western Regional Council's purchasing objectives.

All persons and organisations that provide a quotation must be advised in writing of the outcome.

~~An official purchase order must be raised, and submitted to the supplier.~~

At the end of major procurements the performance of the contractor or supplier should be assessed. This information can be used in the assessment process for the award of future contracts.

Purchase of Goods and Services above \$150,000

Purchases in this category shall be administered in accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2005.

An official purchase order must be raised, and submitted to the supplier.

At the end of major procurements the performance of the contractor or supplier should be assessed. This information can be used in the assessment process for the award of future contracts.

Tendering

Section 55 of the Local Government Act 1993, in conjunction with the Local Government (General) Regulation 2005, provides the legislative framework that promotes the consistent use of good practice standards in local government tendering in a manner that is clear, consistent and readily accessible to all persons.

Tenders will be called for the provision of goods and or services that exceed \$150,000 in value (including GST). Exceptions may apply in certain circumstances as provided by section 55(3) of the Local Government Act 1993.

Whenever Council is required by section 55 of the Local Government Act 1993 to invite tenders before entering into a contract, Council must decide the tendering method to be used. The options are:

- The open tendering method by which tenders for the proposed contract are invited by public advertisement;
- The selective tendering method by which invitations to tender for a particular proposed contract are made following a public advertisement asking for Expressions of Interest;
- The selective tendering method by which recognised contractors selected from a list prepared or adopted by Council are invited to tender for proposed contracts of a particular kind.
- Or, Accessing a Standing Offer Arrangement (SOA); accessing a Preferred Supplier Arrangement (PSA); or accessing a Pre-qualified Supplier Arrangement

Part 7 of the Local Government (General) Regulation 2005 outlines the requirements for tender processes. The legislation and regulations should be complied with in all instances.

POLICY: PROCUREMENT POLICY |

Council has a detailed Tendering Toolkit to guide Officers through the tendering process. This toolkit must be used for all tenders conducted by Council. ~~not that is undertaken via a Prescribed Entity or external organisation.~~

Tenders should be evaluated based on Council's purchasing objectives as well as but not limited to previous performance of contractors.

Accessing tenders through external organisations & prescribed entities

Council ~~have many~~ has the options to access ~~approved~~ tenders conducted by external ~~from alternative~~ organisations. This practice eliminates the need for Council to tender as an individual when there is demonstrated value for money from our alternatives due to a 'bulk buy' methodology.

~~Council can access current tenders listed with Local Government Procurement (Prescribed Entity), Procurement Australia (Prescribed Entity), Centroc (Central West Region Councils and Regional Procurement (Hunter Region of Councils) by following the relevant participation procedures. Council is not limited to utilising tender arrangements as sought by the abovementioned organisations and is encouraged to utilise the most effective method of Tendering for Council's purchasing objectives.~~

Council have the capability to compare pricing and if an alternative is deemed better value for money than we are capable of obtaining as a single organisation we may utilise these alternatives. Considerations must also be given to Contract terms and conditions of the alternative tender to ensure the needs and expectations of Council are met

~~Council can access current tenders listed with Local Government Procurement (Prescribed Entity), Procurement Australia (Prescribed Entity), Centroc (Central West Region Councils and Regional Procurement (Hunter Region of Councils) by following the relevant participation procedures. Council is not limited to utilising tender arrangements as sought by the abovementioned organisations and is encouraged to utilise the most effective method of Tendering for Council's purchasing objectives.~~

When Council participate in an external organisation tender the project manager should assess the qualification criteria including compliance, standing offer deed, specifications and any evaluation criteria if available. Considerations must also be given to contract terms and conditions of the tender to ensure the needs and expectations of Council are met.

~~When , (analyse) compare & accepting a the tender & pricing run by conducted by external an external organisations based on the evaluation matrix provided. Appropriate approvals for acceptance must still be sought from either Council or the General Manager, depending on estimated contract values. The General Manager has been delegated the authority to accept tenders up to the value of \$1m, alternatively, only Council may accept, decline or agree to negotiations with organisations. External organisations and Prescribed Entities coordinate and run tenders on behalf of participating Councils including the preparation of all tender paperwork (their own format) and evaluation plans.~~

When Council utilise tenders from Prescribed Entities, an approved panel of Service Providers is supplied. Where Council spend for any one quote is estimated to exceed \$150,000, and prior to approaching the panel of approved service providers, Council staff must obtain permission to proceed from the General Manager through Council's Procurement Evaluation Plan. Once this documentation has been completed and approved, Council staff approach the appropriate approved Service Providers (via appropriate formats i.e. e-quoting portals) to provide a quote under the

POLICY: PROCUREMENT POLICY |

[conditions of tender by the Prescribed Entity for the goods/services required. The evaluation of the responses \(quotes\) must align to the methodology stated in the approved Procurement Evaluation Plan. The outcome does not require further approvals, however for the purpose of transparency it is recommended.](#)

Amending Tendered Rates

Tendered rates cannot be amended mid-contract unless the original tender documentation and contract specifically permits rate increase considerations. All requests for rate increases must be made in writing to the appropriate Council delegate and must not exceed the most recent annual CPI rate increase (nearest quarter) All Groups (or the rate specified in the tender/contract). All approved increases must be responded to in writing from Council's delegate.

Due Diligence

Due diligence of suppliers is to be carried out, where appropriate, where a tender is not required.

Due diligence of any supplier must be carried out in all Tender situations.

Receipt of Goods and Services

When the goods are received or the works and services carried out, a Goods Received declaration shall be completed in the prescribed format.

Council Specific Procurement

Council will call for tenders on a regular basis for the provision of certain goods and services. The frequency of tenders will be guided by legislative requirements and operational needs. These contracts may include, but are not limited to:

- The ~~S~~supply of ~~F~~uel and ~~O~~ils
- Cleaning of Council premises
- Security services
- Bitumen sealing
- ~~Audit services~~
- Electricity supply
- Telecommunications

Quotations for casual plant hire will be publicly advertised ~~every two years~~ [as required](#). The advertisement will call for fixed rates from owners of specialised plant and equipment, for projects

POLICY: PROCUREMENT POLICY |

required to be carried out by Council on an as required basis. Quotations for capital works and any works over the ~~value of \$20,000~~ [nominated threshold value stated in the tender documents](#) will be sought from these suppliers via Vendor-Panel.

Quotations for casual hire of trade services will be publicly advertised every three years. The advertisement will call for pre-qualified suppliers of trade services for projects and routine maintenance required to be carried out by Council on an 'as required' basis. . Quotations for capital works and any works over the [nominated threshold value stated in the tender documents](#)~~value of \$2,000~~ will be sought from these suppliers via Vendor-Panel prior to engagement.

Certificates of Insurance

Service providers must have appropriate levels of public, [products liability](#), ~~and~~ professional indemnity ~~and products liability~~ insurance as necessary. Service providers must also provide evidence of their workers compensation coverage where applicable. All required Certificates of Currency for appropriate insurance must be downloaded into Vendor-Panel prior to the engagement. If procuring outside of Vendor-Panel, service providers must ~~still~~ provide relevant insurance requirements [to the engaging Council staff member](#).

Service providers identified to be working with (near) children or vulnerable people will be required to complete Police Checks for subcontractors & working with children checks prior to entering any relevant site.

Publication of Successful Tenderers and Expressions of Interest

Council will maintain a register showing those successful Service Providers to Council in those cases where the contract value is in excess of \$150,000.

Work Health & Safety Management and Workplace Injury Management

Mid-Western Regional Council assigns a high priority to the continuous improvement of work health and safety and workplace injury management.

Council is responsible for:

Risk Assessments

A purchasing risk assessment (HRWHS 025) must be undertaken for all items/goods with regards to its potential use at the workplace. In undertaking the risk assessment the following factors are to be considered:

- Manner in which it is to be used and the suitability of the item for the purpose
- Hazards and risks presented by the item (including biological and chemical products) to be purchased
- Potential impact on affected personnel
- Transport, Maintenance, Cleaning and Storage
- Any associated needs (e.g. appropriate firefighting gear) should an emergency with the item occur

POLICY: PROCUREMENT POLICY |

- Legal requirements such as codes of practice or relevant standards
- Specifications which are required to ensure safe operation or use
- Training requirements
- The need to change work procedures
- The need for personal protective equipment(PPE)
- Technical data or information required
- Opinions of the users of the item
- Hazards and risks associated with compounds used in operating, maintaining, cleaning, transporting and storage of the items
- Environmental impact of disposal of waste arising from the above

All risk assessments are to be documented in Council's record system and undertaken in consultation with employees/ workers who may be affected by the purchase. All records of assessments, and details provided by the [supplier-service provider](#) shall be maintained in a file by the originator of the purchasing request or the life of the equipment and updated when any modifications are carried out. Previous records of assessments are to be archived as appropriate.

Plant & Equipment

In respect to the purchase of plant and equipment including furniture, the supplier will be requested to provide information regarding the hazards associated with the items and recommended controls to manage these hazards.

Suppliers of second-hand plant are specifically required to inform purchasers of any reasonably identifiable faults in the plant.

All plant and equipment must comply with all relevant Australian Standards.

Hazardous Substances

The Safety Data Sheets (SDS) and instructions for use for all hazardous substances must be obtained before the purchase of hazardous substances.

All substances must meet labelling and usage requirements of WHS legislation, standards and codes of practice. From January 2017 all suppliers must be compliant with Global Harmonisation System (GHS) for chemicals. This includes Pictogram Identification on all labels and documents

Any associated emergency control equipment including correct type of fire-fighting equipment and spill control is to be considered (re. Transport, use and storage) in the purchase of a hazardous substance.

Personal Protective Equipment [PPE]

Prior to purchasing PPE, consideration on whether other forms of hazard control from higher up the hierarchy of hazard control can be implemented needs to be taken into account.

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All personal protective equipment must comply with relevant Australian Standards. Since PPE is personal, when purchasing the individual needs of staff MUST be considered. Such needs will include, but not be limited to, individual body size, impairments, capabilities etc.

All employees/workers – including managers – associated with PPE, require training in correct selection, fitting, use, maintenance and storage of the PPE

Pre - Purchase Trials

Trials of equipment and substances including PPE will be undertaken where reasonably practicable, providing an opportunity for monitoring by relevant personnel and management to ensure that no previously unforeseen hazards arise during use.

Trials should also ensure consultation where appropriate e.g. the introduction of new types or brands of PPE.

Feedback from the trial is to be recorded on the Purchasing Risk Assessment (HRWHS 025).

Making a Decision to Purchase

If after the risk assessment, trials and/or the provision of information from the potential supplier, the level of risk associated with the item to be purchased cannot be controlled and is not acceptable, the item is not to be purchased. An alternate item is to be sourced and the process started again.

WHS Standards for Procurement of Service Providers

HRWHS 059 Safety Management Framework ~~Contractors Construction Project Works~~ is to be referred to prior to the commencement of the service provider procurement process.

This procedure provides a framework for the determination of the level of WHS risk associated with any service to be provided, along with guidelines for WHS documents to be provided as part of any RFT or RFQ.

Service Providers Responsibilities

Service providers shall have a demonstrated commitment to, acceptable performance with, and a systematic approach to work, health and safety management and workplace injury management.

Service ~~providers and their~~ providers, their employees and subcontractors must comply with work, health and safety, workers compensation, ~~compensation~~ insurance, injury management and rehabilitation obligations under legislation, relevant industry codes of practice, safety procedures in applicable industrial awards and approved agreements, and the general law.

If a service provider is deemed a regular or high risk service provider by Council's WHS Coordinator all employees of the service provider must undertake ~~the Centroc (Local Government) Council's Contractor Specific~~ Induction Program. ~~This induction is a general induction program for in local government and is designed to enable service providers working for multiple Councils within the Centroc region to complete the induction and be able to work for any participating Council without the need to complete the induction again.~~ This induction does not replace site specific inductions.

POLICY: PROCUREMENT POLICY |

Principal contractors are accountable for compliance by their service providers with their legal obligations regarding their employees.

All service providers, their employees, ~~and~~ their unions [and subcontractors](#) must also comply with their workplace obligations, including the provisions of all applicable industrial awards and approved agreements.

Arrangements or practices designed to avoid workplace obligations under relevant laws, industrial awards and approved agreements are not permitted.

Local Preference

Mid-Western Regional Council acknowledges that it has an important role to play in the local economy and is committed to assisting local industry engage in business with Council. To assist local industry and local economic development, Council's Local Preference Policy supports our commitment to providing opportunities for our local service providers.

Full details of Council's Local Preference Policy can be found on Council's website.

www.midwestern.nsw.gov.au

Service Provider Management Policy

The Service Provider Management policy aims to ensure Council's expectations and management of service providers (contractors) is legal, ethical and transparent for all parties. It is to provide guidance in the selection, management and monitoring of service providers engaged by Mid-Western Regional Council. The outcomes of this policy are: Clear & Defined Expectations & Responsibilities, Performance Management Criteria & Matrix, Protection of Supplier Rates and Ethical Behaviour & Fair dealing

Full details of Council's Service Provider Management Policy can be found on Council's website.

Variations [of this policy](#)

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

Definitions

SOA - Standing Offer Arrangement

- An agreement where the Service Provider allows Council to purchase goods and services at a set price for a set period of time

PSA - Preferred Supplier Arrangement

- An agreement where the Service Provider allows Council to purchase goods and services at a set price for a set period of time, however, Council place suppliers in a preferred order. This particularly relates to Wet & Dry Plant Hire and also Trades lists (to name a few). Lists are tendered for and suppliers are numbered from 1 to say 5 during the evaluation process. In the first instance Council must contact the number 1 supplier and if unavailable contact number 2 on so on.

POLICY: PROCUREMENT POLICY |

PQA - Pre-Qualified (Prequalification) Arrangement

- An agreement where Council create panels for regularly used goods or services, these may or may not be tendered for. Panels are created in VendorPanel (Councils' e-quoting portal) and Service Providers must meet Council's compliance requirements to be accepted. Prequalification panels allow Service Providers to nominate rates at time of quoting, any tendered rates are only used for tender evaluation, and therefore they may also be amended during the quoting process.
- This option allows Council to capture minimum compliance options for regularly used services providers as well as allowing service providers to present up to date pricing. The opportunity and potential for Council to obtain better value for money by creating a more competitive market is increased.

Prescribed Entity

- Any organisation that is specified in the Local Government (General) Regulation, Section 163 is recognised as a Prescribed Entity therefore approval is not required for acceptance of tenders sought from those specified.

VendorPanel

- Council's electronic quoting (e-quoting) portal

Council's VendorPanel Local Market Place

- VendorPanel Marketplace is an e-quoting portal enabling Council employees to directly contact businesses that Council may not utilise regularly or require tenders for, but may employ from time to time.

Due Diligence

- Is an investigation of a business or person prior to signing a contract, or an act with a certain standard of care.

Public Advertising

Public advertising may include:

- Local and Sydney newspapers
- VendorPanel

9.5 Local Preference Policy Review

REPORT BY THE ACTING CHIEF FINANCIAL OFFICER
TO 12 DECEMBER 2018 ORDINARY MEETING
GOV400066, GOV400047

RECOMMENDATION

That Council:

1. **receive the report by the Acting Chief Financial Officer on the Local Preference Policy Review;**
2. **place the revised Local Preference Policy on public exhibition for 28 days; and**
3. **adopt the revised Local Preference Policy if no submissions are received.**

Executive summary

A review of Council's procurement policy has been undertaken with track changes shown on the attachment to this report. A summary of amendments includes:

- limiting the financial impact of this policy by placing a \$30,000 cap on a local service provider discount
- requiring a local service provider application is provided at least every 3 years rather than 2
- amending terminology of ownership requirements from 'more than 49.9%' to 'at least 50%'
- additional information provided on what evidence of ownership and residence is accepted

Disclosure of Interest

Nil.

Detailed report

Generally, council requires policies to be reviewed at least once every 4 years or as required by Council. In the case of the Local Preference Policy, it is scheduled for review every 2 years. Council's last revision of the Local Preference Policy was on 19 October 2016.

Alterations proposed are shown in the attachment and are summarised above. Further discussion is presented below regarding the proposal to cap the dollar value of discount applied.

The current policy allows a price preference discount in the process of evaluating a local service provider's price. Currently once a purchase is above \$100,000 a 3% discount is given. The proposed change is to cap the discount at \$30,000. As the price actually paid by Council under a contract is the price submitted, not the discounted amount used for evaluation this has financial implications for Council. By placing a cap on the discount, Council is limiting the financial impact of this policy. An example is provided below to show the financial impact by comparing the discount that would be applied under the current and revised policy.

Contract Value (\$)	Discount applied under current policy (\$)	Discount applied under revised policy (\$)
100,000	3,000	3,000
1,000,000	30,000	30,000
2,000,000	60,000	30,000
3,000,000	90,000	30,000

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

By adopting the recommendation, Council is endorsing the Local Preference Policy changes to be placed out on public exhibition for comment. Should any submissions be received a further report will be presented back to Council for consideration. If no submissions are received at the end of the exhibition period, the revised policy will be adopted and apply from that date.

Legislation

Not applicable.

Financial implications

Not applicable.

Associated Risks

The current policy does not limit the financial discount when assessing a Local Service Provider contract above \$100,000. As Council will be subject to the actual price submitted, not the discounted price used in assessment, there is a chance Council may pay a considerably higher price. The amended policy reduces this financial risk.

NEIL BUNGATE
ACTING CHIEF FINANCIAL OFFICER

27 November 2018

Attachments: 1. POLICY - REVIEW - Local Preference Policy.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



POLICY

Local Preference Policy

*A prosperous
and progressive
community*

ADOPTED

COUNCIL MEETING MIN NO:

DATE: **JULY-2018**

REFERENCE

REVIEW DATE 2021

FILE NUMBER GOV400047

Objective

Council is committed to supporting the local economy and enhancing the capabilities of local business and industry. The objective of this policy is to create a framework that ensures Council gives due consideration to the actual and potential benefits to the local economy ~~of~~-by sourcing goods and services locally, where possible, whilst maintaining a value for money approach at all times. Locally sourced goods and services will be used where price, performance, quality, suitability and other evaluation criteria are comparable with non-locally sourced goods and services. Locally sourced goods and services are those which are procured from local service providers based permanently in the Mid-Western Regional Council area. This policy supports Council's commitment to achieve the best value for money outcome to Council and the community, while maximizing opportunities for local ~~business~~-organisations to compete for Council business.

This policy must be considered when:

- Ordering services, goods or materials or when engaging consultants;
- Tenders;
- Quotations

Legislative requirements

- Local Government Act 1993
- Local Government (General) Regulation 2005
- Competition and Consumer Act 2010
- Fair Trading Act 1987 (NSW)

Related policies and plans

- Tendering Guidelines for NSW Local Government
- Council's Procurement Policy
- Code of Conduct
- Statement of Business Ethics

POLICY: LOCAL PREFERENCE POLICY | , ERROR! REFERENCE SOURCE NOT FOUND.

Policy

Mid-Western Regional Council acknowledges that it has an important role to play in the local economy and is committed to assisting local industry engage in business with Council. To assist local industry and local economic development, Council will:

- Encourage a 'buy local' culture within the Council;
- Advertise all tenders, contracts and expressions of interest in the [local media](#) and by other means as deemed appropriate;
- Ensure links to all tenders, contracts and expressions of interest are available on Council's website;
- Disseminate contract and tender information to local industry, in a manner deemed appropriate;
- Package requirements in appropriately sized contracts to suit market capacity and encourage competition;
- Ensure that buying practices, procedures and specifications do not disadvantage local service providers and ensure transparency in quotation, tendering and contract management practices;
- Encourage local businesses to promote their goods and services to Council;
- Encourage the use of local distributors within the delivery chain whenever goods, materials or services have to be sourced from outside the local government area; and
- Apply a price preference discount in favour of local service providers, as set out in this policy.

Value for Money Considerations

Value for money is a key objective of Council's Procurement Policy. It ensures that Council achieves the best possible outcome for the amount of money spent. Value for money does not necessarily mean selecting the bid that offers the lowest initial price. It represents the best return and performance from the money spent over the entire life of the product or service.

Purchasing decisions will be assessed on a value for money basis whilst giving full consideration to:

- Open and effective competition, ensuring tenders are evaluated on equal footing;
- Ethical behaviour and fair dealing;
- Compliance with specifications, guidelines and requirements
- The advantages of dealing with local businesses including local knowledge, networks and relationships, administrative and operational efficiencies, availability and access to after sales service and maintenance;
- The service provider's knowledge, experience and ability to fulfil the requirements of Council;
- Meeting the needs of the community;
- Whole-of-life cycle costs;

POLICY: LOCAL PREFERENCE POLICY | , ERROR! REFERENCE SOURCE NOT FOUND.

- Compliance with and capability to satisfy technical specifications, guidelines and other requirements such as financial capacity, industry reputation, and quality and safety systems;
- The service provider's commitment to supporting other local businesses through their subcontracting and service provider arrangements;
- Net benefits to Council including the benefits of maintaining an ongoing, innovative and competitive local business environment, including economic benefits and employment;
- Environmental protection; and
- Job creation potential.

Overall, the value for money assessment must deliver quality outcomes at competitive prices, whilst recognising the impact of procurement decisions by Council on local industry and economic development. Notwithstanding this policy, assessments in the selection criteria must also consider all of the above factors in conjunction with price and locality considerations.

Local Preference

For all quotations and tenders for the supply of goods, materials and/or services for Mid-Western Regional Council a price advantage is given to Local Service Providers ([LSP](#)). In the process of determining the successful service provider, a percentage will be nominally deducted from the Local Service Provider price for the purpose of price comparison. The following levels of price preference discounts will be applied under this policy;

- Purchases up to \$5,000 ~~with local content~~ [for registered LSP's](#) given 10% discount
- Purchases from \$5,000 - \$100,000 [for registered LSP's](#) ~~with local content~~ given 5% discount
- Purchases over \$100,000 [for registered LSP's](#) ~~with local content~~ given 3% discount

[If this policy applies to a particular tender or quotation over \\$100,000, any local service provider who lodges a tender or quotation will be granted a notional offset of the lesser of 3% or \\$30,000 against that Local Service Providers submitted tender or quotation price, for the purposes only of evaluating and awarding the contract.](#)

[Applying a notional reduction in price will increase the competitiveness of a Local Service Provider against other service providers. The \\$30,000 cap on the offset is intended to limit the financial impact of this Policy.](#)

[As price is only one factor for consideration when evaluating any quotation or tender, the application of the nominal offset does not guarantee that the tenderer receiving the offset will be the successful applicant.](#)

[For the avoidance of doubt, the price actually paid by Council under any resulting contract or acceptance of pricing submitted, not including the offset – Council will be subject to the actual submitted price.](#)

Specifications for the calling of quotations for services, goods or materials will indicate that council has a Local Preference Policy. It will be noted that any service provider that wishes to be considered as a "Local Service Provider" must request and complete appropriate paperwork at least once every ~~2-3~~ years, or for the term of the tender, whichever is the lesser, and nominate on their quotation that this service provider is to be considered a "Local Service Provider", placing the onus of proof on the service provider.

POLICY: LOCAL PREFERENCE POLICY | , ERROR! REFERENCE SOURCE NOT FOUND.

"Local Service Provider" will be defined as:

An organisation that operates from permanently staffed premises within the boundaries of Mid-Western Regional Council's LGA and has operated from those premises for a minimum period of three (3) months before submitting the quotation or tender.

An organisation that has less than 150 employees and is ~~at least~~~~more than 49.9%~~50% owned by an individual (or individuals) that live WITHIN THE BOUNDARIES of Mid-Western Regional Council's LGA and has done so for a minimum period of three (3) months before the organisation submits the quotation or tender. It is assumed that the individual/s reside/s at their address on the electoral role. The appropriate paperwork required to be submitted to be considered a "Local Service Provider" would include:

- (a) The address of the business premises within Mid-Western Regional Council's LGA.
- (b) The number of full time staff that operate from that premises
- (c) The name of the owner (or owners) of the organisation (and how they legally own at least 50%~~more than 49%~~ of the organisation submitting a quotation) and their address/es within Mid-Western Regional Council's LGA

If subsequent investigations by Council prove that false declarations were made and this organisation should not be considered a "Local Service Provider" then the Local Preference Policy will not apply and that service provider will not be able to supply goods, materials and/or services to Mid-Western Regional Council for a period of 12 months.

Any changes to Council's Ordering of Services, Goods or Materials or Engaging Consultants Policy expenditure levels will automatically be reflected in this "Local Preference" policy.

The nominal percentage reduction for price comparison will not be applicable to any business that has more than ~~50~~49.9% ownership by any person who is elected as a Councillor to represent Mid-Western Regional Council.

Evidence of Ownership & Residence

Council will accept ASIC documents as proof of principal place of business and ownership (holding). Council rates notices will also be accepted as evidence for principal place of business.

Decisions about the status of a Local Service Provider will be made by Council's nominated representative and is not subject to challenge.

POLICY: LOCAL PREFERENCE POLICY | , ERROR! REFERENCE SOURCE NOT FOUND. |

Local Service Provider Application

1.1 Local Service Provider Details

NAME OF ORGANISATION SUBMITTING THE APPLICATION:	
NAME OF PERSON SUBMITTING THE APPLICATION	
ABN:	
ACN:	
TRADING NAME (if applicable – if 'no', please state NA)	
BUSINESS (location)-ADDRESS:	
POSTAL ADDRESS:	
CONTACT NAME:	
CONTACT EMAIL:	
CONTACT PHONE:	
NO. OF EMPLOYEES:	
NATURE OF BUSINESS:	

POLICY: LOCAL PREFERENCE POLICY | , ERROR! REFERENCE SOURCE NOT FOUND.

1.2 Ownership

The names of the owner/owners of the business and their residential address are:

<u>Owner 1</u> <u>Name:</u> <u>Residential Address:</u> <u>Ownership %:</u>	
<u>Owner 2</u> <u>Name:</u> <u>Residential Address:</u> <u>Ownership %:</u>	
<u>Owner 3</u> <u>Name:</u> <u>Residential Address:</u> <u>Ownership %:</u>	
<u>Owner 4</u> <u>Name:</u> <u>Residential Address:</u> <u>Ownership %:</u>	
<u>Evidence of ownership:</u>	

For additional owner details, please attach separate sheet

POLICY: LOCAL PREFERENCE POLICY | , ERROR! REFERENCE SOURCE NOT FOUND.

2. Account Information

<u>ACCOUNTS CONTACT PERSON</u>	<u>Name:</u> <u>Position:</u> <u>Phone no:</u> <u>Mobile phone no:</u> <u>Email:</u>
<u>ACCOUNT DETAILS</u>	<u>Bank Name:</u> <u>Account Name:</u> <u>BSB:</u> <u>Account No:</u>

4.21.1 Ownership

The names of the owner/owners of the business and their residential address are:

Owner 1 Name: Residential Address: Ownership %:	
Owner 2 Name: Residential Address: Ownership %:	

POLICY: LOCAL PREFERENCE POLICY | , ERROR! REFERENCE SOURCE NOT FOUND.

Owner 3 Name: Residential Address: Ownership %:	
Owner 4 Name: Residential Address: Ownership %:	
Evidence of ownership:	

~~For additional owner details, please attach separate sheet~~

REVIEW

POLICY: LOCAL PREFERENCE POLICY | , ERROR! REFERENCE SOURCE NOT FOUND.

2.3. Local Service Provider Declaration

I
(name of applicant)

being the owner/director of
(name of organisation)

hereby request that my ~~firm~~-organisation be identified as a 'local service provider' for the purposes of providing quotations and tenders for services, goods or materials to Mid-Western Regional Council.

I hereby certify that;

1. The abovementioned business has operated from a permanently staffed premises (including residentially run businesses) located within the boundaries of Mid-Western Regional Council's LGA for a period not less than three months before submitting this form.
2. The abovementioned business is 49.950% owned (or greater) by individuals that reside within the Mid-Western Regional Council LGA.

Council reserves the right that if subsequent investigations by Council prove that false declarations were made and this organisation should not be considered a 'Local Service Provider' then the Local Preference Policy will not apply and that supplier will not be able to supply goods, materials and/or services to Mid-Western Regional Council for a period of 12 months.

It will be the suppliers' responsibility to lodge this 'Local Preference Application' form to Council bi-annually.

By lodging this application, I certify that the above information provided to Council for the purpose of becoming identified as a 'Local Service Provider' is correct.

.....
Please print name

.....
Signature

.....
Date

POLICY: LOCAL PREFERENCE POLICY | , ERROR! REFERENCE SOURCE NOT FOUND.

3.1. Account Information

ACCOUNTS CONTACT PERSON	Name: Position: Phone no: Mobile phone no: Email:
ACCOUNT DETAILS	Bank Name: Account Name: BSB: Account No:

OFFICE USE ONLY

Folder No: COR500089

LSP NO:

Compliance Confirmation

49.950% Owned by LGA resident/s:	Yes / No	Means of Verification:
Business Address in LGA:	Yes / No	
ABN check completed:	Yes / No	Attach ABN search confirmation
ASIC Details attached:	Yes / No	
Rates notice attached:	Yes / No	
Evidence of ownership attached:	Yes / No	

Application approval Accept / Decline

Date:

Verification completed by: Signature:

9.6 Loan Funding Saleyards Lane Subdivision

REPORT BY THE ACTING CHIEF FINANCIAL OFFICER
TO 12 DECEMBER 2018 ORDINARY MEETING
GOV400066, FIN300030

RECOMMENDATION

That Council:

1. **receive the report by the Acting Chief Financial Officer on the Loan Funding Saleyards Lane Subdivision;**
2. **authorise the General Manager to enter into a finance agreement with NSW Treasury Corporation for the sum of \$1,000,000 for a term of ten years, at the rate supplied, subject to no upward material change from 3.35%;**
3. **apply the Common Seal of Council to the Deemed Charge over Council rates;**
4. **submit a revised Proposed Loan Borrowings Return to NSW Treasury Corporation;**
5. **accept the Low Cost Loans Initiative offer of funding subject to a review of the terms and conditions to be undertaken by the General Manager; and**
6. **authorise the General Manager to finalise and sign any funding agreements for the Low Cost Loan Initiative with the NSW Government.**

Executive summary

In October, Council received notification from the NSW Department of Planning and Environment that the application for grant funding under the Low Cost Loans Initiative (LCLI) was recommended for partial approval. This allows Council a 50% interest subsidy on borrowed funds to complete the infrastructure works.

Quotes to borrow \$1,000,000 over a 10 year term for the Saleyards Land subdivision infrastructure have been requested from major Australian banks and NSW Treasury Corporation. NSW Treasury Corporation was the most competitive offer.

Disclosure of Interest

Nil.

Detailed report

Background

The development of the first stage of Saleyards Lane housing precinct includes all physical works in order to release the first 25 lots for sale (i.e. roadworks, footpaths, power, stormwater drainage, water and sewer connection). Within the September Quarterly Budget Review report at the 21 November ordinary meeting, Council resolved to amend the Operational Plan to loan fund the first stage of the Saleyards Lane subdivision project.

Finance agreement

Following this approval, a request for quote was issued to Westpac, ANZ, National Australia Bank, Commonwealth Bank, St George Bank and NSW Treasury Corporation. Offers of finance have been provided on indicative rates with no rate lock-in supplied. This means that rates are open to market movement between the time this report was prepared and loan drawdown. Providing that there are no material movements in submitted rates, the recommendation will remain unchanged. Material change is define as one half of one percent - so an increase to in excess of 3.85%. As some quotes returned are marked confidential to Council a summary of rate are shown in the confidential attachments.

The estimated loan repayments, interest and LCLI grant have been included in the Operational Plan budget amendments.

Proposed Loan Borrowing Return

Council must complete a proposed loan borrowings return each financial year. Where there is an increase in borrowings during the financial year, not included in the original return, council should advise TCorp by resubmitting the Borrowing Return with an additional comment on the purpose of the increased borrowings. The additional borrowings are to be resolved by council prior to resubmitting

Low Cost Loan Initiative

Attached to this report is a copy of the notification received from the NSW Department of Planning and Environment. The funding agreement will not be available until Council has entered into a finance agreement and the total cost of borrowing is known. This will happen upon drawdown of funds. Therefore, it is recommended that the General Manager be given the authority to finalise the funding agreement.

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 Mid-Western 2030 Community Plan includes a strategy to make available diverse, sustainable, adaptable and affordable housing options through effective land use planning. A key objective of the LCLI is to promote housing affordability through accelerating the delivery of infrastructure to support growing communities. These two priorities align well and allows the opportunity for alternate ways of raising revenue to ensure long-term financial sustainability. An action included in Council's Improvement Action Plan was to examine opportunities to raise additional revenue through maintaining a strong commercial property portfolio.

The development of this property is consistent with the strategies included in the Towards 2030 Community Plan, 2017/18-2020/21 Delivery Program and Fit for Future Improvement Action Plan.

Council Policies

The recommendations comply with Council's Borrowing Policy.

Legislation

Councils can borrow funds under section 621 of the Local Government Act 1993. All borrowings must be approved by Council resolution and be included in Council's Operational Plan.

Section 377(1) (f) of the Local Government Act 1993 stipulates that Council cannot delegate the borrowing of money.

Financial implications

There are no amendments required to the Operational Plan as they have already been approved, however as a custodian of public funds, Council must exercise the reasonable care and diligence that a prudent person would exercise when borrowing funds.

Consideration has been made to assist with decision making such as:

- preparation of the business case attached to this report
- recommending a fixed interest rate for certainty of repayments
- ensuring debt service ratios are projected to be below the Fit for the Future Benchmarks
- ensuring works align with strategic objectives of Council
- considering borrowing structure and procurement

Associated Risks

Due care has been taken to ensure credit risk is minimised to a low level.

NEIL BUNGATE
ACTING CHIEF FINANCIAL OFFICER

27 November 2018

- Attachments:*
1. Low Cost Loans Initiative Partial Approval notice. (Confidential - separately attached)
 2. Loan Quotes. (Confidential - separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

9.7 Monthly Statement of Investment and Bank Balances as at 30 November 2018

REPORT BY THE ACTING MANAGER FINANCIAL PLANNING
TO 12 DECEMBER 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 30 November 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 30 November 2018.

Community Plan implications

Theme	Good Governance
-------	-----------------

Goal	An effective and efficient organisation
------	---

Strategy	Prudently manage risks association with all Council activities
----------	--

Strategic implications

Council Strategies

Not applicable.

Council Policies

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

Legislation

As per Clause 212 of the Local Government (General) Regulation 2005 the Responsible Accounting Officer certifies that;

- a) this report sets out details of all money that the Council has invested under Section 625 of the Act, and
- b) all investments have been made in accordance with the Act, the regulations and Council's investment policies.

Financial implications

Not applicable.

Associated Risks

Not applicable.

TRISH ELSEGOOD
ACTING MANAGER FINANCIAL PLANNING

NEIL BUNGATE
ACTING CHIEF FINANCIAL OFFICER

28 November 2018

- Attachments:*
1. Investment balances 30 November 2018.
 2. TCorp Performance Summary - November 2018.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

For the month ended: 30/11/2018

Investment Register as at 30 November 2018

Bank Account	Opening Balance	Receipts	Payments	Closing Balance	Overdraft Limit
NAB (Cheque Account)	22,371	19,620,562	19,525,987	116,946	700,000

The bank balances have been reconciled to the General Ledger as at 30/11/2018

Investments	Type	Amount \$'000	Yield %	Maturity Date	Term	Long Term Rating
National Australia Bank	At Call	6,491	1.90%	NA	At Call	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-
National Australia Bank	Term Deposit	2,000	2.71%	10/07/2019	287	AA-
National Australia Bank	Term Deposit	1,000	2.72%	21/08/2019	308	AA-
National Australia Bank	Term Deposit	1,500	2.71%	4/09/2019	308	AA-
National Australia Bank	Term Deposit	1,500	2.71%	28/08/2019	280	AA-
National Australia Bank	Term Deposit	1,500	2.75%	18/09/2019	294	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-
Bankwest	Term Deposit	1,000	2.74%	26/06/2019	294	AA-
Bankwest	Term Deposit	3,000	2.73%	24/07/2019	322	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-

Investments	Type	Amount \$'000	Yield %	Maturity Date	Term	Long Term Rating
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-
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-
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+
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	2.78%	1/05/2019	364	BBB
Credit Union Australia	Term Deposit	1,000	2.75%	21/08/2019	322	BBB
Defence Bank	Term Deposit	2,000	2.80%	30/10/2019	364	BBB
Members Equity Bank	Term Deposit	1,000	2.83%	3/04/2019	272	BBB
TCorp - Cash Fund	Managed Fund	1,707				TCorp (Unrated)
TCorp - Long Term Growth Fund	Managed Fund	2,416				TCorp (Unrated)
TCorp - Medium Term Growth Fund	Managed Fund	5,097				TCorp (Unrated)
Total Investments		74,211				

Limit Compliance as at 30 November 2018

Investments by Institution	Long Term Rating	Amount \$'000	% of Portfolio	
			Actual	Policy Limit
National Australia Bank	AA-	18,991	26%	30%
Bankwest	AA-	14,500	20%	30%
CBA	AA-	4,000	5%	30%
St George Bank	AA-	4,000	5%	30%
Westpac	AA-	7,000	9%	30%
AMP	A	2,000	3%	15%
ING Bank	A	3,500	5%	15%
Bank of Queensland	BBB+	3,000	4%	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	2,000	3%	5%
Members Equity Bank	BBB	1,000	1%	5%
TCorp - Medium Term Growth Fund	TCorp (Unrated)	5,097	7%	15%
TCorp - Long Term Growth Fund	TCorp (Unrated)	2,416	3%	15%
TCorp - Cash Fund	TCorp (Unrated)	1,707	2%	15%
		74,211	100%	

Investments by S&P Rating	Long Term Rating	Amount \$'000	% of Portfolio	
			Actual	Policy Limit
	AAA to AA-	48,491	65%	100%
	A+ to A-	5,500	7%	40%
	BBB+ to BBB-	11,000	15%	20%
	TCorp (Unrated)	9,220	12%	15%
	Unrated	-	0%	\$ 250,000
		74,211	100%	

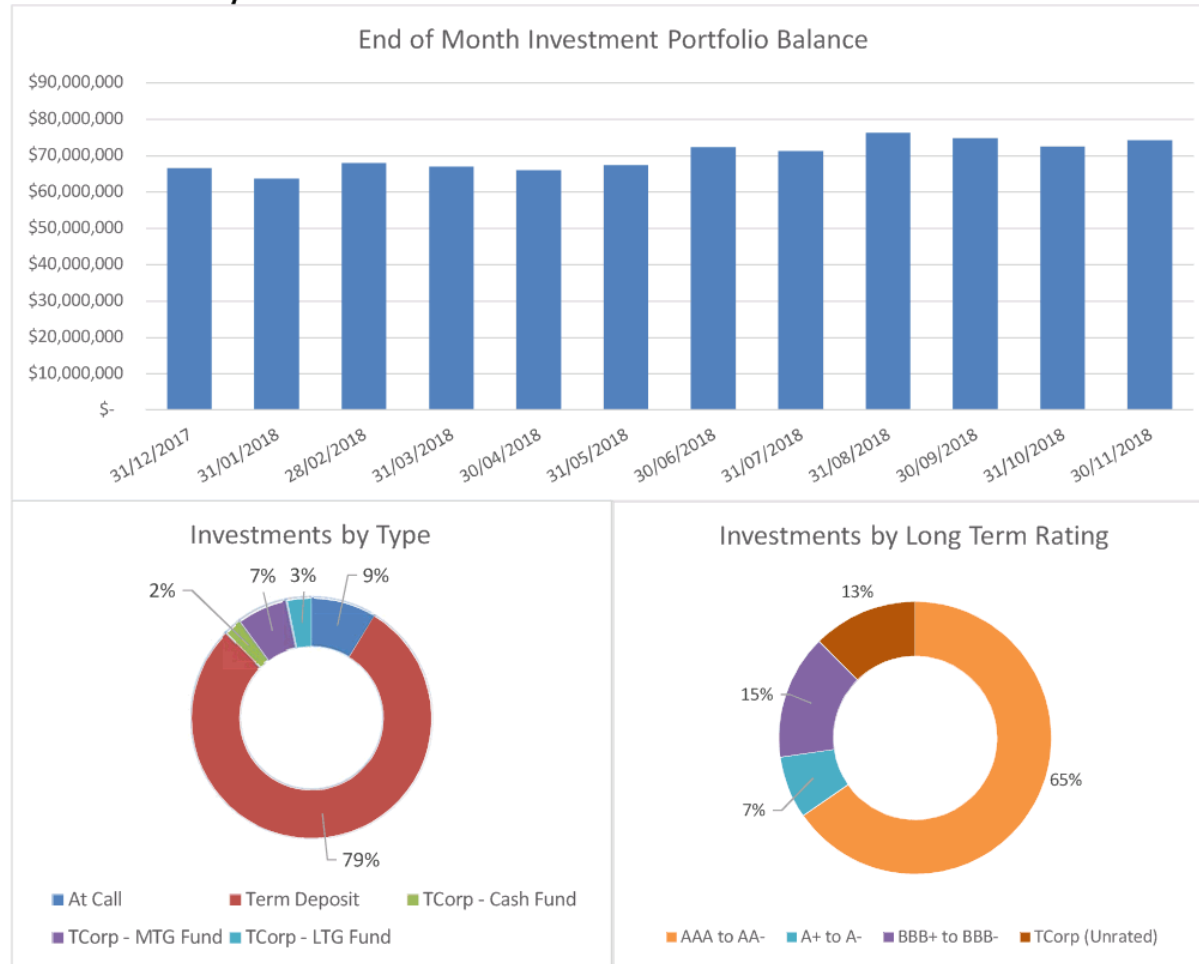
Term to Maturity	Amount \$'000	Actual	% of Portfolio	
			Cumulative Actual	Cumulative Minimum
Less than 3 months	27,711	37%	37%	20%
Between 3 months and 1 year	39,000	53%	90%	40%
Between 1 year and 2 years	7,500	10%	100%	50%
Between 2 years and 4 years	-	0%	100%	85%
More than 5 years	-	0%	100%	0%
	74,211	100%		

Monthly Investment Portfolio Activity

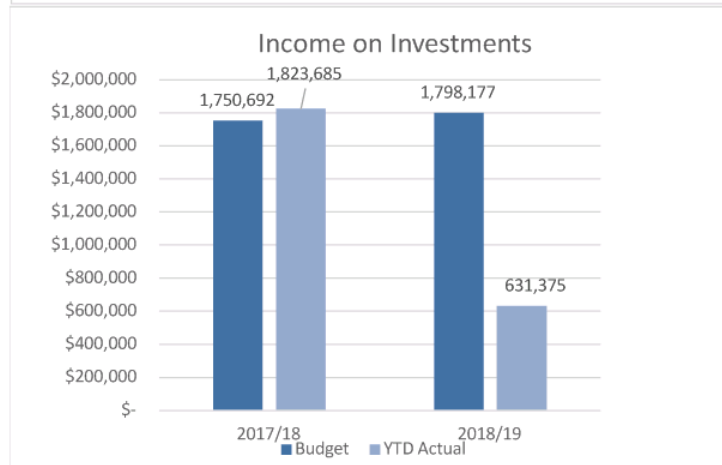
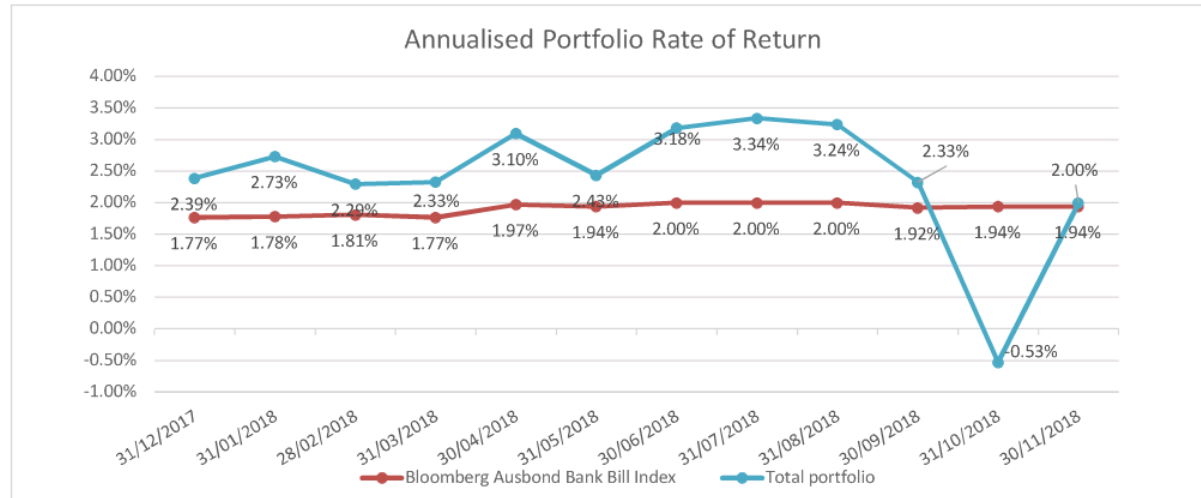
The below table shows investments that have matured and have been redeemed or re-invested, and new investments placed.

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)	2,174		6,491			
TCorp - Cash Fund	1,704		1,707			
TCorp - Long Term Growth Fund	2,442		2,416			
TCorp - Medium Term Growth Fund	5,116		5,097			
National Australia Bank	1,500	1,500		Redeemed		
AMP	1,500	1,500		Redeemed		
National Australia Bank			1,500	New Deposit		2.71%
Suncorp Metway	2,500	2,500		Redeemed		
National Australia Bank			1,500	New Deposit		2.75%
	16,936		18,711			
Investment Portfolio Movement			1,775	Addition		

Portfolio Summary as at 30 November 2018



Portfolio Performance as at 30 November 2018





Performance Summary

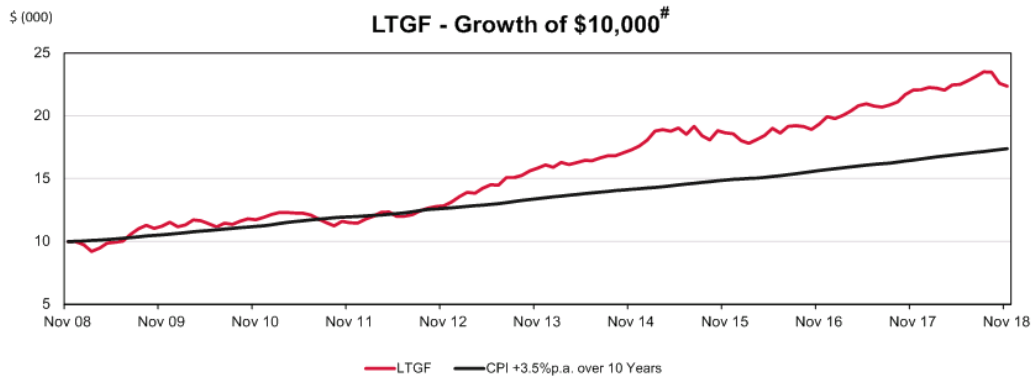
November 2018

TCorpIM Core Funds

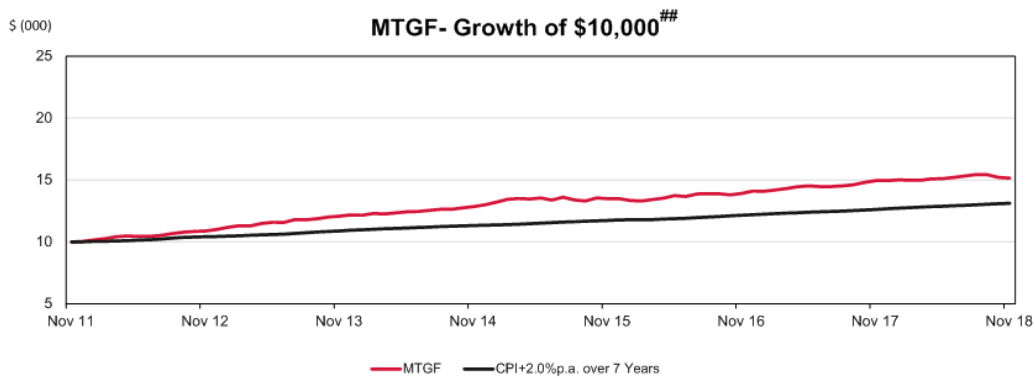
Returns	1 Month %			FYTD %			1 Year %			3 Year (% p.a.)			5 Year (% p.a.)			7 Year (% p.a.)		
	Net	BM	ER	Net	BM	ER	Net	BM	ER	Net	BM	ER	Net	BM	ER	Net	BM	ER
Cash	0.15	0.15	0.00	0.94	0.84	0.10	2.04	1.91	0.13	2.28	1.93	0.35	2.44	2.17	0.27	2.85	2.55	0.30
Short Term Income Fund*	0.12	0.15	-0.03	0.99	0.84	0.15	2.18	1.91	0.27	2.45	1.93	0.52	2.60	2.17	0.43	3.08	2.55	0.53
MTGF**	-0.37	-0.28	-0.09	-0.33	-0.09	-0.24	1.40	1.69	-0.29	3.94	4.19	-0.25	4.64	4.84	-0.20	6.12	6.07	0.05
LTGF***	-1.04	-0.88	-0.16	-1.99	-1.56	-0.43	1.34	1.56	-0.22	6.22	6.70	-0.48	7.13	7.55	-0.42	9.97	10.03	-0.06

*Prior to 15 October 2018, the Fund name was the TCorpIM Strategic Cash Fund. **Medium Term Growth Fund ***Long Term Growth Fund

Diversified Funds



The growth of \$10,000 chart plots cumulative returns on a net of fees basis over the last 10 years



##The growth of \$10,000 chart plots cumulative returns on a net of fees basis over the last 7 years

Performance Summary

November 2018

TCorpIM Asset Class Funds

Returns	1 Month %			FYTD %			1 Year %			3 Year (% p.a.)			5 Year (% p.a.)			7 Year (% p.a.)		
	Net	BM	ER	Net	BM	ER	Net	BM	ER	Net	BM	ER	Net	BM	ER	Net	BM	ER
Australian Bonds	0.21	0.27	-0.06	1.19	1.25	-0.06	2.46	2.41	0.05	3.34	3.21	0.13	4.54	4.45	0.09	4.65	4.49	0.16
Australian Shares	-2.25	-2.18	-0.07	-7.14	-6.82	-0.32	-0.25	-1.03	0.78	7.90	7.69	0.21	6.12	5.82	0.30	10.06	9.26	0.80
Indexed Australian Shares	-2.21	-2.21	0.00	-6.87	-6.72	-0.15	-1.18	-0.96	-0.22	7.63	7.69	-0.06	5.78	5.83	-0.05	9.34	9.42	-0.08
International Shares	-1.82	-1.70	-0.12	-1.18	-0.22	-0.96	3.84	4.55	-0.71	8.27	8.39	-0.12	11.32	11.78	-0.46	15.71	16.06	-0.35
International Shares Hedged	1.18	1.33	-0.15	-1.43	-0.40	-1.03	1.32	2.25	-0.93	9.05	9.47	-0.42	-	-	-	-	-	-
Indexed International Shares	-1.70	-1.70	0.00	-0.19	-0.22	0.03	4.56	4.55	0.01	8.47	8.39	0.08	11.88	11.78	0.10	16.17	16.06	0.11
Emerging Markets Shares	0.39	1.03	-0.64	-5.02	-4.93	-0.09	-3.35	-5.52	2.17	8.31	9.16	-0.85	6.59	6.56	0.03	9.05	8.63	0.42
Listed Property	3.18	3.21	-0.03	0.94	1.07	-0.13	3.77	3.71	0.06	5.82	5.54	0.28	10.33	10.51	-0.18	12.41	12.76	-0.35
Multi-Asset Class	-0.37	0.33	-0.70	-1.41	-0.25	-1.16	-1.60	1.26	-2.86	1.41	5.72	-4.31	-	-	-	-	-	-
Global Credit	-0.64	-0.26	-0.38	-0.74	-0.38	-0.36	-2.43	-1.68	-0.75	-	-	-	-	-	-	-	-	-
Unlisted Infrastructure	0.08	0.66	-0.58	1.72	2.63	-0.91	8.74	8.00	0.74	11.63	8.00	3.63	10.76	8.00	2.76	-	-	-
Emerging Market Debt	-2.24	-1.79	-0.45	-0.72	0.51	-1.23	-2.56	-1.38	-1.18	-	-	-	-	-	-	-	-	-
Australian Inflation Linked Bond Fund	-0.18	-0.17	-0.01	0.03	0.05	-0.02	1.54	1.48	0.06	-	-	-	-	-	-	-	-	-
Bank Loan Fund	-0.76	-0.76	0.00	1.13	1.25	-0.12	3.29	3.97	-0.68	-	-	-	-	-	-	-	-	-
High Yield Fund	-1.22	-1.07	-0.15	-0.66	-0.26	-0.40	0.00	0.04	-0.04	-	-	-	-	-	-	-	-	-
Alternative Risk Premia	-0.37	0.40	-0.77	-1.78	2.10	-3.88	-	-	-	-	-	-	-	-	-	-	-	-

Net = Net Return; BM = Benchmark Return; ER = Excess Return

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9.8 Monthly Budget Review - October 2018

REPORT BY THE ACTING MANAGER FINANCIAL PLANNING
TO 12 DECEMBER 2018 ORDINARY MEETING
GOV400066, FIN300179

RECOMMENDATION

That Council receive the report by the Acting Manager Financial Planning on the Monthly Budget Review - October 2018.

Executive summary

This report presents to Council the October Monthly Budget Review of the 2018/19 Operational Plan.

Disclosure of Interest

Nil

Detailed report

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

The attachment to this report includes status of all capital works projects as at 31 October 2018.

Community Plan implications

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

Strategic implications

Council Strategies

Not Applicable

Council Policies

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

28 November 2018

Attachments: 1. Monthly Budget Review October 2018.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



*Good
Government*

MONTHLY BUDGET
REVIEW – OCTOBER
2018

ATTACHMENT 1 – CAPITAL
PROGRAM UPDATE

12 DECEMBER 2018

MID-WESTERN REGIONAL COUNCIL
CORPORATE: FINANCE

■ ■ ■ ■ ■ TOWARDS 2030



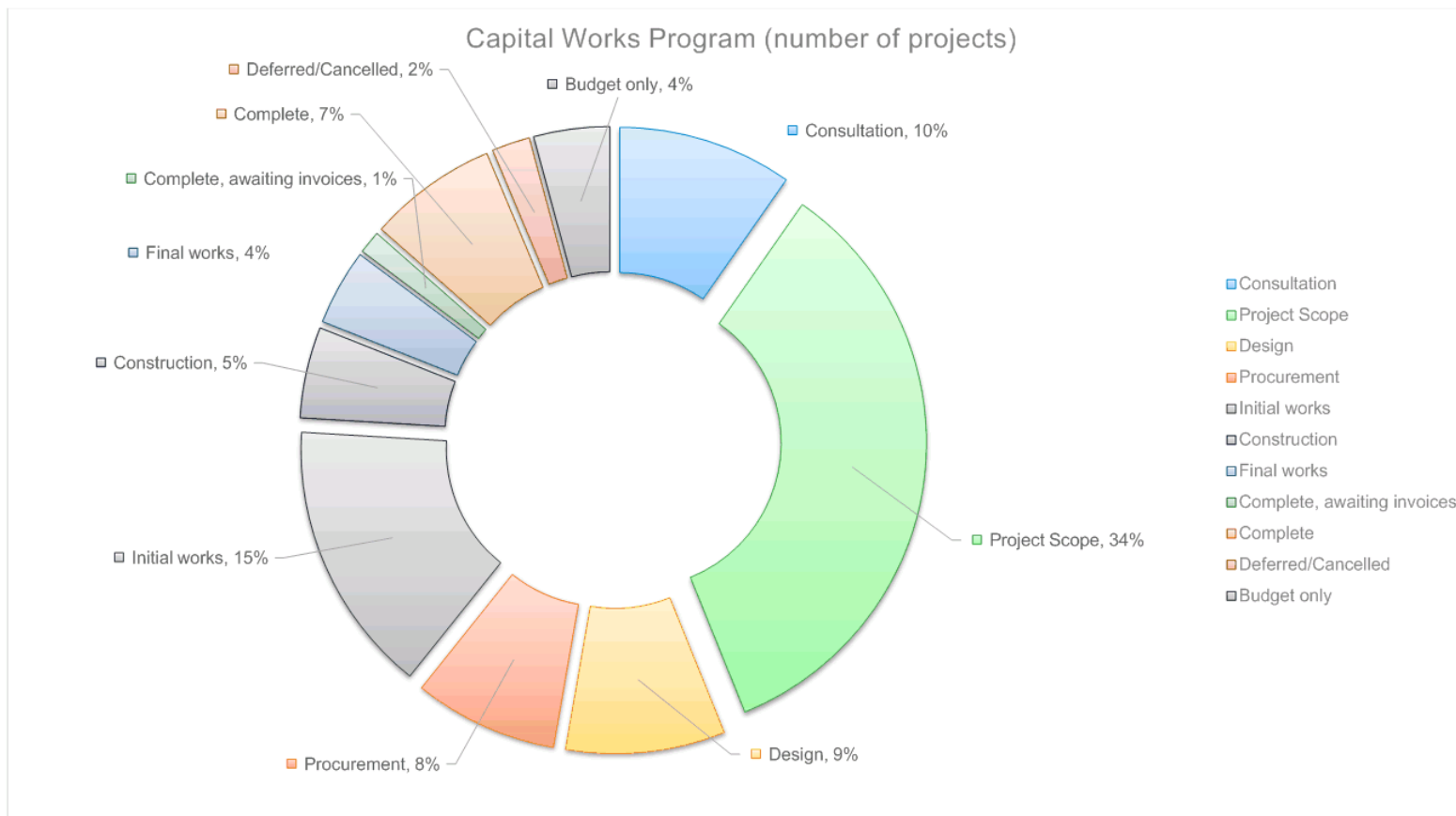
THIS DOCUMENT HAS BEEN PREPARED BY NEIL BUNGATE, ACTING CFO FOR MID-WESTERN REGIONAL COUNCIL.

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: 12 DECEMBER 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.



CORPORATE: FINANCE | MONTHLY BUDGET REVIEW – OCTOBER 2018

\$'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	1	3%	Design
COMM. TRANSPORT- VEHICLE PURCHASE	173	0	173	0	173	0	0%	Project Scope
CAPITAL -DENISON STREET UNITS	25	0	25	0	25	0	0%	Initial works
CEMETERY CAPITAL PROGRAM	15	0	15	0	15	0	0%	Project Scope
GULGONG LAWN CEMETERY EXTENSION	25	0	25	0	25	15	61%	Construction
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%	Procurement
PUBLIC TOILETS - ROTARY PARK KANDOS PAINTING	10	0	10	0	10	0	0%	Procurement
PUBLIC TOILETS - LAWSON PARK PAINTING (FLOOR)	5	0	5	0	5	0	0%	Procurement
LIBRARY BOOKS	89	0	89	0	89	76	86%	Construction
RYLSTONE LIBRARY BRANCH	0	26	26	0	26	15	57%	Initial works
MUDGEES LIBRARY LIGHTING	10	0	10	0	10	0	4%	Design
CAPITAL UPGRADE - RYLSTONE HALL	0	20	20	0	20	1	4%	Design
MUDGEES TOWN HALL - SENSORY SCREENING	7	0	7	0	7	0	0%	Consultation
CAP UPGRD-COMMUNITY BLD-BUDGET ONLY	28	(20)	8	0	8	0	4%	Budget only
GULGONG MEMORIAL HALL EXT. PAINTING	30	0	30	0	30	1	4%	Project Scope
GULGONG MEMORIAL HALL ROOF	70	0	70	0	70	3	4%	Project Scope
STABLES BUILDING PAINTING	10	0	10	0	10	0	4%	Procurement
POOL INFLATABLE	17	0	17	0	17	0	0%	Project Scope
POOL MATTS	28	0	28	0	28	15	55%	Final works

CORPORATE: FINANCE | MONTHLY BUDGET REVIEW – OCTOBER 2018

\$'000	Original Annual Budget	Approved Variations	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Project Status
POOL MATT ROLLERS	20	9	29	0	29	0	0%	Final works
GULGONG POOL IRRIGATION	15	0	15	0	15	11	73%	Complete
MUDGEES SHOWGROUNDS - REDEVELOPMENT	500	0	500	0	500	0	0%	Consultation
GLEN WILLOW SPORTS GROUND UPGRADES	3,000	0	3,000	0	3,000	0	0%	Consultation
GLEN WILLOW NETBALL COURTS	110	0	110	0	110	0	0%	Initial works
GLEN WILLOW SHED	15	0	15	0	15	8	52%	Construction
WARATAH PARK FENCING	8	46	54	0	54	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%	Construction
GULGONG SKATE PARK	150	0	150	0	150	30	20%	Construction
MUDGEES SHOWGROUNDS - AMENITIES	125	0	125	0	125	0	0%	Project Scope
BILLY DUNN FENCE UPGRADE	0	66	66	0	66	0	0%	Initial works
MUDGEES TENNIS COURTS - CAPITAL UPGRADE	20	0	20	0	20	20	101%	Complete
VICTORIA PARK GULGONG - LIGHTING CAP UPGRADE	0	580	580	0	580	0	0%	Project Scope
MUDGEES SHOWGROUND AMENITIES PAINTING	8	0	8	0	8	0	4%	Procurement
MUDGEES SHOWGROUND TOILET BLOCK PAINTING	5	0	5	0	5	0	4%	Procurement
MUDGEES SHOWGROUND PAVILION COOLING	8	0	8	0	8	0	4%	Project Scope
MUDGEES SHOWGROUND INTERNAL ROAD ACCESS	5	0	5	0	5	0	0%	Project Scope
MUDGEES SHOWGROUND EQUIPMENT STORAGE	5	0	5	0	5	0	0%	Consultation
KANDOS SPORTSGROUND GRANDSTAND SEATING	34	0	34	0	34	2	6%	Initial works
BILLY DUNN GRANDSTAND - EXTERNAL PAINTING	30	0	30	0	30	1	4%	Project Scope

CORPORATE: FINANCE | MONTHLY BUDGET REVIEW – OCTOBER 2018

\$'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	1	14%	Procurement
SCULPTURES ACROSS THE REGION	25	0	25	0	25	18	71%	Consultation
PLAYGROUND EQUIPMENT - ROTARY PARK KANDOS	40	0	40	0	40	0	0%	Initial works
PLAYGROUND EQUIPMENT - APEX PARK GULGONG	50	0	50	0	50	0	1%	Initial works
LAWSON PARK - RESTORATION STONE FENCE	0	12	12	0	12	0	0%	Project Scope
PLAYGROUND SHADING - BLACKMAN PARK	16	2	18	0	18	0	0%	Initial works
ANZAC PARK GULGONG UPGRADES	0	56	56	0	56	0	0%	Initial works
MUDGEEO OUTDOOR WATER PARK	1,050	0	1,050	0	1,050	7	1%	Initial works
DISTRICT ADVENTURE PLAYGROUND	800	120	920	0	920	43	5%	Initial works
APEX PARK GULGONG CAPITAL UPGRADES	16	0	16	0	16	1	4%	Initial works
PLAYGROUND SOFTFALL - APEX PARK GULGONG	65	0	65	0	65	0	0%	Initial works
ROBERTSON PARK EQUIPMENT STORE	10	0	10	0	10	0	4%	Final works
LAWSON PARK PATH UPGRADES	62	0	62	0	62	0	0%	Initial works
BLACKMAN PARK LIGHTING	10	20	30	0	30	0	0%	Design
DARTON PARK FENCING	12	(5)	8	0	8	7	99%	Complete
RYLSTONE RIVERBANK PICNIC TABLES	10	0	10	0	10	6	63%	Complete, awaiting invoices
PLAYGROUND EQUIPMENT - GOOLMA	0	4	4	0	4	0	0%	Procurement
ART GALLERY FACILITY	3,500	(2,976)	524	0	524	0	0%	Design
STREETSCAPE - CBD INFRASTRUCTURE	13	8	21	0	21	0	2%	Procurement
Total	10,749	(2,032)	8,717	0	8,717	285	3%	

\$'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	52	27%	Design
MUDGEES WASTE DEPOT UPGRADES	34	0	34	0	34	9	26%	Procurement
NEW TIP CONSTRUCTION	2,000	0	2,000	0	2,000	6	0%	Design
WASTE SITES REHABILITATION	400	0	400	0	400	66	17%	Design
MUDGEES RECYCLING - NEW LIFT	50	0	50	0	50	0	0%	Deferred/Canceled
LEACHATE POND ENLARGEMENT	250	0	250	0	250	2	1%	Design
GULGONG WTS OFFICE REPLACEMENT	100	0	100	0	100	0	0%	Design
HOOKLIFT BINS	0	48	48	0	48	49	102%	Complete
CAUSEWAY IMPROVEMENTS	62	(62)	0	0	0	0	0%	Budget only
LAWSON PARK WEST PIPE EXTENSION	0	17	17	0	17	3	19%	Project Scope
MUDGEES FLOOD STUDY & FLOODPLAIN MANAGEMENT PLAN	157	15	172	0	172	0	0%	Initial works
KERB EXTENSIONS JACQUES AND DANGAR STREETS	50	0	50	0	50	0	0%	Project Scope
STORMWATER PUMP PITTS LANE	0	4	4	0	4	4	100%	Final works
LAWSON PARK CULVERT REPLACEMENT	110	0	110	0	110	0	0%	Project Scope
COX ST INLET PIT	30	0	30	0	30	0	0%	Project Scope
EARTH CHANNEL ENLARGEMENT WORKS	100	0	100	0	100	0	0%	Project Scope
CAUSEWAY IMPROVEMENT - BOTOBOLAR RD	0	25	25	0	25	0	0%	Project Scope
CAUSEWAY IMPROVEMENT - PYRAMUL ROAD	0	37	37	0	37	0	0%	Project Scope

CORPORATE: FINANCE | MONTHLY BUDGET REVIEW – OCTOBER 2018

\$'000	Original Annual Budget	Approved Variations	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Project Status
PUTTA BUCCA WETLANDS CAPITAL	32	20	52	0	52	11	21%	Initial works
PUTTA BUCCA WETLANDS EXTENSION	31	0	31	0	31	13	42%	Construction
WATER NEW CONNECTIONS	74	0	74	0	74	27	37%	Initial works
WATER AUGMENTATION - MUDGEE HEADWORKS	2,696	0	2,696	0	2,696	0	0%	Project Scope
WATER AUGMENTATION - ULAN RD EXTENSION	1,500	29	1,529	0	1,529	0	0%	Procurement
WATER RYLSTONE DAM UPGRADE	530	63	593	0	593	0	0%	Consultation
WATER MAINS - CAPITAL BUDGET ONLY	900	(132)	769	0	769	0	0%	Initial works
WATER MAINS - ROBINSON STREET	0	43	43	0	43	43	100%	Complete
WATER MAINS - DANGAR STREET	0	158	158	0	158	158	100%	Complete
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%	Deferred/Canceled
RAW WATER SYSTEMS RENEWALS	17	0	17	0	17	0	0%	Consultation
WATER TREATMENT PLANT - RENEWALS	101	0	101	0	101	101	100%	Complete
WATER TREATMENT PLANT - pH CORRECTION SYSTEM	0	16	16	0	16	0	0%	Complete
ONLINE ANALYSER REPLACEMENT - M, G, R WTP (Inc Flouride)	0	8	8	0	8	7	91%	Complete
WATER METER REPLACEMENT	865	0	865	0	865	0	0%	Budget only
SEAL GULGONG WATER FILLING STATION	98	0	98	0	98	0	0%	Project Scope
CHLORINE DISINFECITON - GULGONG - UPGRADE	110	0	110	0	110	1	1%	Deferred/Canceled
SEWER NEW CONNECTIONS	22	0	22	0	22	6	28%	Initial works
SEWER AUGMENTATION - CHARBON & CLANDULLA	1,715	(715)	1,000	0	1,000	0	0%	Procurement
SEWER MAINS - CAPITAL BUDGET ONLY	255	(235)	20	0	20	0	0%	Budget only

\$'000	Original Annual Budget	Approved Variations	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Project Status
SEWER MAINS RELINING	600	235	835	0	835	240	29%	Complete, awaiting invoices
SEWER PUMP STATION - CAPITAL RENEWALS	970	0	970	0	970	0	0%	Budget only
Total	14,271	(382)	13,889	0	13,889	801	6%	

Building a Strong Local Economy

CUDGEONG WATERS CARAVAN PARK	0	11	11	0	11	1	11%	Final works
RYLSTONE CARAVAN PARK - CAPITAL	0	20	20	0	20	0	0%	Project Scope
ENTRANCE SIGNAGE PROJECT	20	100	120	0	120	0	0%	Consultation
SALEYARDS - POST AND RAIL REPLACEMENT	10	5	15	0	15	0	0%	Project Scope
SALEYARDS CANTEEN	8	20	28	0	28	0	1%	Project Scope
SALEYARDS SECURITY	6	0	6	0	6	0	0%	Consultation
PROPERTY - MUDGEE AIRPORT SUBDIVISION	0	13	13	0	13	0	0%	Consultation
PROPERTY - EX SALEYARDS STAGE I	390	(90)	300	0	300	1	0%	Design
PROPERTY - BURRUNDULLA LAND DEVELOPMENT	1	0	1	0	1	3	252%	Consultation
PROPERTY - DEVELOPMENT MORTIMER ST	4,764	(3,424)	1,340	0	1,340	0	0%	Consultation
RYLSTONE KANDOS PRESCHOOL EXTENSION	290	7	297	0	297	2	1%	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	3%	Procurement
CHILD CARE (DOURO) REFERBISHMENT	50	0	50	0	50	3	7%	Initial works
COMMERCIAL PROPERTY PURCHASE - MN311/18	0	910	910	0	910	0	0%	Procurement

CORPORATE: FINANCE | MONTHLY BUDGET REVIEW – OCTOBER 2018

\$'000	Original Annual Budget	Approved Variations	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Project Status
Total	5,549	392	5,941	0	5,941	10	0%	

Connecting our Region

BUS SHELTER GULGONG REPAIR STRUCTURE	5	0	5	0	5	0	4%	Procurement
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

CORPORATE: FINANCE | MONTHLY BUDGET REVIEW – OCTOBER 2018

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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
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 ROAD REHABS - BUDGET ONLY	0	0	0	0	0	0	0%	Budget only
URBAN ROADS KERB & GUTTER CAPITAL	25	0	25	0	25	1	3%	Initial works
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

CORPORATE: FINANCE | MONTHLY BUDGET REVIEW – OCTOBER 2018

\$'000	Original Annual Budget	Approved Variations	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Project Status
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	6	92%	Complete
RESHEETING - URBAN ROADS	15	0	15	0	15	2	13%	Initial works
URBAN ROADS LAND MATTERS CAPITAL	22	0	22	0	22	0	0%	Initial works
RURAL SEALED ROADS RESEALS BUDGET ONLY	0	0	0	0	0	0	0%	Budget only
RURAL SEALED ROAD REHAB & WIDENING - BUDGET ONLY	0	0	0	0	0	5	0%	Budget only
RURAL REHAB - LUE ROAD SEG 140	264	0	264	0	264	6	2%	Initial works
RURAL REHAB - HENRY LAWSON DR SEG 220	220	0	220	0	220	20	9%	Initial works
RURAL REHAB - NARRANGO RD SEG 70 & PART SEG 80	285	0	285	0	285	72	25%	Construction
RURAL REHAB - BERYL ROAD WIDENING	0	526	526	0	526	320	61%	Final works
REALIGNMENT - ULAN WOLLAR RD	3,981	(3,875)	107	0	107	49	46%	Final works
HEAVY PATCHING	110	0	110	0	110	0	0%	Design
CUDGEGONG ROAD GUARDRAIL	50	0	50	0	50	0	0%	Project Scope
RURAL RESEAL - BANKSIA WAY SEG 10	6	0	6	0	6	0	0%	Project Scope
RURAL RESEAL - BLUE SPRINGS RD SEG 50-100	272	0	272	0	272	41	15%	Initial works
RURAL RESEAL - GLEN ALICE RD SEG 10,20,40	107	0	107	0	107	44	41%	Initial works
RURAL RESEAL - SUMMER HILL RD NTH SEG 50	32	0	32	0	32	0	0%	Project Scope
RURAL RESEAL - TRIANGLE SWAMP RD SEG 30	17	0	17	0	17	0	0%	Project Scope
RURAL RESEAL - ULAN-WOLLAR RD SEG 40,150-190	244	0	244	0	244	17	7%	Initial works
RURAL RESEAL - YARRAWONGA RD SEG 70-90	89	0	89	0	89	35	39%	Initial works

\$'000	Original Annual Budget	Approved Variations	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Project Status
ULAN WOLLAR ROAD - STAGE 1	0	5,511	5,511	0	5,511	2	0%	Procurement
RURAL SEALED ROAD LAND MATTERS	27	0	27	0	27	0	2%	Initial works
REHAB BYLONG VALLEY WAY SEG 1030 & 1035	518	782	1,300	0	1,300	0	0%	Design
REHAB BYLONG VALLEY WAY PART SEG 2110 & 2112	100	0	100	0	100	0	0%	Project Scope
REHAB SHORT ST - PERRY ST TO CHURCH ST	101	0	101	0	101	0	0%	Project Scope
RURAL SEALED REGIONAL ROAD REPAIR PROGRAM	800	0	800	0	800	37	5%	Construction
BLACKSPOT BUDGET ONLY	1,160	(1,160)	0	0	0	1	0%	Consultation
REHAB BYLONG VALLEY WAY SEG 1040 TO 1045	0	10	10	0	10	10	100%	Complete
MUNGHORN GAP REALIGNMENT & UPGRADE	0	200	200	0	200	23	11%	Design
BVW SEG 2250 SURVEY AND DESIGN	0	9	9	0	9	0	0%	Design
BVW UPGRADE UPPER BYLONG AND WOLLAR ROAD	0	785	785	0	785	0	0%	Consultation
INTERSECTION BVW AND WOLLAR ROAD	0	419	419	0	419	0	0%	Consultation
RURAL SEALED REGIONAL ROAD LAND MATTERS CAPITAL	5	0	5	0	5	0	0%	Initial works
SEAL EXTENSION - BUNBURY ROAD	0	18	18	0	18	0	0%	Project Scope
SEAL EXTENSION - BLACK LEAD LANE	0	51	51	0	51	5	10%	Consultation
RESHEETING	1,318	(10)	1,308	0	1,308	1,014	77%	Construction
REALIGNMENT MALONEYS ROAD	0	12	12	0	12	10	89%	Complete, awaiting invoices
UNSEALED ROADS LAND MATTERS CAPITAL	16	4	20	0	20	(1)	-4%	Initial works
SEAL EXTENSION - WOLLAR ROAD	1,600	3,246	4,846	0	4,846	916	19%	Construction
SEAL EXTENSION - WOLLAR ROAD STAGE 4	0	0	0	0	0	395	0%	Construction
HENRY LAWSON DRIVE BRIDGE	550	306	856	0	856	719	84%	Final works

CORPORATE: FINANCE | MONTHLY BUDGET REVIEW – OCTOBER 2018

\$'000	Original Annual Budget	Approved Variations	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Project Status
GOODIMAN CREEK BRIDGE REPLACEMENT	450	203	653	0	653	247	38%	Final works
REGIONAL ROAD BRIDGE CAPITAL	57	0	57	0	57	0	0%	Project Scope
ULAN ROAD - CHURCH LN TO OVERTAKING LN 14.5	0	0	0	0	0	3	0%	Complete
ULAN ROAD - COPE RD TO UCML MINE ENTRANCE	0	125	125	0	125	125	100%	Complete
ULAN ROAD - WATTLEGROVE LN TO MIDBLOCK 19.999	0	120	120	0	120	121	101%	Complete
ULAN ROAD - WYALDRA LN TO QUARRY ENTRANCE 27.783	0	117	117	0	117	122	105%	Complete
ULAN ROAD - REHABS, WIDENING AND CONFORMING RESEALS - BUDGET	734	(234)	500	0	500	49	10%	Initial works
ULAN ROAD - ULAN WOLLAR RD INTERSECTION	0	600	600	0	600	0	0%	Design
ULAN ROAD - HENRY LAWSON DRIVE INTERSECTION	0	412	412	0	412	0	0%	Design
FOOTWAYS - CAPITAL WORKS	116	(8)	109	0	109	103	94%	Final works
PEDESTRIAN - PUTTA BUCCA WALKWAY	0	32	32	0	32	0	0%	Project Scope
CYCLEWAY LINK LAWSON PARK TO PITTS LANE	0	20	20	0	20	20	101%	Complete
PEDESTRIAN BRIDGE RYLSTONE	0	533	533	0	533	0	0%	Project Scope
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	20	20	0	20	20	100%	Complete
PUTTA BUCCA ECO TRAIL	0	400	400	0	400	0	0%	Consultation
MUDGEES SHARED CYCLEWAY/WALKING LOOP	0	308	308	0	308	0	0%	Consultation
AIRPORT - TAXIWAY CIVIL WORKS	0	22	22	0	22	0	1%	Consultation
AIRPORT - OBSTACLE LIGHTS	6	0	6	0	6	0	0%	Project Scope

\$'000	Original Annual Budget	Approved Variations	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Project Status
AIRPORT - HANGAR	0	220	220	0	220	32	15%	Construction
AIRPORT - MAIN RUNWAY SURFACE ASSESSMENT	25	0	25	0	25	0	0%	Project Scope
Total	14,020	9,738	23,758	0	23,758	4,593	19%	

Good Government

CORPORATE BUILDINGS UPGRADE BUDGET ONLY	88	0	88	0	88	3	3%	Budget only
MUDGEES ADMINISTRATION BUILDING UPGRADE	100	(100)	0	0	0	0	0%	Deferred/Cancelled
RYLSTONE COUNCIL BUILDING	95	0	95	0	95	2	2%	Design
MUDGEES COTTAGE AERODROME	0	10	10	0	10	0	0%	Project Scope
CAPITAL UPGRADE - MWRC DEPOT	100	(100)	0	0	0	0	0%	Deferred/Cancelled
GULGONG OFFICE CAPITAL	20	0	20	0	20	1	3%	Project Scope
GULGONG DEPOT CAPITAL	10	0	10	0	10	0	3%	Procurement
OLD POLICE STATION CAPITAL	7	0	7	0	7	0	3%	Project Scope
OPERATIONS ADMIN CAPITAL	30	0	30	0	30	1	3%	Project Scope
CARMEL CROAN BUILDING CAPITAL	30	0	30	0	30	1	3%	Project Scope
BUILDINGS MASTER KEY SYSTEM	100	0	100	0	100	4	4%	Project Scope
IT SPECIAL PROJECTS	45	0	45	0	45	3	7%	Initial works
IT NETWORK UPGRADES	60	0	60	0	60	9	14%	Initial works
IT CORPORATE SOFTWARE	144	108	252	0	252	3	1%	Project Scope
SERVER RECONFIGURATION	35	0	35	0	35	0	0%	Project Scope
SERVER ROOM MUDGEES CAPITAL UPGRADES	0	30	30	0	30	1	4%	Project Scope
PLANT PURCHASES	6,050	73	6,123	0	6,123	94	2%	Procurement
MUDGEES DEPOT WASHBAY	65	4	69	0	69	9	13%	Design

CORPORATE: FINANCE | MONTHLY BUDGET REVIEW – OCTOBER 2018

\$'000	Original Annual Budget	Approved Variations	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Project Status
MUDGEES BULK OIL STORAGE	20	0	20	0	20	0	0%	Project Scope
DEPOT SHEDS - STORES AND ROADS	50	0	50	0	50	0	0%	Project Scope
SOLAR FARM INITIATIVE	0	250	250	0	250	0	0%	Design
Total	7,048	275	7,323	0	7,323	130	2%	
Total Capital Works Program	51,636	7,991	59,627	0	59,627	5,820	10%	

Item 10: Operations

10.1 Smart Water Metering

REPORT BY THE WATER & SEWER TREATMENT TECHNOLOGIST
TO 12 DECEMBER 2018 ORDINARY MEETING
GOV400066, 20181127

RECOMMENDATION

That Council:

1. receive the report by the Water and Sewer Treatment Technologist on Smart Water Metering;
 2. accept the offer of \$1,262,618 funding from the Department of Industry, Innovation and Science under the Smart Cities and Suburbs Program Round Two;
 3. authorise the General Manager to sign and accept the funding agreement on behalf of Council with the Department of Industry, Innovation and Science;
 4. accept the adjusted price of \$2,238,296 from Taggle Systems Pty Ltd for the supply and installation of Smart Water Metering Systems in the urban areas of Mudgee, Gulgong, Rylstone, Charbon and Clandulla;
 5. authorise the General Manager to finalise and execute the contract on behalf of Council with Taggle Systems Pty Ltd;
 6. authorise the General Manager to approve contract variations up to a cumulative total of 10% of the original contract sum;
 7. amend the 2018/19 Operational Plan to allow for 50% of the project budget as follows:
 - allow for 50% of project expenditure being \$1,402,908 (an increase of \$537,908 to the existing budget)
 - recognise grant funding at 45% of expenditure being \$631,309
 - recognise 55% Council contribution from Water Fund Reserves being \$771,599 (a decrease to the existing budget contribution of \$93,400)
 8. amend the 2017-2021 Delivery Program 2019/20 budget to allow for 50% of the project budget as follows:
 - allow for 50% of project expenditure being \$1,402,908 (an increase of \$1,002,908 to the existing budget)
 - recognise grant funding at 45% of expenditure being \$631,309
-

- recognise 55% Council contribution from Water Fund Reserves being \$771,599 (an increase to the existing budget contribution of \$371,599); and

9. amend the 2017-2021 Delivery Program 2020/21 and 2021/22 budgets as follows:

- in 2020/21 remove the \$250,000 budget allocation for Water Meter Replacement funded from Water Fund Reserves
- in 2021/22 remove the \$100,000 budget allocation for Water Meter Replacement funded from Water Fund Reserves

Executive summary

A report was presented to Council at the June 2018 meeting regarding the introduction of Smart Water Meter System to the Mid-Western Regional area. Previously Council had resolved to negotiate an agreement with the Smart Meter supplier (Taggle Systems) to fit within available funds.

The recent securing of a grant from the Smart Cities and Suburbs Program in the amount of \$1,262,618 means funds are now available to accept Taggle System's amended offer of \$2,238,296 without compromising a full roll out of new meters.

Disclosure of Interest

Nil

Detailed report

At the June 2018 meeting of Mid-Western Regional Council the Council carried unanimously to adopt the recommendations of the report regarding the Introduction of Smart Water Metering Systems into the urban areas of the Council Region.

Ref: MWRC Meeting 20th June 2018 - Motion 167/18

The recommendations were:

That Council:

1. **Receive the report by the Engineering Officer - Water on the RFT 2018/02 – Supply and Installation of Smart Water Metering System;**
2. **Not accept any of the tenders due to a budget shortfall of \$630,000**
3. **Enter into negotiations with Taggle Systems Pty Ltd with a view to amend the extent or timeframe of the contract to fit within available funds**
4. **Note fresh tenders will not be invited as all known smart water metering companies have submitted tenders and fresh tenders would be unlikely to identify new complying tenderers or lower prices**
5. **Note the reason for determining to negotiate with Taggle Systems Pty Ltd is that this tenderer has received the highest complying tender ranking in the tender assessment process**

6. Bring a report back to Council upon completion of negotiations for Council to consider entering into a contract.

NEGOTIATIONS

Following the resolution from Council, negotiations have continued with Taggle Systems Pty Ltd to investigate alternative roll out strategies to lower the cost of the project.

The utilisation of the existing water meter fleet was the obvious starting point as this would have a flow on effect with the cost of other aspects of the project (e.g. labour). A study of the age pattern of the meter fleet showed that utilising existing water meters up to five years old (2,885 - 20mm meters) would provide a significant reduction in the capital outlay. Meters five years and younger were preferred as they were compatible with, and could remain in service, for the life of the transmission devices to be fitted to the meter.

As a result of the ongoing negotiations with Taggle Systems two areas were discovered that impacted on the costing of the project. These were the annual charge to transfer reading was incorrectly calculated on a yearly basis instead of a monthly basis. Secondly the original meter fleet list supplied by Council was revised upward by 41 meters.

It should be noted the bottom line price of \$2,238,296 is slightly lower than the original price of \$2,249,286. This is due to the fact the project is being launched much later in the financial year than originally planned. This is reflected in lower data transfer cost in the first year.

SMART CITIES AND SUBURBS FUNDING SUCCESS

The notification on Monday 19th November 2018 that Council was successful in securing a grant to the sum of \$1,262,618 has allowed Council to realise the **original objective** to introduce Smart Water Metering into the Urban areas of Mudgee, Gulgong, Rylstone, Charbon and Clandulla without the need to compromise the final outcome of the project by using old water meters as a cost cutting measure.

When the submission for Smart Cities and Suburbs was compiled the total estimated cost of the project was approximately \$2.8 million. Council commitment was 55% which amounted to approximately \$1.6 million and Smart Cities and Suburbs funding accounting for 45% of the project cost.

SUMMARY

The timely offer of Smart Cities and suburbs funding allows Council to move forward with this innovative project without the need to compromise the original objective and hence the quality of the project outcome.

Benefits include:

Identifying Water Loss

Customers by actively managing their water usage can identify water leaks within their property. Council can use the instantaneous data to identify mains leaks. This loss is currently running at 2.7% of water produced. If this is retrieved it equates to a 2.7% lowering of electricity usage cost at the water plants and pump stations. It also equates to extending the life expectancy of the mechanical and electrical components by the same percentage.

Customer Service

Providing a Customer Portal is a very positive step forward in community relations. Real time access to their water usage patterns and subsequent cost provide the customer with the power to manage their water usage. This will reduce the frequency of customer complaints.

Community benefits

The Network installed to manage Council's water data can also be used by other local businesses to monitor a wide variety of parameters. These include but not limited to weather data, soil moisture, Viticulture, Industry to name a few.

Environmental Benefits

Minimising water loss and reduction in the total consumption leaves more water in the river system enhancing the health of the aquatic environment.

CONCLUSION

The introduction of Smart Water Metering Technology is in harmony with the key points of Council's Community Plan:

- Looking after our Community
- Protecting our Natural Environment
- Building a Strong Local Economy
- Connecting our Region
- Good Government

The application of Smart Water Metering is aligned with the Community focus of Mid-Western Regional Council.

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

Water and Sewer Business Plan
Asset Management Plan

Council Policies

Procurement Policy

Legislation

Local Government Act (General) 2005
Local Government Act 1993

Financial implications

The current budget for this project is fully funded by Council's Water Fund Reserves at a total of \$1,615,000, over four years 2018/19 to 2021/22.

Upon acceptance of the grant funding Council the amended project involving full roll out of new meters brings the total budget expenditure to \$2,805,816 over 2018/19 and 2019/20. This funding of this project is projected to be 45% grant (\$1,262,618) and 55% from Council's Water Fund Reserves (\$1,543,198). This is a reduction in Water Fund Reserve contribution to this project of \$71,802.

Once new meters are installed this will reduce operating costs associated with water meter reading and water loss management. The acceptance of grant funding will reduce the own source revenue ratio.

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

Associated Risks

There is a risk of Frost Damage to the Smart Meters, which will be more costly to replace than the existing meters. Therefore, protective covers will be included in the roll out of new meters.

VINCENT RIDLEY
WATER & SEWER TREATMENT
TECHNOLOGIST

GARRY HEMSWORTH
DIRECTOR OPERATIONS

28 November 2018

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Item 11: Community

11.1 Review of Payment of Expenses and Provisions of Facilities to Councillors Policy

REPORT BY THE MANAGER GOVERNANCE
TO 12 DECEMBER 2018 ORDINARY MEETING
GOV400066, A010001, GOV40047

RECOMMENDATION

That Council:

1. **receive the report by the Manager Governance on the Review of Payment of Expenses and Provisions of Facilities to Councillors Policy;**
2. **place the revised Payment of Expenses and Provisions of Facilities to Councillors Policy on public exhibition for 28 days; and**
3. **adopt the revised Payment of Expenses and Provisions of Facilities to Councillors Policy if no submissions are received.**

Executive summary

The Office of Local Government has issued a Guideline that required amendments to Councils Policy titled Payment of Expenses and Provisions of Facilities to recognise the legislative requirements for the adoption of a Professional Development Program for Councillors.

Council has taken this opportunity to also consider the inclusion in the policy of the option for Councillors to pay all or part of their Councillor Fees into complying superannuation funds.

Disclosure of Interest

This Policy details the entitlements of all Councillors to the payment of fees, access to facilities, professional development opportunities and the refund of expenses incurred whilst undertaking duties of their public office. All councillors have a pecuniary interest in this matter.

Detailed report

The Office of Local Government issued Guidelines dated August 2018 titled Councillor Induction and Professional Development under section 23A Local Government Act 1993 to assist General Managers and council staff to develop, deliver, evaluate and report on the Councillor Professional development Program.

Council staff have reviewed the requirements of the Guidelines identifying the need for amendments to the Council Policy Payment of Expenses and Provision of Facilities for Councillors including:

- The objective of the Policy to include councillor professional development statutory requirements
- Inclusion of councillor professional development reporting requirements in Council's Annual Report.
- To acknowledge the private benefit arising from councillor professional development
- To set the limitations of the professional development program to ensure it addresses the fundamental skills of a councillor and setting budgetary limits through the operating plan.

Aside from the requirements above Councillors will also consider the inclusion of ATO ruling enabling Councillors to request that all or part of their councillor fees be paid into a nominated complying superannuation fund to be included in the Policy.

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

Payment of Councillor Expenses and Provision of Facilities Policy

Legislation

S232(1)g Local Government Act 1993

Financial implications

Council's operating plan has established an annual Councillor training budget of \$20,000. This will support the Councillor Professional Development Program. The budget will be managed over the term of the council being 4 years totalling \$80,000. The budget will be shared equitably amongst the nine Councillors. The approval and management of the budget rests with the Mayor.

Associated Risks

Risks identified are associated with Council not complying with its statutory obligations; the adoption of this policy will mitigate that risk.

A risk of Councillor capability in their public office roles impacting adversely on Council decisions is mitigated with the adoption of the induction program and the ongoing professional development program.

TIM JOHNSTON
MANAGER GOVERNANCE

SIMON JONES
DIRECTOR COMMUNITY

26 November 2018

Attachments: 1. Payment of Expenses and Provisions of Facilities to Councillors.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



*A prosperous
and progressive
community*

POLICY

Payment of Expenses and Provision of Facilities to Councillors

ADOPTED

Minute No. 157/17

DATE: 21 JUNE 2017

REFERENCE

REVIEW DATE

FILE NUMBER

OCTOBER 2018

A0110001/ GOV400047

PART 1: INTRODUCTION

PURPOSE

The purpose of this policy is to ensure that there is accountability and transparency in the reimbursement of expenses incurred or to be incurred by councillors and that the facilities provided to assist Councillors to carry out their civic duties are reasonable.

OBJECTIVES AND COVERAGE

The objective of this policy is to provide a guide to Councillors' expenses, facilities, professional development opportunities and the process for paying expenses in a way that can be properly recorded, reported and audited.

The policy applies to all Councillors. The Mayor is entitled to specific additional facilities.

REPORTING REQUIREMENTS

Council's Annual Report will include a report of Councillor expenses as detailed in this Policy. In addition, the total amount of money spent during the relevant financial year through the application of this policy will be reported to the Council in quarterly budget reports.

Council is required to report in the Annual report compliance with s 232(1)(g) of the LG Act including the percentage of professional development activities offered to the Mayor and Councillor's that was taken up and the cost of those professional development opportunities.

LEGISLATIVE PROVISIONS

Local Government Act 1993

The relevant provisions of the Local Government Act 1993 are set out in Appendix 1.

PRIVATE BENEFIT

Councillors should not obtain private benefit from the provision of equipment or facilities, nor from travel bonuses such as "frequent flyer" schemes or any other such loyalty programmes while on Council business. However, it is acknowledged that some incidental private benefit from the use of Council equipment and facilities may occur from time to time. Incidental private use should be limited to an amount of cost to Council of no more than \$10 per month per Councillor. In situations where more substantial private benefit occurs, the full cost of the benefit should be reimbursed to Council.

Private benefit arising from the Councillor's professional development program is discussed below.

COUNCILLOR PROFESSIONAL DEVELOPMENT PROGRAM

POLICY: PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO COUNCILLORS – June 2017

Councillors have a statutory obligation under s 232(1) (g) Local Government Act 1993 to make all reasonable efforts to acquire and maintain the skills necessary to perform their roles. The Office of Local Government has issued a Guideline under s23A Local Government Act 1993 to assist Councils to develop, deliver, evaluate and report on the Councillor Professional Development Program to ensure statutory compliance.

The guideline states one of the benefits of ongoing professional development includes mayors and councillors developing skills and knowledge that they can take into their personal and professional lives. With this in mind it is acknowledged that the professional development program will deliver a flow-on private benefit to a Councillor who will take the skills and knowledge acquired through the councils program into their personal and professional lives outside of the Council. To limit this flow-on affect the council's professional development program will only offer opportunities that are primarily directed toward enhancing the fundamental skills required of a Councillor including;

- A member of the Governing body of a large public agency including; Governance Skills, Director skills;
- Integrated Planning & Reporting; including strategic management skills
- Representation and communication; including community Leadership skills

The Professional Development program will offer a range of development activities from which each Councillor will compile their individual program over the 4 year term to be approved by the Mayor in accordance with the Office of Local Government Guideline dated August 2018.ved

The Councilor's Professional Development Program will have approved budgets (Induction program, Professional Development) through the operating plan managed by the Mayor and monitored under the quarterly budgetary review processes of council. The professional development budget allocated annually for the 4 year term supports each Councilors development program over the 4 years. It is appropriate for a Councilors to accumulate their professional development budget for a specific program that only occurs once in the four year term, although budgets will not be advanced.

COUNCILLOR FEES CONTIBUTED TO SUPERANNUATION

Councillors may elect to have all or part of their Councillor fees deposited by the council to a complying superannuation fund. In accordance with ATO ID 2007/205 these contributions do not represent assessable income of the councilor for the purposes of the Income Tax Assessment Act 1997.

USE OF COUNCIL RESOURCES FOR POLITICAL PURPOSES

Council facilities, equipment and services are not to be used to produce election material or for any other political purpose. As outlined in Council's Code of Conduct, a Councillor's re-election is considered to be a personal interest, as is fundraising activities for political parties and political events. Council will not pay expenses or provide facilities to Councillors in relation to supporting and/or attending such events and activities.

PAGE 1 OF 13 MID-WESTERN REGIONAL COUNCIL

APPROVAL ARRANGEMENTS

Approval for attendance at conferences, seminars and Councillor professional development activities under this policy will, subject to other decisions of Council, be considered for approval by the Mayor. In cases where this relates to the Mayor, the approval will be considered jointly by the Deputy Mayor and General Manager.. The Mayor will routinely report to Council of these Councillor attendances including the budget implications.

PART 2: PAYMENT OF EXPENSES

GENERAL PROVISIONS

Payment of expenses generally

PAGE 2 OF 13 MID-WESTERN REGIONAL COUNCIL

POLICY: PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO COUNCILLORS – June 2017

Allowances and expenses

Council does not provide general allowances to councillors.

Councillors are entitled to the expenses set out in this policy provided that they satisfy the stated requirements.

Reimbursement and reconciliation of expenses

Before Council will pay for an expense under this policy, Councillors must seek reimbursement in a formal written claim lodged not later than six (6) months after the expense was incurred.

Each claim must include original receipts, or tax invoices (where GST applies), to be considered for reimbursement.

Claims will generally be paid within 14 days of receipt.

Payment in advance

Council will not make advance payments to Councillors.

SPECIFIC EXPENSES FOR MAYOR AND COUNCILLORS

Civic Business

a) Scope

i) Expenses will be paid for Councillors to attend:

Meetings of the Council and Committees;

Meetings of other committees, bodies, organisations or groups to which those Councillors are Council delegates or representatives;

Other meetings or inspections which are authorised by the Council, the Mayor or the General Manager; and

Professional Development Program: A professional development program will be developed during the first year of the elected council and presented to the council for consideration and adoption. The program will be funded by council and expenses incurred by councilors attending approved councilor professional development activities can be claimed in accordance with this policy.

Approved Conference attendance will be funded by council and expenses incurred by councilors attending approved conferences can be claimed in accordance with this policy, and

Provided that the claim is made no later than six (6) months after the expenses were incurred.

Note: Any claims submitted later than six (6) months after the expenses were incurred will not be eligible for reimbursement.

b) Categories of Payment / Reimbursement

POLICY: PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO COUNCILLORS – June 2017

(i) Travel

Where Council vehicles are unavailable, Councillors may use their private motor vehicle. Councillors should check with the Executive Secretary to ascertain whether a Council vehicle is available and should make arrangements to collect the vehicle (vehicles will not generally be delivered to Councillors).

Alternatively, Councillors are entitled to be reimbursed for the use of their private vehicle for travel to and from meetings.

Payment will be based on the relevant kilometre rate in the staff award.

The allowable distance claimed will be for travel, by the most practicable route from the Councillor's usual place of residence or other place where the Councillor might be (whichever is the lesser), immediately prior to the meeting.

Where it is necessary for travel to be undertaken by air, this will be arranged by the Executive Secretary.

(ii) Meals

Arrangements will be made for a meal to be provided at the conclusion of the meeting at a venue, in proximity to where the meeting is held, of which Councillors and staff in attendance may partake.

(iii) Accommodation

Council may by resolution in advance of the event approve to meet all reasonable accommodation costs on the evening of the meeting for a Councillor when, in the opinion of the Council, travelling home would introduce undue risk to the Councillor. Accommodation will generally be booked by Council staff.

POLICY: PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO COUNCILLORS – June 2017

On “one-off” occasions where in the opinion of the Mayor it would be impractical or introduce undue risk for the Councillor to travel home after the meeting accommodation will be provided at Council's expense. If the Mayor is required to approve such expenses then that is to be reported to the Council in open meeting at the next Council meeting.

(iv) Registration

Includes registration fees for approved attendance at conferences, seminars, professional development activities etc as well as associated official luncheons, dinners and tours will be funded by the council.

(v) Spouses/Partners

In those cases where the function is of such a nature that the Councillor's spouse/partner would normally be expected to accompany the Councillor, any costs associated with the attendance of the spouse/partner will be met by Council.

Care and other related expenses

Councillors can claim up to \$100 per month for reimbursement of carer expenses that were incurred while attending Council business. This may include childcare expenses and the care of immediate family members of Councillors who are elderly, have a disability and/or are sick. Reimbursement of childcare expenses will be made for children under 16 years of age only.

Expenses will be paid on production of receipts.

Communications expenses

As at June 2017 there are still areas within the Mid-Western LGA that do not have satisfactory Internet Protocol (IP) services available. The limited band width available in those areas does not provide adequate internet service for modern telephony devices to be deployed. Councillors who may reside in those areas will require communication arrangements that may not involve IP.

Councillors who have received telephone/facsimile/answering service devices and internet connections at their private residence under prior policies can retain those facilities and services whilst holding the office of a Councilor. Those facilities are now being replaced with mobile internet accessible telephony devices.

Telephone

Council will provide councilors with an iPhone and iPad that is configured to Council mobile and internet plans.

Provision for payment and monetary limits

Council will only pay claims for reimbursement of communications expenses upon production of original receipts or tax invoices and completion of Council's claim form which is to be lodged not later than six (6) months after the expense was incurred.

In respect of official calls and usage, subject to the provision of the relevant receipts or invoices, Council will reimburse Councillors up to a maximum of \$100 per month or \$200 per month in the case of the Mayor.

POLICY: PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO COUNCILLORS – June 2017

Councillors will be responsible for all expenses above this amount.

Exceptional circumstances

Should a situation arise where the strict application of this section of the policy would adversely affect and/or cause undue hardship to a Councillor, the Council may, by resolution, increase the maximum quantum available to that Councillor.

Administrative Expenses

It is recognised that Councillors may, from time to time, incur expenses of an administrative nature (such as the purchase of stationary, computer and printing supplies) in carrying out their civic duties. While it is expected that Councillors would obtain such items from Council (as provided in the section of this policy entitled "Provision of Facilities", it is acknowledged that there may be occasions where this is not practicable.

Council will reimburse those administrative expenses incurred upon lodgement of an appropriate claim form accompanied by relevant receipts.

Any reimbursements or supplies obtained from Council will be limited to a maximum of \$600 per annum for each Councillor.

Insurance Expenses and obligations

Councillors will receive the benefit of insurance cover for:

- a. Personal injury while on Council business. The cover does not include medical expenses for illness in Australia.
- b. Professional indemnity for matters arising out of Councillors' performance of civic duties or exercise of their functions as Councillors provided the performance or exercise of the relevant civic duty is, in the opinion of Council, in good faith or proper. This is subject to any limitations or conditions set out in the policy of insurance that is taken out from time to time.
- c. Public liability for matters arising out of Councillors' performance of civic duties or exercise of their functions under the Local Government Act. This is subject to any limitations or conditions set out in the policy of insurance that is taken out from time to time.
- d. Councillors and Officers liability. This policy provides protection in respect of actions against the individual Councillors in addition to legal costs incurred by them in defending an allegation of a wrongful act made in the course of their duties as Councillors. This is subject to any limitations or conditions set out in the policy of insurance that is taken out from time to time.

Legal expenses and obligations

Council may by resolution indemnify or reimburse the reasonable legal expenses of:

- a) A Councillor defending an action arising from the performance in good faith of a function under the Local Government Act 1993 and providing there are no adverse findings against the Councillor; or

POLICY: PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO COUNCILLORS – June 2017

- b) A Councillor defending an action in defamation provided the statements complained of were made in good faith while exercising a function under the Local Government Act 1993; or
- c) A Councillor for proceedings before the NSW Civil and Administrative Tribunal (NCAT), or an investigative body, provided the subject of the proceedings arises from the performance in good faith or a function under the Local Government Act 1993 and the Tribunal or investigative body makes no adverse finding against the Councillor.
- d) Council will not:
 - ii) Meet expenses incurred in relation to proceedings arising merely from something that a Councillor has done during his or her term of office; or
 - iii) Meet the costs of an action in defamation taken by a Councillor as plaintiff in any circumstances; or
 - iv) Meet the costs of a Councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation.

PART 3: PROVISION OF FACILITIES

Councillors

The Councillors are to receive the benefit of the following Council facilities:-

- a) Meeting Meals and Refreshments - provision of meals and refreshments associated with Council, Committee and Working Parties/Special Committee meetings.
- b) Transportation - provision of Council motor vehicle transportation (when available) for travel to conferences, seminars, etc when on official Council business.
- c) Where a Council vehicle is provided to a Councillor for use on official business, the vehicle may:
 - v) With the consent of the Councillor, be driven by the Councillor's spouse or partner as long as that person is legally licensed to drive the Council vehicle; or
 - vi) Provided the Councillor is in the vehicle at the time, be driven by any other fully licensed driver.
- d) Meeting Rooms - Provision of meeting facilities in the Mudgee Administration Building for the purpose of Council, Committee and Working Parties/Special Committee meetings, and for meeting with constituents.
- e) Photocopiers - provision of photocopying facilities generally for official purposes.
- f) At the discretion of the individual Councillor, Personal laptop computer with access to the internet and appropriate Council software to a maximum value of \$5,000 – for official purposes. Council will arrange associated training and software support if required.

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- g) Provision of an Email address for Councillors, to facilitate access to Council's electronic mail.
- h) Business Cards for his/her role as an elected representative.
- i) A suitable name badge.
- j) Protective apparel, including (where appropriate), hard hat, safety vest, safety footwear and sunscreen for on-site inspections.
- k) Reimbursement for expenses related to administrative supplies (such as stationary, and supplies for computers and printers) or the provision of such administrative supplies by Council staff to a maximum of \$600 per annum per Councillor.

Mayor

In addition to those facilities provided to the Councillors, the Mayor is to receive the benefit of:

- a) Council Vehicle - (Ford Fairlane Ghia or equivalent) for official purposes. The vehicle to be used at the discretion of the Mayor for Mayoral, Councillor or Council purposes. A fuel card will be provided for use only with the Mayoral vehicle.

When the Mayor or another Councillor is using the Mayoral vehicle on official business, the vehicle may:

- i) With the consent of the Mayor or Councillor, be driven by the spouse or partner of the Mayor or Councillor as long as that person is legally licensed to drive the Council vehicle; or
 - ii) Provided the Mayor or Councillor is in the vehicle at the time, be driven by any other fully licensed driver.
 - iii) Council will meet the costs of service charges and official usage costs, with the Mayor to reimburse Council in respect of any private expenses incurred.
- b) Corporate Credit Card, to facilitate payment of official Council business expenses.
 - c) Official stationary incorporating Mayoral letterhead for official Council correspondence issued under the hand of the Mayor.
 - d) Business Cards for his/her role as Mayor.
 - e) Secretarial Services - word-processing and administrative support provided by the Executive Secretary.
 - f) Administrative Support - assistance with functions, organisations, meetings, and the like.
 - g) Office Refreshments - as provided in the Mayoral Office for entertainment purposes.
 - h) Where practicable, provision of an appropriate office, suitable for interviews and small civic receptions.
 - i) Use of ceremonial clothing including Mayoral Robes and chains of office.
 - j) A suitable name badge.

POLICY: PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO COUNCILLORS – June 2017

Deputy Mayor

In addition to those facilities provided to the Councillors, the Deputy Mayor is to receive the benefits of the Mayor when acting in the Office of Mayor.

Councillors with Disabilities

In addition to other clauses on this policy regarding the provision of facilities to Councillors, in the event of a Councillor having a disability that would prevent them from performing their civic duties without the provision of additional facilities, where necessary, and with the agreement of the Mayor and General Manager, additional appropriate facilities will be made available to that Councillor.

PART 4: OTHER MATTERS

ACQUISITION AND RETURNING OF FACILITIES AND EQUIPMENT BY COUNCILLORS

All equipment issued to Councillors remains the property of Council and shall be returned on a Councillor ceasing to hold office.

CLAIMS FOR REIMBURSEMENT OF EXPENSES

Expenses claim forms to facilitate claims for reimbursement of travel, meals, registration, accommodation and out-of-pocket expenses and the communications reimbursement claims will be provided to Councillors at each Council meeting.

Completed and signed claim forms will be processed by staff in accordance with this policy and will be submitted monthly to the General Manager for approval.

POLICY: PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO COUNCILLORS – June 2017

APPENDIX 1

LEGISLATIVE PROVISIONS

Local Government Act 1993

The relevant provisions of the Local Government Act 1993 are set out below:

Section 252 Payment of expenses and provision of facilities

- (1) Within 5 months after the end of each year, a council must adopt a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the mayor, the deputy mayor (if there is one) and the other councillors in relation to discharging the functions of civic office.
- (2) The policy may provide for fees payable under this Division to be reduced by an amount representing the private benefit to the mayor or a councillor of a facility provided by the council to the mayor or councillor.
- (3) A council must not pay any expenses incurred or to be incurred by, or provide any facilities to, the mayor, the deputy mayor (if there is one) or a councillor otherwise than in accordance with a policy under this section.
- (4) A council may from time to time amend a policy under this section.
- (5) A policy under this section must comply with the provisions of this Act, the regulations and any relevant guidelines issued under section 23A.

Section 253 Requirements before policy concerning expenses and facilities can be adopted or amended

- (1) A council must give public notice of its intention to adopt or amend a policy for the payment of expenses or provision of facilities allowing at least 28 days for the making of public submissions.
- (2) Before adopting or amending the policy, the council must consider any submissions made within the time allowed for submissions and make any appropriate changes to the draft policy or amendment.
- (3) Despite subsections (1) and (2), a council need not give public notice of a proposed amendment to its policy for the payment of expenses or provision of facilities if the council is of the opinion that the proposed amendment is not substantial.
- (4) Within 28 days after adopting a policy or making an amendment to a policy for which public notice is required to be given under this section, a council is to forward to the Director-General:
 - (a) a copy of the policy or amendment together with details of all submissions received in accordance with subsection (1), and
 - (b) a statement setting out, for each submission, the council's response to the submission and the reasons for the council's response, and

POLICY: PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO COUNCILLORS – June 2017

- (c) a copy of the notice given under subsection (1).
- (5) A council must comply with this section when proposing to adopt a policy each year in accordance with section 252 (1) even if the council proposes to adopt a policy that is the same as its existing policy.

Section 254 Decision to be made in open meeting

The council or a council committee all the members of which are councillors must not close to the public that part of its meeting at which a policy for the payment of expenses or provision of facilities is adopted or amended, or at which any proposal concerning those matters is discussed or considered.

Section 12 (What information is publicly available) provides that the public is able to inspect during office hours at the council, and at no charge, the current version and the immediately preceding version of the council's expenses and facilities policy. The public are also entitled to a copy of the policy either free of charge or on payment of a reasonable copying charge.

Section 23A (Director General's guidelines) makes provision for the Director-General of the Department of Local Government to prepare, adopt or vary guidelines that relate to the exercise by a council of any of its functions. It also requires that a council must take the relevant guidelines into consideration before exercising any of its functions.

Section 428(2)(f) (Annual Reports) requires a council to include in its annual report:

The total amount of money expended during the year on mayoral fees and councillor fees, the council's policy on the provision of facilities for use by councillors and the payment of councillors' expenses, together with a statement of the total amount of money expended during the year on the provision of such facilities and the payment of such expenses.

In addition **Section 428(r)** requires that councils must report on any other information required by the regulations.

Local Government (General) Regulation 2005

The relevant provisions of the Local Government (General) Regulation 2005 are set out below:

Clause 217 (Additional information for inclusion in annual reports) states in part:

- (1) For the purposes of section 428(2)(r) of the Act, an annual report of a council is to include the following information:
 - (a) details (including the purpose) of overseas visits undertaken during the year by councillors, council staff or other persons representing the council (including visits sponsored by other organisations).
 - (a1) details of the total cost during the year of the payment of the expenses of, and the provision of facilities to, councillors in relation to their civic functions (as paid by the council, reimbursed to the councillor or reconciled with the councillor), including separate details on the total cost of each of the following:
 - (i) the provision during the year of dedicated office equipment allocated to councillors on a personal basis, such as laptop computers, mobile telephones and landline telephones and facsimile machines installed in councillors' homes (including equipment and line rental costs and internet access costs but not including call costs),
 - (ii) telephone calls made by councillors, including calls made from mobile telephones provided by the council and from landline telephones and facsimile services installed

POLICY: PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO COUNCILLORS – June 2017

in councillors' homes,

(iii) the attendance of councillors at conferences and seminars,

(iv) the training of councillors and the provision of skill development for councillors,

(v) interstate visits undertaken during the year by councillors while representing the council, including the cost of transport, the cost of accommodation and other out-of-pocket travelling expenses,

(vi) overseas visits undertaken during the year by councillors while representing the council, including the cost of transport, the cost of accommodation and other out-of-pocket travelling expenses,

(vii) the expenses of any spouse, partner (whether of the same or the opposite sex) or other person who accompanied a councillor in the performance of his or her civic functions, being expenses payable in accordance with the *Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors for Local Councils in NSW* prepared by the Director-General from time to time,

(viii) expenses involved in the provision of care for a child of, or an immediate family member of, a councillor, to allow the councillor to undertake his or her civic functions,

Clause 403 (Payment of expenses and provision of facilities) states:

A policy under section 252 of the Local Government Act 1993 must not include any provision enabling a council:

- (a) to pay any councillor an allowance in the nature of a general expense allowance, or
- (b) to make a motor vehicle owned or leased by the council available for the exclusive or primary use or disposition of a particular councillor other than a mayor.

OTHER GOVERNMENT POLICY PROVISIONS***DLG guidelines for payment of expenses and provision of facilities***

- ┆ This policy takes into account the following Circulars:
- ┆ Circular 11-27 – Findings of Review of Councillor Expenses and Facilities Policies
- ┆ Circular 09-36 – Release of Revised Councillor Expenses and Facilities Guidelines
- ┆ Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW (Division of Local Government October 2009)
- ┆ Circular 05108 - Legal assistance for councillors and council employees.
- ┆ Circular 02134 - Unauthorised use of council resources.

Model Code of Conduct

This is consistent with the Model Code of Conduct for Local Councils in NSW, Department of Local Government, and Council's Code of Conduct which implements the Model Code.

The part of the Model Code headed 'Use of Council resources' is particularly relevant to s252 policies, and is implemented by the Council's Code of Conduct.

POLICY: PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO COUNCILLORS – June 2017

ICAC publications

Councillors should also be aware of and take account of the Independent Commission Against Corruption (ICAC) publication No Excuse for Misuse, preventing the misuse of council resources (Guidelines 2), November 2002.

This publication is available on the ICAC website at www.icac.nsw.gov.au.

REVIEW

Item 12: Reports from Committees

12.1 Local Traffic Committee Minutes - November 2018

REPORT BY THE EA TO DIRECTOR, OPERATIONS
TO 12 DECEMBER 2018 ORDINARY MEETING
GOV400066, A0100009

RECOMMENDATION

That Council:

1. receive the report by the EA to Director, Operations on the Local Traffic Committee Minutes - November 2018;
2. amend LTC minute 18/027 to change wording to “advised by committee that it is a classification 3 event and therefore does not need to be recommended by the local traffic committee
3. approve the installation of ‘No Stopping’ signs supplemented by yellow line-marking on pavement on the east side of Oporto Road north of Lisbon Road to the driveway entry to Mudgee South Shopping Centre; and
4. advise the local business operators and nearby residents of proposed change to parking arrangements at intersection of Lisbon and Oporto Roads.

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

There are no disclosure of interest associated with this report.

Detailed report

The Local Traffic Committee meeting was held on 16 November 2018. One report relating to a traffic matter was considered by the committee:

- Intersection of Oporto Road and Lisbon Road

Remaining items were for discussion and no recommendation for council on these are required:

- AREC event debrief
- Huntington Estate Music Festival
- Gulgong Traffic Flow
- Mudgee shared use zone.

The minutes and comments for the LTC meeting are attached.

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

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

GEMMA WILKINS
EA TO DIRECTOR, OPERATIONS

GARRY HEMSWORTH
DIRECTOR OPERATIONS

23 November 2018

Attachments: 1. Local Traffic Committee - November 2018 Minutes .

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Mid-Western Regional Council

Date: 16 November 2018

Minutes of the Local Traffic Committee

Held at the Operations Meeting Room, 54 Depot Road, Mudgee
on 16 November 2018.

Present	Garry Hemsworth, Phillip Blackman, Cr Karavas, David Webster (MWRC), Gary McGovern (NSW Police), Sharon Grierson (RMS)
Apologies	Deanne Freeman, Mark Fehon
Secretary	Gemma Wilkins (MWRC) , Michelle Neilsen

The LTC meeting commenced at 9:30am.

MINUTES OF PREVIOUS MEETING

MOTION: Mr Phillip Blackman / Alex Karavas

That the Minutes of the previous Local Traffic Committee held on 21 September 2018 be taken as read and confirmed.

- **Amendment to minute 18/027 to change wording to “advised by committee that it is a classification 3 event and therefore does not need to be recommended by the local traffic committee**
- **RMS Comment on min 18/029 ‘no standing’ sign no longer exists so it will either need to be ‘no stopping’ or ‘no parking’**

2

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.
Pedestrian Crossing	16 February	White lines on the pedestrian crossing at Lewis Street and Mortimer Street need repainting.	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
Events Night with the Roads and Maritime Services	August 2018		Date to be scheduled in New Year, Council to contact appropriate audience and coordinate the attendance of required parties.
Disabled parking sign	August 2018	Request for 'Disabled Parking' sign in front of Gulgong Medical Centre	Investigation required
Request for 'No Parking' sign	August 2018	Request for a 'No Parking' sign to be placed at the northern end of Ten Dollar hotel.	Investigation required

PAST EVENT DEBRIEF

EVENT	
Small Farm Field Days	Debrief conducted during October, agenda item included in this meeting.

CALENDAR OF EVENTS

FEBRUARY	Date	Comments
Charity Shield	24 February 2018	
MARCH	Date	Comments
CAN Cruisers	17 March 2018	
APRIL	Date	Comments
ANZAC Day	25 April 2018	
MAY	Date	Comments

JUNE	Date	Comments
Henry Lawson Heritage Drive	2-6 June 2018	
JULY	Date	Comments
Small Field Day Event	13 th & 14 th July 2018	Debrief request by Police
AUGUST	Date	Comments
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	Oct 2018 – Feb 2018	
NOVEMBER	DATE	Comments
Rystone Street Feast	3 November 2018	
Huntington Estate Music Festival Day in the dirt	17-25 November 2018	No approval required

Red = Unapproved

Green = Approved

18/031 PARKING CONTROLS - REQUEST FOR INVESTIGATION AND SIGNAGE RELATED TO SIGHT DISTANCE ISSUES AT LISBON AND OPORTO ROADS INTERSECTION

- Councillor Karavas left the Chambers at 9:55am
- NSW Police suggest that the 'no stopping' sign is the best choice for them and easiest to enforce.
- RMS queried whether shop owners have been consulted about the changes, Garry suggested Council will drop letters prior to Council meeting.
- RMS reminded that yellow line methodology may require some education for locals. No stopping signs do need to be opened and closed.

RECOMMENDATION

That Council

1. Approve the installation of 'No Stopping' signs supplemented by yellow line-marking on pavement on the east side of Oporto Road north of Lisbon Road to the driveway entry to Mudgee South Shopping Centre;
2. Advise the local business operators and nearby residents of proposed change to parking arrangements.

MOTION: NSW Police / RMS

That the above recommendation be accepted and approved.

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MID-WESTERN REGIONAL COUNCIL | LOCAL TRAFFIC COMMITTEE - 16 NOVEMBER 2018

18/032 GENERAL BUSINESS

DEBRIEF AREC SMALL FARM FIELD DAYS MOTION: Mr Phillip Blackman / NSW Police

Council conducted a post event debrief with the organiser of the event 5 October 2018. The attachment details the followup provided and questions for Council to address. See attachment 1.

- Additional attachment distributed in meeting with notes from the debrief meeting prepared by Council.
- Problem appeared to be public entering into the exhibitor parking entry and requiring them to reenter Ulan Road.
- Concern over PuttaBucca and Henry Lawson and there were no traffic controllers on the road to assist with traffic direction.
- David mentioned that traffic controllers didn't get to gates until opening times. Controllers were only instructed to monitor traffic by AREC.

Recommendation: Solutions highlighted in the debrief documents to be included in the traffic control plans for 2019 event.

18/033 CORRESPONDENCE

HUNTINGTON ESTATE MUSIC FESTIVAL

Notification received to confirm dates of the upcoming Huntington Estate Music Festival to be held 17-18 and 21-25 November 2018. See attachment 1. No recommendation required.

GULGONG TRAFFIC FLOW

Request received from Gulgong Chamber of Commerce for review of Gulgong Traffic flow. See attachment 2.

- Carrie worked on an active strategy, RMS recommend Council revisit these comments.
- RMS queried if there is designated RV/Caravan Parking and signposting associated with it. There is bus parking coming in, Council should consider wording for this to

MUDGEES CBD 40KM ZONE

- Garry mentioned 40km zone for CBD area supported in Council workshop so speed assessment will be required.
- RMS do review and Council attend as well. Recommended to speak with Chamber of Commerce prior to investigations occurring.

CLOSURE

There being no further business the meeting concluded at 10:40am.

12.2 Gulgong Memorial Hall Committee meeting 13 November 2018

REPORT BY THE MANAGER, CUSTOMER SERVICES
TO 12 DECEMBER 2018 ORDINARY MEETING
GOV400066, A0100024

RECOMMENDATION

That Council:

1. **receive the report by the Manager, Customer Services on the Gulgong Memorial Hall Committee meeting 13 November 2018; and**
2. **note the minutes from the Gulgong Memorial Hall Committee meetings held 13 November 2018.**

Executive summary

The purpose of this report is to advise Council of the considerations and recommendations of the Gulgong Memorial Hall Committee meetings held on 13 November 2018.

Disclosure of Interest

Nil.

Detailed report

The Gulgong Memorial Hall met on 13 November 2018 as part of their ongoing monthly meetings.

Community Plan implications

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

Strategic implications

Council Strategies

Not Applicable.

Council Policies

Not Applicable.

Legislation

The Gulgong Memorial Hall Committee is operating under Section 355 of the Local Government Act 1993, which allows it to exercise a function of Council.

Financial implications

Not Applicable.

Associated Risks

Not Applicable.

RICHARD CUSHWAY
MANAGER, CUSTOMER SERVICES

28 November 2018

Attachments: 1. Gulgong Memorial Hall Minutes 13.11.18.
2. Christmas Celebration 11.18.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Gulgong Memorial Hall Meeting 13/11/2018

Opened: 1610

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

Minutes of last meeting: Still do not know where the money from Council is going to be spent. Chris will follow up with Paul Blackwell. SWOOP – not taking part in the Christmas Celebration. Bicycle Helmets – need 4 for the Billy Carts, now have 4,

Hay – may still be able to get some straw, or some very hard Lucerne hay. Have bumpers, from Craig Holden, so will not need hay. Also have 2 mattresses. Need plastic tops to go on top of the star pickets – Chris.

Horses – one is lame, none of Jim's are capable, so Chris has spoken to Christine MacGregor, and also Don Hobbs, they will get back to him. Scotty will carry Santa. Maybe also a couple of fellows with motorbikes and side-cars, who may also do tours around Gulgong – will need helmets for this.

Charlie spoke to Alan Walker – Tracey Spencer will be doing Santa Photos in the morning of the 8th, and we will be having them in the afternoon.

Chris has one girl who will be coming up with her pony, which is very quiet. May have lambs sorted.

BBQ – Ray will not be available, so one person down, Pauline happy to help where-ever, Men's Shed has three able bodied people. Gold coin donation. Pauline will ask Brun to help.

Toni Morrison has offered to help.

10 hams and 10 vouchers from IGA. Charlie spoke to Beck today, will get go ahead from owners later this week. Need to get water tattoos. All meat and drink has been purchased from IGA.

Hams – voucher in envelope, then people pick them up.

Belinda will probably be free to come to do Face Painting.

If there will not be as many horses, should another activity be organised – no.

Lollies need to be purchased. - Maureen

Jumping Castle coming.

RFS will be there to do water slide.

David from the school will get back to Charlie re chocolate wheel. The one here has 76 numbers, not 80.

Kepeco Grant – due in 2/11. Three issues arose – the chance of getting it done so close to cut-off not realistic, could not be applied for as a branch of Council as Council already give us money. Send a letter to Kepeco for 2019, and ask if they would like to make the banners for us. Charlie will measure the Lawson Festival banners, so the new ones will go onto Flynn's Veranda.

Memorial Hall complies with anything necessary in the Fire Door compartment, and has always been improved.

Meeting closed: 1638, next meeting 3/12/2018 1600. Men's Shed

Action Plan:

Person Responsible	Action	Result
Chris	Paul Blackwell re money	
Chris	Plastic tops for star pickets	
Pauline	Ask Brun to help with BBQ	
Charlie	Talk to Beck re vouchers	
Maureen	Lollies	
Charlie	Chocolate Wheel	
?Maureen	Ham Vouchers	

Santa Claus is coming to Gulgong!

St Nicolas, our Christmas Gentleman will be visiting Gulgong on Saturday the 8th of December at the Memorial Hall and has invited children to come and sit on his lap to have a special Christmas photo with him.

The session will start at 5pm, numbers could be limited, so please arrive early to avoid disappointment.

Gulgong Christmas Celebration

This year's event will commence at 5 pm on Saturday the 8th of December in ANZAC Park, and will include *Free* jumping castle, billy carts rides, water slide, barbecue food and music, as well as ponies.

Come along and you could win one of 10 prizes of a Christmas ham and a \$50 R&R IGA Voucher, to help with your Christmas shopping, by purchasing a \$2 ticket on the chocolate wheel.

If there is a possibility of rain, the event will still go ahead in the Memorial Hall.

So come along and enjoy the festivities.

12.3 Mudgee Regional Saleyard Committee

REPORT BY THE ADMINISTRATION OFFICER, OPERATIONS
TO 12 DECEMBER 2018 ORDINARY MEETING
GOV400066, F0720001

RECOMMENDATION

That Council:

1. receive the report by the Administration Officer, Operations on the Mudgee Regional Saleyard Committee; and
2. note the contents of the minutes of the Mudgee Regional Saleyards Committee Meeting held on the 20 September 2018

Executive summary

The purpose of this report is to advise Council of the considerations and recommendations of the Mudgee Regional Saleyards Committee ordinary meeting held on 20 September 2018.

Disclosure of Interest

Nil

Detailed report

The Mudgee Regional Saleyards 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.

Community Plan implications

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

Strategic implications

Council Strategies

Saleyards Strategic Plan 2010

Council Policies

Not Applicable

Legislation

Section 355 Local Government Act (1993)

Financial implications

Not Applicable

Associated Risks

Not Applicable

AMANDA BUCKLEY
ADMINISTRATION OFFICER, OPERATIONS

28 November 2018

Attachments: 1. Mudgee Regional Saleyards Committee Meeting Minutes - 20.09.18.

APPROVED FOR SUBMISSION:

GARRY HEMSWORTH
DIRECTOR OPERATIONS



MID-WESTERN REGIONAL COUNCIL
PO Box 156, MUDGEE NSW 2850
86 Market Street, Mudgee | 109 Herbert Street, Gulgong | 77 Louee Street, Rylstone
T 1300 765 002 or 02 6378 2850 | F 02 6378 2815
E council@midwestern.nsw.gov.au

MINUTES

MINUTES OF THE MUDGEE REGIONAL SALEYARDS COMMITTEE MEETING HELD ON 20TH SEPTEMBER 2018 COMMENCING AT 9:05AM AND CONCLUDING AT 10:20AM

Present: Garry Hemsworth (chair), Andrew Drummond, Bill Lawson, Chris Schmidt and David Clarke

Observer: Amanda Buckley (Minute Secretary)

1. APOLOGIES

Cr Des Kennedy, Barry Clapham and Bob Kearins

2. MINUTES OF PREVIOUS MEETING

Recommendation:

That the minutes of the previous meeting held 21st June 2018 be accepted.

3. MATTERS ARISING FROM MINUTES OF MEETING

Troughs – Ball valve has been installed into two troughs. Andrew advised that they will need to be raised 300ml so they can be cleaned properly. Council is expecting the new welder to start in October/November.

Holding Pens – It was advised that another pen will be fixed up this financial year. Bill mentioned that the wooden rails will require fixing, Andrew to organise a meeting on site with Bill Lawson, Chris Schmidt and the new welder to inspect.

Dust Issue – To be reviewed in summer.

Relief Staff – Joe Best is currently training Dan Walker before he goes on annual leave in October. Bill and Chris have confidence in Dan and believe he is a suitable candidate. Bill Lawson to check requirements of Council in regards to the book.

Fees for Overnight Stays – Discuss at next meeting.

Advertising – Agents were happy with the ad on Face book and in the community news, continue as required. All agreed that the Mudgee Guardian was overpriced and won't reach the attention of local farmers. All committee members agreed that placing an ad on the radio will be more effective. All agreed to go ahead with Real FM radio quote 30 Block for \$561.00. Amanda to contact Elle in communications to organise a draft and forward to agents for comment. Agents will speak to Mudgee Guardian to see if they can make changes and/or increase the information they currently have in the paper under the land section.

Disposal of dead/dying animals – It is covered in the Quality Assurance Manual 2018. It was noted that all involved in putting down dying animals should be mindful of the welfare of the animal. Disposal and/or putting down a dying/dead animal are the responsibility of the owner and/or stock agent. Agents should have a list of authorised gun holders with a current gun license.

Security Cameras – Will be installed soon by Virgo Security. Council to advise Detective Inspector Cameron Whiteside and Detective Senior Constable Adam Macdougall when cameras have been installed.

Strategic Plan – All committee members have a copy and are to read it before the next meeting. Any changes and/or suggestions can be emailed through to Andrew. This is to be discussed and approved at the next meeting in December.

Garry mentioned that the Asset Management Plan and the Building Strategic Plan requires updating.

4. CORRESPONDENCE

Nil.

5. GENERAL BUSINESS

Mudgee Saleyards Emergency Plan – This was read and discussed with all committee members present. Andrew would like to disregard the emergency plan and use the Mudgee CMG Agricultural and Disease Plan as they both contain the same information and the CMG Plan is easier to follow. Garry asked if the Local Emergency Management Committee (LEMC) will be ok with this. Andrew will take it to the next LEMC meeting for discussion. Agents support Andrew's decision.

Draft Memorandum of Understanding (MOU) – MWRC & MLSAA – Bill advised that there is nothing in place at the moment and this will need to be taken to the Livestock Selling Agents to be approved and signed. Any changes need to be emailed through to Andrew. Agents to report to the Saleyards Committee once all the correct information has been recorded and it has been signed.

Quality Assurance Manual August 2018 – This was distributed to the committee for their information. Andrew advised changes can be made at any time and should be emailed through to Andrew. Andrew advised committee that the Saleyards has an audit every twelve months; this is to be discussed at next meeting.

Mudgee CMG Agricultural and Disease Plan – This was distributed to the committee for their information. This will hopefully replace the Emergency Plan.

Statistics – All committee members are happy with Statistics. Andrew mentioned that cattle are up 10,000 compared to last year and sheep have also doubled since last year.

6. BUSINESS WITHOUT NOTICE

Hydraulic Gates – It was mentioned that the gates are slow coming down in the weighing area. Air compressor has had a service recently. Amanda to raise a works request for Scott Clarkson to have a look.

MEETING CLOSED 10:20am

Next meeting 13th December 2018 at 9am

12.4 Mudgee Showground Management Committee

REPORT BY THE ADMINISTRATION OFFICER, OPERATIONS
TO 12 DECEMBER 2018 ORDINARY MEETING
GOV400066, F0650007

RECOMMENDATION

That Council:

1. **receive the report by the Administration Officer, Operations on the Mudgee Showground Management Committee; and**
2. **note the contents of the minutes of the Mudgee Showground Management Committee Meeting held on the 7 August 2018.**

Executive summary

The purpose of this report is to advise Council of the considerations and recommendations of the Mudgee Showground Management ordinary quarterly meeting held on 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 Councils information.

The Showground Management Committees motion to request that Council give support to applications from regular Showground User groups when submitting applications for funding through the Community Grants Program or the Events Assistance Program.

The Committee moved that "Council support applications from regular Showground user groups when submitting applications for funding through the Community Grants Program or the Events Assistance Program" to help promote events at the Showground. Whilst this may assist in bringing new events to the area it must be noted that this proposed resolution may adversely affect the income of the Showground as it could be, it these words, applied to all events.

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

AMANDA BUCKLEY
ADMINISTRATION OFFICER, OPERATIONS

9 November 2018

Attachments: 1. Mudgee Showground Management Committee Meeting - 6 November 2018.

APPROVED FOR SUBMISSION:

GARRY HEMSWORTH
DIRECTOR OPERATIONS



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

MUDGEES SHOWGROUND MANAGEMENT COMMITTEE MEETING — 6 NOVEMBER 2018

Meeting Opened: 5:30 pm

Present: Cr Russell Holden (Councillor), Andrew Drummond (Council), Bianca Williams (Show Society), Helen Chisholm (Mudgees Dressage Group), Shaune Meyer (MWWHA), Bill Robinson (Poultry), Malcolm Swords (Livestock)

Observer: Nil

Apologies: Cr Alex Karavas (Councillor), Garry Hemsworth (Director Operations), Tracy Lucas (RDA)

Minutes of Meeting held 7 August 2018 – Accepted

Moved – Helen Chisholm

Seconded – Bill Robinson

Matters in Progress

Matters in Progress discussed and updated as below

#	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	Shaune consulted with the user groups and the recommendation is for "Coarse Sand" for arena's that is supplied by Dubbo Sand delivered for \$54 per tonne.
2.	Horse measuring area	7/8/18	Garry and Andrew to investigate	Garry	User groups to use the measuring area for measuring and utilise the established hose down areas to avoid water and erosion in the measuring area.

Correspondence Nil

Financial Report

Financial results were discussed and noted that whilst it is still early in the year it appears that both income and expenditure is on budget.

General Business

- Showgirl Competition 2019 to be held in Mudgees, possibly at Parklands due to hire costs of showground pavilion. Information regarding financial assistance and events grants discussed.

Motion: *That the Showground Management Committee request that Council give support to applications from regular Showground User groups when submitting applications for funding through the Community Grants Program or the Events Assistance Program.*

Moved – Helen Chisholm

Seconded – Bill Robinson

2. Show Society is undertaking roof repairs on the Show Office.

Meeting closed at: 6:13 pm
Next meeting to be held TBA at 5:30pm
AT THE OPERATIONS OFFICE

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

Nil