



PUBLIC COPY

2019

MID-WESTERN REGIONAL COUNCIL
COUNCIL BUSINESS PAPERS

ORDINARY MEETING
WEDNESDAY 16 OCTOBER 2019



*A prosperous and progressive community
we proudly call home*



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MUDGEES NSW 2850

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77 Louee Street RYLSTONE

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9 October 2019

Dear Councillor,

MEETING NOTICE
Ordinary Meeting
16 OCTOBER 2019
Public Forum at 5:30PM
Council Meeting commencing at conclusion of Public Forum

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 speak at the Public Forum, which is held at 5:30PM immediately preceding the Council Meeting. Speakers are given five minutes to address items that are included in the agenda.

If you wish to register to speak at the Public Forum please contact the General Manager's Office on 1300 765 002 or 02 6378 2850 by 4.00 pm on the day before the meeting for approval.

Yours faithfully

A handwritten signature in black ink, appearing to be "BRAD CAM", with a long horizontal line extending to the right.

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 18 September 2019

Council Decision:

That the Minutes of the Ordinary Meeting held on 18 September 2019 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.
Glen Willow Stage 2 - Acceptance of Grant Funding	Res. 16/19 Ordinary Meeting 20/02/2019	That Council: 1. note that should Council be unsuccessful under the Regional Growth – Environment and Tourism Fund a further report will be brought back to Council identifying alternate funding sources, and amending the 2017/21 Delivery Program and 2019/20 Operational Plan.	RECOMMENDED FOR COMPLETION

Item 5: Mayoral Minute

Nil

Item 6: Notices of Motion or Rescission

6.1 Increase Funding for Gravelling and Seal Extension Programs

NOTICE OF MOTION LISTED BY CR PERCY THOMPSON
TO 16 OCTOBER 2019 ORDINARY MEETING
GOV400067,

MOTION

That Council increase funding for the gravelling program and seal extension program.

Background

Now that Council will receive extra rate funding, it is time we increased the rural road gravelling program in the rural sections of the shire and that Council further fund the bitumen seal extension program for rural roads.

Rural people pay a huge amount of rates and roads have continued to deteriorate. Rural residents are looking forward to roads in the rural areas being sealed.

Officer's comments

Council will consider the expenditure of any additional revenue from rates through the next budget process taking effect next financial year.

The current Delivery Plan has allocated \$400,000 per year to a Seal Extension Program over the next 4 years. Although these funds will only allow an extension of the sealed network by 1-2 km per year, it indicates to the community Council is improving the road network.

Our Asset Management planning will indicate it is more effective to maintain and renew the existing sealed network to ensure its long term sustainability rather than to continue to expand the sealed network.

6.2 Banner Poles - Gulgong

NOTICE OF MOTION LISTED BY CR PERCY THOMPSON
TO 16 OCTOBER 2019 ORDINARY MEETING
GOV400067,

MOTION

That Council modify the banner poles on the outskirts of Gulgong so that the banners are more stable and less likely to tear.

Background

The banners being placed on the banner poles on the outskirts of Gulgong continually tear and look unsightly. Members of the community contact me to complain about the poor state of these banners.

Officer's comments

The Gulgong Chamber of Commerce requested Council install the banner poles replicating existing poles, and that Council purchase banners publishing Gulgong to go on the poles. At the time staff were concerned that the ongoing maintenance of the banners would be a problem and left up all the time the banners may become damaged/worn in a reasonably short time frame. Gulgong Chamber of Commerce made a commitment to Council that they would maintain/replace the banners over the medium term. Regardless of the method of attachment or the material they are made from, they will still fall into disrepair over time and need to be replaced. Even metal signs fade and/or are vandalised and need replacing. Council could remove the existing banners and leave the poles empty for use for short term banners only by various community groups, as is the case for the poles around Mudgee. The banners at Gulgong are currently an eyesore with most being ripped and portraying a very poor image for Gulgong.

Item 7: Office of the General Manager

7.1 Request for Sponsorship - Gulgong Holtermann Museum

REPORT BY THE GENERAL MANAGER
TO 16 OCTOBER 2019 ORDINARY MEETING
GOV400067, A0230002/REC800024

RECOMMENDATION

That Council:

1. receive the report by the General Manager on the Request for Sponsorship - Gulgong Holtermann Museum;
 2. accepts the request from Gulgong Holtermann Museum to become a major sponsor of the Holtermann Museum at Gulgong;
 3. waives the \$123,438.30 outstanding balance of loan funding owed to Council from Gulgong Holtermann Museum Inc, by way of a contribution to the Gulgong Holtermann Museum;
 4. delegates authority to the General Manager to action and sign all documentation required to cancel the remaining loan to Gulgong Holtermann Museum, including the release of mortgage deeds over the Holtermann Museum property;
 5. authorises the Mayor to sign any related documentation, if additionally required to do so, to cancel the remaining loan to Gulgong Holtermann Museum, including the release of mortgage deeds over the Holtermann Museum property;
 6. authorises the use of the official Council seal on any documentation, if required, to cancel the remaining loan to Gulgong Holtermann Museum, including the release of mortgage deeds over the Holtermann Museum property;
 7. pay any associated legal costs or duties required to release the mortgage deeds over the Holtermann Museum property and action the legal documentation, as required, to be funded from corporate legal costs already budgeted in the 2019/20 budget;
 8. amend the 2019/20 budget to include payment of the outstanding loan to Council of \$123,438.30 by way of a contribution to Gulgong Holtermann Museum Inc; and
 9. amend the 2017/21 Delivery Program to remove associated future loan repayments and interest income as follows:
 - 9.1 2020/21 – reduce interest income by \$3,392; reduce loan repayments by \$13,881;
 - 9.2 2021/22 – reduce interest income by \$2,967; reduce loan repayments by
-

\$14,297;

9.3 2022/23 – reduce interest income by \$2,528; reduce loan repayments by \$14,726;

Executive summary

Council has received a letter from Gulgong Holtermann Museum (GHM), requesting that Council consider becoming a major sponsor of the Holtermann Museum (attachment 1).

It is also noted that Cr. Thompson submitted a Notice of Motion that was originally included in the September Business Paper that provided support for this proposal.

Sponsorship would involve forgiving the remaining balance of the loan owed to Council by GHM, which would provide the Museum relief from outstanding payments through their operating period. The Gulgong Holtermann Museum is due to officially open in October 2019, and volunteers have invited Councillors to inspect their work.

Disclosure of Interest

Nil.

Detailed report

In 2017, Council lent GHM \$150,000 in order for them to finalise the purchase of the property where the Gulgong Holtermann Museum is located. The first repayment was received from GHM at the end of September 2018, as required, and was an amount of \$17,584.58. The second instalment of \$17,548.58 was paid on 1 October 2019, as due. It is noted that Council holds a mortgage over the property where the Gulgong Holtermann Museum is located, and this mortgage deed will require release. The Mortgage Deed is provided as attachment 2.

Should Council wish to support the request from the Gulgong Holtermann Museum to waive the remaining loan, this will require a cash contribution from General Fund unrestricted cash, and will be treated as a donation/contribution to GHM.

GHM is a registered associated incorporation (not-for profit).

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

Not Applicable.

Council Policies

Not Applicable.

Legislation

LOCAL GOVERNMENT ACT 1993 - SECT 356

Can a council financially assist others?

(1) A council may, in accordance with a resolution of the council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.

Financial implications

A budget allocation will need to be endorsed in the 2019/20 budget to repay the loan. This will be made up of a grant to Gulgong Holtermann Museum Incorporated for the balance of the loan, being \$123,438.30. Instead of being paid directly to GHM, the funds will be transferred against the outstanding balance. This will not impact unrestricted cash balances, but will impact receivables.

All legal costs and any duties or other charges payable to release the deed will be covered by the existing corporate legal costs budget. Should this budget need to be increased through the year, a variation will be recommended in a Quarterly Business Review.

Budget Year	Operating Performance Ratio	Own Source Revenue	Building & Infrastructure Renewal
2019/20	✘	-	-
Future Years	✘	✘	-

Associated Risks

Not Applicable.

BRAD CAM
GENERAL MANAGER

8 October 2019

Attachments:

1. Gulgong Holtermann Museum Inc - letter. (separately attached)
2. Gulgong Holtermann Museum DULY Signed Deed of Mortgage. (separately attached)

APPROVED FOR SUBMISSION:BRAD CAM
GENERAL MANAGER

Item 8: Development

8.1 DA0146/2018 Function Centre and Business Identification Signage

REPORT BY THE TOWN PLANNER
TO 16 OCTOBER 2019 ORDINARY MEETING
GOV400067, DA0146/2018

RECOMMENDATION

That Council:

- receive the report by the Town Planner on DA0146/2018 Function Centre and Business Identification Signage;
- approve DA0146/2018 Function Centre and Business Identification Signage subject to the following conditions:

APPROVED PLANS

1. Development is to be carried out in accordance with the following plans endorsed with Council's Stamp as well as the documentation listed below except as varied by the conditions herein.

<i>Title/Name</i>	<i>Plan No.</i>	<i>Rev</i>	<i>Dated</i>	<i>Prepared by</i>
Site & Landscaping Plan	3538-A01	E	Sept 2019	Giselle Denley Drafting Services
Lodge Floor Plan	3538-A08	C	Sept 2019	Giselle Denley Drafting Services
Training Room/Lodge East & South Elevation	3538-A09	C	Sept 2019	Giselle Denley Drafting Services
Training Room Lodge West & North Elevation	3538-A10	C	Sept 2019	Giselle Denley Drafting Services
Advertising Sign	3538-A12	A	June 2018	Giselle Denley Drafting Services

GENERAL

2. This development consent provides approval for a function centre and business identification signage, only.
3. At least 1 month prior to staging the first event, an Operations Management Plan is to be submitted to and approved by Council. The Operations Management Plan is to be reviewed and modified as appropriate by the proponent, and submitted to Council on an annual basis.

The Operations Management Plan is to address, but not be limited to, the following:

- a) telephone and email contact details for the on-site manager.
 - b) Details of a complaints contact, and format for a complaints register.
 - c) A methodology for recording the number of guests to the site.
 - d) Procedures for weddings or party events, including location and timings of ceremonies, reception, the conclusion of the event, and prompt and orderly direction of guests to their transport.
 - e) Hazard, fire and emergency management.
 - f) Lighting to and within the event.
 - g) Waste management.
 - h) Liquor licencing and alcohol management.
 - i) Specific measures to ensure the safety of guests from the on-site quarry, including appropriate fencing.
 - j) Dust control.
4. This approval does not provide any indemnity to the owner or applicant under the *Disability Discrimination Act 1992* with respect to the provision of access and facilities for people with disabilities.
 5. 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.

NOISE REGULATION

6. The proponent shall ensure that the noise generated from the function centre does not exceed the criteria in the Table at any residence on privately owned land. The allowable noise limits are applicable to the function centre.

Table – Maximum Allowable Noise Limits dB(A)

Location	Day/Evening and Night
	$L_{Aeq}(15 \text{ minute})$
Private residence	35

Noise generated by the Development is to be measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the *Noise Policy for Industry 2017*.

7. An acoustic assessment report is to be prepared by a suitably qualified acoustic engineer, and submitted to Council prior to the release of the Construction Certificate for the Function Centre. The report is required to specify a Maximum Allowable Noise Limit within the function centre, that will ensure the Maximum Allowable Noise Limits can be achieved at the sensitive receptors, as specified in condition 6.
8. An onsite, suitably and regularly calibrated noise monitoring device is required to be used in the function centre, during all functions. The monitoring device is to be used to measure and monitor sound pressure levels within the function centre, to ensure all noise is kept below the Maximum Allowable Noise Limit, established in the acoustic assessment report, required by condition 7.

The data shall be made available to Council upon request, and will be used to demonstrate compliance with the required noise parameters, should complaints be received.

9. The proponent shall undertake verification testing of not less than 1 week's duration, and shall be undertaken by suitably qualified acoustic engineer, to verify compliance with Condition 6. The testing is to be undertaken within 6 months of occupation of the function centre, and where there are a minimum of 2 wedding or party events within the week. Results of the testing shall be submitted to Council.

Where verification testing indicates that the facility is not compliant, additional acoustic treatments are to be implemented within 2 months of the non-compliance being identified, with details being provided to Council.

Further verification testing will be required within 6 months of the implementation of any additional acoustic treatments, to confirm compliance with Condition 6, and the results submitted to Council.

10. The '4m Wide Glass Wall/Door' located at the western end of the 'Lodge', as shown on the approved Lodge Floor Plan 3538-A08, shall be kept closed at all times whilst a function is occurring.
11. The doorway between the 'Lodge' and 'Timber Deck', labelled on the approved Lodge Floor Plan DWG No. 3538-A08 as 'Bifold 2700h x 3200w', shall be fitted with an automatic sliding door. The doors shall automatically close, and are not to be left in the open position, whilst a function is occurring.

Details of the sliding door shall be documented, and form part of the detailed acoustic assessment required by condition 7.

12. The proponent shall provide to all adjoining, adjacent and nearby residents a contact number that can be used by a complainant to contact the manager of the function centre in the event of a noise complaint. A complaints management plan, forming part of Condition 3, is to be established to include the following:
 - a. The manager will record all verbal and telephone complaints in writing including details of the circumstance leading to the complaint and all subsequent actions.
 - b. The manager and owner will investigate the complaint in order to determine whether a criterion exceedance has occurred or whether noise has occurred unnecessarily.
 - c. If excessive or unnecessary noise has been caused, corrective action will be planned and implemented by the project manager.
 - d. Complainants will be informed by the manager that their complaints are being addressed, and (if appropriate) that corrective action is being taken.

The complaints management plan is to be implemented and the record of complaints and subsequent actions is to be made available for inspection by Council upon request.

13. For functions carried out at the 'Lodge', all food must be served and consumed within the building. No outdoor dining is permitted.

This condition has been imposed, in the absence of the noise report addressing the

external preparation, serving and consumption of food.

PRIOR TO ISSUE OF THE CONSTRUCTION CERTIFICATE

14. Prior to release of the Construction Certificate, approval pursuant to Section 68 of the *Local Government Act 1993* for the installation of an On-Site Sewer Management System is to be obtained from Mid-Western Regional Council.
15. In accordance with the provisions of Section 7.12 of the *Environmental Planning and Assessment Act 1979* and the *Mid-Western Regional Contributions Plan 2019* (the Section 94A Plan), a levy based on the value of works shall be paid to Council in accordance with this condition for the purpose of public facilities, prior to issue of a Construction Certificate.

The value of works is to be calculated in accordance with Table 6 and the procedure outlined in Figure 1 of the Contributions Plan. A report regarding value of works and any necessary certification is to be submitted to Council. Council will calculate and advise of the levy amount following submission of the documents.

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 – *Mid-Western Regional Contributions Plan 2019* 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.

16. Prior to the issue of any Construction Certificate that includes above ground works, a landscape plan shall be submitted to and approved by the Certifier (i.e. Council or a private Certifier). This landscape plan shall be prepared by an appropriately qualified and experienced professional. The landscaping plan is to show and/or achieve the following:
 - a) A planting schedule (including a range of plant sizes).
 - b) A maintenance schedule.
 - c) Re-planting regime for any plants that are damaged, dead, or removed for any reason.
 - d) Utilise endemic species, where practicable, which are appropriate for the site.
17. Prior to issue of a Construction Certificate, details of a designated catering/servicing area shall be provided to Council, in a suitable location that limits disturbance to the amenity of the area.

PRIOR TO THE COMMENCEMENT OF WORKS

18. 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.

19. The site shall be provided with a waste enclosure (minimum 1800mm X 1800mm X 1200mm) that has a lid or secure covering for the duration of the construction works
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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

20. 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.
21. 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 1989* 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.
22. The development site is to be managed for the entirety of work in the following manner:
 - a) Erosion and sediment controls are to be implemented to prevent sediment from leaving the site. The controls are to be maintained until the development is complete and the site stabilised with permanent vegetation;
 - b) Appropriate dust control measures;
 - c) Construction equipment and materials shall be contained wholly within the site unless approval to use the road reserve has been obtained;
 - d) Toilet facilities are to be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

BUILDING CONSTRUCTION

23. If unexpected soil contaminants are discovered during works, which has the potential to alter previous conclusions regarding site contamination; work must cease and Council or NSW Environmental Protection Authority must be notified immediately.

The site is to be inspected by a suitably qualified person to identify any contaminated or hazardous material present. A proposal for remediation is to be prepared, which may include preparation of a Remedial Action Plan, and remediation is to be carried out in accordance with the proposal. A Validation Report, prepared in accordance with Environment Protection Authority requirements, is to be obtained from a qualified expert on completion of the remediation work to verify that the site is suitable for the intended use. A copy of the Validation Report is to be provided to Council on completion of the remediation works.

Note – Council may also request that a NSW Environmental Protection Authority accredited site auditor is involved to assist with the assessment of the contaminated land situation and review any new contamination information. The developer must

also adhere to any additional conditions which may be imposed by the accredited site auditor.

24. 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.
25. All plumbing and drainage work must be carried out by a licensed plumber and drainer and must comply with the Plumbing Code of Australia.
26. 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.
27. 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.
28. All stormwater is to discharge a minimum 3m from the building and disposed of in such a way as to not adversely affect the adjoining properties.
29. All building work is to comply with the requirements of the Access to Premises Standard.
30. The list of measures contained in the schedule attached to the Construction Certificate are required to be installed in the building or on the land to ensure the safety of persons in the event of fire in accordance with Clause 168 of the *Environmental Planning and Assessment Regulation 2000*.

ENGINEERING CONDITIONS

31. 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.
 32. All stormwater runoff from roof surfaces is to be directed to rainwater tanks for storage and re-use. All runoff from rainwater tank overflow and other developed surfaces is to be controlled in such a manner so as not to flow or discharge over adjacent properties. Methods of disposal of excess stormwater must also include adequate provision for prevention of erosion and scouring.
 33. Prior to the commencement of construction of the internal driveway a design showing appropriate grades and alignment must be submitted to Council for assessment and approval. The design must provide an alignment with level or flat grades to ensure headlight spill from exiting vehicles does not create nuisance for nearby housing.
 34. Sealed access crossovers and driveways must be constructed from Rocky Waterhole Road to provide access to the proposed development. Consent from Council must be obtained for all works within the road reserve pursuant to Section 138 of the *Roads Act 1993*. Construction must be in accordance with the
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requirements of Council's "Access to Properties". Access to the development (crossovers and internal driveways), should require double lane access, and are to be maintained and upgraded as necessary to provide an all-weather trafficable surface to the satisfaction of Council at all times.

The access crossover must also provide turning lanes for entering and exiting vehicles with localised shoulder widening to provide for a 'slip lane' for south bound traffic in the event of a queued vehicle waiting to enter.

35. A total of 55 car parking spaces are to be provided within the site of the development and comply with AS 2890.1: 2004 and the following requirements:

- Each parking space is to have minimum dimensions of 5.5m x 2.4m;
- Each disabled car parking space is to be in accordance with the provisions of AS 2890.6: 2009.
- Line marking, wheel stop and signage has to be installed as per the relevant Australian Standard

The car parking area must be constructed and sealed with an all-weather surface with provision made for the control of surface runoff. The layout should also provide for a suitably sized bus turning and parking area. Pavements and line marking must be maintained to the satisfaction of Council at all times.

PRIOR TO ISSUE OF THE OCCUPATION CERTIFICATE

36. Prior to the occupation of a new building, or occupation or use of an altered portion of, or an extension to an existing building, an Occupation Certificate is to be obtained from the Principal Certifying Authority appointed for the erection of the building.

37. Prior to occupation or the issue of the Occupation Certificate the owner of the building must cause the Principal Certifying Authority to be given a fire safety certificate in accordance with Clause 153 of the *Environmental Planning and Assessment Regulation 2000* for each measure listed in the schedule. The certificate must only be in the form specified by Clause 174 of the Regulation. A copy of the certificate is to be given to the Commissioner of the New South Wales Fire Brigade and a copy is to be prominently displayed in the building.

ONGOING / OPERATIONAL

38. Leadership and business functions to be carried out in the proposed Lodge must operate in accordance with the following:

- a. Be for a maximum of 50 people,
- b. Not have any amplified music at any time.
- c. The approved hours of operation are:

8am – 10pm Monday – Saturday;
8am – 6pm Sunday.

39. Weddings, party events or the like shall operate in accordance with the following:

- Be for a maximum of 100 people, at any time.
 - No more than 20 events are permitted in each calendar year.
-

- The 20 allowable wedding or party events shall be limited to Fridays and Saturdays, between the hours of 8am-10pm.
- The proponent shall keep a record of frequency of events and attendance numbers for each wedding or party event, and shall be made available to Council upon request.
- A site manager, employed by the site operators, shall be on the site at all times during events.
- Amplified music is permitted during the 20 allowable events only.
- All amplified noise will cease at 9:45pm, and all weddings and party events shall conclude no later than 10pm.
- Any proposed bar, that is to serve liquor, must be located within the function centre building only. No beverages shall be served outside.

Note - Any function with over 50 attendees will be classed as a wedding or party event, and be included in the 20 allowable party events.

40. The functions shall be conducted in the function centre/lodge and curtilage, as shown in the approved site plan. The layout of the function centre/lodge shall be arranged such that the amplification equipment is orientated away from residences on neighbouring properties, and angled downwards to reduce noise spillage.
 41. At the conclusion of any function or event, guests shall be ushered to their transport in a prompt and orderly fashion, to avoid neighbourhood disturbance.
 42. Guests shall utilise the nominated driveway entry/exit point only. The Right of Carriageway traversing the site is only to be used by guests in emergency situations.
 43. All food that is served ancillary to a function, in accordance with Condition 13, is to be either:
 - a) prepared off site by a registered food premises, transported and stored onsite in accordance with the NSW Food Act 2003 and the Food Standards Code, or
 - b) prepared and stored onsite in a temporary food stall or mobile food vending vehicle, in accordance with NSW Food Authorities '*Guidelines for Mobile Food Vending Vehicles and Food Businesses at Temporary Events*'
- There shall be no preparation or storage of food within the proposed building unless separate consent is granted for such activities.
44. All exterior lighting associated with the development shall be designed and installed so that no obtrusive light will be cast onto any adjoining property or roadways, in accordance with Australian Standard 4282 "*Control of the Obtrusive Effects of Outdoor Lighting*".
 45. All waste generated by the development is to be disposed of to an appropriately licenced waste facility. All fees and charges for disposal are to be borne by the developer.
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46. The development is to be maintained in a clean and tidy manner, at all times.
47. Landscaping is to be maintained in perpetuity, in accordance with the approved landscape plan.
48. There being no interference with the amenity of the neighbourhood by reason of the emission of any “offensive noise”, vibration, smell, fumes, smoke, vapour, steam, soot, ash or dust, or otherwise as a result of the proposed development.
49. All loading and unloading in connection with the premises shall be carried out wholly within the site.
50. All vehicles are required to enter and leave the site in a forward direction at all times. Signage to this effect is to be appropriately located within the site.

Signage

51. The sign is to be erected and sited in accordance with the plans submitted with the application, and in accordance with the following requirements:

Pylon Sign Display Area

Maximum length/width	2m
Maximum height	1.1m

Pylon Sign Overall

Maximum Height	2.2m
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52. The approved Business Identification Sign is to only display the name of the business carried out at the premises or the nature of the business carried out at the premises. The signage may include the address of the premises and/or a business logo.
53. The sign must not be illuminated at any time, and shall not include the use of bright or fluorescent colours, or highly reflective materials.
54. The approved signage and related components are to be maintained in a clean, tidy and structurally sound manner, at all times.
55. Any graffiti attacks on the approved signage and related components are to be removed and cleaned as soon as practicable, in order to deter future attacks.

STATEMENT OF REASONS

The determination decision was reached for the following reasons:

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

3. The issues raised in submissions received in response to public notification of the development have been sufficiently addressed as follows:

- **Conditions 6-13, 38-41, 44, 46-48, have been imposed in relation to noise management, hours of operation and impacts to the amenity of the area;**
- **Conditions 33-35, 42, 49, 50 have been imposed in relation to traffic and access;**
- **Conditions 3, 12, 38-50 have been imposed to regulate the operational management of the site.**

ADVISORY NOTE

- **The development is to operate so as to not emit offensive noise, as defined in the *Protection of the Environment Operations Act 1997*.**

FURTHER APPROVALS REQUIRED

- **Section 138 Driveway Crossover for work in Road Reserve**

Executive summary

OWNER/S	Pearl Daly & Adam Swords
APPLICANT:	Pearl Daly
PROPERTY DESCRIPTION	196 Rocky Waterhole Road, Mount Frome (Lot 1 DP 1187857)
PROPOSED DEVELOPMENT	Function Centre and Business Identification Signage
ESTIMATED COST OF DEVELOPMENT:	\$1,194,475.00
REASON FOR REPORTING TO COUNCIL:	Number of Submissions > 6
PUBLIC SUBMISSIONS:	27

Council is in receipt of a Development Application that seeks approval for a function centre and business identification signage, located at 196 Rocky Waterhole Road, Mount Frome.

It should be noted that 6 x serviced apartments were originally proposed, which have since been withdrawn from this application. The applicant intends to lodge a development application for an accommodation component at some point in the future.

The development was notified, in accordance with Mid-Western Regional Development Control Plan 2013, for a period of 14 days on 3 separate occasions. In the first instance, insufficient information was provided by the applicant, and therefore was renotified upon receipt of the requested further information. In response to the submissions received in the second notification period, the application was notified for a third time addressing some of the concerns raised.

The following number of submissions were received:

- First notification – 5 submissions;
- Second notification – 21 submissions; and
- Third notification – 21 submissions.

A total of 27 parties lodged submissions over the 3 notification periods.

After the serviced apartment component was withdrawn from the application, it was not considered necessary to renotify, as the impacts associated with the development have only been reduced.

The proposed development has been assessed in accordance with Council's DCP and the LEP. The proposed development is considered generally consistent with Council's planning controls.

The application has been referred to council for consideration as it exceeds staff's *Delegation of Authority*, in that seven (7) or more objections have been made against the development.

The application is recommended for Approval.

Disclosure of Interest

Nil.

Detailed report

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

Site Description:

The subject land is a long irregular shaped parcel that lies generally in a north-south direction in a rural locality. The parcel consists of a total of 20 hectares, and is situated on the western side of Rocky Waterhole Road, near Mount Frome.

The existing site is generally flat with a slight slope from the road frontage down towards the western side of the allotment.

There is a large irrigation dam as well as two inactive limestone quarries present onsite. Council has no record of any approval for the quarry, and may have operated prior to the need for consent. Any intention to utilise the quarry would require a new development consent.

Development Details

Approval is sought for the following:

Function Centre

- Construction of a 457m² function centre, inclusive of:
 - 220m² main room – function hall;
 - 66m² deck;
 - 88m² training room;
 - 52m² male/female/disabled toilets, laundry/washroom, store room;
 - 22m² hallway.
- Use of the function centre for corporate training, leadership courses, retreats, conferences, general functions, wedding and party events;
- Hours of operation:
 - Monday to Saturday 8am – 10pm;
 - Sunday 8am – 6pm;

- Maximum 20 x weddings, party events or the like per year;
- Maximum 100 guests at any one time;
- Other non-party events are limited to 50 people;
- Live music to be contained within the function centre and limited to 20 times per year, only on Fridays and Saturdays;
- No live music Sunday to Wednesday, or on non-party/wedding event days;
- On Premise Liquor Licensed venue;
- The function centre does not contain a kitchen, and therefore any catering shall be done from a mobile food vending vehicle or temporary food stall, external of the building, duly authorised under Section 68 of the *Local Government Act 1993* and registered with the NSW Food Authority.

Tourist Signage

- Post supported 1.1m x 2m tourist identification sign (total 2.2m high).
- No illumination.

REQUIREMENTS OF REGULATIONS AND POLICIES

Mid-Western Regional Local Environmental Plan 2012

The land is zoned RU4 Primary Production Small Lots pursuant to Mid-Western Regional Local Environmental Plan 2012 (MWRLEP 2012). The following clauses of MWRLEP 2012 have been assessed as being relevant and matters for consideration in assessment of the Development Application.

Clause 1.2 Aims of Plan

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

Clause 1.4 Definitions

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

function centre means a building or place used for the holding of events, functions, conferences and the like, and includes convention centres, exhibition centres and reception centres, but does not include an entertainment facility.

business identification sign means a sign:

- (a) that indicates:
 - (i) the name of the person or business, and
 - (ii) the nature of the business carried on by the person at the premises or place at which the sign is displayed, and
- (b) that may include the address of the premises or place and a logo or other symbol that identifies the business,

but that does not contain any advertising relating to a person who does not carry on business at the premises or place.

Clause 2.2 Zoning of Land to Which Plan Applies

The land is zoned RU4 Primary Production Small Lots and is therefore subject to the Plan.

Clause 2.3 Zone objectives and Land Use table

The land is zoned RU4 Primary Production Small Lots pursuant to MWRLEP 2012. The proposal, being a function centre and business identification signage is permissible with consent in the zone.

Pursuant to this clause, Council when determining a development application must have regard to the objectives of the zone, which has been given below. From the comments below, it is considered that the proposed application is generally consistent with the objectives, and is not antipathetic to them.

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

Comment The proposal does not significantly impact upon the ability of the land to be used for the purposes of primary production or other compatible land uses. The proposed development is a permissible form of development in the RU4 zone.

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

Comment The proposal will not hinder employment opportunities in relation to the primary industry enterprises operating within the area. The proposed development is a permissible form of development in the RU4 zone.

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

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

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

Comment The proposal will not hinder the use of the site for the purposes of intensive plant agriculture. The function centre and infrastructure are located primarily in and around the quarry, with the northern section of the block, which could be used for intensive plant agriculture, left untouched. The proposed development is a permissible form of development in the RU4 zone.

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

Comment The proposal will not hinder employment opportunities in relation to the primary industry enterprises operating within the area.

6. To promote the unique rural character of the Mid-Western Region and facilitate a variety of tourist land uses.

Comment The proposed development is for a tourist land use, being a function centre, located to take advantage of the unique rural character of the Mid-Western Region.

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, until the correct approval and notification processes are carried out.

Clause 6.1 Salinity

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

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. 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 extent of excavation, 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.

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.

State Environmental Planning Policy**State Environmental Planning Policy No 44 – Koala Habitat Protection**

SEPP 44 applies to the proposal as Mid-Western Regional 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 development does not propose to remove any trees. Accordingly, no further consideration is necessary.

State Environmental Planning Policy no 55 – Remediation of Land

The site contains two gravel quarry pits and a vineyard. The quarry pits were historically used for the extraction of limestone gravel material, and have not been in operation for a number of years. The limestone gravel material is not known to be contaminated. The proposed function centre is not located within the quarried area, or within the vineyard.

In accordance with clause 7(1), consideration was given as to whether the land is contaminated. After carrying out an initial investigation and a site inspection, together with the known history of the site, there were no indications that contamination was present on the site.

No concerns in relation to contamination have been raised, and therefore a preliminary investigation of the site, in accordance with the contaminated land planning guidelines, was not required.

Accordingly, no further consideration is necessary. Notwithstanding this, an appropriate condition has been imposed, outlining the processes/reports required, should contaminated material be found during construction/excavation works.

State Environmental Planning Policy no 64 (Advertising & Signage)

(i) Clause 3: Aims and Objectives

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

- Is compatible with the desired amenity and character of the area;
- Provides effective communication in suitable locations – that is, providing business identification signage within the front boundary of the site, addressing Rocky Waterhole Road; and
- Will be of a high quality design and finish.

(ii) Clause 8: Granting Consent to Signage

Complies – the proposed signage:

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

(iii) Part 3 – Advertisements

Clause 10: Prohibited Advertisements

- The land is not designated in any of the prohibited zones or described lands.

Clause 12: Consent authority

- Council is the consent authority for proposed signs, as (c), (d) and (e) do not apply.

Clause 17 Advertisements with display area greater than 20 square metres or higher than 8 metres above ground

- No advertising signage.

(iv) Schedule 1 – Assessment Criteria

- *Character of the area* – Complies - the sign will reflect the character of the area, within an area typified by small scale agriculture and horticulture. The signage is limited to the proposed pylon sign at the front of the site setback 10m from the front boundary. It is considered that the scale of the signage has a negligible impact on the character of the area, and is compliant with the relevant DCP controls.
- *Special areas* – Complies - the proposed signs will not detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas. Furthermore, it is considered that the colour, lettering style and placement of the proposed sign will not have an adverse impact on the character of the area.

- *Views and vistas* – Complies - the proposed sign will not obscure important views, will not dominate the skyline, will not impact on any vistas and will not obscure the views of other signs in the vicinity.
- *Streetscape, setting or landscape* – Complies - the proposed signage will have minimal impact on the streetscape and setting as the business identification sign is setback 10m from the road, and is consistent with other similar premises around the Mudgee area i.e. Moothi Estate. The pylon sign is of an appropriate scale and location in the context.
- *Site and building* – Complies - the proposed sign is compatible with the site and building.
- *Associated devices and logos with advertisements and advertising structures* – N/A
- *Illumination* – Complies – illumination is prohibited in the area. A condition has been imposed to regulate.
- *Safety* – Complies – the proposed sign: will not reduce the safety of the public road; is located wholly on private land; will not reduce the safety of pedestrians or bicyclists; and will not obscure sightlines from public areas that will have an impact on the safety of pedestrians.

Mid-Western Regional Development Control Plan 2013

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

Part 4.4 Signs

Sign	Requirement	Compliance / Comment
Tourist Signage	<p>(a) Post supported structures max. height of 3m above ground level or an advertising area of more than 3m² with typical dimensions being 1.2m x 2.5m.</p> <p>(b) Identification signs must relate to a lawful or approved use of the land and be located on private land, not in the road reserve.</p> <p>(c) The size, colour and shape of the signs will generally be left to the discretion of the business but should not include the use of bright or fluorescent colours or highly reflective or illuminated materials.</p> <p>(d) Each property shall be allowed two identification signs (which may be double sided). In circumstances when the property has two road frontages Council will consider a third sign on the secondary frontage where that frontage has a minimum of 250m.</p>	<p>Complies. 2.2m height and 2.1m² advertising area.</p> <p>Complies and Conditioned. Signage relates to function centre.</p> <p>Complies and Conditioned.</p> <p>Complies. 1 x sign proposed.</p>

	(e) In circumstances where there are two or more businesses operating from a site, Council will consider increasing the maximum sign face area from 3m ² to 4m ² .	Not Applicable.
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Part 5.1 Car Parking

The development is for a function centre, which is assessed under the tourist and visitor accommodation car parking rate that provides for restaurants.

Land Use & Rate	Requirements	Complies / Comment
<p>Tourist and Visitor Accommodation</p> <p>1 space per 7 m² gfa or 1 space per 3 seats whichever is the greater (Restaurant).</p>	<p>Function Centre 391m² = 55 spaces total</p>	<p>36 spaces shown on proposed site plan.</p> <p>55 Spaces Conditioned.</p>

Part 6.1 Dwellings in Rural Areas

Setbacks

No specific setbacks for function centres, and as such those for dwellings in rural areas have been used, as a guide to determine appropriate separation distances/setbacks. The minimum front setback as prescribed within the table is 60m. The proposed function centre is setback 70m. Accordingly, the proposal complies.

The minimum side/rear setback as prescribed within the table is 20m. The closest proposed building is setback over 200m to the side/rear boundary. Accordingly, the proposal complies.

Mid-Western Regional Contributions Plan 2019

Pursuant to Council’s Contributions Plan 2019, the site is located within the ‘Outside Mudgee’ catchment, and with a proposed cost of development exceeding \$200,000 a levy of 1.0% is payable to Council. An appropriate condition has been imposed requiring payment of the contribution.

IMPACT OF DEVELOPMENT

Context and Setting

The site is located within the RU4 zone, in an area characterised by small scale farming, specifically grazing, cropping and viticulture. The majority of surrounding properties contain existing residential dwellings, at a distance of over 300m from the proposed function centre. Subject to compliance with the conditions of consent, this development can fit within this context and setting without significant impact.

Access, transport and traffic

Council’s Manager Development Engineer has provided the following comments in relation to traffic:

The site can easily obtain access from the bitumen sealed roadway on Rocky Waterhole Road.

The proposed access is required to provide for a two lane all-weather driveway for both entry and exit use. This is should be applied to both existing and proposed driveways.

Construction of driveway crossover/s in the road reserve will need to be in accordance with Council requirements and subject to a further s138 approval.

It is apparent that sufficient space is available to provide for the appropriate number of car parking spaces.

Car parking areas should be constructed and sealed with provision also made for the control of surface runoff.

Provision should also be made for bus parking and turning areas.

Public domain

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

Utilities

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

Heritage

Not applicable. No items of aboriginal significance or a heritage item are recorded on the site or in the vicinity.

Other land resources

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

Water

There is no mains water supply for the land and it is understood that roof runoff will be captured and stored in rainwater tanks for re-use.

Overflow from the tanks and all other developed surfaces must be controlled and dispersed on site. Outlets must include appropriate controls to prevent erosion and scouring.

No runoff from developed surfaces should be directed or allowed to discharge over adjoining properties.

Soils

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

Air and Microclimate

The development is not expected to impact air quality or microclimatic conditions. Conditions of consent have been imposed to ensure, among other things, that dust generation is adequately managed both during construction and operational phases.

Flora & fauna

No significant impact.

Waste

Waste is to be disposed of at a properly licensed waste facility. The site is to be kept in a clean and tidy manner at all times. In relation to on-site disposal of sewage waste, a Section 68 approval is required prior to the issue of a Construction Certificate.

Energy

No significant impact. There is an electricity supply available to service the proposed function centre.

Noise & vibration

As per the acoustic report prepared by *Spectrum Acoustics*, dated June 2019 (Attached):

An acoustic assessment has been completed for the operation of a proposed conference lodge and cabin development at 196 Rocky Waterhole Road, Mount Frome, NSW.

The assessment considered potential impacts from entertainment, patron and road traffic noise.

The assessment has shown that there will be no adverse acoustic impacts from the proposed operation of the conference lodge, and therefore, no acoustic reason why the development should not proceed.

The assessment report considered the procedures and criteria detailed in the Noise Policy for Industry (NPI), as well as the criteria of the Independent Liquor and Gaming Authority, given the venue will be licensed. For further details, refer to the attached Acoustic Report.

The majority of the submissions received, raised noise as a pivotal issue, with some objectors arguing the noise report as submitted was inadequate and lacking in detail. Notwithstanding this, the report clearly finds that there will be no adverse impacts on surrounding landowners, and in the absence of any other evidence, the technical report, as submitted has been given the greatest weight.

However, given the concerns of the objectors, and to ensure the findings of the Acoustic Report are accurate, and reflect live situations, following the construction of the building, the conditions require validation of the acoustic report. A condition has been imposed that requires the applicant to undertake testing, to demonstrate compliance with the noise criteria imposed. Testing shall be not less than 1 week in duration, and shall occur within 6 months of occupation of the function centre/lodge, and where there are a minimum of 2 wedding or party events within the week.

To address issues of ongoing compliance, raised by objectors, the applicant will be required to have an on-site, calibrated noise monitoring device, during all functions. The monitoring device is to be used to measure and monitor sound pressure levels within the Lodge, to ensure all noise is kept below the specified levels, established by further acoustic noise assessment reports (conditioned). The data shall be made available to Council upon request, and will be used to demonstrate compliance with the required noise parameters, should complaints be received.

The acoustic report has not detailed/addressed specific aspects of the businesses operations, and in these instances the consent has been conditioned accordingly. For example, no outdoor dining will be permitted, as the report only quantifies noise from 12 people being outside, and has not calculated/addressed noise from all 100 guests dining outdoors. Conditions have also been imposed, requiring the door on the western end of the Lodge to be closed at all times (during a function). To further limit noise escape, a condition has been imposed, with the consent of the applicant, requiring the bi-fold doors off the Lodge to be replaced with automatic sliding doors.

Natural Hazards

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

Technological hazards

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

Safety, security and crime prevention

During the exhibition period, concerns were raised in relation to safety issues from the quarry on the site. The development has been conditioned that a plan of management be provided, to the satisfaction of Council, with specific measures to ensure the safety of guests from the on-site quarry including fencing.

Social impact in the locality

Generally positive.

Economic impact in the locality

Generally positive, creating employment in the Mudgee Region.

Site design and internal design

Adequate as discussed throughout this report.

Construction

To comply with the Building Code of Australia.

Cumulative Impacts

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

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

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

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.

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

The development was notified, in accordance with Mid-Western Regional Development Control Plan 2013, for a period of 14 days on 3 separate occasions. In the first instance, insufficient information was provided by the applicant, and therefore was renotified upon receipt of the requested further information. In response to the submissions received in the second notification period, the application was notified for a third time addressing some of the concerns raised.

The following number of submissions were received:

- First notification – 5 submissions;
- Second notification – 21 submissions; and
- Third notification – 21 submissions.

A total of 27 parties lodged a submission.

The submissions have been noted, and discussed below. Please note, that the submissions relating to the accommodation component of the original application have been omitted from this discussion.

Noise

Potential noise impacts have been one of, if not the most, contentious issue associated with the proposed development. The complainants argue that because no noise testing was undertaken, the theoretical report could not possibly reflect the background noise level in the area.

Submissions state that given the area is so quiet, noise will travel no matter what noise treatments are put in place to alleviate this. The primary concerns are amplified music and crowd chatter, particularly on the deck, which becomes louder as people become intoxicated.

Comment:

The noise assessment prepared by *Spectrum Acoustics Noise and Vibration Consultants*, adopts the noise level of **35dB(A)** for the development. This will form part of a condition of consent – condition 6.

In accordance with the *Noise Policy for Industry*, the 35dB(A) noise level is the most restrictive limitation Council can impose, even if a background level, through testing, is found to be less. As the application has committed to operating within this allowable noise level, no noise testing was required at Development Application stage.

It should be noted that the applicant would be able to increase their allowable noise output if they can prove, through adequate noise testing, that the background level is higher than the assumed minimum of 35dB(A).

It is recommended that a condition be imposed, that requires a further acoustic assessment to demonstrate the maximum noise level within the function centre that will correlate with a compliant noise level at the boundary of the site. Suitably calibrated noise monitoring equipment is to be used during wedding or party events to record sound pressure levels within the function centre, to ensure compliance with the maximum allowable noise level at sensitive receptors.

A condition has also been imposed that once operational, verification testing of not less than 1 week duration is to be undertaken to demonstrate compliance with the adopted noise goal. For completeness, the testing is to occur where there are a minimum of 2 weddings or party events within the week.

In the event testing reveals any non-compliances, additional acoustic measures are to be implemented within 2 months and further testing done to verify compliance.

All results are to be submitted to Council for confirmation.

Hours of Operation

Concerns were raised in each round of submissions in relation to the hours of operation being too long, and inappropriate in a quiet rural setting. This concern was directly related to noise impacts.

The submissions suggested that:

1. 3rd party hire of the function centre will relinquish control of the premises. This will result in rules not being adhered to, and guests will not leave the site at the very conclusion of the event, which will prolong the disturbance;
2. Operation of the site for leadership/training functions will result in offensive noise being emitted every night.

Comment:

In response to the 2nd submission period, the applicant reduced the proposed hours of operation to the following:

- a. 8am – 10pm Monday – Saturday;
- b. 8am – 6pm Sunday.

The development has been strictly conditioned to alleviate the above concerns.

1. A site manager is to be on-site at all times during wedding or party events to ensure the function centre is run in accordance with the consent. The development has been conditioned that amplified music is to finish by 9:45pm and the event concluded by 10pm. Guests are to be ushered to their transport in an orderly fashion, to avoid disturbance.

An Operational Management Plan is to be provided to, and approved by Council at least 1 month before the first wedding function/party event, demonstrating among other things, how events will be managed and concluded.

Additionally, noise complaints may be made to the police, and noise abatement orders sought through the Local Court.

2. The development has been conditioned that amplified music is only to occur on Fridays and Saturdays, and only during the allowable 20 wedding or party events within the calendar year. The operation of the site for the leadership functions will remain bound by the noise conditions imposed, all year round.

Increased Traffic, Safety Concerns, and Condition of Rocky Waterhole Road

Council's Development Engineer has provided commentary in relation to the road, traffic and safety concerns:

State of Rocky Waterhole Road – narrow and soft broken edges not appropriate for additional traffic:

The construction and condition of the road is a matter for Council to manage and undertake appropriate maintenance. The proposed development is not considered to result in a significant increase in traffic volumes sufficient to warrant this development providing for upgrade and maintenance works.

80 km/hr speed limit too fast and not abided by:

The existing speed limits are appropriate for both the locality and road standard (sealed local road). Enforcement of speed limits is a Police matter. As noted above the proposed development is not considered to result in a significant increase in traffic volumes sufficient to warrant a reduction in the speed limit which requires review and approval by RMS.

Safety concerns relating to:

The single lane bridge:

Again as noted above road infrastructure, including the single lane bridge, is a matter for Council to manage and undertake appropriate maintenance. The proposed development is not considered to result in a significant increase in traffic volumes sufficient to warrant this development providing for a bridge upgrade.

Runners/cyclers/walkers:

There is no existing grade separated facility to provide for these road users. The proportionally limited increase in traffic generated by this development does not provide sufficient justification to require the developer to provide for external pedestrian and cyclist facilities. Concerned residents may lodge a request for upgrade and improvement to Council through appropriate processes to include these works on a future Capital Works program.

Reckless drivers:

Reckless drivers are a matter for Police enforcement and control and cannot be attributed solely as a requirement for this developer to manage.

Site distances at proposed entry:

Site distances have been assessed and are considered to meet the relevant Austroads design standards.

Requirement to widen road, and widen at access point:

An upgrade of the access crossover will be required to provide for two lane (entry / exit) traffic. The upgrade will also require provision of turning lanes for exit and entry. Assessment of plans may also require the provision of localized widening to provide for a 'slip lane' for south bound traffic in the event of a queued vehicle waiting to enter.

Rocky Waterhole Road/Castlereagh intersection requires upgrade:

An upgrade to the Castlereagh Highway / Rocky Waterhole Road is not considered necessary, owing to the negligible increase in vehicular traffic. Furthermore, owing to the small number of traffic movements, the RMS were not required to be consulted as part of the application.

Car headlights being directed into properties primarily when exiting the site onto Rocky Waterhole:

It is noted that there are no houses within approximately 200 metres of the entry, with the nearest being screened by an avenue of trees. However, headlight spill is a matter that can be remedied by appropriate internal driveway design such that vehicles exiting the site will approach the road at a level or near level grade. Appropriate condition imposed.

Light Impacts

Submissions raised concerns that light will have detrimental impacts on adjoining residences. These include lighting generated from the function centre and light from cars and buses directed into residences as they enter and exit the site.

Comment:

The development has been conditioned to the effect that exterior lighting associated with the development shall be designed and installed so that no obtrusive light will be cast onto any

adjoining property or roadways, in accordance with Australian Standard 4282 "Control of the Obtrusive Effects of Outdoor Lighting".

The development has been conditioned that the design of the driveway access must provide an alignment with level or flat grades to ensure headlight spill from exiting vehicles does not create nuisance for nearby housing. This will help alleviate the light impacts on residences on the east side of Rocky Waterhole Road, specifically the dwelling directly opposite, which is 450m uphill.

Wedding and party events are limited to 20 times per year, with a maximum of 100 people. The fact that the majority of patrons will utilise bus transport or carpooling to get to and from the site will reduce the number of vehicles entering and exiting. For the most part, it is likely vehicles will enter and exit the site once. The restriction of hours to 10pm will ensure lights are not constant throughout the night.

Economic Impacts

Several of the objections submitted that property prices would be significantly devalued, should the development be approved.

Comment:

Under s 4.15 of the EP&A Act the consent authority, in determining a development application, is to take into consideration the likely impacts of the development, including (relevantly) social and economic impacts in the locality.

The loss of value to a single neighbouring landowner is not a proper matter for consideration, on the basis that some broader economic impact are required in the "locality" as specified in the EP&A Act.

Throughout the assessment and notification process, there has been no information provided that would give any weight to these claims that would, in itself, warrant refusal of the application.

Views

Submissions have stated that the development will impact on the views of adjoining property.

Comment

The right to a view was dealt with by the High Court in *Victoria Park Racing & Recreation Grounds Co Ltd v Taylor* [1937] HCA 45, which remains good law today. The High Court held that a property owner does not own the views from their land. This has been affirmed in a number of subsequent decisions.

Notwithstanding the above, the topography of the site and surroundings, compliance with Council setback standards, and distance to adjoining residences ensures that the proposed development will not significantly obstruct, or obscure any views. Additionally, landscaping is proposed, as shown on the site and landscaping plan submitted with the application that will further restrict views from Rocky Waterhole Road and adjoining property.

Privacy

Issues were raised in relation to the impacts the development will have on adjoining resident's privacy, in relation to overlooking adjoining residences.

Comment:

The function centre meets the minimum setback of 20m required by Council's DCP. The nearest residence is over 300m away, uphill from the function centre. Dwellings downhill from the site are over 400m away, and with no direct line of sight.

Signage

The application initially proposed illuminated signage within the front boundary. Submissions raised put forward that illumination is inappropriate in the setting, and that the signage development standards in Council's DCP, and *SEPP 64 Advertising and Signage* had not been adequately addressed.

Comment:

Illumination is prohibited in rural areas, and the applicant subsequently amended the plans. The type and size of the proposed signage complies with DCP standards, and SEPP 64 has been addressed in this report. The signage is therefore considered appropriate in the setting.

Clarification of Use

Submissions suggested the intended use of the function centre was vague and more clarity should be provided. Concerns were raised that the corporate training component was a 'smoke screen' to mask the primary use as a function centre/party venue.

Comment:

In response to submissions, an addendum was provided clarifying the intended use as a corporate/leadership training facility, and a function centre.

Remediation of Land

One submission suggested that the application neglected to address *SEPP 55 – Remediation of Land* on a property with an old quarry, and vineyard.

Comment:

Clause 7(4)(c) sets out the type of land that contamination and remediation needs to be considered in determining a development application, that being residential, educational, recreational or child care purposes. A function centre is a notable omission from the 'land concerned' and therefore are not required to address SEPP 55. Notwithstanding the above, there is no expectation of guests being subject to long term exposure, or exposure arising from working the land.

Furthermore, in this instance, the proposed buildings are not located within any vineyard, or land known to be used for agriculture, and the existing quarry was utilised for the extraction of gravel for road base, and was not known to contain contaminated material.

Tree Removal

Submissions raised concerns in relation to tree removal. One suggested that the *Biodiversity Conservation Act 2016*, and *SEPP 44 – Koala Habitat Protection* needed to be addressed.

Comment:

The development does not propose to remove any trees. However, in the event any are needed to be removed, clearing up to 0.5ha on Lots of 1ha to less than 40ha, does not require any approval as set out in the *Biodiversity Conservation Regulation 2017* thresholds. No trees on-site form part of a koala corridor. Accordingly, no consideration of tree removal is required.

Inconsistent With Objectives of the Zone

Concerns were raised that the proposed development does not meet the objectives of the zone, and will prohibit the land from being used for its intended purpose or intensive plant agriculture.

Comment:

In *BGP Properties Pty Limited v Lake Macquarie City Council*, the Court stated that in most cases it can be expected that approval is granted for an application to use a site for a purpose for which it is zoned, provided the design of the project results in acceptable environmental impacts.

The function centre is permitted in the zone, and is located within the area historically used for quarrying gravel material. This area is extremely rocky, and not ideal for intensive plant agriculture. The area of the site between the proposed buildings and the existing residential dwelling is currently utilised for grazing purposes. This will be left vacant, and will not prohibit future use of that area for intensive plant agriculture.

As discussed throughout this report, the proposal, and the limitations placed on it through conditions of consent are considered acceptable.

Safety

Concerns were raised in relation to safety issues from the quarry on the site.

Comment:

The development has been conditioned that a plan of management be provided to Council, satisfactorily demonstrating specific safety measures that will protect guests from the on-site quarry.

Plan of Management

One submission identified that a plan of management had not been submitted with the application.

Comment:

A Plan of Management is not required to be submitted with applications for development consent. Nevertheless, a condition has been imposed that an Operations Management Plan is to be submitted to and approved by Council at least 1 month prior to staging the first party event. This will allow the developer to provide specific details of how the site will operate, that may be updated and improved throughout the life of the development.

The Operations Management Plan is to address, but not be limited to, the following:

- a) Telephone and email contact details for the on-site manager.
- b) Details of a complaints contact and format for a complaints register.
- c) A methodology for recording the number of guests to the site.

- d) Procedures for weddings or party events, including location and timings of ceremonies, reception, the conclusion of the event, and direction of guests to their transport.
- e) Hazard, fire and emergency management.
- f) Lighting to and within the event.
- g) Waste management.
- h) Liquor licencing and alcohol management.
- i) Specific measures to ensure the safety of guests from the on-site quarry.
- j) Dust control.

Agricultural Buffers

Submissions raised concerns relating to agricultural buffer zones not being complied with and that patrons would be subject to health risks resulting from spray drift. One submission presented several policies and guidelines to support this claim.

Comment:

None of the policies or guidelines provided are applicable in this instance. These include:

- *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* – this proposal is a development application, not exempt or complying development. Accordingly, no consideration of this policy is required.
- NSW Department of Primary Industries PRIMEFACT GUIDELINES – refers to the Exempt and Complying Development codes above, which are not applicable.
- Schedule 3 cl 21(4) of the *Environmental Planning and Assessment Regulation 2000* – applies to ‘Designated Development’ intensive livestock agriculture – poultry. This application is not Designated Development, nor related to poultry.
- Western Australia Department of Health – Guidelines for Separation of Agriculture & Residential Land Users – these guidelines have no authority in NSW.

The EPA regulates mismanagement of spray drift under the *Pesticides Act 1999* and works with communities to reduce spray drift by providing guidance and advice. It is the obligation of the sprayer to ensure best practice guidelines are followed to avoid spray drift. The EPA’s guidelines for reducing conflicts by avoiding spray drift requires the grower to know what to do; check conditions before spraying; consider and notify neighbours and suitably adjust spray equipment.

On-site Sewage Management and General Waste

Concerns were raised that the septic report was flawed, and the development would likely lead to sewage entering the ground water, and seeping onto adjoining property. Issues regarding waste disposal were also raised.

Comment:

A Section 68 Application has now been submitted with Council. The Section 68 is to be approved prior to issue of the Construction Certificate. The approval will ensure the safe disposal of septic, wholly within the site.

A condition has been imposed that any waste generated by the development is to be disposed of lawfully, at a licensed facility.

Incompatible in the Area

Submissions have stated that the proposed function centre is incompatible with the agricultural and residential character of the area.

Comment:

As discussed in relation to the above submissions and throughout this report, the development is permitted with consent and has generally complied with the relevant development controls, with appropriate conditions of consent being imposed to reduce impacts on the amenity of the area.

It is not unreasonable for development, which is permitted with consent in Council's LEP to be approved, where it can coexist with the existing surroundings without significant impact, with conditions of consent in place to regulate compliance.

Submissions from public authorities

No submissions were sought or received from public authorities.

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

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

*CONSULTATIONS***Health & Building**

Council's Health & Building Officer has not raised any concerns with the proposal subject to standard conditions.

Development Engineer

Council's Development Engineer has not raised any concerns with the proposal subject to standard conditions.

Heritage Advisor

No consultation necessary.

Community Plan implications

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

Strategic implications

Council Strategies

Mid-Western Regional Local Environmental Plan 2012
Mid-Western Regional Development Control Plan 2013
Mid-Western Regional Contributions Plan 2019

Council Policies

Not Applicable.

Legislation

Environmental Planning & Assessment Act 1979
Environmental Planning & Assessment Regulation 2000

Financial implications

The application will be required to pay develop contributions in accordance with the Mid-Western Regional Contributions Plan 2019.

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.

CAMERON AMOS
TOWN PLANNER

LINDSAY DUNSTAN
MANAGER, STATUTORY PLANNING

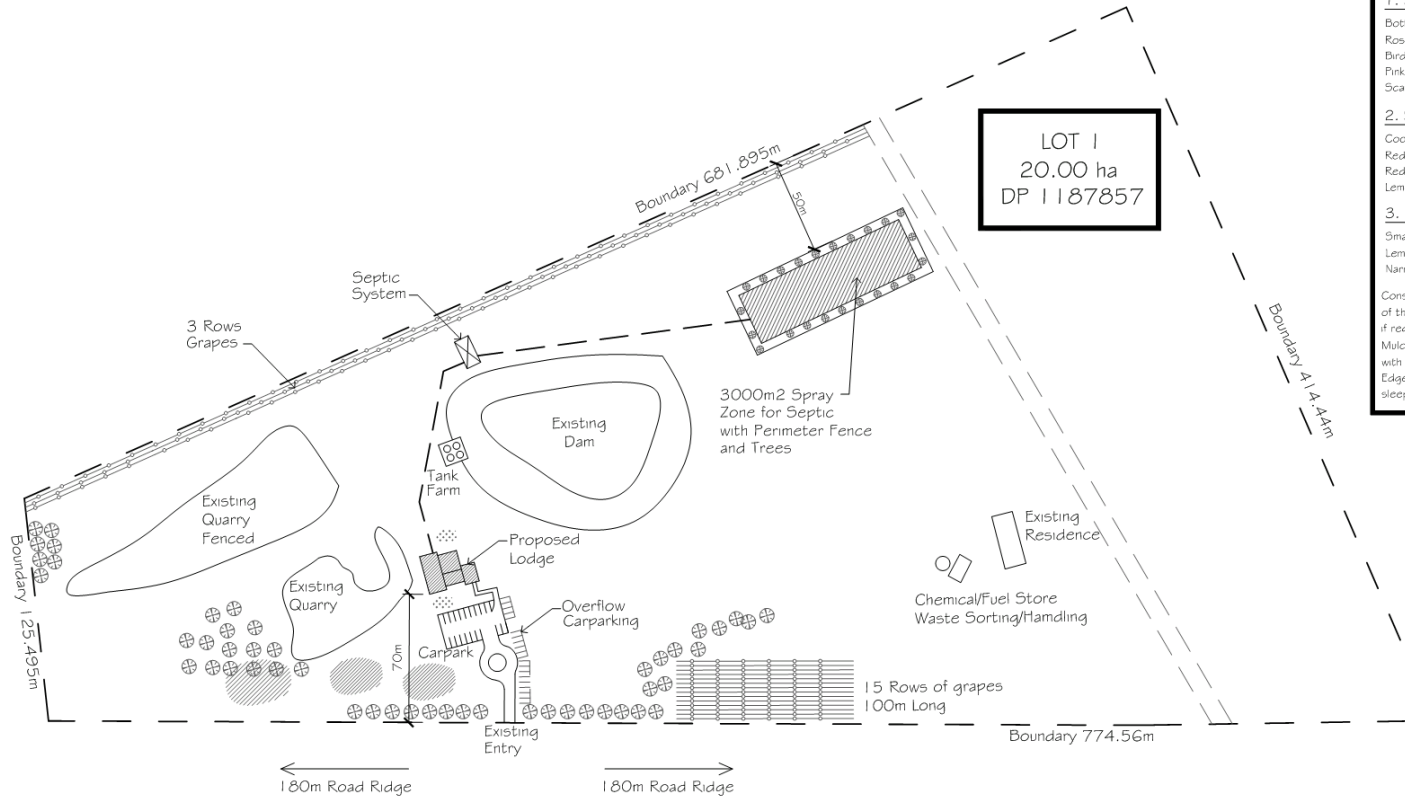
JULIE ROBERTSON
DIRECTOR DEVELOPMENT

26 August 2019

- Attachments:*
1. Plans of Proposed Function Centre.
 2. Statement of Environmental Effects. (separately attached)
 3. Acoustic Assessment. (separately attached)
 4. DA0146/2018 - Submissions. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



SITE & LANDSCAPING PLAN
SCALE 1:2500



- ==== New Gravel Road
- Services (Power / Water / Sewage)
- //// Irrigated Areas (Underground Drip System from Septic)

GENERAL LANDSCAPING INFORMATION

1. Small Shrubs to 3m High

Bottlebrush	Callistemon Paludosus
Rosemary Grevillea	Grevillea Rosmarinifolia
Bird Beak Nettlewood	Hakea Orthocniza
Pink Tea Tree	Leptospermum Squarrosum
Scarlet Honey Myrtle	Melaleuca Fulgens

2. Small Trees 3-7m High

Gootamundra Wattle	Acacia Bailejana
Red Honeysuckle	Banksia Serrata
Red Bottlebrush	Callistemon Citrinus
Lemon Scented Tea Tree	Leptospermum Petersonii

3. Medium Trees 8-15m High

Small Leaved Peppermint	Eucalyptus Nicholii
Lemon Scented Gum	Euc Citriodora
Narrow Leaved Paperbark	

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 in situ formed concrete rolled edge, sleepers, masonry block edging or similar as selected.

E	SEPT 2019	G.D.	ACCOMODATION UNITS REMOVED
D	JULY 2019	G.D.	UNIT 3 & 6 MOVED
C	JULY 2019	G.D.	UNIT 5 AND CARPARKING REVISED
B	JUNE 2019	G.D.	SETBACKS AND CARPARKING REVISED
A	JUNE 2018	G.D.	ISSUED FOR APPROVAL

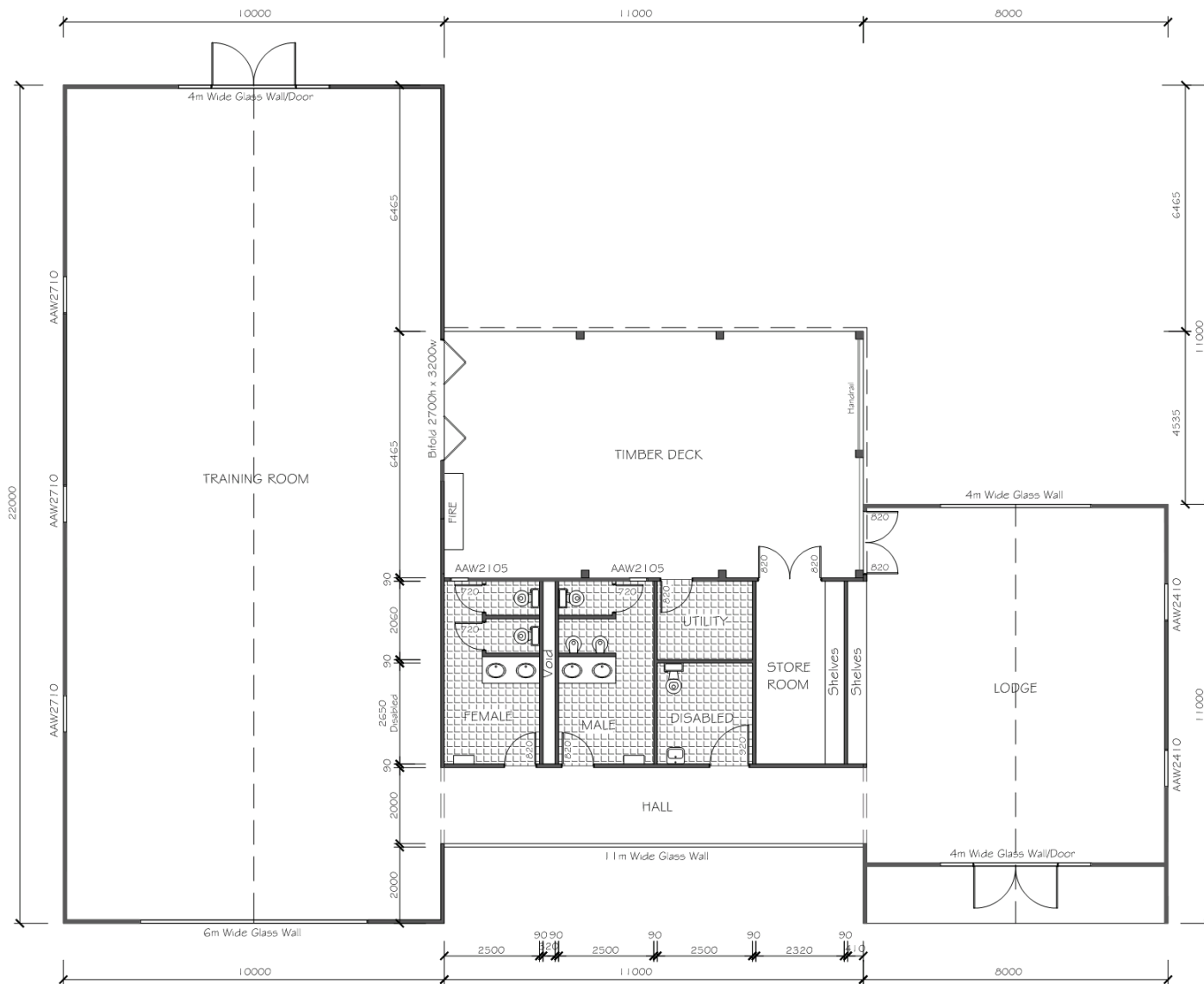
REV	DATE	BY	DESCRIPTION
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Giselle Denley
Drafting Services
giselle.denley@bigpond.com
0417 688 326
53 Hill Stady Drive
Mudgee NSW 2850

CLIENT:
ADAM SWORDS

TITLE:
**PROPOSED CONFERENCE LODGE
196 ROCKY WATERHOLE ROAD MUDGEE**

SCALE: 1:2500	FILE: 3538-A01	DWG No.	REV.
DRAWN: G.D.	DATE: JUNE 2018	3538-A01	E
CHKD: A.C.	DATE: JUNE 2018		



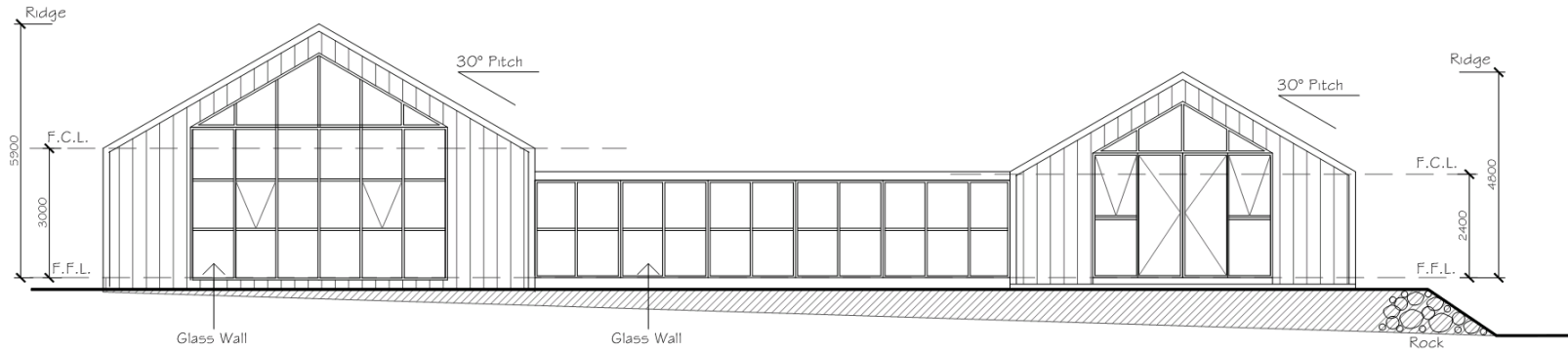
LODGE FLOOR PLAN
 SCALE 1:100

Floor Areas	
Lodge	= 386.00 m ²
Deck	= 71.12 m ²
Total	= 457.12 m²

REV	DATE	BY	DESCRIPTION
C	SEPT 2019	G.D.	LODGE AND TRAINING ROOM REVISED
B	JULY 2019	G.D.	TIMBER DECK REDUCED
A	JUNE 2018	G.D.	ISSUED FOR APPROVAL

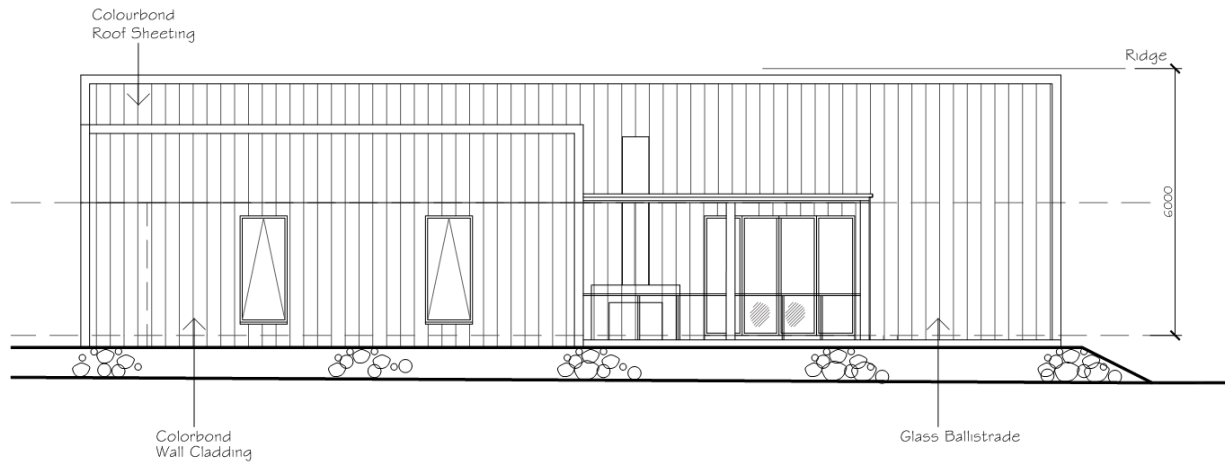
Giselle Denley
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CLIENT:	ADAM SWORDS
TITLE:	PROPOSED CONFERENCE LODGE 196 ROCKY WATERHOLE ROAD MUDGEE
SCALE: 1:100	FILE: 3538-A01
DRAWN: G.D.	DATE: JUNE 2018
DATE: JUNE 2018	DWG No. 3538-A08
REV. C	



TRAINING ROOM/LODGE EAST ELEVATION

SCALE 1:100



LODGE NORTH ELEVATION

SCALE 1:100

C	SEPT 2019	G.D.	LODGE AND TRAINING ROOM REVISED
B	JULY 2019	G.D.	TIMBER DECK REDUCED
A	JUNE 2018	G.D.	ISSUED FOR APPROVAL

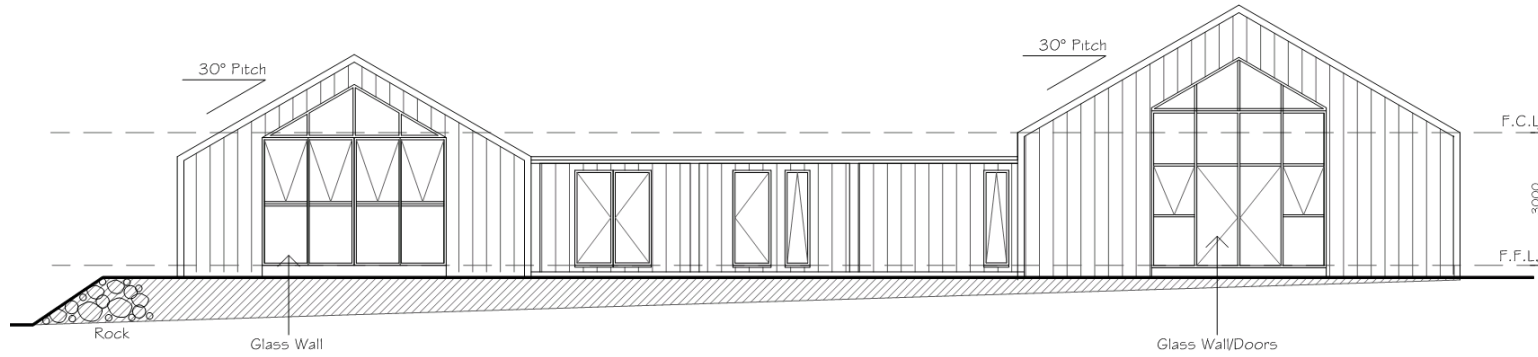
REV	DATE	BY	DESCRIPTION
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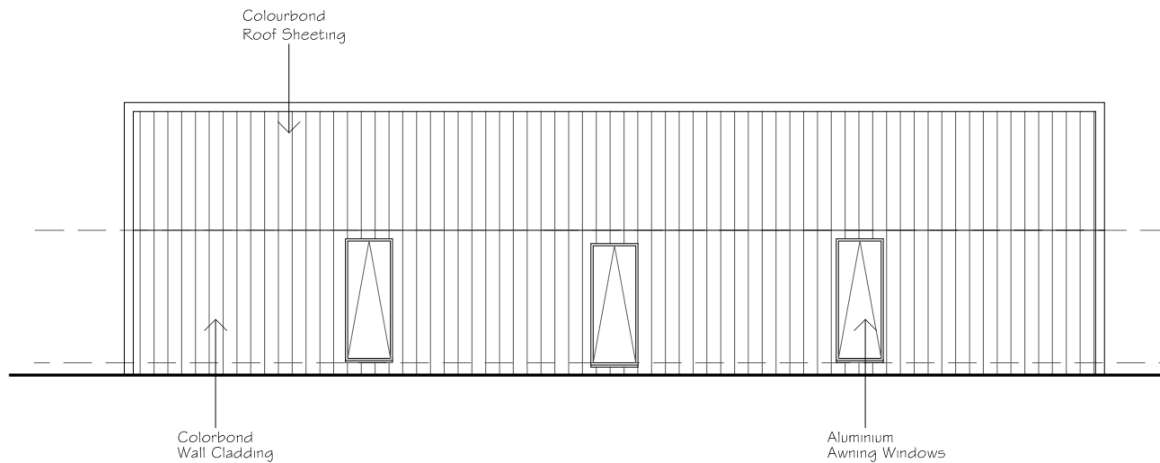
TITLE:
PROPOSED CONFERENCE LODGE
196 ROCKY WATERHOLE ROAD MUDGEE

SCALE: 1:100	FILE: 3538-A01	DWG No.	REV.
DRAWN: G.D.	DATE: JUNE 2018	3538-A09	C
CHKD: A.C.	DATE: JUNE 2018		



TRAINING ROOM/LODGE WEST ELEVATION

SCALE 1:100



TRAINING ROOM SOUTH ELEVATION

SCALE 1:100

C	SEPT 2019	G.D.	LODGE AND TRAINING ROOM REVISED
B	JULY 2019	G.D.	TIMBER DECK REDUCED
A	JUNE 2018	G.D.	ISSUED FOR APPROVAL

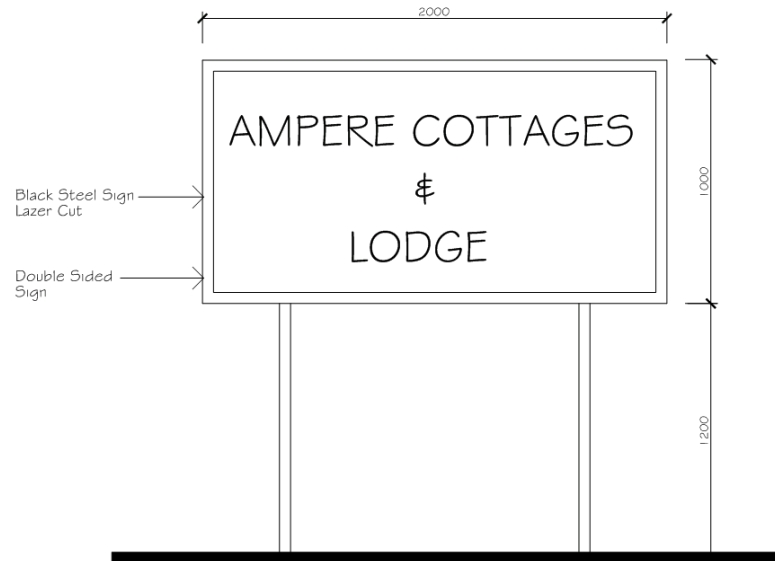
REV	DATE	BY	DESCRIPTION
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CLIENT:
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TITLE:
 PROPOSED CONFERENCE LODGE
 196 ROCKY WATERHOLE ROAD MUDGEE

SCALE: 1:100	FILE: 3538-A01	DWG No.	REV.
DRAWN: G.D.	DATE: JUNE 2018	3538-A10	C
CHKD: A.C.	DATE: JUNE 2018		



ADVERTISING SIGN
 SCALE 1:20

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



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CLIENT:
 ADAM SWORDS

TITLE:
 PROPOSED CONFERENCE LODGE / ACCOMODATION
 196 ROCKY WATERHOLE ROAD MUDGEE

SCALE: 1:20	FILE: 3538-A01	DWG No.	REV
DRAWN: G.D.	DATE: JUNE 2018	3538-A12	A
CHKD: A.C.	DATE: JUNE 2018		

8.2 UNSW Planning Program 2020

REPORT BY THE DIRECTOR DEVELOPMENT

TO 16 OCTOBER 2019 ORDINARY MEETING
GOV400066, A0383069

RECOMMENDATION

That Council:

1. **receive the report by the Director Development on the UNSW Planning Program 2020;**
2. **agree to participate in the UNSW Planning Program in 2020 if a suitable candidate is identified;**
3. **amend the 2019/20 budget to increase employee costs by \$27,750 (including salary plus on-costs) for the employment of a student planner, commencing from February 2020, to be funded from unrestricted cash; and**
4. **amend the Delivery Program by \$38,850 for 2020/21 to establish an expenditure budget (including salary plus on-costs) for the employment of a student planner for a 12 month period, to be funded from unrestricted cash.**

Executive summary

The purpose of this report is to consider the opportunity for Council to participate in the UNSW Planning Program in 2020. This involves employment of a student planner for a period of 42-52 weeks.

Disclosure of Interest

Nil.

Detailed report

Council has been offered the opportunity to participate in the UNSW Planning Program again in 2020, which involves the employment of a student planner for a period of 42-52 weeks. Council first participated in this program in 2019 and was fortunate to identify a suitable candidate. The program has been very successful this year for both parties and the student planner has been directly involved in researching legislation changes, site inspections, data collection, development assessments and strategic planning projects.

There are some key benefits for Council in participating including:

- unrivalled access to the future talent pool in the planning profession, as many organisations keep their students following their practice year and/or offer them a position after graduation where a vacancy arises;
- helping develop the next generation of the planning profession, contributing to their education and professional development; and

- linking directly to a number of actions in Council's Delivery Program 2017/21 (including attracting, retaining and developing a skilled workforce, and promoting the region as a great place to live, work, invest and visit).

Although Council has been relatively fortunate in being able to fill vacancies in the planning team in the last few years, the number of applications for vacancies continue to be low. Discussions with other Councils and recent local government studies identify planning amongst one of the key skill shortage areas. If this trend continues, Council may also experience recruitment difficulties, which would impact the level of service provided to the community.

Community Plan implications

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

Strategic implications

Council Strategies

Participation in the UNSW Planning Program in 2020 links to a number of actions in Council's Delivery Program 2017/21 including attracting, retaining and developing a skilled workforce, and promoting the region as a great place to live, work, invest and visit.

Council Policies

Not Applicable.

Legislation

Not Applicable.

Financial implications

If Council wishes to continue to participate in the UNSW Planning Program in 2020, it will be required to amend the 2019/20 budget and Delivery Program 2017/21 for the 2020/21 year to establish an expenditure budget for the employment of a student planner for a 12 month period.

UNSW has indicated that annual salaries offered by participating organisations range from \$45,000-\$55,000 plus superannuation and other on-costs. If \$45,000 is offered to a suitable candidate, the total cost including superannuation and other on-costs is \$66,600. It is noted that the 12 month program would span two financial years (i.e. 2019/20 and 2020/21).

Budget Year	Operating Performance Ratio	Own Source Revenue	Building & Infrastructure Renewal
2019/20	x	-	-
Future Years	x	-	-

Associated Risks

Whilst Council's participation in 2019 was proven to be very successful, there is a risk that Council is unable to identify a suitable candidate and/or that the expected outcomes of the program are not achieved.

If Council is interested in participating, Council's commitment is limited to a 12-month period only. Council is not required to commit to permanent employment beyond this date, which means Council will have the opportunity to evaluate the success of the program prior to considering any involvement in future years.

The risk in not participating is that if Council does experience skill shortages in the future, overall recruitment costs may increase. Participating in this program provides a good solution to developing an ongoing talent pool for any future staff vacancies in the planning team.

JULIE ROBERTSON
DIRECTOR DEVELOPMENT

2 October 2019

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

8.3 Draft Community Participation Plan

REPORT BY THE DIRECTOR DEVELOPMENT
TO 16 OCTOBER 2019 ORDINARY MEETING
GOV400067, LAN900106

RECOMMENDATION

That Council:

1. **receive the report by the Director Development on the Draft Community Participation Plan;**
2. **authorise the Draft Community Participation Plan to be placed on exhibition for a period of 28 days; and**
3. **adopt the Draft Community Participation Plan if no submissions are received.**

Executive summary

As part of the amendments to the *Environmental Planning and Assessment Act 1979*, planning authorities in NSW are required to have a Community Participation Plan. The purpose of a Community Participation Plan is to inform residents how and when they can participate in the planning system.

A Draft Community Participation Plan covering the Mid-Western Region Local Government Area has been prepared and is required to be placed on public exhibition for a period of 28 days.

Disclosure of Interest

Nil.

Detailed report

As part of the amendments to the *Environmental Planning and Assessment Act 1979* (EP&A Act), planning authorities in NSW are required to have a Community Participation Plan. The purpose of a Community Participation Plan is to inform residents how and when they can participate in the planning system.

The Draft Community Participation Plan has been prepared in accordance with the provisions set out in Division 2.6 of the EP&A Act. It includes minimum exhibition requirements set by the NSW Government for plans, development applications and other planning matters. Planning authorities can go beyond the minimum requirements where they decide it to be appropriate.

Section 1.12 of the Mid-Western Region Development Control Plan 2013 (DCP) provides Council's current requirements for development applications to be advertised and notified. Staff have prepared the Draft Community Participation Plan based on the minimum exhibition requirements of the EP&A Act and the existing requirements of the DCP.

The Draft Community Participation Plan will be placed on public exhibition for a period of 28 days. If any submissions are received during the exhibition period, a further report will be brought back to

Council. If no submissions are received during the exhibition period, the Draft Community Participation Plan will be adopted.

Community Plan implications

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

Strategic implications

Council Strategies

Towards 2030 Community Plan

Council Policies

Mid-Western Regional Development Control Plan 2013

Legislation

Environmental Planning and Assessment Act 1979

Financial implications

Not applicable.

Associated Risks

All planning authorities in NSW are required to have a Community Participation Plan. If Council does not have a Community Participation Plan prepared in accordance with Division 2.6 of the EP&A Act it will be breaching its legislative requirements.

JULIE ROBERTSON
DIRECTOR DEVELOPMENT

2 October 2019

Attachments: 1. Draft Community Participation Plan. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

8.4 Local Heritage Grants Policy Review

REPORT BY THE MANAGER, STRATEGIC PLANNING
TO 16 OCTOBER 2019 ORDINARY MEETING
GOV400067, GRA600012

RECOMMENDATION

That Council:

1. **receive the report by the Manager, Strategic Planning on the Local Heritage Grants Policy Review;**
2. **place the draft Local Heritage Grants Policy on public exhibition for 28 days to receive any community feedback; and**
3. **adopt the draft Local Heritage Grants Policy if no submissions are received.**

Executive summary

This report presents the review of Council's Local Heritage Grants Policy. A copy of the proposed Local Heritage Grants Policy with track changes is provided as Attachment 1.

Disclosure of Interest

Nil.

Detailed report

A review of Council's Local Heritage Grants Policy has been undertaken with reference to the NSW Department of Premier and Cabinet, Heritage Division's Local Heritage Fund Guidelines and in consultation with Council's 355 Heritage Committee.

The policy applies to financial assistance applications for Local Heritage Grants for conservation or maintenance works for heritage items, items in conservation areas and significant buildings.

The review has resulted in a change to the Funding Priorities. Currently, the policy reads; priority will be given to projects, which have been considered by Council's Heritage Committee and involve items that have not received Council funding support in the last five years.

It is proposed the policy read; priority will be given to projects, which have been considered by Council's Heritage Advisor, Heritage Committee and involve items that have not received Council funding support in the last five years. In certain circumstances, Council may provide funding prior to the five-year requirement being satisfied.

The minor changes are necessary for two reasons, firstly Council's Heritage Advisor currently considers applications and secondly in certain circumstances for properties subject to continual conservation works, being able to provide funding prior to the five year requirement being satisfied would be useful.

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

Not applicable.

Council Policies

The current Local Heritage Grants Policy is due to be reviewed. The recommendation if approved will amend the policy.

Legislation

Any Local Heritage Grant application must comply with any development consent required under the *Environmental Planning and Assessment Act 1979* and related environmental planning instruments.

Financial implications

Nil.

Associated Risks

Nil.

SARAH ARMSTRONG
MANAGER, STRATEGIC PLANNING

JULIE ROBERTSON
DIRECTOR DEVELOPMENT

20 September 2019

Attachments: 1. Revised Local Heritage Grants Policy.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



POLICY

Local Heritage Grants

*A prosperous
and progressive
community*

ADOPTED		VERSION NO	1.0
COUNCIL MEETING MIN	174-16	REVIEW DATE	JULY 2017/OCT 23
DATE:	8 JULY 2016	FILE NUMBER	GRA600012

Objective

The objective of this policy is to support heritage conservation and maintenance projects that respect and enhance the historic character of our region and heritage value of our towns.

Policy

The Local Heritage Grants program provides funding to landowners for maintenance and conservation works to heritage items, items in conservation areas as identified within Schedule 5 of the Mid-Western Regional Local Environmental Plan 2012 and significant buildings.

The Local Heritage Grants program supports projects which relate specifically to conservation and maintenance works and/or upgrades (fire, services and access) which satisfy the Building Code of Australia requirements for ongoing and new uses.

Eligibility Criteria

- Only owners and managers of heritage items, items in a heritage conservation area, or significant buildings can apply for Local Heritage Grants funding.
- Applicants can apply for grant funding for amounts between \$500 and \$5,000 on a matched dollar for dollar basis.
- There will be one application period per financial year.
- Applications should be received and successful projects completed according to the timeline below.

Funding Priorities

Priority will be given to projects which have been considered by Council's [Heritage Advisor](#), Heritage Committee and involve:

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

POLICY: LOCAL HERITAGE GRANTS | 1.0, 8 JULY 2016

It is noted that whilst priority will be given to projects which have not received funding support in the last five years, Council may at its discretion [provide funding](#) if there is a high level of benefit in achieving the objectives of the program.

Application Guidelines

APPLICANTS MUST:

- Read the application form to understand the information to be submitted and determine whether the project satisfies the funding requirements.
- Conduct background research on the relevant heritage item/building which can be used to support the project proposal.
- Prepare a project plan which lists the individual project activities to be completed as part of the project.
- Obtain and attach two quotes for each of the individual project activities.
- Ensure that plans and sketches relevant to the size of the project are prepared and submitted in support of the application.
- Discuss the project with Council to determine whether development consent is required prior to any works commencing.
- Take “before the project” photographs which are submitted with the application.
- Complete the application form and keep a copy for record keeping purposes.
- Address the following selection criteria:
 - Demonstrate that the project will deliver sustainable long-term heritage benefits.
 - Demonstrate that the project will deliver a public benefit and enjoyment.
 - Demonstrate innovation and leadership in heritage conservation.

INELIGIBLE APPLICATIONS/ACTIVITIES (BY DISCRETION OF COUNCIL):

- Projects not located within the Mid-Western LGA.
- State government agencies unless they are involved as a project partner.
- Funding cannot be for new buildings, routine maintenance (eg. lawn mowing, gutter or carpet cleaning), new commemorative monuments, purchase of heritage buildings or equipment, relocation of buildings or works to relocate buildings, private headstones (unless there is no possibility of descendent support), flood lighting of buildings, moveable railway heritage items.

Timeline

	Timing
Applications open	Jul
Applications close	Aug
Report to Council Meeting (depending on meeting timing)	Sept/Oct
Funding released (on receipt of invoice/s)	Sept/Oct
Date for completion of funded projects	April

8.5 2019-20 Local Heritage Grant Allocation

REPORT BY THE
TO 16 OCTOBER 2019 ORDINARY MEETING
GOV400066, GRA600037

RECOMMENDATION

That Council:

1. receive the report by the Manager, Strategic Planning on the 2019-20 Local Heritage Grant Allocation;
2. provide a Local Heritage Grant to the following projects:
 - a) \$2,000 for external painting at 15 Cudgegong Street, Rylstone;
 - b) \$2,000 for external painting and restoration works at 103 Gladstone Street, Mudgee;
 - c) \$3,000 for verandah restoration at 106 Gladstone Street, Mudgee;
 - d) \$1,500 for restoration works at 1932 Lue Road, Havilah;
 - e) \$500 for awning repair and external painting at 91 Mayne Street, Gulgong;
 - f) \$2,000 for external painting at 10 Smith Street, Mudgee.

Executive summary

NSW Councils enter into the Local Heritage Grants program with The Heritage Division of the NSW Department of Premier and Cabinet. This year's total budget for local heritage grants is \$11,000.

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

This report details a recommended allocation.

Disclosure of Interest

Nil.

Detailed report

Applications for funding under the Local Heritage Grants Program closed in August 2019. Eight applications were received. Six of those applications are recommended for funding. Two of the applications have received funding within the last five years. It should be noted that greater funding is allocated to those properties that are individually listed.

The applications have been summarised in the table provided as Attachment 1. Projects have been ordered from those that are individually heritage listed, followed by those located within a conservation area and then those that are not recommended for funding. Projects are then ordered from highest to lowest project cost.

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

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

The six projects recommended for funding have met the above criteria.

Taking into account the \$11,000 budget available, Council's Local Heritage Grants Policy, and project costs, Attachment 1 provides the recommended amount to be allocated to each project.

Community Plan implications

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

Strategic implications

Council Strategies

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

Council Policies

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

Legislation

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

Financial implications

The 2019/20 Operational Plan has an approved budget of \$11,000 for Local Heritage Grants. If Council adopts the recommendations for funding as outlined in this report, the total budget of \$11,000 for this financial year will be allocated.

Associated Risks

No known risk.

SARAH ARMSTRONG
MANAGER, STRATEGIC PLANNING







JULIE ROBERTSON
DIRECTOR DEVELOPMENT


27 September 2019

Attachments: 1. Local Heritage Grants Summary of Applications.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

	AMOUNT RECOMMENDED	TOTAL PROJECT COST	PROJECT ADDRESS	PROPOSED WORKS	HERITAGE ITEM	WITHIN A HCA	ACCESSIBLE BY THE PUBLIC	FUNDING REC IN LAST 5 YRS	PHOTO OF SUBJECT SITE
1	\$2,000 <i>Heritage Listed</i>	\$16,000	161 Mayne Street, Gulgong	Restoration work & painting	Yes	Yes	No	No	
2	\$2,000 <i>Heritage Listed</i>	\$15,000	1 Brown Street, Windeyer	Restoration work & painting	Yes	No	Yes	No	
3	\$2,000 <i>Heritage Listed</i>	\$13,000	227 Melrose Road, Mount Frome	External painting	Yes	No	Yes	No	
4	\$2,000 <i>Council Recommendation to Heritage List</i>	\$6,791	5 Ilford Road, Rylstone Uniting Church	Restoration of windows	No	Yes	Yes	No	
5	\$1,500 <i>Located within a Heritage Conservation Area</i>	\$31,944	24 Louee Street, Rylstone	Replacement of existing with sympathetic front windows	No	Yes	No	No	
6	\$1,500 <i>Located within a Heritage Conservation Area</i>	\$22,000	6 Church Street, Mudgee	Restoration work & painting	No	Yes	Yes	No	

7	\$1,000 <i>Located within a Heritage Conservation Area</i>	\$12,322	106 Denison Street, Mudgee	Verandah Restoration	No	Yes	No	No	
8	\$1,000 <i>Located within a Heritage Conservation Area</i>	\$10,660	15 Lynne Street, Gulgong	Roof replacement & chimney repair	No	Yes	No	No	
9	\$1,000 <i>Located within a Heritage Conservation Area</i>	\$8,591.00	75 Belmore Street, Gulgong	External Painting	No	Yes	Yes	No	
10	\$1,000 <i>Located within a Heritage Conservation Area</i>	\$9,130	56 Medley Street, Gulgong	External painting including roof	No	Yes	No	No	
11	\$500 <i>Located within a Heritage Conservation Area</i>	\$2,279	100 Gladstone Street, Mudgee	Replacement of existing with a sympathetic front door and window restoration	No	Yes	No	No	
12	\$500 <i>Located within a Heritage Conservation Area</i>	\$1,637.95	64 Lewis Street, Mudgee	Replacement of existing with a sympathetic front door	No	Yes	No	No	
13	\$0 <i>Incomplete application</i>	\$11,500	125 Denison Street, Mudgee	Restore verandah timber flooring & paint balustrade	No	Yes	No	No	

14	\$0 <i>Incomplete application</i>	\$10,000	133 Church Street, Mudgee	Painting, replace front fence and verandah restoration	No	Yes	No	No	
15	\$0 <i>Not listed and not located within a Heritage Conservation area</i>	\$20,000	2897 Goolma Road, Goolma	Exterior Painting of Hotel	No	No	Yes	No	
16	\$0 <i>Funding provided within the last 5 years</i>	\$2,442	152 Mortimer Street, Mudgee	Restoration of Chimneys & fireplaces	Yes	No	No	Yes	
17	\$0 <i>Funding provided within the last 5 years</i>	\$8,213.64	152 Mortimer Street, Mudgee	Replacement of floor bearers, joists & timbers	Yes	No	No	Yes	
18	\$0 <i>Funding provided within the last 5 years</i>	\$6,900	152 Mortimer Street, Mudgee	Replace front fence & gates	Yes	No	No	Yes	
19	\$0 <i>Funding provided within the last 5 years</i>	\$18,700	24 Perry Street, Mudgee	Restoration & reinstatement of heritage features	Yes	Yes	No	Yes	

8.6 Monthly Development Applications Processing and Determined

REPORT BY THE DIRECTOR DEVELOPMENT
TO 16 OCTOBER 2019 ORDINARY MEETING
GOV400067,

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 September 2019 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

1 October 2019

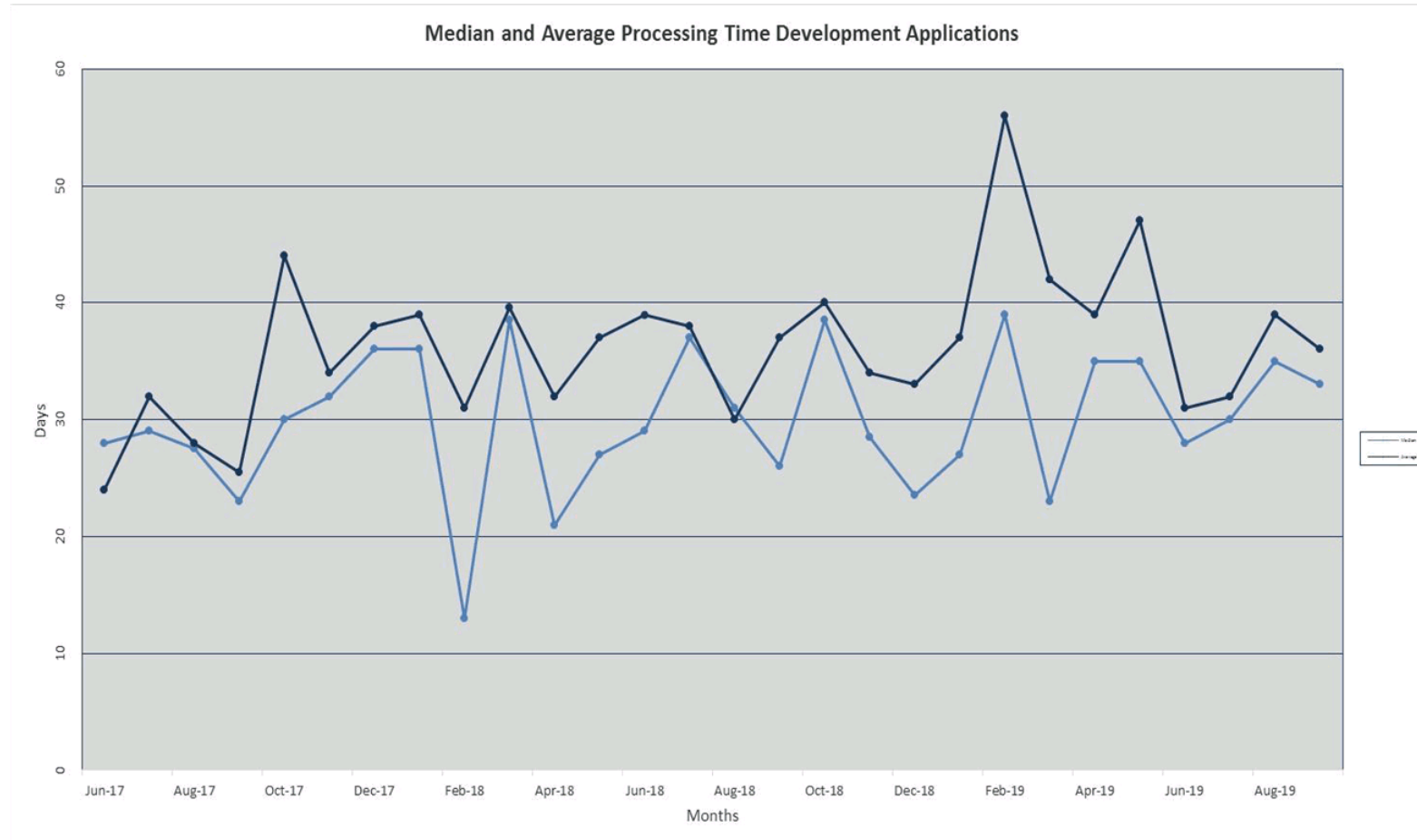
Attachments: 1. Monthly Development Applications Processing and Determined.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

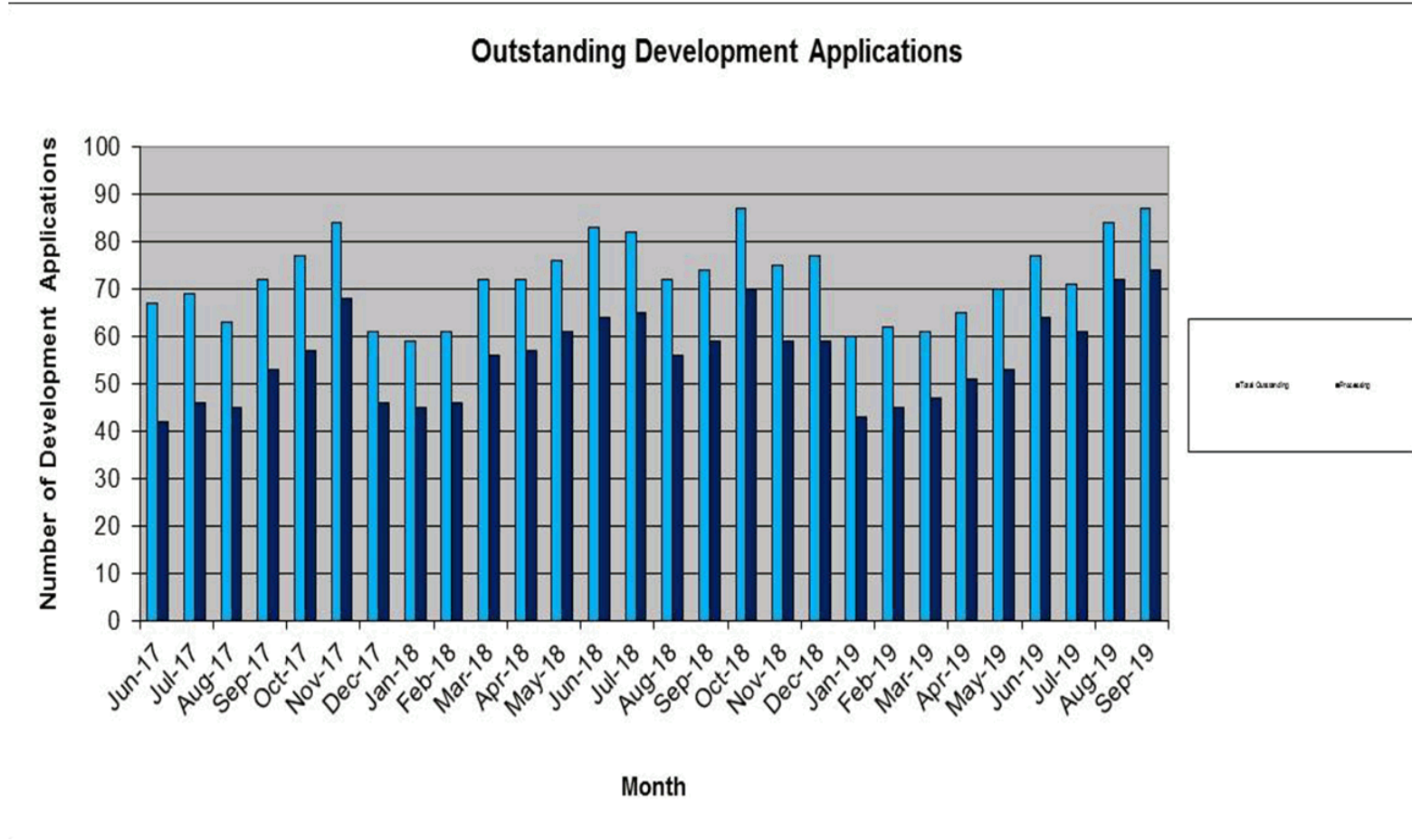
Monthly Development Application Processing Report – September 2019

This report covers the period for the month of May 2019. Graph 1 indicates the processing times up to 30, September 2019 with the month of July having an average of 35 days and a median time of 33 days.



Monthly Development Application Processing Report – September 2019

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 – September 2019

The Planning and Development Department determined 19 Development Applications either by Council or under delegation during September 2019.

Development Applications Determined – September 2019

Appl/Proc ID	Description	House No	Street Name	Locality
DA0106/2019	Subdivision - Torrens Title	316	Broadhead Road	SPRING FLAT
DA0289/2019	Dwelling House	3	Consadine Grove	SPRING FLAT
DA0290/2019	Dual Occupancy	203	Mount Pleasant Lane	BUCKAROO
DA0291/2019	Boundary Adjustment	140	Mayne Street	GULGONG
DA0025/2020	Subdivision - Torrens Title	11	Hughson Avenue	MUDGEE
DA0026/2020	Dwelling House	17	Butler Circle	BOMBIRA
DA0030/2020	Pergola	107	White Circle	MUDGEE
DA0031/2020	Dwelling House	38	Leconfield Drive	BOMBIRA
DA0032/2020	Dwelling House	7	Wurth Drive	BOMBIRA
DA0033/2020	Dwelling House	26	Hughson Avenue	MUDGEE
DA0039/2020	Secondary Dwelling	94	Mudgee Street	RYLSTONE
DA0047/2020	Alterations & Additions	48	Inglis Street	MUDGEE
DA0048/2020	Alterations & Additions	13	Redbank Road	MUDGEE
DA0052/2020	Residential Shed	246	Church Street	MUDGEE
DA0053/2020	Residential Shed	180	Broadhead Road	SPRING FLAT
DA0060/2020	Residential Shed	10	Julia Court	MUDGEE
DA0040/2020	Commercial Alterations/Additions	21	Douro Street	MUDGEE
DA0042/2020	Dwelling House	5	Diana Drive	SPRING FLAT
DA0072/2020	Dwelling House	131	Buckaroo Road	BUCKAROO

Monthly Development Application Processing Report – September 2019

Development Applications currently being processed – September, 2019.

Appl/Proc ID	Description	House No	Street Name	Locality
DA0214/2011	Dwelling House	663	Castlereagh Highway	BURRUNDULLA
DA0327/2011	Shed >150m2	23	Horatio Street	MUDGEE
DA0102/2016	Dwelling House	705	Windeyer Road	GRATTAI
DA0325/2016	Change of use - Garage to Bedroom	179	Denison Street	MUDGEE
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
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
DA0142/2018	Subdivision - Torrens Title	38	Rifle Range Road	MUDGEE
DA0146/2018	Tourist and Visitor Accommodation	196	Rocky Waterhole Road	MOUNT FROME
DA0214/2018	Camping Ground	2970	Lue Road	LUE
DA0226/2018	Dwelling House	308	Cypress Drive	YARRAWONGA
DA0301/2018	Commercial Premises	20	Sydney Road	MUDGEE
DA0089/2019	Change of use - Shed to Dwelling	2037	Coxs Creek Road	RYLSTONE
DA0225/2019	Dwelling House	1677	Windeyer Road	WINDEYER
DA0228/2019	Recreation Facility (outdoor)	103	Wattlegrove Lane	LINBURN
DA0250/2019	Dwelling House	977	Puggoon Road	TALLAWANG
DA0257/2019	Tourist and Visitor Accommodation	1257	Windeyer Road	WINDEYER
DA0263/2019	Camping Ground	40	Grevillea Street	GULGONG
DA0275/2019	Residential Shed	47	Macquarie Drive	MUDGEE
DA0277/2019	Dwelling House	280	Gardiners Road	TWO MILE FLAT
DA0283/2019	Electricity Generating Works	129	Old Mill Road	GULGONG
DA0284/2019	Subdivision - Community Title	32	Horatio Street	MUDGEE
DA0288/2019	Electricity Generating Works	3	Sydney Road	BURRUNDULLA
DA0295/2019	Subdivision - Torrens Title	153	Bruce Road	MUDGEE
DA0304/2019	Change of use - Shed to Dwelling and ancillary buildings	103	Wollar Road	BUDGEE BUDGE
DA0305/2019	Dual Occupancy	222	Camerons Road	RUNNING STREAM
DA0010/2020	Extractive Industry	329	Quarry Road	CARWELL
DA0011/2020	Intensive Agriculture	80	Kemps Valley Road	KAINS FLAT

Monthly Development Application Processing Report – September 2019

DA0014/2020	Dwelling House	142	Suzanne Road	TALLAWANG
DA0019/2020	Dwelling House	99	Plenty Road	SPRING FLAT
DA0020/2020	Shed >150m2	20	Bumberra Place	BOMBIRA
DA0021/2020	Residential Shed	39	Winter Street	MUDGEES
DA0023/2020	Change of use - Storage Premises	16	Sydney Road	MUDGEES
DA0024/2020	Subdivision - Torrens Title	25	Dewhurst Drive	MUDGEES
DA0034/2020	Change of use - Temporary Use of Land - Two Events	267	Ulan Road	BOMBIRA
DA0035/2020	Industrial Building	3	Wilkins Crescent	MUDGEES
DA0037/2020	Multi Dwelling Housing	20	Hone Creek Drive	CAERLEON
DA0038/2020	Tourist and Visitor Accommodation	151	Stubbo Road	STUBBO
DA0041/2020	Residential Shed	14	Coomber Street	RYLSTONE
DA0042/2020	Dwelling House	5	Diana Drive	SPRING FLAT
DA0043/2020	Dwelling House	4199	Hill End Road	HARGRAVES
DA0044/2020	Residential Shed	1	Taylor's Lane	RYLSTONE
DA0045/2020	Dual Occupancy	71	Fairydale Lane	MUDGEES
DA0046/2020	Dual Occupancy	5	Xavier Court	MUDGEES
DA0049/2020	Depot	1599	Cope Road	COPE
DA0050/2020	Alterations & Additions	33	Wyaldra Street	GULGONG
DA0054/2020	Shed >150m2	290	Rocky Waterhole Road	MOUNT FROME
DA0057/2020	Shed >150m2	90	Zimmer Lane	GULGONG
DA0058/2020	Shed >150m2	6	Staggerwing Road	RYLSTONE
DA0061/2020	Dual Occupancy	6	Charles Lester Place	MUDGEES
DA0062/2020	Shed >150m2	90	Spring View Lane	BUDGEES BUDGEES
DA0063/2020	Dual Occupancy	10	Charles Lester Place	MUDGEES
DA0064/2020	Carport	19	Banjo Paterson Avenue	MUDGEES
DA0065/2020	Dual Occupancy	8	Xavier Court	MUDGEES
DA0066/2020	Dwelling House	94	Mount Pleasant Lane	BUCKAROO
DA0068/2020	Change of use - Shed to Dwelling	243	Castlereagh Highway	BURRUNDULLA
DA0069/2020	Dwelling House	31	Thomas Clark Place	MUDGEES
DA0070/2020	Residential Shed	12	Charles Lester Place	MUDGEES
DA0071/2020	Commercial Alterations/Additions	1345	Lower Piambong Road	PIAMBONG
DA0072/2020	Dwelling House	131	Buckaroo Road	BUCKAROO
DA0073/2020	Alterations & Additions	428	Doughertys Junction Road	HARGRAVES
DA0075/2020	Dual Occupancy	166	Gladstone Street	MUDGEES
DA0077/2020	Child Care Centre	1	Sydney Road	MUDGEES

Monthly Development Application Processing Report – September 2019

DA0078/2020 Alterations & Additions
DA0081/2020 Residential Shed

54 Rodgers Street
9 Bligh Close

KANDOS
MUDGEES

Monthly Development Application Processing Report – September 2019

Heritage Development Applications currently being processed – September, 2019.

Appl/Proc ID	Description	House No	Street Name	Locality
DA0271/2011	Alterations & Additions	87	Short Street	MUDGEE
DA0058/2018	Fence	1	Dunphy Crescent	MUDGEE
DA0215/2019	Commercial Alterations/Additions	88	Louee Street	RYLSTONE
DA0254/2019	Dual Occupancy	100	Inglis Street	MUDGEE
DA0300/2019	Demolition	80	Madeira Road	MUDGEE
DA0307/2019	Multi Dwelling Housing	5	Costigan Court	MUDGEE
DA0013/2020	Electricity Generating Works	93	Mortimer Street	MUDGEE
DA0018/2020	Alterations & Additions	165	Mayne Street	GULGONG
DA0022/2020	Signage	75	Denison Street	MUDGEE
DA0036/2020	Alterations & Additions	123	Horatio Street	MUDGEE
DA0040/2020	Commercial Alterations/Additions	21	Douro Street	MUDGEE
DA0055/2020	Change of use - Dental Practice	47	Market Street	MUDGEE
DA0059/2020	Swimming Pool	164	Gladstone Street	MUDGEE
DA0067/2020	Swimming Pool	30	Denison Street	MUDGEE
DA0074/2020	Carport	4	Market Street	MUDGEE
DA0076/2020	Alterations & Additions	27	Lewis Street	MUDGEE
DA0079/2020	Commercial Alterations/Additions	94	Market Street	MUDGEE
DA0080/2020	Market	97	Market Street	MUDGEE
DA0082/2020	Fence	34	Denison Street	MUDGEE

Item 9: Finance

9.1 Draft Long Term Financial Plan 2019-2029

REPORT BY THE MANAGER FINANCIAL PLANNING
TO 16 OCTOBER 2019 ORDINARY MEETING
GOV400067, FIN300201

RECOMMENDATION

That Council:

1. **receive the report by the Manager Financial Planning on the Draft Long Term Financial Plan 2019-2029;**
2. **endorse the draft Long Term Financial Plan 2019/2029 to go on public exhibition for a period of 28 days, to inform the community on the full anticipated financial impact of the draft Delivery Program 2017/21 and Operational Plan 2019/20; and**
3. **request a report be returned to Council after the period of exhibition, with any changes recommended, through submissions received, for the Delivery Program 2017/21 and 2019/20 budget appropriately modelled in the revised Long Term Financial Plan 2019/29.**

Executive summary

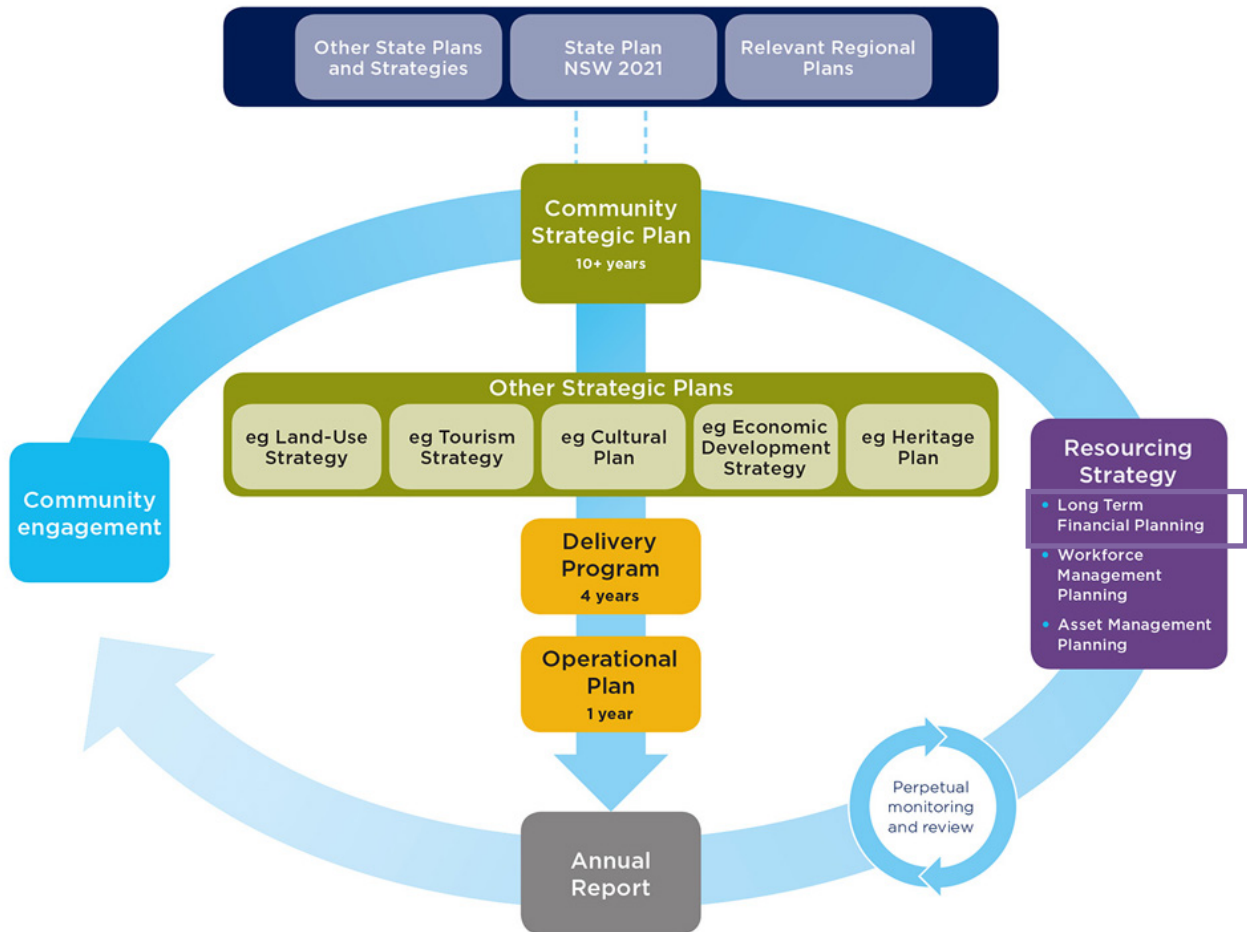
Following completion of the draft Delivery Program 2017/21 and the Operational Plan 2019/2020, the draft Long Term Financial Plan 2019/29 is presented to Council to be placed on public exhibition in conjunction with those plans, to better inform Council and the community.

Disclosure of Interest

Nil.

Detailed report

The Long Term Financial Plan is a requirement of the Integrated Planning and Reporting process, as a component of the Resourcing Strategy.



The Long-Term Financial Plan must project financial forecasts for the council for at least ten years, and be updated annually as part of the development of the Operational Plan. The Long-Term Financial Plan must be used by the council to inform its decision-making during the finalisation of the Community Strategic Plan and the development of the Delivery Program.

The Long-Term Financial Plan must include:

- Planning assumptions used to develop the plan
- Projected income and expenditure, balance sheet and cash flow statement
- Sensitivity analysis (factors/assumptions most likely to affect the plan)
- Financial modelling for different scenarios
- Methods of monitoring financial performance

Community Plan implications

Theme	Good Governance
Goal	Strong civic leadership
Strategy	Provide clear strategic direction through the Community Plan, Delivery Program and Operational Plans

Strategic implications

Council Strategies

The Long Term Financial Plan makes up a part of Councils Resourcing Strategy, and links to the Asset Management Plans and Delivery Program.

Council Policies

Not applicable.

Legislation

Local Government Act 1993 Section 430 Resourcing Strategy

- (1) A council must have a long-term strategy (called its "resourcing strategy") for the provision of the resources required to implement the strategies established by the community strategic plan that the council is responsible for
- (2) The resourcing strategy is to include long-term financial planning, workforce management planning and asset management planning.

Financial implications

The Operational Plan 2019/20 sets out Council's planned activities, major projects and strategic direction for the financial year ended 30 June 2020. The Long Term Financial Plan 2019-2029 identifies Council's planned financial path for the next ten years.

NEIL BUNGATE
MANAGER FINANCIAL PLANNING

LEONIE JOHNSON
CHIEF FINANCIAL OFFICER

25 September 2019

Attachments: 1. DRAFT Long Term Financial Plan 2019/2029. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

9.2 Community Grants Program - October 2019

REPORT BY THE MANAGER FINANCIAL PLANNING
TO 16 OCTOBER 2019 ORDINARY MEETING
GOV400067, FIN300159

RECOMMENDATION

That Council:

1. receive the report by the Manager Financial Planning on the Community Grants Program - October 2019;
2. provide financial assistance to the following applications in accordance with the criteria and guidelines of the Community Grants Policy; and

Kandos High School	\$1,100
Gulgong Show Society	\$3,000
Mudgee Chamber of Commerce – Mudgee Money Gift Cards Project	\$3,103
Gulgong Golf Club	\$1,500
Kandos Museum	\$900
Mudgee Day View Club	\$2,000
Cementa Inc - Transcript	\$362
Rotary Club of Mudgee Inc. and Rotary Club of Mudgee Sunrise Inc.	\$7,000
Mudgee Lions Club	\$2,500
Mudgee Chamber of Commerce – Pink Up Mudgee	\$1,200
Cancer Council NSW – Mudgee & District Relay for Life	\$1,200
Rylstone Kandos Show Society	\$5,000
Kandos Rylstone Men's Shed Inc.	\$1,100
The Rotary Club of Rylstone - Kandos	\$3,000
Kanandah Retirement Ltd Auxiliary	\$460
Mudgee District U3A Inc.	\$184
Gulgong Memorial Hall Committee	\$3,000

3. decline to provide financial assistance to the following applicants, for the reasons provided in the report;
 - Kandos Public School
 - Cementa Inc. – Swimming Pool by PYT

- **Rylstone Public School Parents and Citizens Association**
- **Powerhouse Youth Theatre Inc.**

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 were first reviewed for eligibility and then assessed by a panel of three staff against the following criteria relative to the amount of funding requested:

- Degree of benefit to the community aligned with the community plan
- Level of consultation and collaboration with other local groups
- Organisational capacity to deliver the program or project

Even though an application meets the criteria it may be judged that there is not a significant enough benefit to the community in order to fund or fully fund the request.

A summary of each application is shown below, together with panel recommendations.

Applicant	Project/Activity	Funding Request \$	Total Score out of 9	Recommended Funding \$
Kandos High School	Bstreet Road Safety Forum 2020	1,760	5	1,100
Gulgong Show Society	Gulgong Show 2020	3,000	9	3,000
Mudgee Chamber of Commerce	Mudgee Money Gift Cards	3,103	7	3,103
Gulgong Golf Club	Reimbursement of council rates & water 2018-2019	2,706	6	1,500
Kandos Museum	NAIDOC Week Flag Raising Open Day	900	7	900
Mudgee Day View Club	Replacement of keyboard	2,000	9	2,000
Kandos Public School	Kandos Public School Presentation Day 2019	1,000	3	-
Cementa Inc.	Swimming Pool by PYT Fairfield	2,000		-
Cementa Inc.	Transcript - experimental opera	362	5	362
Rylstone Public School Parents and Citizens Association	Rylstone Public School Presentation Night	1,600	3	-
Rotary Club of Mudgee Inc. and Rotary Club of Mudgee Sunrise Inc.	Mudgee Showground Carols	7,000	8	7,000
Mudgee Lions Club	Mudgee Lions Twilight Market and Festival	2,500	8	2,500
Mudgee Chamber of Commerce	Pink Up Mid-Western Regional 2019	2,000	5	1,200
Cancer Council NSW	Mudgee and District Relay for	2,000	5	1,200

Applicant	Project/Activity	Funding Request \$	Total Score out of 9	Recommended Funding \$
	Life			
Rylstone Kandos Show Society	Rylstone Kandos Show 2020	5,000	9	5,000
Powerhouse Youth Theatre Inc.	Swimming Pool PYT Fairfield	2,000		-
Kandos Rylstone Men's Shed Inc.	Reimbursement of council rates 2018-2019	1,100	8	1,100
The Rotary Club of Rylstone -Kandos	Annual Christmas Carnival	3,000	8	3,000
Kanandah Retirement Ltd Auxiliary	Card Parties	460	5	460
Mudgee District U3A Inc.	Enrolment- Showcase Day	184	7	184
Gulgong Memorial Hall Committee	Annual Christmas Carnival	3,000	8	3,000
TOTAL				33,609

Disclosure of Interest

Nil.

Detailed report

The information provided below gives more detail on each application and the scoring against the policy criteria. Copies of all applications are provided as attachments to the report.

Kandos High School

Kandos High School requests \$1,760 for Bstreet Road Safety Forum 2020. The BStreetsmart Road safety Forum aims to reduce the fatality and injury rates of young people by promoting safe behaviour as drivers, riders and passengers. It provides young people with first hand experiences, information and strategies surrounding distracted driving, inattention, speeding, drink/drug driving and fatigue, and the consequences of road crashes. The costs of a coach make the excursion costly for those from a poor socioeconomic background and they may prioritise other activities over this highly valuable event. Council's funding will encourage students to participate in the program. Approximately 40 Year 10 students will participate in the program.

Link to Community Plan: 1.1.4 Work with key partners and the community to reduce crime, anti-social behaviour and improve community safety

RECOMMENDATION:

\$1,100

Gulgong Show Society

Gulgong Show Society requests \$3,000 for Gulgong Show 2020. Gulgong Show is an annual rural agriculture show where the community is invited to attend for a great day out. The objective is to provide a day of great entertainment for all. It will provide a glimpse of local businesses with trade

stalls, showcase our regions talent in pavilion competitions, and musicians, provide goat & sheep breeders an avenue to gain prestige with other breeders.

Link to Community Plan: 1.4.1 Support programs which strengthen the relationships between the range of community groups, 1.4.2 Support arts and cultural development across the Region

RECOMMENDATION:

\$3,000

Mudgee Chamber of Commerce Inc.

Mudgee Chamber of Commerce Inc. requests \$3,103.04 for Mudgee Money Gift Cards. Mudgee Money is a cost effective and easily implemented and administered 'shop local' program that has been in operation for 20 months. It is the first such program started in Mudgee to show any real level of success. Currently there are 68 redemption stores in the Mid-Western Region. To date 1,737 cards have been purchased at a total value of \$116,050.

Link to Community Plan: 3.2.2 Provide leadership on economic development initiatives and identify resources and infrastructure required to drive investment and economic growth in the Region

RECOMMENDATION:

\$3,103

Gulgong Golf Club

Gulgong Golf Club requests \$2,706.39 for Reimbursement of council rates & water 2018-2019. Gulgong Golf Club (GGC) heavily rely on sponsorship to support and maintain the clubs facilities and our communal responsibilities. The GGC operates on a voluntary basis and provides a service to the wider community and visitors to MWRC region.

Link to Community Plan: 1.3.1 Provide infrastructure and services to cater for the current and future needs of our community, 1.4.1 Support programs which strengthen the relationships between the range of community groups

RECOMMENDATION:

\$1,500

Kandos Museum

Kandos Museum requests \$900 for NAIDOC Week Flag Raising Open Day. Celebrating NAIDOC week in Kandos includes Welcome to Country by local Aboriginal Elders, Aboriginal Flag Raising, Smoking Ceremony with traditional music and a display of traditional tools, musical instruments and hunting weapons, soup lunch and free entry to Kandos Museum to view Dabee-Mudgee Stories Traveling Exhibition.

Link to Community Plan: 1.4.1 Support programs which strengthen the relationships between the range of community groups, 1.4.2 Support arts and cultural development across the Region

RECOMMENDATION:

\$900

Mudgee Day View Club

Mudgee Day View Club requests \$2000 for replacement of the keyboard. Mudgee Day View Club is a voluntary non-profit group of some 26 senior women, all retired, ranging in ages from the mid 60's to 94, who bring entertainment, excitement and diversion to residents of Nursing Homes in Mudgee, Gulgong and Kandos.

Link to Community Plan: 1.1.1 Maintain the provision of high quality, accessible community services that meet the needs of our community, 1.4.1 Support programs which strengthen the relationships between the range of community groups

RECOMMENDATION:

\$2,000

Kandos Public School

Kandos Public School requests \$1,000 for Kandos Public School Presentation Day 2019. Presentation Day at Kandos Public School recognises the achievements and successes of students including ATSI and students with disabilities from K-6 in English, Mathematics, Creative Arts, Science, Sport and NAPLAN. Students are awarded with scholarships, prizes and vouchers to acknowledge their high levels of achievements, participation and development.

RECOMMENDATION:

\$0

School presentation days do not closely align with Council's Community Plan actions.

Cementa Inc.

Cementa Inc. requests \$2000 for Swimming Pool by PYT Fairfield .Swimming Pool is a site-responsive, participatory theatre performance that will be presented in Kandos' public, outdoor pool. It will involve youth from Western Sydney and Midwestern NSW exploring their experiences growing up in very different cultural and geographic contexts. To be performed at Cementa Contemporary Art Festival.

RECOMMENDATION:

\$0

Cementa 2019 has received events assistance funding of \$2,500. In accordance with the Community Grants Policy, this makes the request ineligible for funding. Cementa Inc. has also been allocated \$1,500 to the Wayout Art Space this financial year.

Cementa Inc.

Cementa Inc. requests \$362 for Transcript. "Transcript" is an experimental opera performance at the Wollemi Standing Stones near Rylstone

Link to Community Plan: 1.4.2 Support arts and cultural development across the Region

RECOMMENDATION:

\$362

Rylstone Public School Parents and Citizens Association

Rylstone Public School Parents and Citizens Association requests \$1,600 for Rylstone Public School Presentation Night. This project is the culmination of the academic year for Rylstone Public School, and is a showcase of every student's achievements and talents. The Presentation Night includes a formal awards ceremony, the announcement of the following year's school leaders, and a theatrical performance written, designed and performed by the whole school.

RECOMMENDATION:

\$0

School presentation days do not closely align with Council's Community Plan actions

Rotary Club of Mudgee Inc. and Rotary Club of Mudgee Sunrise Inc.

Rotary Club of Mudgee Inc. and Rotary Club of Mudgee Sunrise Inc. requests \$7,000 for Mudgee Showground Carols. Mudgee Showground Carols is annual celebration of Christmas for Mudgee community. The event gives Mudgee families and others the opportunity to come together to celebrate Christmas in an alcohol-free family environment. Santa lands on Showground in a Commercial Helicopter sponsored helicopter. The event concludes with fantastic fireworks spectacular.

Link to Community Plan: 1.4.1 Support programs which strengthen the relationships between the range of community groups

RECOMMENDATION:

\$7,000

Mudgee Lions Club

Mudgee Lions Club requests \$2,500 for Mudgee Lions Twilight Market and Festival. Combined market and fun festival for the whole community with a festive, Christmas theme. Held each year since 2014, the principal focus is on fun and activities for all the family while keeping costs as low as possible and to get the involvement of as many community groups as possible. The project has been fully embraced by the community over the past 5 years.

Link to Community Plan: 3.1.1 Support the attraction and retention of a diverse range of businesses and industries, 1.4.2 Support arts and cultural development across the Region

RECOMMENDATION:

\$2,500

Mudgee Chamber of Commerce

Mudgee Chamber of Commerce requests \$2,000 for Pink up Mid-Western Regional 2019. Turning the MWR PINK for the fourth year during Breast Cancer Awareness Month to help raise awareness of Breast Cancer & raise funds for the McGrath Foundation. Along with all other community events including a Pink up Golf Day, in 2019 we are having another major Pink Race Day as well as the Wall of Remembrance at St Johns Church for the 2nd year.

Link to Community Plan: 3.2.1 Promote the Region as a great place to live, work, invest and visit

RECOMMENDATION:

\$1,200

Cancer Council NSW

Cancer Council NSW requests \$2,000 for Mudgee and District Relay for Life. Relay for Life is a 24 hour community event that raises money for cancer research, prevention, support and advocacy.

Link to Community Plan: 1.1.3 Support networks, program and facilities which promote health and wellbeing and encourage healthy lifestyles

RECOMMENDATION:

\$1,200

Rylstone Kandos Show Society

Rylstone Kandos Show Society requests \$5,000 for Rylstone Kandos Show 2020. The 2020 show provides an opportunity to lift moral and boost the local economy suffering the effects of prolonged drought. It is hoped to attract high visitor numbers to the region over the show weekend. This will be achieved by expanding the night program and promotion the event widely.

Link to Community Plan: 1.4.1 Support programs which strengthen the relationships between the range of community groups, 1.4.2 Support arts and cultural development across the Region

RECOMMENDATION:

\$5,000

Powerhouse Youth Theatre Inc.

Powerhouse Youth Theatre Inc. requests \$2,000 for Swimming Pool PYT Fairfield. Swimming Pool is a site-responsive, participatory theatre performance that will be presented in Kandos' public, outdoor pool. It will involve youth from Western Sydney and Midwestern NSW exploring their experiences growing up in very different cultural and geographic contexts. To be performed at Cementa Contemporary Art Festival.

RECOMMENDATION:

\$0

Cementa 2019 has received events assistance funding of \$2,500. In accordance with the Community Grants Policy, this makes the request ineligible for funding.

Kandos Rylstone Men's Shed Inc.

Kandos Rylstone Men's Shed Inc. requests \$1,100 for Reimbursement of council rates 2018-2019. Council rates represent a large financial burden for our shed. Relief of this payment will enable this money to be retained and used to benefit the Sheds activities for the community.

Link to Community Plan: 1.4.1 Support programs which strengthen the relationships between the range of community groups, 1.1.3 Support networks, program and facilities which promote health and wellbeing and encourage healthy lifestyles

RECOMMENDATION:

\$1,100

The Rotary Club of Rylstone -Kandos

The Rotary Club of Rylstone -Kandos requests \$3,000 for Annual Christmas Carnival. The Rotary Club of Rylstone - Kandos annually organizes and operates on behalf of the community the local Christmas Carnival celebrations which encompasses the Kandos/Rylstone townships and surrounding district.

Link to Community Plan: 1.4.1 Support programs which strengthen the relationships between the range of community groups

RECOMMENDATION:

\$3,000

Kanandah Retirement Ltd Auxiliary

Kanandah Retirement Ltd Auxiliary requests \$460 for Card Parties. Card parties open to the public to raise funds to support all the Kanandah residents. The funding is in kind and relates to Council waiver of the fees to hire the Stables for these events.

Link to Community Plan: 1.1.3 Support networks, program and facilities which promote health and wellbeing and encourage healthy lifestyles, 1.4.1 Support programs which strengthen the relationships between the range of community groups

RECOMMENDATION:

\$460

Mudgee District U3A Inc.

Mudgee District U3A Inc. requests \$184 for Enrolment- Showcase Day. The official annual 2020 Enrolment Day for Mudgee District U3A is Saturday, 11th January 2020. The volunteer Presenters & Committee will be available to enrol members and answer questions about the classes. 38 classes were offered by 32 Presenters in 2019. This is a time to pay membership fees, \$25 for the year & enrol in any of the classes.

Link to Community Plan: 1.4.1 Support programs which strengthen the relationships between the range of community groups

RECOMMENDATION:

\$184

The Gulgong Memorial Hall Committee

The Gulgong Memorial Hall Committee requests \$3,000 for their Annual Christmas Carnival. The Gulgong Memorial Hall Committee annually organises and operates on behalf of the community the local Christmas Carnival celebrations which encompasses the Gulgong township and surrounding district.

Link to Community Plan: 1.4.1 Support programs which strengthen the relationships between the range of community groups

RECOMMENDATION:

\$3,000

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 \$110,000 is provided in the Operational Plan for financial assistance. \$28,513 has already been allocated, leaving a balance of \$81,487.

Based on the scoring system above, the recommendation of staff is to provide \$36,609 in financial assistance. Should Council approve the recommendations in the report, a balance of \$44,878 will remain.

Associated Risks

Not applicable

NEIL BUNGATE
MANAGER FINANCIAL PLANNING

LEONIE JOHNSON
CHIEF FINANCIAL OFFICER

1 October 2019

Attachments: 1. Community Grant Applications. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

9.3 Mudgee Washbay Upgrade - Additional Budget

REPORT BY THE PROCUREMENT MANAGER
TO 16 OCTOBER 2019 ORDINARY MEETING
GOV400067, PLA500003

RECOMMENDATION

That Council:

1. **receive the report by the Procurement Manager on the Mudgee Washbay Upgrade; and**
2. **amend the 2019/20 budget to allocate additional expenditure of \$60,000 for the Mudgee Washbay Upgrade project, funded from the asset replacement reserve.**

Executive summary

The existing washbay at the Mudgee Depot is currently being upgraded to replace sediment tanks, a new 3000L oil separator and a new concrete catchment slab for the fuel truck to be parked on. There is also a requirement to bund the whole washbay and cover this new section to prevent storm water entering the area. These improvements are a requirement set by the NSW Environmental Protection Authority (EPA) after a large fuel leak from the fuel truck in 2016.

As the approval process has taken approximately 18 months to be completed, the initial costs surrounding the upgrade has increased dramatically as well as the issues that have been encountered during this upgrade process.

This request for additional funds is to ensure that the Mudgee Washbay is upgraded to a satisfactory level meeting the requirements of the EPA as well as ensuring that the issues discovered are addressed appropriately. This should ensure no further expenditure is required for a number of years.

Disclosure of Interest

Nil.

Detailed report

Background and scope of the project

Following a large fuel leak from Council's fuel truck in 2016 the EPA required Council to make improvements to the Mudgee Depot's washbay area.

The existing washbay at the Mudgee Depot is currently being upgraded to remove the two old concrete sediment tanks and replace with two new fibreglass sediment tanks. One tank will service the washbay and the other a new catchment slab for the fuel truck. A new 3000L oil separator is required for servicing the washbay. As the water from the washbay is pumped into the sewer system and the catchment slab having its own independent tank for fuel only, there is also a requirement to bund the whole washbay. The new slab section must be covered to prevent storm water entering the area as this is not permissible.

Project complications

The major issues that have been encountered during this upgrade process are discussed below.

Additional budget is required to rectify underground services and dispose of existing contaminated tank sediment. The sediment volume is approximately double the original estimate.

There has been an increase of approximately 300% in the costs of the new roof area. Additional quotes are being sought; however, we believe this cost will still be a major increase from the original estimates.

The design received did not account for adequate seal of the concrete bunding of the area.

The issues that we have been finding during this project were unknown at the project planning stage. It recommended to now address these issues so this area is both functional, safe and does not require re-work in the short-term.

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 Procurement Policy

Legislation

Not Applicable.

Financial implications

The current budget for this project is \$60,000 funded from the asset replacement reserve. The recommendation is to increase the budget to \$120,000. The majority of this expenditure is to renew an existing asset and will therefore improve the Building & Infrastructure Renewal ratio.

Budget Year	Operating Performance Ratio	Own Source Revenue	Building & Infrastructure Renewal
2019/20	-	-	✓
Future Years	-	-	-

Associated Risks

Should this upgrade not be undertaken in the appropriate matter to correct all areas, there is a future risk of unwanted attention from the EPA and excessive fines. The will also be the risk of further costs associated with rectifying the current issues that have been discussed above.

KRISTIE WARD
PROCUREMENT MANAGER

LEONIE JOHNSON
CHIEF FINANCIAL OFFICER

1 October 2019

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

9.4 Monthly Budget Review - September 2019

REPORT BY THE MANAGER FINANCIAL PLANNING
TO 16 OCTOBER 2019 ORDINARY MEETING
GOV400067, FIN300201

RECOMMENDATION

That Council:

1. receive the report by the Manager Financial Planning on the Monthly Budget Review - September 2019; and
2. amend the 2019/20 Budget in accordance with the variations as listed in the Monthly Budget Review attachment to this report.

Executive summary

This report provides Council with information on the progress of the 2019/20 capital works program as at 30 September 2019. The report also recommends budget variations as shown in the attachment to this report

Disclosure of Interest

Nil.

Detailed report

Over the period of the financial year, Council has an opportunity to review and approve variances to the Budget. The attachment to this report provides the detailed information of recommended variations.

Community Plan implications

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

Council Strategies

The recommendation if approved will amend the 2019/20 Budget.

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

There are no financial implications by the proposed budget variations.

Associated Risks

Approval of the budget variations proposed in this report are required in order to meet project deadlines. Should the variations not be approved there is a risk the project will not be complete by the end of the financial year.

NEIL BUNGATE
MANAGER FINANCIAL PLANNING

LEONIE JOHNSON
CHIEF FINANCIAL OFFICER

1 October 2019

Attachments: 1. Monthly Budget Review Attachment - September 2019.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



*Good
Government*

MONTHLY BUDGET
REVIEW – 30
SEPTEMBER 2019

ATTACHMENT 1 – CAPITAL
PROGRAM UPDATE

16 OCTOBER 2019

MID-WESTERN REGIONAL COUNCIL
CORPORATE: FINANCE

■ ■ ■ ■ ■ TOWARDS 2030



1. PROPOSED BUDGET VARIATIONS

Community Plan	Fund	Variation	Funding Source	Amount	Movement
PROTECTING OUR NATURAL ENVIRONMENT	Waste	Leachate Pond Enlargement - The funds budgeted for this project were \$250k Based on the estimates we have completed we are expecting the project to cost \$485,000	Waste Reserve	235,000	Contra
PROTECTING OUR NATURAL ENVIRONMENT	Waste	Recycling Plant Upgrades - 235K transferred to Leachate Pond Project leaving a budget of \$165,000. The remaining budget will be used to hotmix or concrete the surface area in preparation for a covered storage area at a later date	Waste Reserve	(235,000)	Contra

2. CAPITAL WORKS PROGRAM

Summary of capital works program as at 30 September 2019.

6.05 M

Actual YTD

214

Capital Projects

8%

Budget Spent

24

Capital Projects
Completed

CORPORATE: FINANCE | MONTHLY BUDGET REVIEW – SEPTEMBER 2019

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
Looking after our Community							
MUDGEES POUND - CAGE REPAIRS	40	0	40	0	1%	0	Consultation
COMM. TRANSPORT- VEHICLE PURCHASE	105	0	105	57	54%	17	Procurement
AGED CARE UNITS - CAP -COOYAL/ANDERSON ST GULGONG	9	0	9	6	68%	0	Complete
CAPITAL -DENISON STREET UNITS	11	0	11	0	0%	0	Consultation
CEMETERY CAPITAL PROGRAM	24	0	24	12	51%	0	Construction
GULGONG CEMETERY EXTENSION	25	0	25	0	0%	6	Initial works
PUBLIC TOILETS - VICTORIA PARK GULGONG SHOWERS	6	0	6	8	124%	0	Complete
LIBRARY BOOKS	91	0	91	11	13%	0	Construction
RYLSTONE LIBRARY BRANCH	11	0	11	0	0%	0	Design
MUDGEES LIBRARY TECHNOLOGY FIT-OUT	49	0	49	47	96%	0	Complete
GULGONG MEMORIAL HALL EXT. PAINTING	30	0	30	0	0%	0	Consultation
GULGONG MEMORIAL HALL ROOF	70	0	70	0	0%	0	Consultation
PAINTING - TOWN HALL	100	0	100	4	4%	0	Project Scope
RYLSTONE HALL PAINTING	52	0	52	2	4%	0	Budget only
GUIDES BUILDING - RYLSTONE	40	0	40	1	4%	0	Consultation
GULGONG HALL	30	0	30	1	4%	0	Consultation
RED HILL COTTAGE	30	0	30	4	12%	0	Project Scope
KANDOS LIBRARY & HALL	20	0	20	1	6%	0	Complete
KANDOS POOL WATER PARK	50	0	50	0	0%	0	Project Scope
KANDOS POOL HEATERS	85	0	85	0	0%	0	Project Scope
GULGONG POOL MATTS	28	0	28	0	0%	0	Project Scope
GULGONG POOL MATT ROLLERS	22	0	22	0	0%	0	Project Scope
MUDGEES POOL ROOF	51	0	51	2	4%	0	Project Scope
MUDGEES SHOWGROUNDS - REDEVELOPMENT	500	0	500	0	0%	0	Design

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
GLEN WILLOW SPORTS GROUND UPGRADES	13,850	0	13,850	175	1%	1,598	Design
WARATAH PARK FENCING	15	0	15	15	99%	0	Complete
GLEN WILLOW PLAYER SEATING	35	0	35	32	92%	0	Complete
GLEN WILLOW SCOREBOARD	270	0	270	182	67%	0	Complete
GLEN WILLOW CRICKET NETS	44	0	44	47	106%	0	Complete
MUDGEES SKATE PARK	15	0	15	7	46%	0	Complete
MUDGEES SHOWGROUNDS - AMENITIES	219	0	219	169	77%	46	Construction
BILLY DUNN FENCE UPGRADE	18	0	18	9	50%	0	Complete
VICTORIA PARK GULGONG - LIGHTING CAP UPGRADE	575	0	575	14	3%	0	Procurement
WARATAH PARK SCOREBOARD & DISCUS NETS	83	0	83	100	120%	0	Complete
WARATAH PARK STORAGE SHED	20	0	20	1	3%	0	Project Scope
IRRIGATION RYLSTONE SHOWGROUND	11	0	11	1	11%	0	Complete
PASSIVE PARKS - LANDSCAPING IMPROVEMENTS	6	0	6	0	0%	4	Initial works
LAWSON PARK WATER BUBBLERS	20	0	20	0	0%	0	Project Scope
SCULPTURES ACROSS THE REGION	26	0	26	7	29%	0	Procurement
BLACKMAN PARK FENCE	12	0	12	9	73%	0	Complete
ANZAC PARK GULGONG UPGRADES	2	0	2	3	192%	0	Complete
MUDGEES OUTDOOR WATER PARK	44	0	44	28	64%	10	Final works
DISTRICT ADVENTURE PLAYGROUND	110	0	110	109	99%	0	Complete
PLAYGROUND EQUIPMENT - WHEELCHAIR ACCESSIBLE SWING	60	0	60	0	0%	0	Procurement
PITTS LANE - LIGHTING	50	0	50	0	0%	49	Initial works
RYLSTONE RIVERBANK PICNIC TABLES	10	0	10	7	72%	0	Complete
BLACKMAN PARK DIVIDING FENCE	8	0	8	4	47%	0	Complete
PLAYGROUND EQUIPMENT - GOOLMA	20	0	20	1	7%	21	Construction
SHELTERED SEATING AREAS ROTARY PARK KANDOS	12	0	12	0	0%	0	Deferred/Cancelled
FLIRTATION HILL DEVELOPMENT	38	0	38	0	0%	0	Project Scope
ROTARY PARK KANDOS	17	0	17	0	0%	15	Construction

CORPORATE: FINANCE | MONTHLY BUDGET REVIEW – SEPTEMBER 2019

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
LIONS PARK MUDGEE	127	0	127	0	0%	120	Initial works
ADVENTURE PLAYGROUND SECURITY	15	0	15	8	56%	2	Final works
ART GALLERY FACILITY	2,546	0	2,546	96	4%	225	Design
STREETScape - CBD INFRASTRUCTURE	25	0	25	14	57%	0	Procurement
Total	19,781	0	19,781	1,194	6%	2,113	

Protecting our Natural Environment

RURAL WASTE DEPOT UPGRADES	212	0	212	0	0%	48	Initial works
MUDGEE WASTE DEPOT UPGRADES	35	0	35	2	4%	4	Design
NEW TIP CONSTRUCTION	150	0	150	0	0%	26	Design
WASTE SITES REHABILITATION	150	0	150	0	0%	6	Initial works
RECYCLING PLANT UPGRADES	400	(235)	165	0	0%	0	Project Scope
LEACHATE POND ENLARGEMENT	250	235	485	6	1%	0	Procurement
KANDOS WTS OFFICE REPLACEMENT	100	0	100	0	0%	0	Consultation
GULGONG WTS OFFICE REPLACEMENT	79	0	79	0	0%	0	Construction
SEDIMENT POND AND PAPER BLOW FENCING	34	0	34	0	0%	22	Procurement
MUDGEE LANDFILL WHEEL WASH	35	0	35	0	0%	0	Project Scope
DRAINAGE CAPITAL IMPROVEMENTS	246	0	246	0	0%	0	Project Scope
CAUSEWAY IMPROVEMENTS	64	0	64	0	0%	0	Design
LAWSON PARK WEST PIPE EXTENSION	14	0	14	0	3%	4	Initial works
MUDGEE FLOOD STUDY & FLOODPLAIN MANAGEMENT PLAN	155	0	155	0	0%	49	Final works
LAWSON PARK CULVERT REPLACEMENT	110	0	110	0	0%	26	Procurement
COX ST INLET PIT	10	0	10	0	5%	0	Project Scope

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
EARTH CHANNEL ENLARGEMENT WORKS	98	0	98	0	0%	0	Project Scope
CAUSEWAY IMPROVEMENT - PYRAMUL ROAD	0	0	0	17	0%	1	Complete
PIT MODIFICATIONS – VARIOUS LOCATIONS	20	0	20	0	0%	0	Project Scope
PUTTA BUCCA WETLANDS CAPITAL	36	0	36	0	0%	0	Project Scope
PUTTA BUCCA WETLANDS EXTENSION	15	0	15	0	0%	0	Procurement
WATER NEW CONNECTIONS	76	0	76	27	36%	0	Construction
WATER AUGMENTATION - MUDGEE HEADWORKS	2,720	0	2,720	82	3%	332	Design
WATER AUGMENTATION - WEST MUDGEE EXTENSION	325	0	325	0	0%	0	Budget only
WATER AUGMENTATION - ULAN RD EXTENSION	639	0	639	0	0%	0	Project Scope
WATER AUGMENTATION - RYLSTONE & KANDOS	200	0	200	0	0%	0	Project Scope
WATER RYLSTONE DAM UPGRADE	3,563	0	3,563	0	0%	0	Project Scope
WATER TELEMTRY	120	0	120	0	0%	0	Project Scope
WATER MAINS - CAPITAL BUDGET ONLY	1,275	0	1,275	0	0%	0	Design
WATER MAINS - HERBERT ST STATION TO QUEEN	28	0	28	29	107%	2	Complete-awaiting invoices
WATER MAINS - WHITE ST GULGONG	64	0	64	41	64%	2	Construction
WATER PUMP STATION - CAPITAL RENEWALS	96	0	96	0	0%	0	Procurement
WATER RESERVOIR - FLIRTATION HILL GULGONG	250	0	250	0	0%	0	Budget only
RESERVOIRS - RYLSTONE, KANDOS, CHARBON, CLANDULLA	55	0	55	0	0%	0	Procurement
RAW WATER SYSTEMS RENEWALS	19	0	19	0	0%	0	Consultation
WATER TREATMENT PLANT - RENEWALS	112	0	112	0	0%	0	Design
MUDGEE WTP AIRCONDITIONING	17	0	17	0	0%	0	Project Scope
WATER METER REPLACEMENT	1,548	0	1,548	604	39%	512	Construction
CHLORINE DISINFECITON - GULGONG - UPGRADE	15	0	15	0	0%	0	Procurement
SEWER NEW CONNECTIONS	22	0	22	8	35%	0	Initial works
SEWER AUGMENTATION - RYLSTONE & KANDOS	4,000	0	4,000	0	0%	0	Design
SEWER TELEMTRY	50	0	50	0	0%	0	Project Scope
SEWER AUGMENTATION - CHARBON	3,023	0	3,023	0	0%	0	Initial works

CORPORATE: FINANCE | MONTHLY BUDGET REVIEW – SEPTEMBER 2019

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
SEWER MAINS - CAPITAL BUDGET ONLY	379	0	379	0	0%	0	Construction
RISING MAIN ULAN RD TO PUTTA BUCCA	531	0	531	0	0%	0	Design
SEWER PUMP STATION - CAPITAL RENEWALS	1,041	0	1,041	0	0%	0	Consultation
SEWER PUMP STATION - RACECOURSE MUDGEE	125	0	125	0	0%	0	Design
SEWER TREATMENT WORKS - RENEWALS	105	0	105	0	0%	0	Design
MUDGEE STP SLUDGE MIXER	20	0	20	0	0%	20	Construction
Total	22,629	0	22,629	817	4%	1,053	

Building a Strong Local Economy

CUDGEGONG WATERS CARAVAN PARK	298	0	298	274	92%	18	Final works
RYLSTONE CARAVAN PARK - CAPITAL	260	0	260	9	3%	30	Consultation
HERITAGE WALKS IN OUR REGION	25	0	25	0	0%	0	Consultation
ENTRANCE SIGNAGE PROJECT	120	0	120	2	1%	1	Construction
WISHING WELL - CHERRY TREE HILL	20	0	20	0	0%	0	Project Scope
SALEYARDS - POST AND RAIL REPLACEMENT	10	0	10	0	0%	0	Project Scope
SALEYARDS CANTEEN	34	0	34	31	92%	1	Complete
PROPERTY - MUDGEE AIRPORT SUBDIVISION	10	0	10	12	125%	0	Initial works
PROPERTY - EX SALEYARDS STAGE I	910	0	910	318	35%	228	Construction
RYLSTONE KANDOS PRESCHOOL EXTENSION	339	0	339	1	0%	0	Project Scope
COMMERCIAL PROPERTY PURCHASE	2,850	0	2,850	7	0%	0	Consultation
Total	4,875	0	4,875	654	13%	279	

Connecting our Region

RESEAL - ROBERTSON RD SEG 10	39	0	39	0	0%	0	Initial works
RESEAL - MAIN AND SHORT ST ULAN	15	0	15	0	0%	0	Initial works
RESEAL - MANN ST SEG 20	3	0	3	0	0%	0	Initial works

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
RESEAL - ROBINSON ST SEG 10 - 50	14	0	14	0	0%	0	Initial works
RESEAL - DANGAR SEG 10, 40 AND NOYES ST SEG 10 - 20	45	0	45	0	0%	0	Initial works
RESEAL - HILL SIXTY DR AND BRUCE RD PART SEG 50	29	0	29	0	0%	0	Initial works
RESEAL - DENISON ST SEG 10, 20, 40, 70 - 110	195	0	195	0	0%	0	Initial works
URBAN RESEALS - HERBERT STREET SEG 40 & 50	11	0	11	0	0%	0	Initial works
URBAN RESEALS - HERBERT STREET SEG 90 - 120,150	34	0	34	0	0%	0	Construction
URBAN ROADS KERB & GUTTER CAPITAL	25	0	25	29	116%	0	Complete
URBAN HEAVY PATCHING	25	0	25	2	8%	0	Initial works
URBAN REHAB - INDUSTRIAL AVE GULGONG	100	0	100	0	0%	0	Project Scope
URBAN REHAB - ANGUS AVE KANDOS	135	0	135	0	0%	0	Project Scope
DISABLED ACCESS IGA KANDOS	48	0	48	0	0%	0	Project Scope
MULTIPLE PEDESTRIAN REFUGES & BUILDOUTS	100	0	100	0	0%	0	Project Scope
RESHEETING - URBAN ROADS	15	0	15	1	4%	0	Initial works
URBAN ROAD -BUS ACCESS TO REDHILL	25	0	25	27	107%	0	Complete
REHAB - WOODSIDE CLOSE SEG 10	25	0	25	0	0%	0	Project Scope
SEAL SHORT ST GULGONG	32	0	32	0	0%	0	Project Scope
REHAB - HALL ST SEG 10	20	0	20	0	0%	0	Project Scope
REHAB - STANLEY ST SEG 10	20	0	20	0	0%	0	Project Scope
REHAB - SAVILLE ROW SEG 10	62	0	62	0	0%	0	Project Scope
URBAN ROADS LAND MATTERS CAPITAL	23	0	23	0	0%	0	Consultation
GUTTERING BYLONG VALLEY WAY KANDOS	50	0	50	33	66%	2	Construction
RESEAL - BARNEYS REEF RD SEG 60, 100 - 120	170	0	170	0	0%	0	Initial works
RESEAL - CANADIAN LEAD RD SEG 10	18	0	18	0	0%	0	Initial works
RESEAL - GLEN ALICE RD SEG 50, 110 - 120	113	0	113	0	0%	0	Initial works
RESEAL - KURTZ LN SEG 10	11	0	11	0	0%	0	Initial works
RESEAL - SPRING CREEK RD SEG 80 - 150	249	0	249	18	7%	0	Initial works
RESEAL - WINDEYER RD SEG 120 - 130	76	0	76	1	1%	0	Initial works

CORPORATE: FINANCE | MONTHLY BUDGET REVIEW – SEPTEMBER 2019

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
RESEAL - MOUNT VINCENT RD SEG 10 - 30, 90, 117	146	0	146	0	0%	0	Initial works
REHAB - LUE RD SEG 50 -80	320	0	320	0	0%	0	Project Scope
REHAB - HENRY LAWSON DR SEG 210	251	0	251	195	77%	20	Construction
REHAB - RIDGE RD SEG 90	233	0	233	0	0%	0	Project Scope
REALIGNMENT - ULAN WOLLAR RD	5	0	5	0	0%	5	Complete
HEAVY PATCHING	45	0	45	1	1%	0	Initial works
CUDGEGONG ROAD GUARDRAIL	50	0	50	19	38%	0	Construction
ULAN WOLLAR ROAD - STAGE 1	3,971	0	3,971	1,034	26%	565	Construction
ULAN WOLLAR ROAD - STAGE 3A	1,610	0	1,610	108	7%	1	Construction
RURAL SEALED ROAD LAND MATTERS	15	0	15	8	51%	0	Consultation
RURAL SEALED REGIONAL ROAD CAPITAL - BUDGET ONLY	47	0	47	0	0%	0	Budget only
REHAB BYLONG VALLEY WAY SEG 1030,1035,1050,1055	975	0	975	194	20%	120	Construction
RURAL SEALED REGIONAL ROAD REPAIR PROGRAM	800	0	800	2	0%	0	Initial works
ULAN AND WOLLAR ROAD UPGRADES	83	0	83	0	0%	0	Project Scope
MUNGHORN GAP REALIGNMENT & UPGRADE	2,230	0	2,230	32	1%	36	Design
BVW UPGRADE UPPER BYLONG AND WOLLAR ROAD	785	0	785	0	0%	0	Deferred/Cancelled
INTERSECTION BVW AND WOLLAR ROAD	419	0	419	0	0%	0	Deferred/Cancelled
HILL END ROAD SAFETY IMPROVEMENTS	1,160	0	1,160	32	3%	44	Design
BVW UPGRADE RNSW 2080	1,100	0	1,100	0	0%	3	Project Scope
RURAL SEALED REGIONAL ROAD LAND MATTERS CAPITAL	5	0	5	0	0%	0	Consultation
RAZORBACK RD PASSING BAYS	35	0	35	25	71%	0	Construction
WIDEN AND SEAL MT VINCENT ROAD HILL	200	0	200	0	0%	0	Design
SEAL EXTENSION - SPRING FLAT SOUTH LANE	215	0	215	161	75%	0	Construction
RESHEETING	1,852	0	1,852	320	17%	0	Construction
SEAL EXTENSION PROGRAM	400	0	400	0	0%	0	Project Scope
UNSEALED ROADS LAND MATTERS CAPITAL	17	0	17	0	1%	11	Design

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
SEAL EXTENSION - WOLLAR ROAD	0	0	0	5	0%	79	Final works
SEAL EXTENSION - WOLLAR ROAD STAGE 4	0	0	0	0	0%	23	Final works
WOLLAR RD - STAGE 1 RECTIFICATION (CORTINA)	6	0	6	0	0%	0	Complete
WOLLAR RD - STAGE 5	334	0	334	1	0%	0	Initial works
REGIONAL ROAD BRIDGE CAPITAL	58	0	58	0	0%	0	Project Scope
ULAN ROAD - REHABS, WIDENING AND CONFORMING RESEALS - BUDGET	222	0	222	9	4%	106	Initial works
ULAN ROAD - REHAB GEORGE CAMPBELL DRIVE TO BUCKAROO LANE	700	0	700	26	4%	37	Initial works
ULAN ROAD - RESEAL RIDGE RD TO TOOLE RD	108	0	108	0	0%	0	Project Scope
ULAN ROAD - RESEAL MUD HUT CREEK INTERSECTION	108	0	108	0	0%	0	Project Scope
ULAN ROAD - MOGGS LN TO WOLLAR RD	41	0	41	24	59%	0	Construction
FOOTWAYS - CAPITAL WORKS	132	0	132	4	3%	0	Construction
PEDESTRIAN - PUTTA BUCCA WALKWAY	30	0	30	0	0%	1	Design
PEDESTRIAN BRIDGE RYLSTONE	716	0	716	2	0%	0	Procurement
FOOTPATH - WINTER STREET TO WALKING TRACK	27	0	27	0	0%	0	Project Scope
PEDESTRIAN CROSSING - DOURO ST	34	0	34	0	0%	0	Project Scope
PUTTA BUCCA ECO TRAIL	374	0	374	1	0%	0	Procurement
MUDGEES SHARED CYCLEWAY/WALKING LOOP	308	0	308	0	0%	0	Procurement
RYLSTONE PATHWAY CONCRETING	60	0	60	0	0%	0	Project Scope
AIRPORT SUBDIVISION COMMUNICATIONS	80	0	80	70	88%	0	Procurement
CARPARK - RED HILL RESERVE	40	0	40	0	0%	1	Project Scope
Total	22,075	0	22,075	2,385	11%	1,055	

Good Government

MUDGEES ADMINISTRATION BUILDING UPGRADE	14	0	14	4	26%	0	Final works
RYLSTONE COUNCIL BUILDING	93	0	93	0	0%	0	Project Scope

CORPORATE: FINANCE | MONTHLY BUDGET REVIEW – SEPTEMBER 2019

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
OLD POLICE STATION CAPITAL	7	0	7	0	0%	0	Consultation
OPERATIONS ADMIN CAPITAL	10	0	10	10	95%	0	Final works
CARMEL CROAN BUILDING CAPITAL	30	0	30	15	49%	0	Construction
BUILDINGS MASTER KEY SYSTEM	150	0	150	2	1%	0	Consultation
COUNCIL POUND	0	0	0	0	0%	0	Consultation
CONCEPT PLANS FOR MAIN ADMIN BUILDING	50	0	50	2	3%	0	Consultation
IT SPECIAL PROJECTS	45	0	45	12	27%	0	Consultation
IT NETWORK UPGRADES	150	0	150	0	0%	0	Procurement
IT CORPORATE SOFTWARE	285	0	285	0	0%	0	Consultation
SERVER ROOM MUDGEES CAPITAL UPGRADES	30	0	30	0	0%	0	Consultation
PLANT PURCHASES	2,402	0	2,402	953	40%	960	Initial works
MUDGEES DEPOT WASHBAY	60	0	60	0	0%	49	Construction
RYLSTONE DEPOT WASHBAY	165	0	165	0	0%	0	Consultation
DEPOT SHEDS - STORES AND ROADS	50	0	50	0	0%	0	Consultation
SOLAR FARM INITIATIVE	180	0	180	0	0%	0	Consultation
REPLACE DEPOT FUEL BOWSERS	12	0	12	0	0%	10	Construction
RYLSTONE DEPOT SEALING	50	0	50	0	0%	0	Procurement
WORKSHOP FIRE EXIT	40	0	40	2	4%	0	Project Scope
WORKSHOP CONCRETE WORKS	25	0	25	1	3%	0	Consultation
Total	3,848	0	3,848	1,000	26%	1,020	
Total Capital Works Program	73,208	0	73,208	6,050	8%	5,520	

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.

9.5 Monthly Statement of Investment and Bank Balances as at 30 September 2019

REPORT BY THE MANAGER FINANCIAL PLANNING
TO 16 OCTOBER 2019 ORDINARY MEETING
GOV400067, FIN300053

RECOMMENDATION

That Council:

1. **receive the report by the Manager Financial Planning on the Monthly Statement of Investment and Bank Balances as at 30 September 2019; 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 September 2019.

Breach of credit limit thresholds

Ratings agency Standard and Poor's (S&P) on 27 August 2019 issued a ratings downgrade to AMP Bank Ltd to A-2/BBB+. In the statement accompanying, the rational S&P stated:

We expect AMP group's creditworthiness after divestment of AMP Life to be one or more notches weaker as its asset management, wealth management, and banking businesses will drive its financial and business risk profiles.

The negative outlook on AMP group reflects downward ratings pressure as it transitions to a less diversified and less capital intensive group with the expected sale of AMP Life.

The downgrade of AMP has resulted in the BBB+ to BBB- category being at policy limit as highlighted in the report. The institution limit set for AMP is now also over policy limit, due to a reduction of the institution policy limit (A- to BBB+:15% to 5%). The current amount invested with AMP is \$7,500,000 or 9% of Council's portfolio.

In accordance with the policy an immediate freeze will be imposed on the acquisition of new investment in this category until the portfolio can be effectively managed back to the requirements of the Investments Policy.

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

The S&P rating downgrade to AMP Bank is an indicator of increased credit risk. As stated in the Investments Policy, Credit ratings measure relative credit strength and in no way do they guarantee the Council against investment losses. Despite this challenge, credit ratings provide the best independent information available to assess exposure to credit risk. As a rating of BBB+ still falls within the Investment Grade category, it is recommended that an immediate freeze be imposed rather than requesting deposits be returned before their maturity date.

NEIL BUNGATE
MANAGER FINANCIAL PLANNING

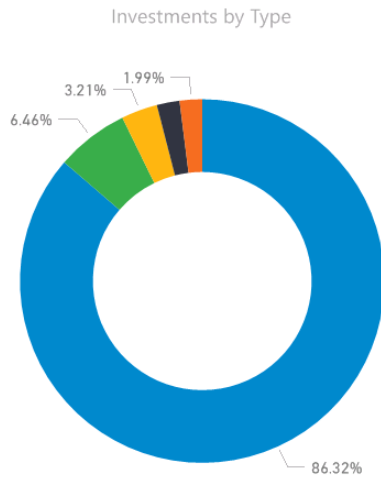
LEONIE JOHNSON
CHIEF FINANCIAL OFFICER

2 October 2019

Attachments: 1. Investment Report September 2019.

APPROVED FOR SUBMISSION:

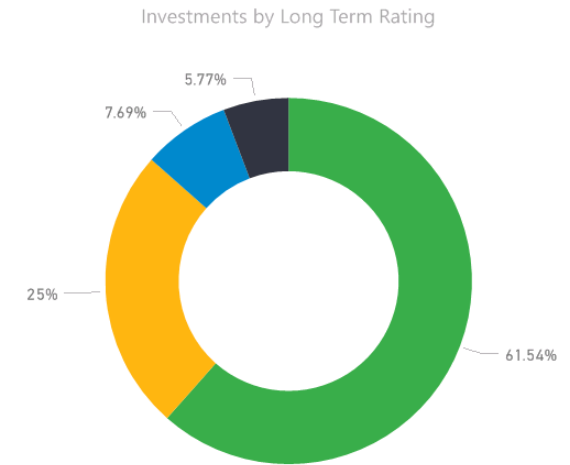
BRAD CAM
GENERAL MANAGER



**Mid-Western Regional Council
Cash and Investments
as at 30 September 2019**

Total Investment Portfolio

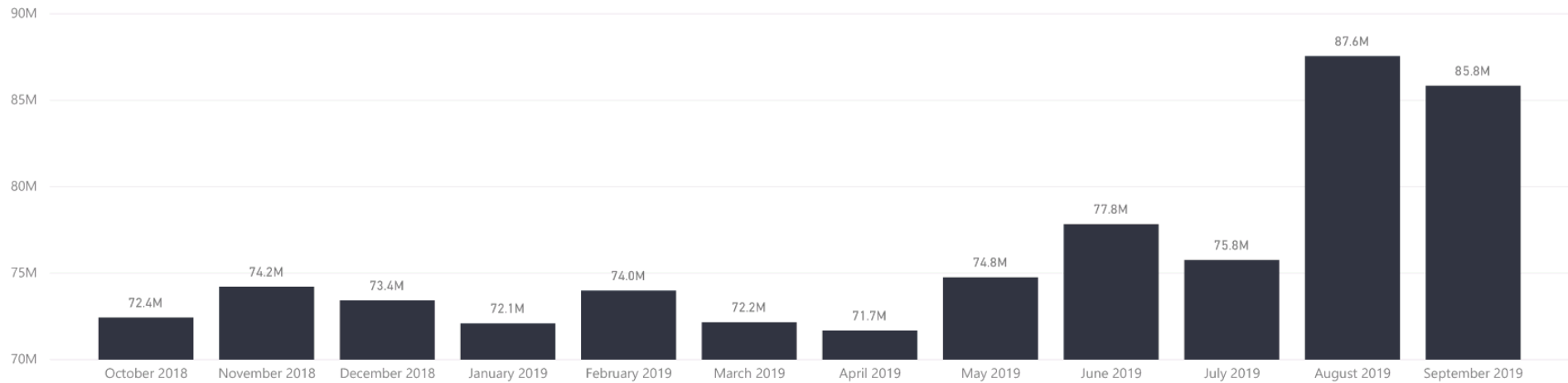
85.84M



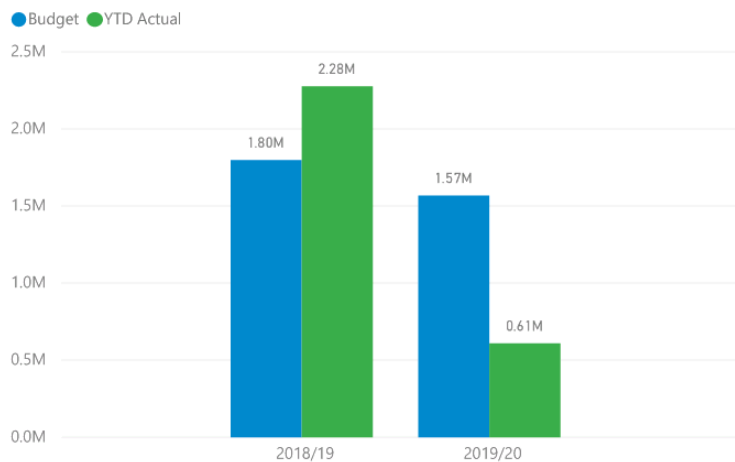
● Term Deposit ● TCorp - MTG Fund ● TCorp - LTG Fund ● TCorp - Cash Fund ● At Call

● AAA to AA- ● BBB+ to BBB- ● A+ to A- ● TCorp (Unrated)

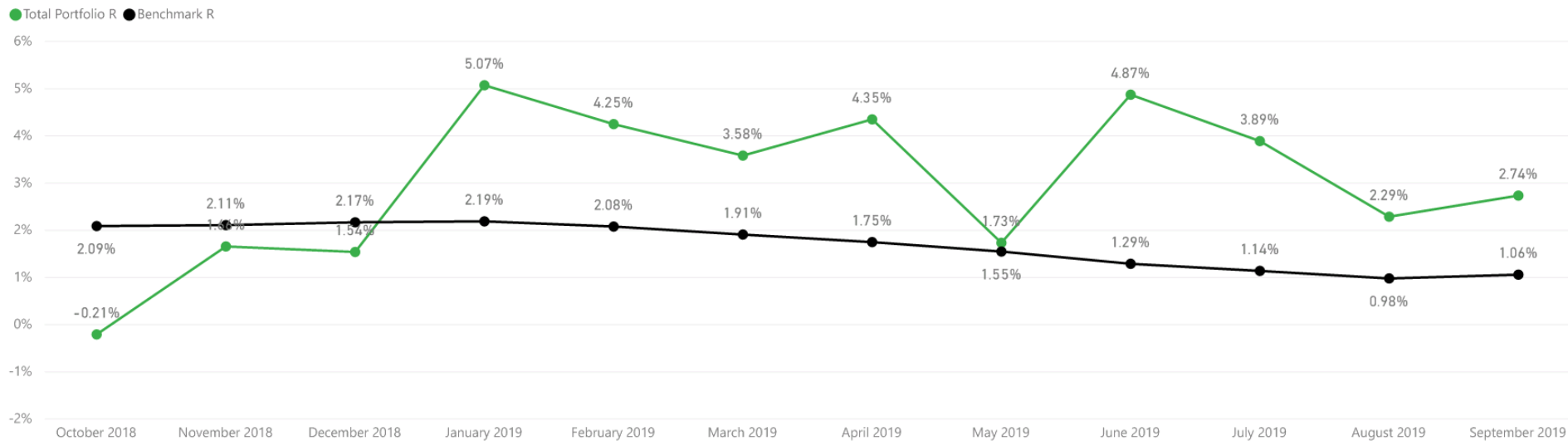
Portfolio Balance at End of Month



Income on Investments



Investment Performance



Investment Portfolio Summary

Term to Maturity	Amount \$'000	Actual	Cumulative Actual	Cumulative Minimum	Policy Compliance
Less than 3 months	28,740,547	33%	33%	20%	OK
Between 3 months and 1 year	46,100,000	54%	87%	40%	OK
Between 1 year and 2 years	11,000,000	13%	100%	50%	OK
Between 2 years and 4 years	-	0%	100%	85%	OK
More than 5 years	-	0%	100%	0%	OK
Total	85,840,547				

Long Term Rating	Institution	Policy Limit	Policy Compliance (Institution)	% of Portfolio	Amount
AA-	Bankwest		30% OK	7%	6,000,000
	CBA		30% OK	5%	4,000,000
	NAB		30% OK	21%	17,709,347
	St George		30% OK	17%	14,600,000
	Westpac		30% OK	11%	9,500,000
A	ING		15% OK	5%	4,500,000
	Macquarie		15% OK	2%	2,000,000
BBB+	AMP		5% Over Limit	9%	7,500,000
	Bank Of Queensland		5% OK	3%	2,500,000
	Rural Bank		5% OK	2%	1,500,000
BBB	Credit Union Australia		5% OK	1%	1,000,000
	Defence Bank		5% OK	2%	2,000,000
	ME Bank		5% OK	3%	3,000,000
TCorp (Unrated)	TCorp - Cash Fund		15% OK	2%	1,736,121
	TCorp - Long Term Growth Fund		15% OK	3%	2,753,713
	TCorp - Medium Term Growth Fund		15% OK	6%	5,541,366
Grand Total				100%	85,840,547

Long Term Rating Group	Credit Policy Limit	Policy Compliance (SP Group)	% of Portfolio	Amount
AAA to AA-		100% OK	60%	51,809,347
A+ to A-		40% OK	8%	6,500,000
BBB+ to BBB-		20% Over Limit	20%	17,500,000
TCorp (Unrated)		15% OK	12%	10,031,200
Grand Total			100%	85,840,547

Monthly Investment Portfolio Activity

The below table shows investments activities of At Call Fund and Managed Funds

Bank Accounts	Opening Balance	Redeemed Balance	Re-invested Balance
NAB (At call account)	5,984,067.26		1,709,347.04
TCorp - Cash Fund	1,734,586.97		1,736,120.77
TCorp - Long Term Growth Fund	2,723,696.29		2,753,712.81
TCorp - Medium Term Growth Fund	5,514,867.79		5,541,366.46
Total	15,957,218.31	-	11,740,547.08

The below table shows matured term deposits

Institution	Yield	Maturity Date	Principal Amount	Total Interest
NAB	2.71%	43,712.00	1,500,000.00	34,301.92
NAB	2.75%	43,726.00	1,500,000.00	33,226.03
NAB	2.75%	43,733.00	2,500,000.00	55,376.71
Total			5,500,000.00	122,904.66

The below table shows new term deposits

Institution	Yield	Maturity Date	Principal Amount	Total Interest
Macquarie	1.80%	43,859.00	2,000,000.00	14,400.00
NAB	1.55%	44,104.00	1,500,000.00	24,969.86
Westpac	1.56%	44,118.00	1,500,000.00	26,028.49
Westpac	1.55%	44,251.00	1,500,000.00	34,333.56
NAB	1.62%	44,132.00	1,500,000.00	26,563.56
Total			8,000,000.00	126,295.48

At Call Fund and Managed Funds

Institution	Yield	Term to Maturity	Principal	Amount
NAB	1.15%		0	1,709,347.04
TCorp - Cash Fund			1	1,736,120.77
TCorp - Long Term Growth Fund			5	2,753,712.81
TCorp - Medium Term Growth Fund			5	5,541,366.46
Total				11,740,547.08

Current Term Deposits

Institution	Yield	Term to Maturity	Principal	Amount
ING	2.92%	2		1,000,000
ING	2.86%	156		2,500,000
Westpac	2.85%	198		1,000,000
NAB	2.90%	212		1,500,000
Westpac	2.88%	240		2,500,000
Defence Bank	2.80%	30		2,000,000
Credit Union Australia	2.85%	44		1,000,000
NAB	2.75%	2		1,000,000
AMP	2.75%	100		2,000,000
AMP	2.75%	16		1,000,000
NAB	2.73%	16		2,000,000
Rural Bank	2.73%	44		1,500,000
NAB	2.75%	128		1,500,000
ING	2.77%	506		1,000,000
AMP	2.80%	58		1,000,000
AMP	2.80%	58		1,000,000
AMP	2.80%	72		1,500,000
Westpac	2.63%	352		1,500,000
AMP	2.80%	79		1,000,000
Bank Of Queensland	2.60%	79		1,500,000
NAB	2.44%	79		1,500,000
ME Bank	2.38%	114		1,500,000
St George	2.50%	142		2,000,000
St George	2.61%	576		2,500,000
St George	2.35%	177		2,500,000
St George	2.45%	170		1,600,000
St George	2.40%	149		1,500,000
St George	2.40%	184		1,500,000
St George	2.27%	205		1,500,000
Bank Of Queensland	2.07%	198		1,000,000
St George	2.22%	226		1,500,000
ME Bank	1.93%	254		1,500,000
NAB	1.95%	268		1,500,000
NAB	1.79%	268		1,500,000
Westpac	1.54%	674		1,500,000
Bankwest	1.54%	282		2,000,000
Bankwest	1.52%	296		2,000,000
Bankwest	1.52%	303		2,000,000
NAB	1.60%	324		1,000,000
NAB	1.57%	310		1,500,000
CBA	1.52%	331		1,000,000
CBA	1.52%	338		1,000,000
CBA	1.52%	359		2,000,000
Macquarie	1.80%	121		2,000,000
NAB	1.55%	366		1,500,000
Westpac	1.56%	380		1,500,000
Westpac	1.55%	513		1,500,000
NAB	1.62%	394		1,500,000
Total				74,100,000.00

Item 10: Operations

10.1 Licence Agreement - 48 Depot Road Mudgee

REPORT BY THE DIRECTOR OPERATIONS
TO 16 OCTOBER 2019 ORDINARY MEETING
GOV400066, 8344

RECOMMENDATION

That Council:

1. **receive the report by Director Operations on the Licence Agreement - 48 Depot Road Mudgee; and**
2. **enter into a licence agreement with NSW Department of Primary Industries to lease 48 Depot Road for a further 24 month period from 31 October 2019;**
3. **authorise the General Manager to finalise all documentation necessary to finalise the licence agreement;**
4. **authorise the General Manager to sign additional 24 month licence agreement following the conclusion of the 24 month period if operationally required;**
5. **amend the 2019/20 budget to increase rent expenditure by \$15,000, funded from unrestricted cash; and**
6. **amend the 2017/21 Delivery Program budgets for 2020/21, 2021/22, 2022/23 to include an annual rental budget of \$25,000, CPI indexed each year for the duration of the licence agreement and to cover the additional 24 month period where required, funded from unrestricted cash.**

Executive summary

Currently there is insufficient room at Council's depot at 54 Depot Road, Mudgee for staff offices, material storage and parking for plant and equipment. The old DPI depot at 48 Depot Road has been occupied by the Weeds staff of Operations Department for a period of twelve (12) months licence. Council commenced negotiations to acquire the property but they have not been favourable therefore this report requests endorsement of a new licence agreement for a 24 month period with an option to extend.

Disclosure of Interest

Nil.

Detailed report

Council's Operations continue to grow with increased grant funding, private works, Roads & Maritime Services projects, improved Waste services and Water & Sewer capital and operational programs.

Council's depot at 54 Depot Road, Mudgee is at capacity. Within the office area all desks are occupied and within the depot yard parking and traffic movements are congested. These issues were raised by the Work Health Safety Committee.

A report was presented to Council in October 2018 to enter a licence agreement with DPI at a cost of \$25,000 per annum with Council responsible for undertaking works to maintain the building. Council invested approximately \$25,000 to make the space suitable for employees including replacing and installing air conditioning units, repair and painting walls, installing a window to allow natural light and ventilation, replaced existing flooring, repair tiling and benchtops in kitchen and bathroom areas and repairs to hot water service and supply office furniture.

Negotiations to acquire the building did not represent value for money for Council, and as such it is proposed to continue the licence agreement for a period of 24 months, with an option to extend an additional 24 months at the end of that period. The budget for the lease should be included in the operational plan, of \$25,000 per year, indexed with CPI annually.

Community Plan implications

Theme	Good Governance
Goal	An effective and efficient organisation
Strategy	Provide a positive and supportive working environment for employees

Strategic implications

Council Strategies

N/A

Council Policies

N/A

Legislation

N/A

Financial implications

\$25,000 per financial year plus CPI will be required to fund the annual agreed lease. The Operational Plan will need to be amended to indicate this expenditure which can be funded from unrestricted cash reserves.

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

Associated Risks

If this licence agreement isn't undertaken there will be a whole team of employees without a suitable place to undertake their work.

GARRY HEMSWORTH
DIRECTOR OPERATIONS

23 September 2019

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

10.2 Exemption from Tendering - Water Cart Hire

REPORT BY THE TENDERING AND CONTRACTS OFFICER
TO 16 OCTOBER 2019 ORDINARY MEETING
GOV400067, FIN400012

RECOMMENDATION

That Council:

1. **receive the report by the Tendering and Contracts Officer on the Exemption from Tendering - Water Cart Hire;**
2. **authorise exemption from tendering to form an interim prequalified panel of water cart operators, in accordance with Clause 55(3)(i) of Local Government Act 1993, due to extenuating circumstances around implementation of water restrictions and drought conditions within the region which does not allow a suitable timeframe to undertake a tender;**
3. **use the existing preferred supplier list, RFT 2016/12 Wet and Dry Plant Hire, to seek quotes to form a prequalified panel of water cart operators; and**
4. **note that the Wet & Dry Plant Hire contract currently out to tender will include water cart operators, and this contract will replace the interim panel, on completion of the contract.**

Executive summary

Tenders are required for the formation of a prequalified panel of suitable Wet & Dry Water Cart trucks to provide much needed water cartage for the purpose of Road Construction and Dust Suppression.

Disclosure of Interest

Manager Works has lodged a Disclosure of Interest

Detailed report

Mayoral minute 275/19 was carried in September's meeting, adopting that Council apply water restrictions to prohibit the use of potable water supplies for the purpose of road construction, maintenance and dust suppression, commencing 9 October 2019.

Council has investigated alternative water sources for the purpose of Road Construction and Dust Suppression, with utilising treated effluent and/or extraction of raw water from Windamere dam, as two (2) options.

Council are currently in the market, undertaking a robust tender for the purpose of Wet & Dry Plant Hire. This contract is anticipated to be established January 2020 – therefore this exemption would be for an interim contract term only, commencing from adoption until the formation of the new Wet & Dry Plant Hire contract.

The existing Wet & Dry plant hire agreement RFT 2016/12, cannot be utilised as it expired in March 2019.

TERMS OF ENGAGEMENT

The terms of engagement will be under the following criteria:

1.1 Plant Classification

Water Carts	
Plant Classification Reference	Legal Carrying Capacity (L)
1.1	Less than 4,999L
1.2	5,000L – 9,999L
1.3	10,000L – 12,999L
1.4	13,000L – 14,999L
1.5	15,000L and above

1.2 Plant Hire with an Operator (Wet Hire)

- 1.2.1 Plant hire with an Operator will be paid on the basis of either on hire or off hire, therefore only one rate is to be provided.
- 1.2.2 Plant hire commences once both plant and operator are onsite.
- 1.2.3 The rate is payable when Plant order with an Operator is in operation on the Site or is moving between sites under its own power. The following conditions apply to the rate:
 - (i) The rate is payable for the hours that the equipment worked, as recorded on the Daily Time Sheet.
 - (ii) If the Principal determines at the start of a normal shift that works is not possible on a particular day because of unsuitable site conditions. Alternatively, for any other reason, the Service Provider is only entitled to payment for 4 hours.
 - (iii) Payment of attachments will be paid in addition to that of the plant, but only for the hours/weeks that the attachment is used, at the quoted rate.
 - (iv) All times are calculated to the nearest 0.25 of an hour.

The Principal will advise the Service Provider of any decisions relating to the cessation of work. Any re-establishment costs incurred by the Service Provider in relation to the cessation of work must be borne by the Service Provider.

1.3 Plant Hire without an Operator (Dry Hire)

- 1.3.1 Plant hire without an Operator will be paid on the basis of either on hire or off hire, if the plant is idle due to break down, this is classed as off hire and therefore not chargeable.
- 1.3.2 The daily rate is payable for all time that Plant ordered without an Operator is on hire and in working order;
 - (i) Whether in use or not; and
 - (ii) Irrespective of the machine hours used.
- 1.3.3 The weekly rate is payable for all time that Plant ordered without an Operator is on hire and in working order;
 - (i) Whether in use or not; and

- (ii) Irrespective of machine hours used.

1.4 Hire Conditions

- 1.4.1 No terms or conditions, which it purports to incorporate, on the back of its invoices or delivery dockets or other company documents, which may or may not be signed for on behalf of the Principal, will be of any force or effect.
- 1.4.2 Hire shall be on a casual basis, terminable on **one hour's notice**. The Principal reserves the right; however, to terminate the hire at any time without notice should the operator's conduct of the condition/operation of the plant be either unsatisfactory or unsafe.
- 1.4.3 Daily rate shall be based on a 8.5 hour day, in line with the Principals standard working hours.
- 1.4.4 The Principal may cancel an item of plant at any time of the day without notice due to wet weather, completion of work or for any reason. If an item of plant is cancelled within two (2) hours of arriving on site, the contractor will be paid for two hours.

Community Plan implications

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

Strategic implications

Council Policies

Procurement Policy

Service Provider Management Policy

Legislation

Local Government Act 1993

Local Government (General) Regulations 2005

Financial implications

The rates obtained under this contract will form a prequalified panel contract, and funds for this work are available in the operating budget. No budget variations are recommended in this report.

Associated Risks

If this interim contract is not formed, Council will have no available means for engagement of Water Carts for the purpose of Road Construction or Dust Suppression.

ALISON CAMERON
TENDERING AND CONTRACTS OFFICER

1 October 2019

Attachments: Nil

APPROVED FOR SUBMISSION:

GARRY HEMSWORTH
DIRECTOR OPERATIONS

10.3 Establishment of a Recycled Water Facility and Management system

REPORT BY THE MANAGER, WATER & SEWER
TO 16 OCTOBER 2019 ORDINARY MEETING
GOV400067, WAT500004

RECOMMENDATION

That Council:

1. receive the report by the Manager, Water & Sewer on the Establishment of a Recycled Water Facility and Management System;
2. seek Section 60 approval to use recycled effluent and to formulate a Recycled Water Management System (RWMS)
3. amend the 2019/20 budget to allocate capital expenditure of \$90,000 on the RWMS, construct and install recycled effluent infrastructure, to be funded from Sewer Reserves;
4. increase the 2019/20 budget for Mudgee Sewer Treatment Plant operating expenses by \$14,500, to be funded from Sewer Fund cash;
5. increase the 2019/20 budget for Sewer user charges by \$22,500 to cover the estimated Recycled Water Usage income, to increase Sewer Fund cash;
6. amend the 2017/21 Delivery Program for 2020/21 and 2021/22 by \$45,000 per annum for estimated Recycled Water Usage income, to increase Sewer Fund cash;
7. place the draft Recycled Water Management Policy on public exhibition for 28 days to receive any public submissions;
8. adopt the Recycled Water Management Policy if no submissions are received; and
9. place on public exhibition for 28 days, the following new Fees and Charges. If no submissions are received following public exhibition Council adopt the Fees and Charges below and include them in the Fees and Charges Schedule:

6.1 Recycled Water Usage Fee - \$1.00/KL.

Executive summary

Mayoral minute 275/19 was carried in September 2019 Council meeting, adopting that Council apply water restrictions to prohibit the use of potable water supplies for the purpose of road construction, maintenance and dust suppression, commencing 9 October 2019.

Council at present discharges treated sewage effluent from MRWC Sewage treatment plant into Hone Creek near Wilbertree Road which flows to the Cudgegong River.

This report seeks Council's approval to establish a project to seek required Section 60 approval and subsequently construct a Recycled Water facility that allows Council to collect in tankers chlorinated treated effluent from a standpipe facility for the controlled application on Council controlled sites during road construction and maintenance.

Disclosure of Interest

Nil.

Detailed report

MWRC Sewage Treatment Plant produces 2.7ML of treated sewage effluent per day. Council has a requirement for environmental purposes to continue to supply flow to the creek, therefore the Recycled Sewage Effluent which will be available for road construction is up to 1.5ML. MWRC will utilise between 100 to 150KL/day. The costs that are associated with the Capital works, will include storage tanks, pad construction, chlorine dosing, PLC control circuit, transfer pump, pipe work and flow meter. The Recycled Water System requires a Recycled Water Management System (RWMS), and this will require the engagement of an Environmental Consultant.

MWRC will ensure public and environmental health and maintain communication with all relevant Government Agencies for water resources. Manage the recycled water quality from the source to the end user, by using a risk based approach to potential threats to recycled water quality. MWRC will conduct a risk and hazard identification assessment, with the potential hazards being biological, chemical or physical with the potential to cause harm to humans, animals or the environment. The risk assessment will include the hazards relating to exposure levels, ingestion, potential environmental spills into waterways, the intended use and the preventative measures used to reduce any risk or consequence. Consult with the end users to integrate their needs and expectation, the community needs and all other stakeholders including employees and regulators.

MWRC will develop a Safe Work Method Statement, a Standard Operating Procedure, supply in-house training for staff using the recycled effluent. Ensure all staff are competent in handling the effluent and all health guards are in place including immunisation for Hepatitis B.

MWRC will implement and maintain a recycled water management system consistent with the "National Guidelines for Water Recycling, to effectively manage risks to both public and environmental health. Council has applied to NSW DIPE for permission to reuse recycle sewage effluent.

MWRC is required to have a Recycled Effluent Policy to obtain the necessary Section 60 approval to re-use sewage effluent. The following Draft Policy contains an effluent quality methodology with established monitoring controls, including Operational Control Points (OCP's) and Critical Control Points (CCP's). MWRC will develop an incident response procedure to ensure that the effluent is treated to define level. With secondary disinfection using chlorination with a maintained disinfection residual. The possibility of any health issues are significantly reduced and the Safe Operating Procedure will limit any contact by employees with the effluent, thereby increasing the health safety factor.

Community Plan implications

Theme	Protecting Our Natural Environment
Goal	Provide total water cycle management
Strategy	Provide a water and sewer network that balances asset conditions with available resources and community needs

Strategic implications

Council Strategies

This project will contribute to the improvement and upgrade of Council assets, as well as supplying an alternate water supply for road construction and dust suppression.

The undertaking of this recommendation will improve the availability of water for operational procedures using the protocols developed for the use of the recycled effluent in road construction and dust suppression

Council Policies

Not Applicable.

Legislation

Section 68 NSW Local Government Act 1993.

Section 60 NSW Local Government Act 1993.

Financial implications

There are costs associated with the Capital works, including tanks, civil levelling, chemical dosing, electrical control circuit, pump, pipe work and flow meter estimated to cost \$90,000.

The Recycled Water System requires a RWMS, and this will require the engagement of an Environmental Consultant.

It is expected that the maintenance and operating costs will require an adjustment to the Mudgee STP operating budget of \$14,500. It is proposed to introduce a user fee of \$1.00/Kl to pay back this initial investment. It is estimated the payback period will be less than two years, and the income will be around \$45,000.

Budget Year	Operating Performance Ratio	Own Source Revenue	Building & Infrastructure Renewal
2019/20	✓	✓	-
Future Years	✓	✓	✗

Associated Risks

It is suggested that the associated risks will decrease based on an improved disinfection system and set protocol for operating the Recycled Effluent System.

TOM BALDWIN
MANAGER, WATER & SEWER

GARRY HEMSWORTH
DIRECTOR OPERATIONS

2 October 2019

Attachments: 1. Recycle Water Re-use Policy.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



POLICY

Recycled Water Policy

*A prosperous
and progressive
community*

COUNCIL MEETING MIN NO	VERSION NO
DATE: 9 TH OCTOBER 2019	REVIEW DATE
	FILE NUMBER

Objective

To ensure that Council meets all Health and Environmental requirements for the safe use of Recycled Sewage Effluent. The recycled Effluent is to be used for Road Construction and Maintenance, dust suppression as well as sub-soil irrigation and drip watering for trees not in the public domain.

Legislative requirements

Section 68 NSW Local Government Act 1993

Section 60 NSW Local Government Act 1993

Related policies and plans

[Insert related policies and plans here]

Policy

That Council insures the Recycled Effluent is treated and used to ensure compliance with the following conditions:-

1. Council uses on site storage tanks with a sodium hypochlorite flow paced disinfection installed before the tanks but after the UV system.
2. Ensure the protection of the public and environment health is maintained throughout the use of the recycled sewage effluent. This will include a tracking system to locate, monitor and record the volumes used on sites the recycled effluent is applied to the construction area.
3. An assessment of the environmental factors and effects in the usage of the recycled effluent.
4. Maintain all records of usage and applications to ensure proper communication with all agencies involved in the management of the water resources, including all Government Departments.
5. Manage the Recycled Effluent water quality at all points in the delivery and application from the source to the end user.
6. Develop and use a risk base assessment to ensure all potential threats are identified and controlled, using the risk calculation "*risk = likelihood X impact*".
7. Integrate the needs and expectations of the users of the recycled effluent, communities, other stakeholders, regulators and employees into the operational use of the recycled effluent.

POLICY: RECYLED WATER POLICY |

8. Council will establish a regular monitoring program with adequate control measures to insure the integrity of the recycled effluent. This will include an effective reporting regime to provide relevant information enhancing the confidence in the quality of the recycled effluent and its management.
9. Council will develop a contingency plan with an incident response protocol to lessen in adverse impacts with the use of the recycled effluent.
10. Council will establish both OCP's (Operational Control Points) and CCP's (Critical Control Points) with the OCP's shutting down the process to eliminate reaching ant CCP's.
11. Continue to use the industry regulations and guidelines, including the "**National Guidelines on Water Recycling**" and other standards relevant to public health and the water cycle.
12. Council will continually monitor and improve our practices, based on a performance assessments to comply with the corporate commitment and stakeholder expectations.
13. Council will implement and maintain a recycled water management system to effectively manage all risks to public health and the environmental health.
14. All managers and employees involved in the supply of recycled water are responsible for understanding, implementing, maintaining and continuously improving the recycled water management system.

Item 11: Community

11.1 Mudgee Gallery Update

REPORT BY THE MANAGER, COMMUNITY SERVICES
TO 16 OCTOBER 2019 ORDINARY MEETING
GOV400067, REC800038

RECOMMENDATION

That Council:

1. receive the report by the Manager, Community Services on the Mudgee Gallery Update; and
2. note the update of the Mudgee gallery design and construction process.

Executive summary

In February 2019, Council secured \$2.3 million through the Regional Cultural Fund for the construction and fit out of a yet to be named gallery at 90 Market Street, Mudgee. Council will match NSW Government grant funding for the development of the \$4.6 million facility.

The facility is expected to include gallery spaces, the Mudgee Region Tourism Hub, a gift shop, art store, sculpture garden, café, and workshop space. This report intends to provide an update to Council on the progress of the gallery project ('the Project').

Disclosure of Interest

Nil.

Detailed report

Budget

Working with successful tenderer, BKA Architecture, Council has recently finalised the design concept phase of the Project with construction due to commence in early 2020. The estimated budget for Stage One of the Project is as follows:

Event/Milestone	Cost
Design development	\$196,000.00
Stakeholder engagement in designs	\$43,600
Design finalisation	
Procurement and tender for design	

Development approvals and design amends	\$74,000.00
Construction Tender	
Construction – existing building renovation and fit-out	\$730,800.00
Construction – new building and fit-out	\$3,046,000.00
External works and landscaping	\$72,000.00
Car parking construction	\$174,000.00
Building works complete and site approved	\$200,000 (contingency)
Installation of artworks	<i>Out of scope</i>
Tenants move into building	<i>Out of scope</i>
Formal opening of Mudgee Gallery (including Visitor Information Centre)	<i>Out of scope</i>
Stage Two	<i>Out of scope</i>

Design

Working with BKA Architecture and key stakeholders (see below), a concept design was settled on that included a one storey building sitting within the context of the existing heritage building at an approximate 45 degree angle. A single storey provides benefits in terms of accessibility. Preliminary talks with the quantity surveyor also indicate an additional floor would be 1-1.2 times more expensive. The new building sits back from the face of Market Street in order to be more sympathetic to the streetscape and the numerous heritage building facades along that thoroughfare.

The design allows the existing building to be utilised for office and storage space on the lower ground, with the upper floor to accommodate seminar and workshop space (including a break-out room). The public areas throughout the existing building (including the lower level central corridor) will be available for less formal displays of art. The upper floor of the building will be accessible via the existing staircase or by a lift to be installed within one of the existing office spaces so as not to intrude on the external aesthetics of the heritage building.

The new building will be climate controlled and have appropriate security in order to meet stringent conditions of major art lending institutions, making the hosting of touring exhibitions, such as the Archibalds, a realistic possibility. As well as an adjustable gallery space, the building will include spaces for a tourism hub (including region-specific and gallery-related retail space), a café, staff and public amenities, art storage areas and loading dock, a black box theatre/smaller gallery space and a general reception area, accessible via entrances on Market and Douro Streets. A deck or terrace will lead out of the south western end of the gallery to an outdoor sculpture area (to be expanded during the second phase of the project, discussed below). Services will also be situated at an area that are unlikely to be required to be moved in the event that the gallery expands in the future.

Timeline

According to the terms of the Funding Agreement, the Project needs to be completed no later than December 2021. It is anticipated that the facility may be formally opened in February or March 2021. Currently, the critical path dates are as follows:

Item	By Date	Completed	Comments
Detailed design request for tender closes	31/05/19	Yes	Completed 31/05/2019
Evaluation of tender	19/06/19	Yes	Completed 25/06/2019
Detailed design contract begins	08/07/19	Yes	Completed
Detailed concept designs completed by	02/08/19	Yes	Completed
Initial presentation to Council (in briefing)	21/08/19	Yes	Completed 21/08/2019
Detailed design development complete and development application submitted to Council	07/10/19		
Development application determined at Council meeting	20/11/19		
Construction documentation complete	16/12/19		
Construction tender process commences	20/12/19		
Construction tender closes	31/01/20		
Tender decision	19/02/20		
Construction contract commences	02/03/20		
Construction complete	01/02/21		

It is anticipated that after the formal opening of the facility, the Project will move in to a second phase, being the development of a sculpture garden on the western side of the lot on 90 Market Street, and the development of the old childcare centre on the land parcel to the immediate north of the gallery site. It is further anticipated that the latter will accommodate further storage and workshop spaces. Funding options are currently being explored by staff to assist with this phase.

Consultation

Since the initial community-wide consultation was undertaken, Council has investigated possibilities and consulted more substantially with key stakeholders (namely Council's Cultural Development Committee ('CDC') and Mudgee Region Tourism Inc.), in an effort to refine the scope of such a project and the purpose of the proposed facility. BKA Architecture has met on several occasions with CDC and MRTI so far and has briefed Mid-Western Regional Councillors in August 2019.

Council has established a 'Your Say Mid-Western' website, which is the region's online community engagement tool where residents and visitors can provide ideas and input into current Council projects and initiatives. A page has been established for the gallery at: https://yoursay.midwestern.nsw.gov.au/mid-western-regional-arts-and-cultural-centre?tool=news_feed#tool_tab.

Local media will also be engaged to promote landmark milestones and it is expected that feedback will follow from other community stakeholders from the local arts community, including local arts councils and groups and chambers of commerce.

The Mudgee Guardian reported, on 24 September 2019, of Council's discussions with the Federal Member for Calare, Andrew Gee regarding further funding for the gallery project. A copy of the newspaper article may be viewed online at: <https://www.mudgeeguardian.com.au/story/6397942/gee-to-see-federal-funding-for-gallery-and-cultural-centre/?cs=12393>.

Members of Council's Gallery Project Team have visited the following galleries and had discussions with directors, curators and other gallery staff about what works for them in terms of a gallery and what they would have done differently given the chance:

- Watt Space, Newcastle;
- Western Plains Cultural Centre, Dubbo;
- Bathurst Regional Art Gallery;
- Maitland Regional Gallery;
- Blue Mountains Cultural Centre, Katoomba;
- Orange Regional Gallery; and
- Orange Regional Museum.

Simon Jones and John Baker have consulted with Michael Rolfe from Museums and Galleries of NSW in relation to the project and draft designs to garner his advice and feedback. Council staff have also engaged with the Art Gallery of NSW in relation to lending institution standards and potential touring exhibitions for when the gallery begins operation.

Naming

As stated above, the facility is yet to be formally named. Some preliminary options for consideration include:

- Mudgee Arts and Cultural Centre;
- Mudgee Arts and Tourism Hub;
- Mudgee Gallery;
- Mudgee Gallery and Tourism Hub;
- Mudgee Regional Gallery
- Mid-Western Gallery; and
- Mid-Western Regional Gallery.

Community Plan implications

Theme	Looking After Our Community
Goal	Meet the diverse needs of the community and create a sense of belonging
Strategy	Support arts and cultural development across the Region

Strategic implications

Council Strategies

Not Applicable.

Council Policies

Not Applicable.

Legislation

Not Applicable.

Financial implications

The preliminary quantity surveyor report considers that the Project is progressing on budget.

Associated Risks

Not Applicable.

FIONA TURNER
MANAGER, COMMUNITY SERVICES

SIMON JONES
DIRECTOR COMMUNITY

27 September 2019

Attachments: 1. Draft Gallery Designs for DA Submission.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Art Gallery & Tourist HUB, Mudgee

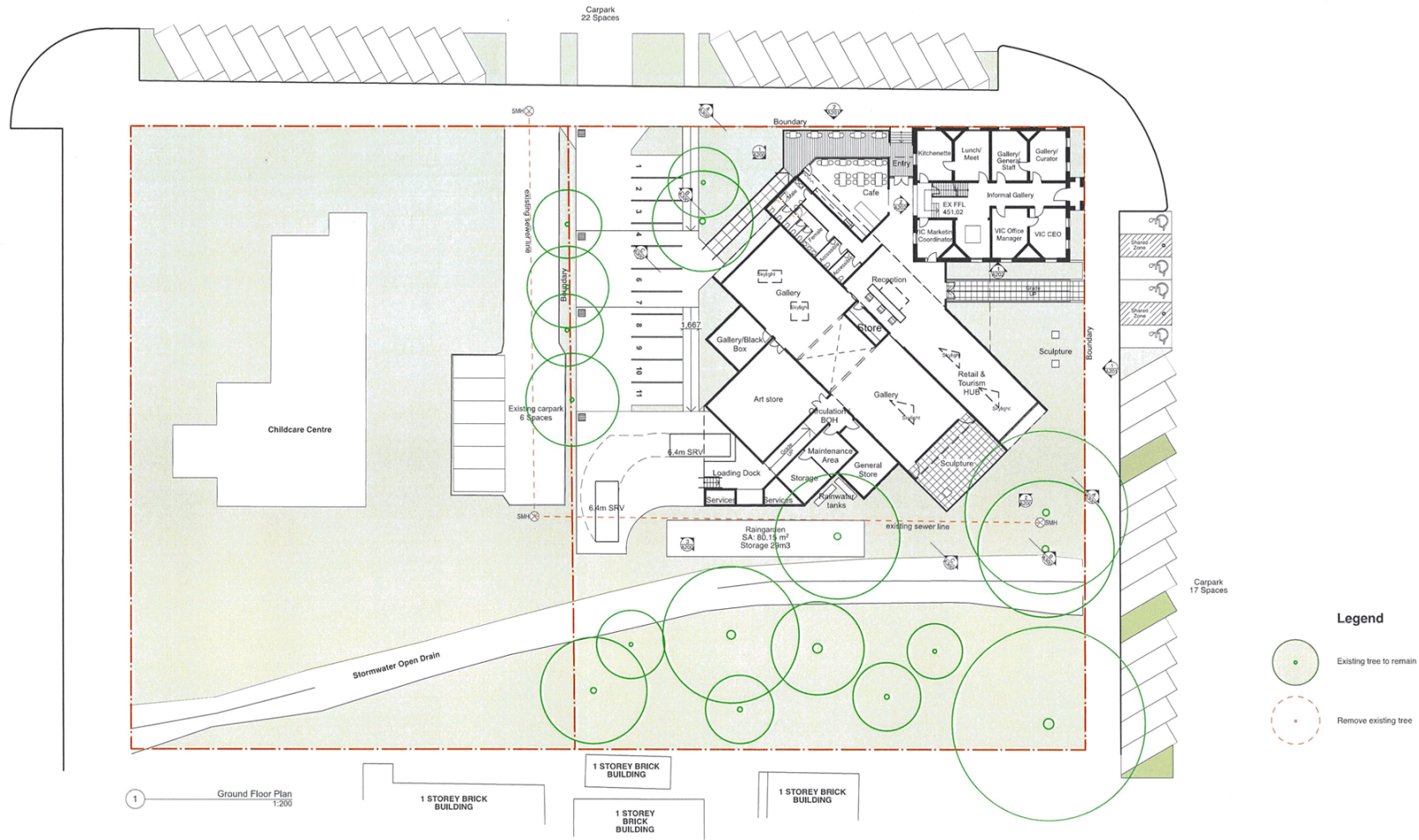
Architectural Drawing List

Drwg No	Drwg Name
A000	Cover Page
A005	Site Survey 1
A006	Site Survey 2
A010	Site Plan
A50	Ground Floor Demolition Plan
A51	Level 01 Floor Demolition Plan
A100	Ground Floor Plan
A101	Level 01 Floor Plan
A102	Ground Floor Plan 1:100
A200	Elevation Sheet 01
A201	Elevations Sheet 02
A202	Elevations Sheet 03
A300	Section
A700	Height Blanket Model
A701	Mood Board
A800	Preliminary Perspective
	Landscape Drawings



ART GALLERY AREA SCHEDULE		in m ²
Gallery Spaces		
Heritage Building		
Gallery / Breakout	39.83	
Gallery / Seminar	101.26	
Other		279.31
	141.09	
Sub Total		420.4
New Building		
Reception		92.36
Café		53.63
Main Gallery	134.72	
Workshop Space / Gallery	110.48	
Tourist HUB		78.89
Art Store		83.29
Toilets		50.05
Storage		62.3
Circulation / BOH		26.43
Services		23.96
	245.2	
Sub Total		716.11
Gallery Total	386.29	
TOTAL		1136.51

#Notes	CONSULTANT 01 COMPANY / CONTACT NAME 461 2 8888 8888 E contact.name@domain.com.au	CONSULTANT 02 COMPANY / CONTACT NAME 461 2 8888 8888 E contact.name@domain.com.au	<p style="text-align: center;">PRELIMINARY NOT FOR CONSTRUCTION</p>	<p style="text-align: center;">LOGO</p>	<p style="text-align: center;">BAKA architecture</p> <p>SYDNEY NEWCASTLE BYRON BAY 77/79 Smith Ave, Newcastle NSW 2060 19 Station St, Newcastle NSW 2060 10 Station St, Byron Bay NSW 2479</p>	PROJECT Art Gallery, Mudgee ADDRESS 88 Market Street, Mudgee NSW 2850 CLIENT Mid-Western Regional Council DRAWING Cover Page	PROJECT Y 1984 DRAWN JAL/BB/CC DATE 3/10/19 DRAWING NO. NORTH SCALE E AT 1:800 CHECKED JBC/KC A000 REV
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1 Ground Floor Plan
1:200

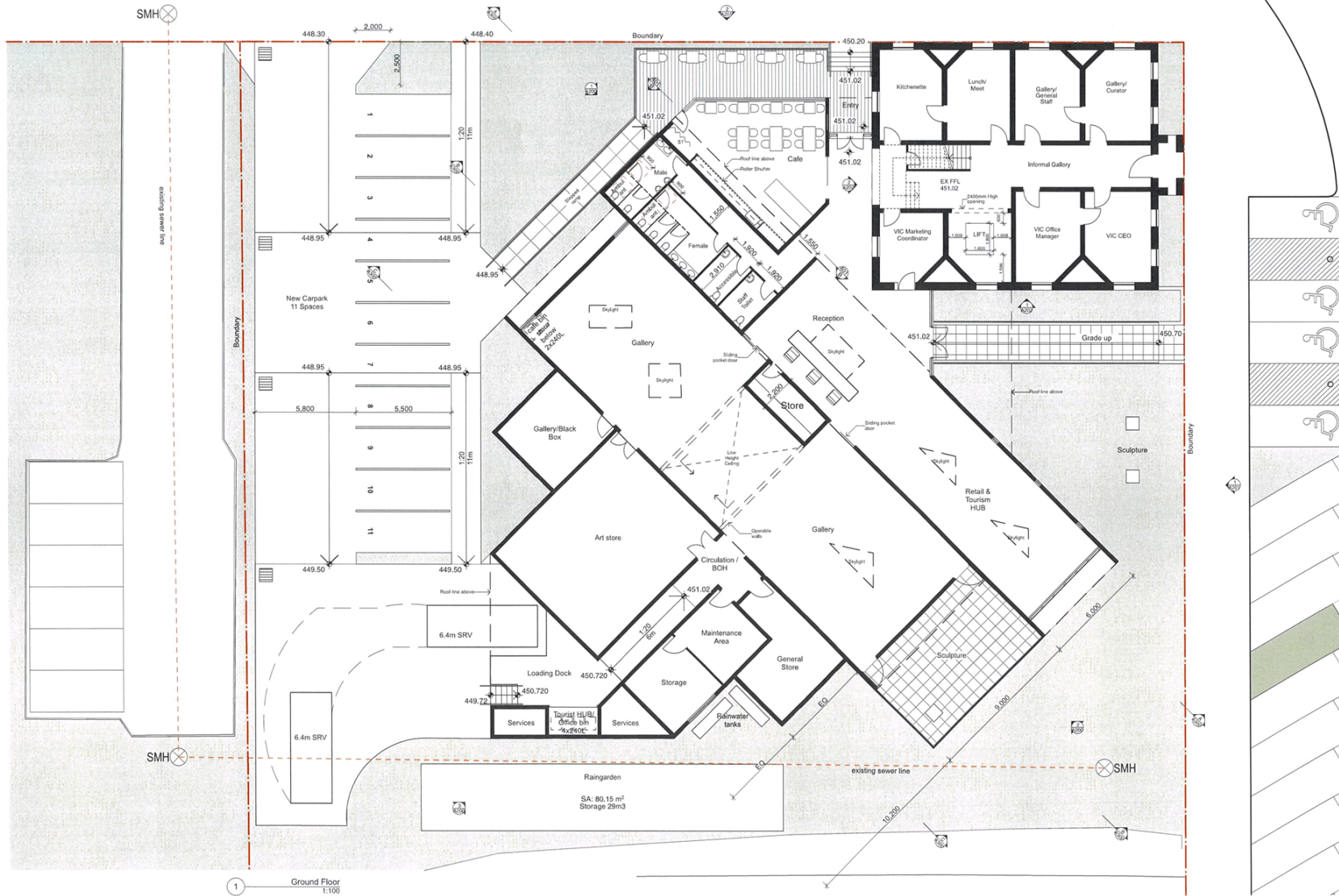
1 STOREY BRICK BUILDING

1 STOREY BRICK BUILDING

1 STOREY BRICK BUILDING

- Legend**
- Existing tree to remain
 - Remove existing tree

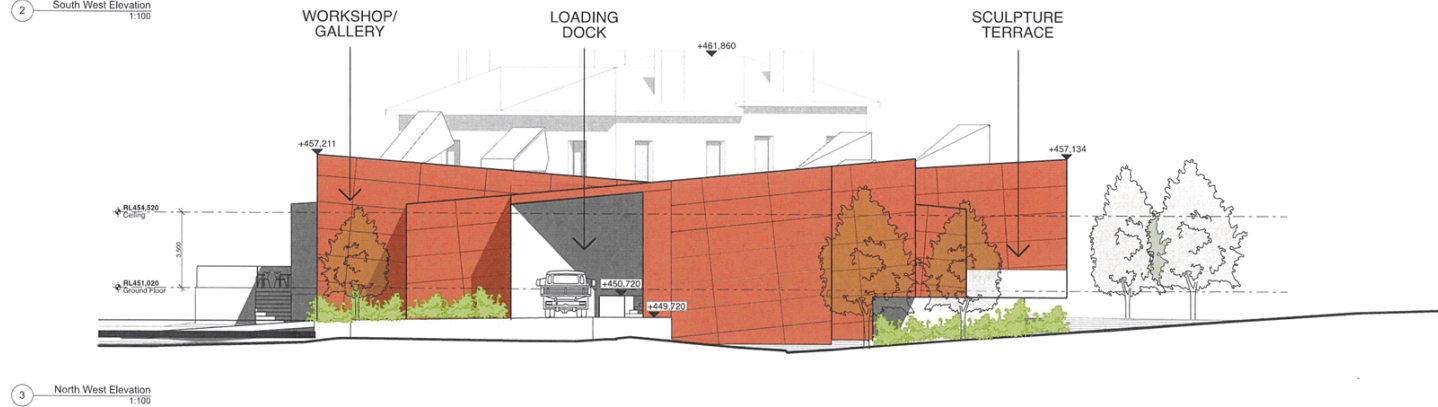
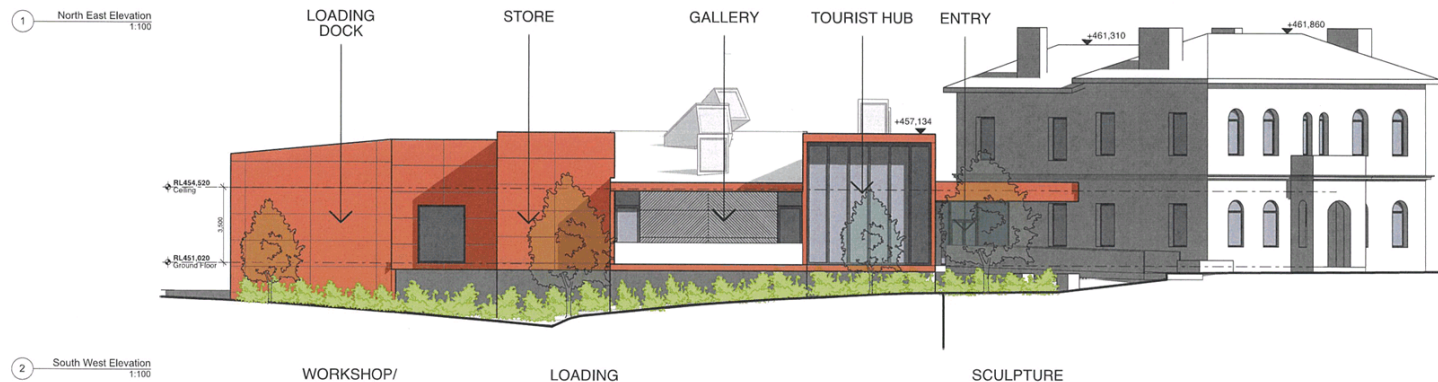
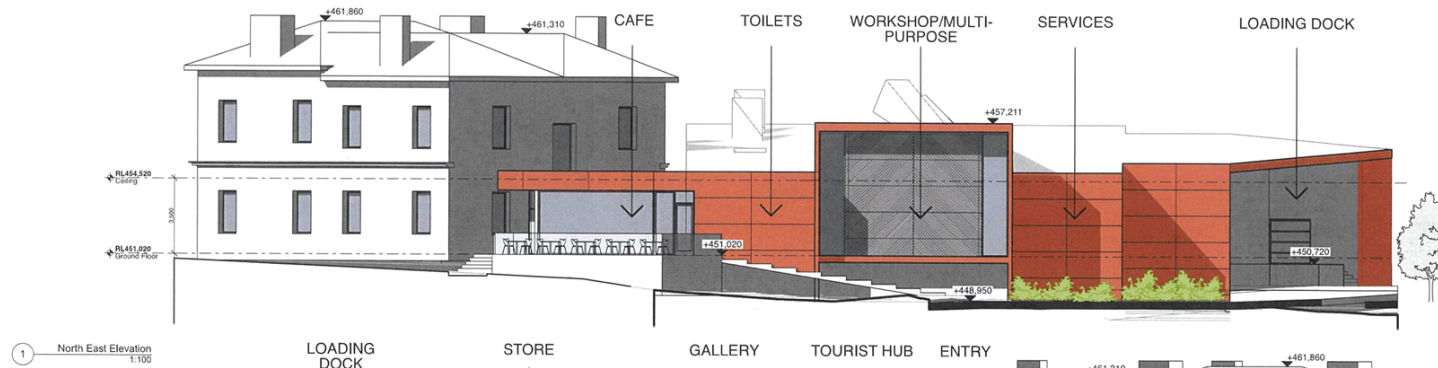
<p>#Notes</p>	<p>CONSULTANT 01 COMPANY CONTACT NAME 461 2 8888 8888 E contactname@bka.com.au</p>	<p>CONSULTANT 02 COMPANY CONTACT NAME 461 2 8888 8888 E contactname@bka.com.au</p>	<p>PRELIMINARY NOT FOR CONSTRUCTION</p>	<p>LOGO</p>	<p>BKA architecture SYDNEY NEWCASTLE BYRON BAY 77 Durrum Ave, Suite 6 Newcastle NSW 2300 T 41 2 224 9000 F 41 2 224 9000 www.bka.com.au</p>	<p>PROJECT Art Gallery, Mudgee</p> <p>ADDRESS 68 Market Street, Mudgee NSW 2850</p> <p>CLIENT Mid-Western Regional Council</p> <p>DRAWING Ground Floor Plan</p>	<p>PROJECT # 1984 SCALE BY A1 1:200 1/100</p> <p>DRAWN AK, BL, CC CHECKED JGK</p> <p>DATE 31/01/19 DRAWING No.</p> <p>NOATH</p> <p>A100</p> <p>REV</p>
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1 Ground Floor
1:100

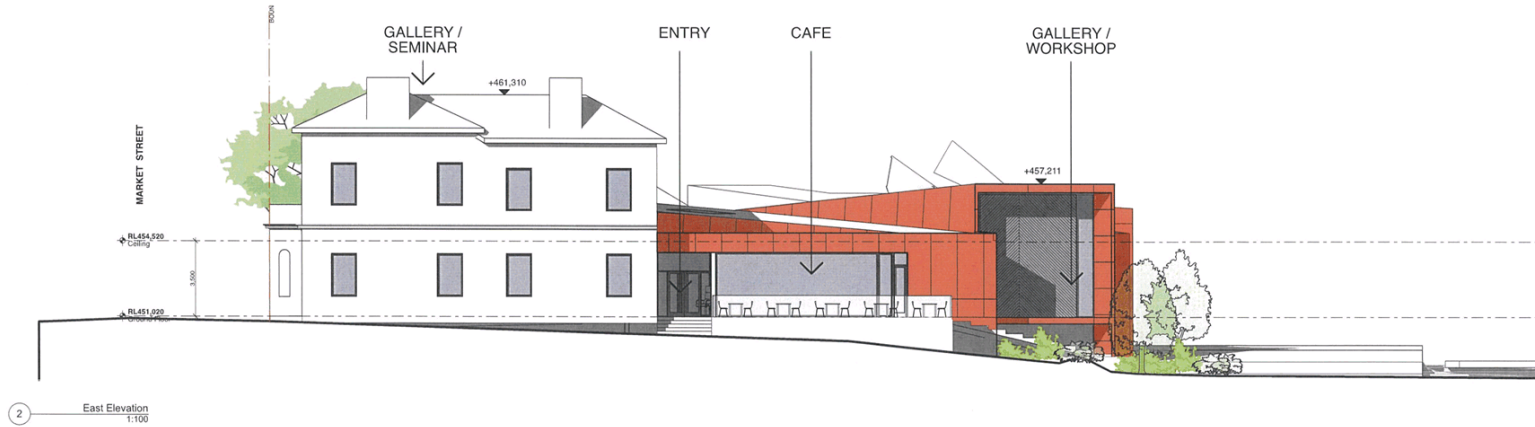
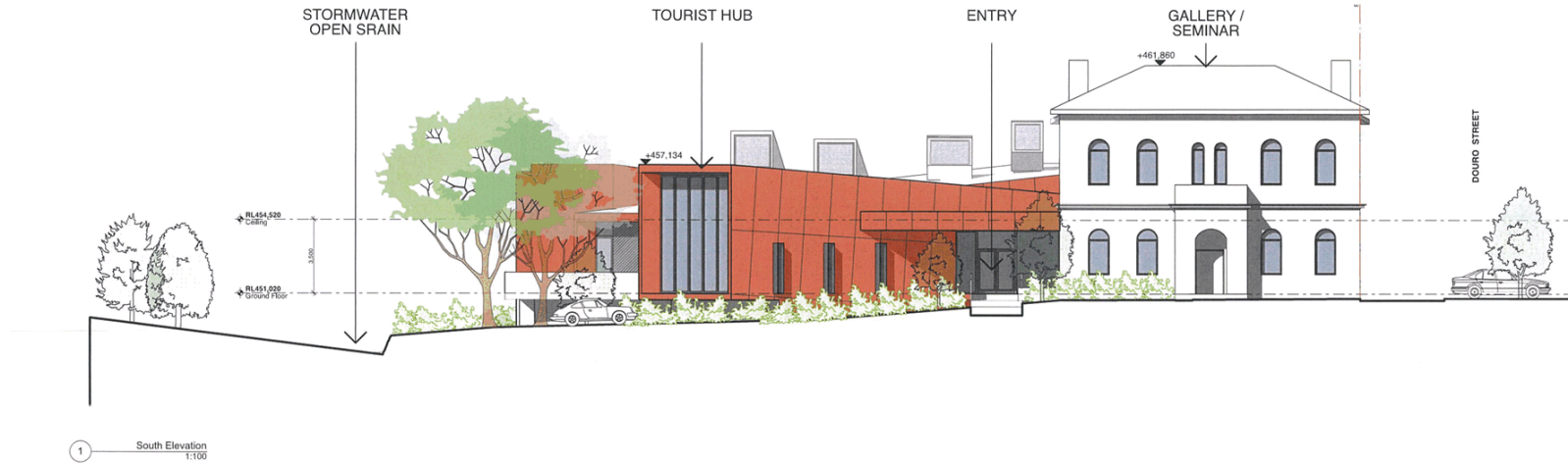
NOTES	CONSULTANT TO COMPANY CONTRACT NAME +61 2 9994 4444 E contact.name@emul.com.au	CONSULTANT TO COMPANY CONTRACT NAME +61 2 9994 4444 E contact.name@emul.com.au	PRELIMINARY NOT FOR CONSTRUCTION	All dimensions are as indicated unless stated otherwise. All architectural drawings are to be read in conjunction with the relevant contract documents. All dimensions and levels are to be checked and verified on site prior to construction. The contractor is responsible for ensuring that all dimensions to the finished work are correct. The contractor is responsible for ensuring that all dimensions to the finished work are correct. The contractor is responsible for ensuring that all dimensions to the finished work are correct.	ISSUE DATE REVISION	LOGO	BKA architecture SYDNEY NEWCASTLE BYRON BAY 77 Durrant Ave. Suite 8 10 Durrant St. North Sydney NSW 1585 Newcastle NSW 2300 Ph +61 2 9559 6200 F +61 2 9559 6300 E +61 2 9559 6300 www.bka.com.au	PROJECT Art Gallery Mudgee ADDRESS 68 Market Street, Mudgee NSW 2850 CLIENT Mid-Western Regional Council DRAWING Ground Floor Plan 1:100	PROJECT # 19044 SCALE 1:100 11/19 DRAWN: AL BL CC CHECKED: JBL DATE 31/01/19 DRAWING NO. NORTH A102 REV
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MARKET STREET

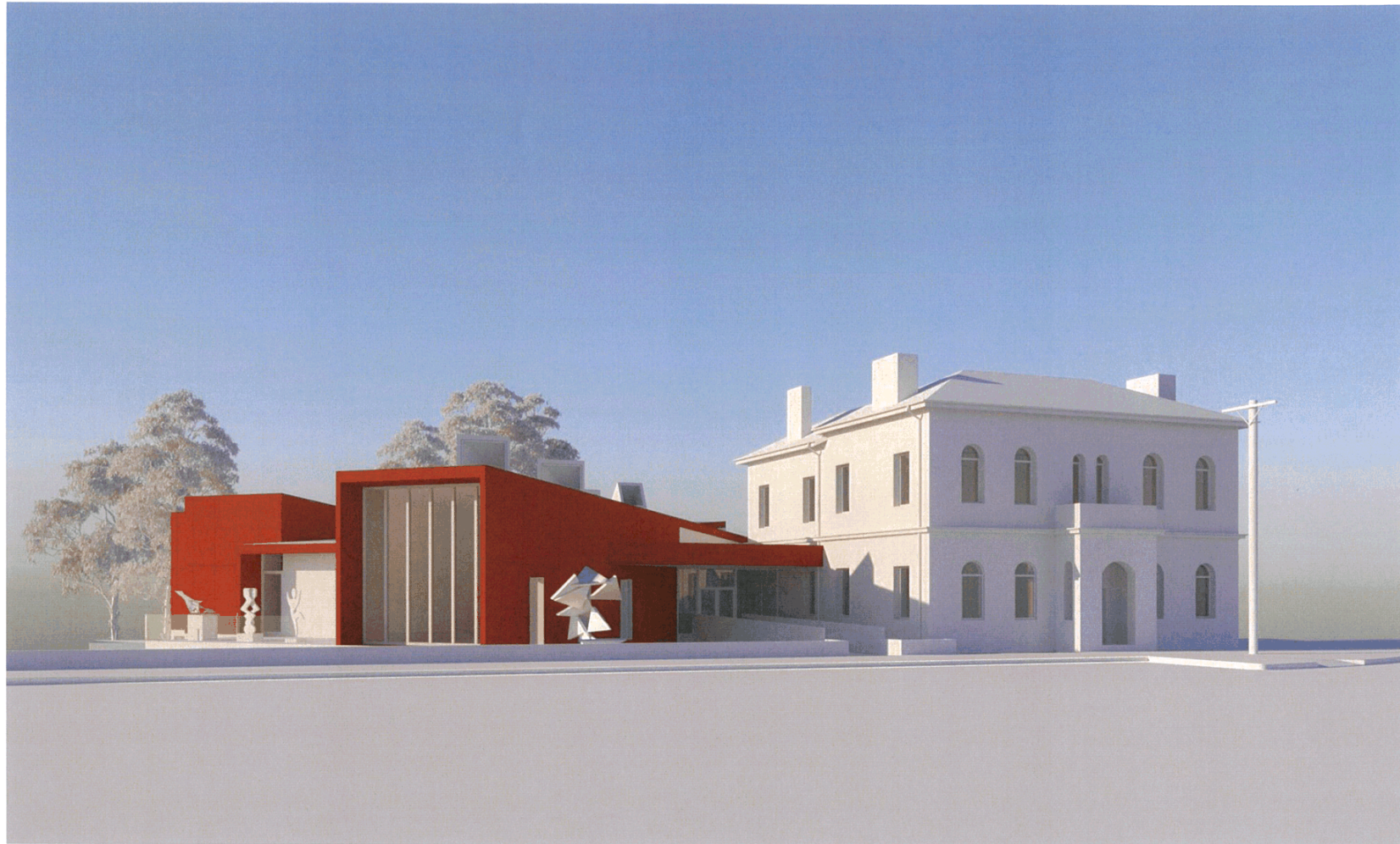


3 North West Elevation
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Market Street View

#Notes	CONSULTANT 01 COMPANY - CONTACT NAME +61 2 9555 8999 E contact.name@bka.com.au	CONSULTANT 04 COMPANY - CONTACT NAME +61 2 9555 8999 E contact.name@bka.com.au	PRELIMINARY NOT FOR CONSTRUCTION	All dimensions are in millimetres unless stated otherwise. All architectural drawings are to be read in conjunction with the relevant contractual documents. All dimensions and levels are to be checked and verified on site prior to the commencement of work. Any alteration of any kind to any construction, without the consent of the architect, shall be at the risk of the contractor. This document has been prepared for use on behalf of the client and may be used for any other purpose without the consent of BKA Architecture. The client and contractor are responsible for these details and not to be held liable for any errors or omissions. DO NOT SCALE FROM DRAWING. USE PROVIDED DIMENSIONS ONLY. CHECK ALL DIMENSIONS ON SITE BEFORE ANY MANUFACTURE OR CONSTRUCTION.	REVISE	DATE	REVISION	 <p>BKA architecture SYDNEY NEWCASTLE BYRON BAY Level 1/16 772-780/800 Ave. Newcastle NSW 2300 Phone 02 9555 8999 E contact.name@bka.com.au W www.bka.com.au</p>	PROJECT Art Gallery, Mudgee	PROJECT #	19044	SCALE #1/1	 <p>A800</p>
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11.2 Indoor Pool Feasibility Study

REPORT BY THE DIRECTOR COMMUNITY
TO 16 OCTOBER 2019 ORDINARY MEETING
GOV400067, COU500075

RECOMMENDATION

That Council:

1. **receive the report by the Director Community on the Indoor Pool Feasibility Study;**
2. **note the submissions received during the public exhibition period seeking community feedback on the Indoor Pool Feasibility Study;**
3. **support the construction of an indoor swimming pool facility in Mudgee; and**
4. **request that a further report be brought back to Council with an option to develop an indoor swimming facility at a new location in Mudgee.**

Executive summary

This report seeks to inform Council about the feedback that has been provided by the community for the period of time that the Indoor Pool Feasibility Study was on public exhibition. There appears to be strong support from the community for the establishment of an indoor swimming facility. These findings are in line with previous Community Strategic Plan consultation that indicated that an indoor aquatic facility was the second most important project for the community after the redevelopment of the Mudgee Hospital.

Disclosure of Interest

Nil.

Detailed report

At the meeting in July, Council resolved to place the Indoor Pool feasibility study on public exhibiton. This report provides the feedback from the community, indicating that there is strong support for the development of such a facility.

As a summary, the feasibility study examined options for indoor swimming at the existing Mudgee Pool complex and three options were presented:

Option 1

This option includes enclosing the exiting pool and building a new program pool – this would need to include upgrading the 50m pool plant to meet NSW Health Dept. Guidelines for heated indoor pools including additional filtration and pump capacity. The existing toddler's pool requires a disabled ramp or a leisure pool that provides access in lieu of a ramp.

While this option has the least impact on the site it is not recommended due to the works that would be required to upgrade the existing 50m pool plant to meet NSW Health Guidelines for heated indoor pools, which could include additional filtration and pump capacity. Further details of this are included in the report. Ultimately, this will require upgrade to the existing filter pumps to ensure the additional capacity is achieved.

This option is costed at approximately \$7.61 million.

Option 2

Option 2 includes the removal of the existing leisure and program pool to allow for a new (heated) 25m four-lane lap pool, plus a new combined program/leisure pool to be constructed. The existing built kiosk, change-rooms, storerooms and administration area would be enclosed within the 'new' aquatic facility to allow for all-year-round access, plus mechanical ventilation throughout. The design intent is to integrate with the existing facility and to maintain effective access and egress through all existing circulation areas.

This option does result in the loss of some of the existing open space around the current outdoor pool area.

This option is costed at approximately \$7.10 million.

Option 3

This option maintains the existing 50m exterior lap pool – with the addition of a new 'purpose built' indoor pool area that can be used all-year-round. The new indoor pool would be developed east of the existing facility, within the adjoining Lawson Park area. Depending on the design and usage requirements, the new 25m indoor lap pool, with a combined indoor program/leisure pool includes new change rooms, plant, and commercial lease spaces such as a café, administration and first aid areas. The new aquatic entrance could face Short Street through an existing access point in the historic wall.

This option is costed at approximately is \$9.25m.

The feedback from the community consisted of 42 submissions made through our consultation webpage as well as 10 written submissions. These are all provided with this report.

All submissions were in favour of developing an indoor pool facility.

The most popular option was Option 3 as a stand alone indoor pool, rather than being combined with the existing pool infrastructure. The option to only cover the existing outdoor pool was the least favoured option.

While supportive of an indoor pool, a number of submissions focused on the constraints of the existing Mudgee Pool complex site, particularly in relation to the impact on the green space areas of Lawson Park and concerns over availability of parking and the impact on residences along Short Street.

Another site was suggested by a number of respondents, with Glen Willow being suggested as an alternative.

This project provides Council with a dilemma. While wanting to provide a solution to public demand as quickly as possible is an admirable goal, it may not be the best long term solution for the community. The quickest solution would be to undertake Option 2 or Option 3 at the Mudgee Pool as soon as funding can be sourced and detailed planning can be undertaken. This could potentially see an indoor pool by the start of the 2021-22 season. However, this will either impact the current amenity of the outdoor pool set up (Option 2) or require a sizeable impact on the green space in

Lawson Park (option 3). There are also other drainage and environmental factors that need to be considered with additional infrastructure so close to the river.

The option of a new site should be considered. It would be preferable to have as few constraints as possible on the development of a new facility and a greenfield site would be preferable in achieving this. The other consideration is that the current Mudgee Pool is ageing and the patching repairs that have taken place over the last thirty years or so do not necessarily provide a long term future for the pool. We need to consider the life of these assets beyond 10 or 20 years and a new pool complex may be the long term solution.

Having said this, the location is something that will need careful consideration. Staff do not believe that the Glen Willow complex is the correct answer for this type of facility. This is primarily around site constraints and environmental considerations given the proximity to the river.

It is noted that Stage 2 of Glen Willow will provide for the movement of Junior Rugby League and cricket from Cahill Park to Glen Willow. The Cahill Park site may be an option to be considered for a longer term solution to provide an indoor aquatic centre in Mudgee.

Given the importance of this issue to the community and the significant costs involved, it is recommended to Council that the option of an indoor swimming facility be considered. This may take a year or two longer to deliver. However, it is believed that it is in the interests of the community to take a longer term view and provide a solution that will meet the needs of the community for decades to come.

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

Community Strategic Plan
Recreation Strategy

Council Policies

Not applicable

Legislation

Not applicable

Financial implications

At this point, there is nothing budgeted for this project and there are no financial commitments being requested. It is proposed that this project be considered as part of the 2020/21 budget process.

Associated Risks

This project would involve a significant capital investment and would require a full business case be developed in order to secure grant funding and to meet the requirements of the Office of Local government's Capital Expenditure Review guidelines.

SIMON JONES
DIRECTOR COMMUNITY

27 September 2019

- Attachments:*
1. Draft Indoor Pool Feasibility Study - RMP & Associates. (separately attached)
 2. Concept Plans - Option 1. (separately attached)
 3. Concept Plans - Option 2. (separately attached)
 4. Concept Plans - Option 3a. (separately attached)
 5. Concept Plans - Option 3b. (separately attached)
 6. Mudgee Indoor Pool Feasibility Study - Your Say Submissions. (separately attached)
 7. Mudgee Indoor Pool Feasibility Study - Public Submissions. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

11.3 Constitutional Referendum or Poll conducted during the 2020 Local Government Election

REPORT BY THE MANAGER GOVERNANCE
TO 16 OCTOBER 2019 ORDINARY MEETING
GOV400067, A0120013

RECOMMENDATION

That Council:

1. **receive the report by the Manager Governance on the Constitutional Referendum or Poll conducted during the 2020 Local Government Election; and**
2. **notes the report on the Constitutional Referendum or Poll conducted during the 2020 Local Government Election.**

Executive summary

Council has opportunities at each Councillor election to seek the approval of its electors by conducting a referendum or poll. The Council's opportunity for a referendum or poll in conjunction with the September 2020 councillor election is now available.

Disclosure of Interest

Nil.

Detailed report

Section 16 of the Local Government Act 1993 provides for a council to obtain the approval of its electors at a constitutional referendum to do each of the following;

- divide a council area into wards or abolish wards
- change the number of councillors
- change the method of electing the mayor

The Council is required to approach the NSW Electoral Commission asap if they wish to enter into an agreement for the administration of a referendum or poll during the September 2020 councillor election.

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

Not Applicable

Legislation

Local Government Act 1993

Local Government (General) Regulation 2005

Financial implications

Councils operating plan does not currently allow for the cost for the NSW Electoral Commission to conduct a referendum or poll. If Council resolved to do either of these things a quotation would be sought from the Electoral commission.

TIM JOHNSTON
MANAGER GOVERNANCE

SIMON JONES
DIRECTOR COMMUNITY

2 October 2019

Attachments: 1. Constitutional referendum and polls.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Circular Details	Circular 19-23 / 30 September 2019 / A658394
Previous Circular	N/A
Who should read this	Councillors / General Managers / Governance staff
Contact	Council Governance Team / 4428 4100 / olg@olg.nsw.gov.au
Action required	Information

Constitutional referendums and council polls

What's new or changing

- Councils are reminded to inform the NSW Electoral Commissioner (NSWEC) if they have resolved for the NSWEC to administer a constitutional referendum or poll in conjunction with the 2020 local government elections.

What this will mean for your council

- Under section 16 of the *Local Government Act 1993*, a council must obtain the approval of its electors at a constitutional referendum to do each of the following:
 - divide a council area into wards or abolish wards
 - change the number of councillors
 - change the method of electing the mayor
 - change the method of election for councillors where the council's area is divided into wards.

Key points

- Councils should notify the NSWEC as soon as possible if they wish to enter into an arrangement for the administration of a referendum or poll.
- If a council resolves that a constitutional referendum or poll is to be conducted, it must comply with the notification requirements contained in Schedule 10 of the *Local Government (General) Regulation 2005*.
- Any changes approved at a referendum will come into effect at the September 2024 local government elections.

Where to go for further information

- For councils considering or that have resolved to have the NSWEC conduct a constitutional referendum or poll, contact Steve Robb at the NSW Electoral Commission on telephone 9290 5431 or Steve.Robb@elections.nsw.gov.au.
- See the attachment to this Circular for further information.



Tim Hurst
Deputy Secretary
Local Government, Planning and Policy

Office of Local Government
5 O'Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541
T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209
E olg@olg.nsw.gov.au W www.olg.nsw.gov.au ABN 44 913 630 046

Attachment

Conducting a constitutional referendum

If a council resolves to conduct a constitutional referendum it must comply with the notification requirements contained in Schedule 10 of the *Local Government (General) Regulation 2005*.

It is of critical importance that the referendum question or questions are carefully framed to ensure that workable decisions are achieved. All questions put at a referendum should be clear, concise, and capable of being responded to with a 'yes' or 'no' answer.

If more than one referendum question is being asked on a particular subject then extra care needs to be taken to ensure that the possible combinations of 'yes' and 'no' answers do not produce a conflicting decision.

Councils are responsible for the preparation and publicity of the required explanatory material. Councils must ensure this material presents a balanced case both for and against any proposition to be put to a constitutional referendum.

Dividing an area into wards or abolishing wards

After receiving elector approval at a constitutional referendum, and before dividing its area into wards, a council must undertake the consultation required by section 210A of the *Local Government Act 1993* (the Act). This includes consulting with the Electoral Commissioner and the Australian Statistician and public exhibition of the proposal. (Compliance with section 210A is not required where approval has been given by electors at a referendum to abolish wards.)

Any changes to wards will come into effect for the electoral term commencing in September 2024.

Changing the number of councillors

Section 224(2) of the Act requires that not less than 12 months before an ordinary election the council must determine the number of its councillors for the following term. If, as a result of doing so, a council has determined to change the number of its councillors, it must also obtain approval for the change at a constitutional referendum. Approval would have the effect of changing the number of councillors for the electoral term commencing in September 2024.

If following the approval of a reduction in councillor numbers, a casual vacancy occurs in the office of a councillor (but not a mayor elected by the councillors), and the reduction has not yet taken effect, the vacancy must not be filled if the number of councillors will remain at or above the number approved at the referendum (section 294B of the Act).

Changing the method of electing the mayor

The Act provides two methods by which a mayor can be elected — by popular vote at an ordinary election or by vote among the councillors. Section 228 of the Act permits a council to change the way the mayor is elected by seeking approval of its electors at a constitutional referendum.

Councils with areas that are divided into wards are reminded that section 280(2) of the Act requires the same number of councillors is to be elected for each ward. A popularly elected mayor is not to be included in this count. In such circumstances, councils should be mindful that changing the method of electing the mayor could result in an increase or decrease in the number of councillors to be elected.

If electors at a constitutional referendum conducted in conjunction with the 2020 ordinary elections approve a change to the way the mayor is elected, that change will come into effect for the electoral term commencing in September 2024.

Changing the method of electing councillors

The councillors for an area that is divided into wards are to be elected in accordance with either method of election prescribed under section 280 or 281 of the Act.

The method of election under section 280 (method 1) is to apply unless a decision made at a constitutional referendum is in force, which requires the method of election to be conducted under section 281 (method 2).

The decision made at a constitutional referendum to alter the method of election to method 2 must also specify the number of councillors to be elected by the ward electorate and the number of councillors to be elected by the area electorate.

If electors at a constitutional referendum conducted in conjunction with the 2020 ordinary elections approve a change to the method for electing councillors, this change will come into effect for the electoral term commencing in September 2024.

Item 12: Reports from Committees

12.1 Gulgong Sports Council Meeting Minutes 8 July 2019

REPORT BY THE MANAGER RECREATION SERVICES
TO 16 OCTOBER 2019 ORDINARY MEETING
GOV400067, A0360013

RECOMMENDATION

That Council:

1. receive the report by the Manager Recreation Services on the Gulgong Sports Council Meeting Minutes 8 July 2019; and
 2. note the minutes for the Gulgong Sports Council held 8 July 2019
-

Executive summary

The purpose of this report is to advise Council of the considerations and recommendations of the Mudgee Sports Council meetings held 8 July 2019.

Disclosure of Interest

Nil.

Community Plan implications

Theme	Looking After Our Community
Goal	Effective and efficient delivery of infrastructure
Strategy	Provide infrastructure and services to cater for the current and future needs of our community

Strategic implications

Council Strategies

Not applicable

Council Policies

Not applicable

Legislation

The Mudgee Sports Council is operating under section 355 of the Local Government Act (1993), which allows it to exercise a function of Council,

Financial implications

Not applicable

Associated Risks

Nil

TRACEY KANE
MANAGER RECREATION SERVICES

SIMON JONES
DIRECTOR COMMUNITY

12 September 2019

Attachments: 1. Gulgong Sports Council Meeting Minutes 8.7.2019.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Page 1

**GULGONG SPORTS COUNCIL
Monthly Meeting****Monday 8th July, 2019 @ Gulgong Bowling Club.****Meeting Opened;** 6.00 pm**Apologies;** C.Rae, B.Rae, K.Miller,**Moved;** M.Freestone 2nd C.Rae **Carried****Present;** B.Gudgeon GDCA, C.Holden Sports Council, M.Freestone Touch Football, M.Gaudry Tennis club, L.Hawkins Passive Parks, P.Thompson MWRC, C. Forester Kennel Club, K.Tucker Kennel Club, D.Reynolds Kennel Club, T.Kane MWRC, T.Papworth.**Minutes;** Minutes from last meeting be adopted dated 13th May, 2019.**Moved C.Holden 2nd P Thompson Carried****Council Business;**

1. New seating to be installed at Victoria Park.
2. Line marker to be purchased for Billy Dunn Sports. This has been purchased, Craig to pick up from Store.
3. Gulgong Kennel Club requesting extra key for Victoria Park Gulgong, have been advised to apply through council by going on line, fill out the application form required and submit to council.
4. BBQ Shelter at Billy Dunn oval to be installed Gulgong Terries to forward plans and requests MWRC.
5. All Gates have now been installed at both ovals, (Billy Dunn and Victoria Park).

Finance;**Balance;** \$12,281.54**Income;** Nil**Expenditure;****Aussie Country Catering; Port-a-Loos Gulgong Dog Show \$301.40**

Motion that Finance Report be accepted and Expenditure to be paid.

Moved B.Gudgeon 2nd M.Freestone. Carried

Page 2.

General Business;

1. Female change rooms to be considered at Billy Dunn, onsite is required to see what can be done with Council, Gulgong Sports Council and Gulgong Sporting Clubs. We need to make a time to suit all.
2. Gulgong Kennel Club Re - August Dog Show; Gulgong Sports Council will assist in supply toilet paper, plastic bags for rubbish, extra port-a-loo. Tracey could you please order the following from the council store for me; 1 x ctn toilet paper, 20 x large plastic garbage bags and charge to Gulgong Sports Council. (Craig to collect and Deliver)
3. AGM and Monthly Meeting at Septembers Meeting.

Meeting closed 7.30 pm.

Next Meeting; 6.00 pm Monday, 9th September, 2019 @ Gulgong Bowling Club.

President

A handwritten signature in black ink, appearing to read 'Craig Holden', written over a horizontal line.

Craig Holden.

12.2 Mudgee Sports Council Meeting Minutes 28 August 2019

REPORT BY THE MANAGER RECREATION SERVICES
TO 16 OCTOBER 2019 ORDINARY MEETING
GOV400067, A0360013

RECOMMENDATION

That Council:

1. receive the report by the Manager Recreation Services on the Mudgee Sports Council Meeting Minutes 28 August 2019; and
2. note the minutes for the Mudgee Sports Council Meeting held 28 August 2019

Executive summary

The purpose of this report is to advise Council of the consideration and recommendations of the Mudgee Sports Council Meeting held on 28 August 2019.

Disclosure of Interest

Nil.

Community Plan implications

Theme	Looking After Our Community
Goal	Effective and efficient delivery of infrastructure
Strategy	Provide infrastructure and services to cater for the current and future needs of our community

Strategic implications

Council Strategies

Not applicable

Council Policies

Not applicable

Legislation

The Mudgee Sports Council is operating under Section 355 of the Local Government Act (1993), which allows it to exercise a function of Council.

Financial implications

Not applicable

Associated Risks

Nil

TRACEY KANE
MANAGER RECREATION SERVICES

SIMON JONES
DIRECTOR COMMUNITY

12 September 2019

Attachments: 1. Mudgee Sports Council Meeting Minutes 28.8.2019.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Mudgee Sports Council meeting**Mudgee Netball clubhouse****28-08-2019 1800.**

Present: G. Robinson, P. Mitchell (Soccer), K. Bennetts (Little A's), N. Richards (Hockey), A. Whale (Jnr Cricket), K. Lang (Touch) & J. Johnson. Guests- Alison Wilson Mudgee Hockey

Apologies: L. Humphries (Rugby), E. Flack (Snr League), J. O'Neill MWRC Councillor, T. Kane (MWRC Staff) Moved A. Whale, seconded K. Bennetts.

Minutes read as true and correct. Moved A. Whale seconded K. Bennetts.

Business arising from previous meeting:

1. Hoc key signage at Victoria Park- a DA has been applied for DA number 0022-2020 for installation of sponsor signage, sports council has ruled no permanent signage at grounds, need to refer back to Tracey, Tracey had asked if there was a DA.

Treasurers Report:

1. No report available at time of meeting.
2. **Sports Council fees 2019/20,**
Senior sport per player \$37.00
Senior sport per team \$2349, \$1775, \$627 if taking gate takings.
Junior sport U/18 \$14.90.
Club affiliation fee to Sports Council \$22.

Treasurers report moved J. Robinson, seconded K. Bennetts.

Secretary Report:

1. Request for assistance, from Ella Murane who competed in the NSW Cross Country Team at Kembla Grange on the 24/08/19, she competed in the U/13 age group and placed 15th. Moved that Ella Murane be granted a sports assistance grant of \$500, Moved A. Whale seconded K. Lang passed.
2. Letter from MWRC to all sporting groups re events assistance program, will hopefully make life easier for user groups.
3. Letter from Tracey Kane re defibrillators for grounds.

Works Request Updates:

1. Lights repaired Jubilee await confirmation.
2. Fence panel Victoria Park not repaired as yet.
3. Sight boards Victoria Park not done.
4. Watering Walkers Oval on going.

Works Requests:

1. **Nil.**

General Business:

1. Women's League to be played at Jubilee, sports council unaware at this stage to the fee structure, meeting to be held 26/08/19, may have to pay per team, may be better off not charging entry fee to ground, or may be better off paying as third team of Mudgee dragons.
2. Discussion re the installation of Cricket nets at Glen Willow, colour bond fencing placement will be hit by balls, no consultation with Cricket replacement, size or length, the position has been changed 3 times, needs to be closer to cricket pitch, no toilet facilities, will create problems.
3. Discussion re the issuing of bins, 10 bins at the main stadium isn't enough especially with events mid-week like PSSA Touch carnival, and bins emptied Wednesday, and collectors wont empty half full bins, 2 lots of request have been made re this in the past, with no answer at this stage.
4. **The installation of Score Board Glen Willow: the lack of consultation re the score board, when installed not compatible with Rugby League, no siren, the counter isn't suited to League, the software is set for European sports, the siren not connected to timer, very disappointing with the set up, MWRC hopes to have sorted for weekend. Plus the siren isn't loud enough fine if ground empty but with crowd may as well be silent. What has happened to consulting sports council and user groups before decisions are made is becoming ridiculous, another example is cricket nets too wide, too long, again consultation no existent. Sports council is extremely concerned re the lack of consultation, re the score board and the cricket nets, with the applicable sporting bodies and sports council its self.**
5. **We also need a back up councillor to be available when Mr O'Neill unavailable, sports council request a councillor to attend the monthly meetings.**
6. Alison Wilson spoke re her attendance at the Hockey tournament on the Gold Coast for Masters Hockey. Alison represented Australia played New Zealand her team achieved a win, lose, draw, the teams were aged from U/35 to U/65, the experience was amazing, and she is going back to Gold Coast for National Masters, she wanted to Thank Sports Council for the support received.

Meeting closed 18:50

Next Meeting

24/09- 2019 6PM. Mudgee Netball clubhouse

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12.3 Mid-Western Regional Youth Council

REPORT BY THE MANAGER, COMMUNITY SERVICES
TO 16 OCTOBER 2019 ORDINARY MEETING
GOV400067, COS300610

RECOMMENDATION

That Council:

1. **receive the report by the Manager, Community Services on the Mid-Western Regional Youth Council; and**
2. **note the minutes of the Mid-Western Regional Youth Council meeting convened on 10 September 2019.**

Executive summary

This report seeks to inform Council of Youth Council discussions and activities.

Disclosure of Interest

Nil.

Detailed report

The Mid-Western Regional Youth Council held its most recent monthly meeting on 10 September 2019.

Youth Council are exploring several options for expenditure, including the possibility of purchasing a driving simulator, which may be loaned to neighbouring councils and a range of Youth Council branded items to boost awareness of Youth Council and its activities amongst the community.

In terms of upcoming Youth Council activities, options for the October school holidays have been confirmed and promotions will begin shortly. Activities include a tie-dye workshop in Gulgong, an escape room competition in Mudgee, and dodge ball at the Rylstone Family Fun Day. Discussion has been had concerning potential activities during the summer school holidays, including a drawing workshop and a special movie screening.

Youth Council will be sending two delegates to the bi-annual Youth Council conference to be hosted by Blacktown Council this year. Delegates will provide a report back of the event at the October meeting.

Further detail of Youth Council discussions are contained in the minutes attached to this report.

Community Plan implications

Theme	Looking After Our Community
Goal	Meet the diverse needs of the community and create a sense of belonging
Strategy	Support programs which strengthen the relationships between the range of community groups

Strategic implications

Council Strategies

Council's Youth Strategy provides direction and recommendations for Council and the community to benefit local youth. The Mid-Western Regional Youth Council also takes direction from this document when considering future planning.

Council Policies

Not Applicable.

Legislation

Not Applicable.

Financial implications

Not Applicable.

Associated Risks

Not Applicable.

FIONA TURNER
MANAGER, COMMUNITY SERVICES

SIMON JONES
DIRECTOR COMMUNITY

18 September 2019

Attachments: 1. Minutes - Youth Council - 10 September 2019.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



MINUTES OF YOUTH COUNCIL MEETING

DATE: 10 September 2019
 VENUE: Mudgee Council Chambers,
 86 Market Street, Mudgee
 COMMENCEMENT TIME: 4:14 pm

1. ATTENDANCE

1.1. In Attendance

Youth Councillors: Courtney Boxsell, Angus Danson (Youth Mayor; Chair), Lucah Hill, Rhiannon McPherson, Rose Mortensen, Zowie Roberts

Councillors: Councillor Sam Paine (Deputy Mayor), Councillor Alex Karavas

Council Staff: Fiona Turner (Manager, Community Services), Cathy Meyers (Youth Services Officer); Sam Sbisa (Youth Services Officer; Minutes)

1.2. Apologies: Christopher Barry (Deputy Youth Mayor), Ayden Seis, Daniel Trevethan

Motion: Acceptance of apologies.

Moved: L. Hill Seconded: R. McPherson - Carried

2. MINUTES – 13 August 2019

Motion: Acceptance of minutes.

Moved: R. McPherson Seconded: Z. Roberts - Carried

3. CORRESPONDENCE IN/OUT

3.1. None.

4. BUDGET

4.1. F Turner provided a brief update on the budget and projected spending from last month's meeting. Council approved rolling over \$45K from last financial year's budget into the current one. Increased spending is required to exhaust the 2019/2020 budget appropriately.

4.2. C Meyers presented some options for Youth Council branded items, such as: drink bottles, travel cups, pens and other stationery, USBs, yoyos, and fidget cubes. Exact pricing quotations are expected shortly. Overall (pending prices), several options were selected to purchase. S Sbisa also suggested Youth Councillor t-shirts for Youth Council events, all agreed this would be useful, and options will be investigated.

Action: C Meyers to obtain accurate pricing, and if possible commence ordering of some items in time for the October school holidays.

5. EXISTING BUSINESS

5.1. Youth Council Events

5.1.1. Future school holiday events; update

The October school holiday activity schedule has been completed, and Council's Graphic Designer has created the advertising copy (Attachment 1.). It is anticipated that all booking sheets, publicity and promotion will be live early next week. All were asked to assist with promoting the events. Youth Councillors were also asked to nominate if they were able to assist the Youth Services Officers with any of the events. L Hill also asked all Youth Councillors to assist with a play-test of the escape room in the following week.

A potential calendar of the January school holiday activities was discussed, two activities have already been confirmed: Matthew Lin has been booked for a drawing workshop on 13 January 2020, and a screening of *The Princess Bride* has been scheduled on 2 January. To follow on from the idea of including some environmental ideas in the actives as discussed in the August meeting, S Sbisa proposed a clothing swap to occur at Rylstone, and a terrariums session for Gulgong, which was well met. The group also suggested running a small event on Tuesday 28 January. Initial investigations into running a horse riding activity were not promising; Z Roberts volunteered to enquire about possibilities with some businesses she is aware of.

Action: Z Roberts to investigate horse riding activity providers and report back at next meeting.

5.1.2. Mudgee Readers' Festival partnership events; update

The Australian Poetry Slam heat was attended by more people than was expected (50 audience members, and 8 competing poets). The winners were from Broken Hill and Bathurst. While this event was a success, and the facilitator Miles Merrill excellent, it was agreed that the youth take-up was less than hoped for; should Mudgee Readers' Festival wish to continue with including the APS heat as part of the festival in the future, it would be better for Youth Council to partner in a different capacity.

5.1.3. Inspirational Speaker

S Sbisa has not been able to follow up with Ms Harris or her mother as yet, but is hoping to do so in the coming fortnight.

5.2. NSW Youth Council Conference

F Turner and the Youth Services Officers were able to organise things in order that Mid-Western Regional Youth Council could send a delegation to the bi-annual conference hosted by Blacktown Council, occurring in Rooty Hill, 13 – 15 September. Four responses were received in regards to being a delegate to the conference, one of which was an inability notification. The selected delegates for the conference are: Deputy Youth Mayor C Barry, and Youth Councillor L Hill. There was discussion about putting forward an application to host the next conference, but it was decided it would be preferable to wait to hear the conference report from the delegates before perhaps submitting to host a future conference such as the 2023 conference.

5.3. Relay for Life

R McPherson provided additional information regarding the event, which will be held 4-5 April 2020. The aim of the event is to have a member of the team on the track at all times for 24 hours, to host a tent with an activity or sell items as a fundraiser for *Cancer Council Australia*. All agreed it would be good to have a Youth Council team, though it may be necessary to liaise with Council's team (should they have one). Logistics regarding the vent will need to be investigated. Some ideas for the activity were discussed, including: face painting, henna, SFX makeup session with professional facilitator (perhaps linking to a midnight zombie walk), spray on temporary tattoos, cupcake decorating.

6. BUSINESS ARISING

6.1. None.

7. GENERAL BUSINESS

7.1. None.

8. DETAILS OF NEXT MEETING

8.1. Tuesday 8 October 2019, Mudgee Council Chambers, Market Street, Mudgee.

5:25PM Meeting closed.

SUMMARY OF ACTION ITEMS

TASK / ACTION	RESPONSIBILITY	COMPLETION
Complete Talent Release Form and return to S Sbisa.	G. Blackwell, B. Munday, D Trevethan	12.04.2019
Organise play test of escape room.	L. Hill, C. Barry, and Youth Services Officers	19.09.2019
Participate in play test of escape room.	All available Youth Councillors	27.09.2019
Confirm pricing costs for Youth Council branded items and commence purchasing of same.	C Meyers	08.10.2019
Investigate Youth Councillor t-shirt options.	S Sbisa & C Meyers	08.10.2019
Investigate horse riding provider options.	Z Roberts	08.10.2019
Liaise with Kiara Harris re Inspirational Speaker talk/s	S Sbisa	08.10.2019
Investigate Relay For Life team partnership options with Council.	Youth Services Officers	12.11.2019

Attachment 1.

WINTER SCHOOL HOLIDAYS 8 - 19 July 2019

Mid-Western Regional Youth Council is proud to present a range of youth activities and events across the region, as part of the winter school holidays.

<p>Ice Skating at Bathurst Winter Festival We've booked a bus to go to the Bathurst Winter Festival for ice skating! So rug up warm, pack your lunch, and get excited! Please note a permission slip must be completed and received by Council representatives prior to participating in this excursion.</p> <p>WHEN Monday 8 July, 9:15am – 4:30pm AGES 12-18 years WHERE Meet at the Stables, 84 Market Street Mudgee COST Free, bookings essential</p>	<p>Night Skies at Mudgee Observatory Rug up warm and join us on a night-time adventure to Mudgee Observatory. Hear all about the night skies and stars of the southern hemisphere. Please note a permission slip must be completed and received by Council representatives prior to participating in this excursion.</p> <p>WHEN Wednesday 17 July, 5:15pm – 8:00pm AGES 12-18 years WHERE Meet in front of Mudgee Library, 64 Market Street Mudgee COST Free, bookings essential</p>
<p>3D Printing Workshop with Andrew Christie Learn how to create your own 3D printing file and watch it come to life in this hands-on workshop with professional artist and creator, Andrew Christie.</p> <p>WHEN Wednesday 10 July, 1:30pm – 5:30pm WHERE Mudgee Library, 64 Market Street Mudgee AGES 12-18 years</p>	<p>Level Up Love playing RPGs and tabletop games, or perhaps you're a total gaming fanatic? Want to meet other gaming enthusiasts? Then this is for you. Join us for a special extended school holiday edition of Level Up. Various RPGs will be run, so check out the booking page for more details.</p> <p>WHEN Thursday 18 July, 1:45pm – 5:45pm AGES 12-25 years WHERE Mudgee Library, 64 Market Street Mudgee</p>
<p>Better than TED Being able to speak in public has a HUGE bearing on your life. Comedian Sean Murphy will share his tips and techniques on public speaking and stage presence in this interactive workshop. Discover how to become a world class presenter who doesn't need a PowerPoint slide, and give TED talkers a run for their money. Forget the projector and put away the phone, it's time to speak up!</p> <p>WHEN Thursday 11 July, 1:30pm – 4:30pm AGES 12-20 years WHERE Mudgee Library, 64 Market Street Mudgee</p>	<p>Manga and Anime Squad Calling all anime, manga and cosplay fans! Join us to meet fellow enthusiasts. Explore different styles, techniques, and share from your experience.</p> <p>WHEN Friday 19 July, 3:45pm – 5:45pm AGES 12-20 years WHERE Mudgee Library, 64 Market Street Mudgee</p>
<p>Pop Art Tote Bags Get involved with Plastic! Free July by creating your very own pop art design and putting it on a tote bag. Fill the bag with your sporting equipment, books, shopping, or whatever you want.</p> <p>WHEN Mon 15 July, 2:00-3:30pm Tue 16 July 2019, 2:00-3:30pm WHERE Memorial Hall, 73 Louise Street, Rylstone Memorial Hall, 112 Herbert Street, Gulgong AGES 12-20 years 12-20 years</p>	<p>NOTE: ALL EVENTS ARE FREE BOOKINGS HIGHLY RECOMMENDED</p> <p>To book, visit www.mwrcyouth.eventbrite.com</p> 

12.4 Local Traffic Committee - September Meeting 2019

REPORT BY THE EA TO DIRECTOR, OPERATIONS
TO 16 OCTOBER 2019 ORDINARY MEETING
GOV400067, A0100009

RECOMMENDATION

That Council:

1. receive the report by the EA to Director, Operations on the Local Traffic Committee - September Meeting 2019;
2. Approve the recommendations for 'no stopping signage' for on street parking by Oporto Road Medical Centre:
 - a) Consult with nearby affected parties regarding reduction of two on street carparks
 - b) Approve the installation of 'No Stopping' signs between Driveway of 7/9 Oporto Road and entry to South Mudgee Surgery
 - c) Council investigate line marking between Lisbon Road and Burgandy Road and present recommendations to the traffic committee;
3. Note the outstanding action item list; and
4. Note the general business items discussed.

Executive summary

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

Disclosure of Interest

Nil.

Detailed report

The Local Traffic Committee meeting was held 20 September 2019

One Traffic report was considered:

- Request for 'no stopping' signage for on street parking by Oporto Road Medical centre

General business discussion items included:

- Spring Creek Road Speed Limit
- Robertson Road Traffic
- Road Safety Awareness
- Mudgee Running Festival
- Bylong Valley Way safety improvements

Full discussion notes are included in the attachment to this report.

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

GEMMA WILKINS
EA TO DIRECTOR, OPERATIONS

GARRY HEMSWORTH
DIRECTOR OPERATIONS

20 September 2019

Attachments: 1. Minutes - Local Traffic Committee 20 September 2019.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Mid-Western Regional Council

Date: 20 September 2019

Minutes of the Local Traffic Committee

Held at the Operations Meeting Room, 54 Depot Rd, Mudgee.
on 20 September 2019.

Present	Phil Blackman, Deanne Freeman (RMS), Garry McGovern (NSW Police)
Apologies	Garry Hemsworth (MWRC) Cr Alex Karavas
Secretary	Gemma Wilkins (MWRC)

The LTC meeting commenced at 9:45am

MINUTES OF PREVIOUS MEETING

MOTION: RMS Representative / Garry McGovern


That the Minutes of the previous Local Traffic Committee held on 16 August 2019 be taken as read and confirmed.

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MID-WESTERN REGIONAL COUNCIL | LOCAL TRAFFIC COMMITTEE - 20 SEPTEMBER 2019

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	No crossings are 100% compliant. Until works are completed may need to consider additional lighting during event periods. RFQ for design being prepared by Council. Survey underway for design to be overlaid.
Disabled parking Kandos IGA	28 April 2017	Roads and Maritime Services and Council to meet onsite and discuss viable options. Provide report to June meeting.	Council in process of connecting footpath to the existing area, identifying appropriate crossing point.
Perry Street Parking Issues	15 June 2018	To monitor the parking issues that surround Mudgee High School	Council requested quotation to undertake design work for improvement of this section. Only One Quotation received. Will be reviewed when Garry returns from leave.
Events Night with the Roads and Maritime Services	August 2018		Pending amendment of events process between planning department and operations department to make sure clear message provided by Council.
Request for 'No Stopping' sign	August 2018	Request for a 'No stopping' sign to be placed at the northern end of Ten Dollar hotel.	Investigation and consultation in progress.
Request to review traffic flow of Gulgong CBD	November 2018 February 2019	Request a review of the traffic management and parking within the Gulgong CBD Report to be presented recommending 'no parking' signs changed to 'no stopping' in front of IGA Gulgong	
Mudgee CBD High Pedestrian Area	November 2018	Council in support of 40km CBD zone investigation.	Council forwarded request to Roads and Maritime Services Feb 2019. Advised assessment likely to be in 19/20 financial year. Council to send through a plan proposing where they want the 40 km/h (where high pedestrian activity is) Midblock location can be considered – needs to be a blister for signage. For enforcement purposes it needs to be a defined zone.
St Matthews Traffic Flow	February 2019	Organise meeting onsite Prue Britt, the safety around schools officer with Council, NSW Police and Principal to discuss options	Letter sent to School in August requesting ongoing education of the arrangement. No response received as yet.
Saleyards Lane Traffic Calming	February 2019	Roads and Maritime Services to investigate speed zone	Council have ordered signs, quote sent to RMS install will occur soon. Completed – remove from next agenda

SUBJECT	RES NO. & DATE	RESOLUTION	ACTION
Oporto Road Speed Humps	February 2019	Council to provide traffic count data to NSW Police to aid increased presence.	
Cox Street Opening	May 2019	Council to investigate and bring back report to committee on feasibility in correspondence with associated Rail Authorities.	This item on hold - feasibility study currently underway for Mudgee rail reopening.
CBD Parking line marking	May 2019	If not address in parking study, prepare report for line marking to be extended to Market street between Church and Lewis and Mortimer Street between Church and Lewis	Interim report has not made mention of line marking. Await next report from consultant
Putta Bucca Speed Limit	July 2019	Council will place some traffic counts and review development to get an accurate indication of current traffic numbers.	Request sent to roads maintenance officer to place counters out.
Medical Centre Pedestrian activity	July 2019	Pedestrian yellow sign to be placed  W6-1	Works request placed to be installed under existing signage budgets. Report needs to come to meeting for installation.

PAST EVENT DEBRIEF

EVENT	
Henry Lawson Festival – 8 June	
Mudgee Small Farm Field Days	Garry believes worth a debrief, maybe an informal meeting with Council and NSW Police that can then be presented to the committee. Try to schedule Friday or Thursday for Deanne to attend.

CALENDAR OF EVENTS

AUGUST	Date	Comments
Mudgee Running Festival		Recommended
Kandos Street Machine	10 August	Didn't happen – event cancelled
SEPTEMBER	Date	Comments
Flavours of Mudgee		Recommended
Rainbow Day		Recommended
OCTOBER	DATE	Comments
Ride Against Cancer		
Mudgee Lions Club		
Mudgee Triathlon Season		
NOVEMBER	DATE	Comments
Rylstone Street Feast	2 November 2019	Included in this Agenda
DECEMBER	DATE	Comments
AUGUST	Date	Comments

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MID-WESTERN REGIONAL COUNCIL | LOCAL TRAFFIC COMMITTEE - 20 SEPTEMBER 2019

Mudgee Running Festival Kandos Street Machine	10 August	Recommended Didn't happen – event cancelled
SEPTEMBER	Date	Comments
Flavours of Mudgee Rainbow Day		Recommended Recommended

Red = Unapproved

Green = Approved

19/024 REQUEST FOR 'NO STOPPING' SIGNAGE FOR ON STREET PARKING BY
OPORTO ROAD MEDICAL CENTRE

RECOMMENDATION**That Council**

1. Consult with nearby affected parties regarding reduction of two on street carparks
2. Approve the installation of 'No Stopping' signs between Driveway of 7/9 Oporto Road and entry to South Mudgee Surgery
3. Council investigate linemarking between Lisbon Road and Burgandy Road and present recommendations to the traffic committee.

MOTION: Roads and Maritime Services Deanne Freeman / Garry McGovern

That the above recommendation be accepted and approved.

- Trees may be obstructing sight distance, Council speak to medical centre to request trimming to improve visibility.
- Remove line marking from recommendation, just install signage.
- Line marking report needs to come back for consideration.

19/025 GENERAL BUSINESS

SPRING CREEK ROAD SPEED LIMIT

Following the fatality of a cyclist along Spring Creek Road, a resident in the area phoned to request the 100km speed zone be reassessed. He himself was in an accident a few years ago where a speeding vehicle crossed the centreline and his care subsequently written off. He believes the width and curves are not suitable for 100km speed limit.

- Forward to RMS to take a look, forward to Deanne.

ROBERTSON ROAD TRAFFIC

Letter received by resident living in the area. Complaint of number of car speed of cars and request for intervention. Traffic counts were undertaken by her house more than 3 years ago so a request has been made for the same location for comparison. Details for times to patrol included in the letter. Attached for your reference.

ROAD SAFETY AWARENESS

Internal request to consider implementing more road safety awareness. Greater impact can be achieved if via committee (whether the existing traffic committee or forming a new one) we take a coordinate a community based approach to road safety education and awareness.

- There is a program through the RMS where a joint funding opportunity is available

- Many councils have a Road Safety Officer to target the issues particular to their area

RUNNING FESTIVAL

- Mark Fehon mentioned the event went really well, no issues and it's a credit to the organisers.

BYLONG VALLEY WAY

- Council to contact RMS about funding opportunities for the curve where the fatality was on Monday
- As an interim measure a request will be made for advisory signage to be investigated.
- Speed assessment request will be best submitted once the road works have been completed. Temporary speed reduction not recommended due to absence of construction meaning it is unlikely that drivers would adhere.

MOTION: Mr Phillip Blackman / Deanne Freeman

Nil correspondence to discuss.

CLOSURE

There being no further business the meeting concluded at 10:49am

12.5 Red Hill Committee Meeting 7 August & 2 October 2019

REPORT BY THE MANAGER, CUSTOMER SERVICES
TO 16 OCTOBER 2019 ORDINARY MEETING
GOV400067, A0190002

RECOMMENDATION

That Council:

1. **receive the report by the Manager, Customer Services on the Red Hill Committee Meeting 7 August & 2 October 2019;**
2. **note the minutes of the Red Hill Committee meeting held on 7 August & 2 October 2019; and**
3. **endorse the proposed updated Red Hill Masterplan.**

Executive summary

This report seeks to inform Council on the progress of the Red Hill site following the Red Hill Committee Meetings held on 7th August 2019 and 2nd October 2019, and to inform Council of the proposed updated Red Hill Masterplan.

Disclosure of Interest

Nil.

Detailed report

The Red Hill site is continuing to operate successfully and since the appointment of the new Gulgong Gold Experience co-ordinators in January this year the visitation of the site has increased over 60% when comparing Jan-June 2018 to Jan-Jun 2019.

With the Gulgong Visitor Information Centre relocation to the Red Hill site on 7th September this year, and then to the Miner's Cottage in 2020 (following planned capital upgrade works), we see significant opportunities to drive further visitation to this facility and the Gulgong region in general.

To support this growth we have revised the long term strategic Red Hill Masterplan (see attached), which has been prepared in collaboration with the Gulgong Gold Experience Co-ordinators, the Red Hill Committee and Council staff.

As noted on the proposed Red Hill Masterplan, the next key stage is to develop a new Exhibition Space (and public toilets) adjacent to the existing Miner's Cottage, which is forecasted to cost \$400,000. To support this next stage we anticipate grant support of up to \$200,000, however this would be subject to matched Council capital funds.

If developed we would see this Exhibition Space being utilised for a variety of Mining themed activities and would increase the length of time visitors would stay at the site and provide increased visitation to the region. It would be created in a style that references historical buildings depicted in old photographs from the Red Hill site. This space would be used to exhibit 'old trades' such as a

blacksmith, leather maker and a wool spinner, and would provide memorable photo opportunities for visitors.

The longer term strategic plan for the site also includes mining themed children's playground adjacent to the new exhibition space, security fencing around the site, the creation of a Billabong for gold panning simulation and finally the construction of additional visitor parking.

Community Plan implications

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

Strategic implications

Council Strategies

Community Strategic Plan
Red Hill Master Plan

Council Policies

Not Applicable

Legislation

The Red Hill Committee is operating under Section 355 of the Local Government Act (1993)

Financial implications

Any further capital works at the Red Hill site will require budget approval.

Associated Risks

Not Applicable

RICHARD CUSHWAY
MANAGER, CUSTOMER SERVICES

SIMON JONES
DIRECTOR COMMUNITY

2 October 2019

- Attachments:*
1. Red Hill Committee Meeting Minutes 7 August 2019.
 2. Red Hill Committee Meeting Minutes 2 October 2019.
 3. Gulgong Gold Experience Half Year Report 2019.
 4. Gulgong Gold Experience Attendance Jan to June 2019.
 5. Gulgong Gold Experience Financials Jan to June 2019. (Confidential separately attached)
 6. Proposed Updated Red Hill Masterplan Oct 2019.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



MID-WESTERN REGIONAL COUNCIL
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MINUTES

RED HILL COMMITTEE MEETING

Meeting commenced at 3.08pm on Wednesday 7th August 2019 at Red Hill School Gulgong

Attendees: Councillor Percy Thompson (Chair), Chris Pearson, Joy Harrison, Tony Harrison, Bill Murphy, Rebecca Neilson (Red Hill School), Richard Cushway (MWRC Staff).

- 1. APOLOGIES** David Warner
Moved: Chris Pearson Second: Joy Harrison Carried

- 2. REVIEW OF PREVIOUS MEETING MINUTES & ACTIONS**
Moved: Chris Pearson Second: Tony Harrison Carried

- 3. GULGONG GOLD EXPERIENCE UPDATE**
Joy and Tony Harrison (GGE Operators) submitted tabled the following to the Committee and Council staff.

- *Gulgong Gold Experience – First Half year Report*
- *Gulgong Gold Experience - Attendance & Income (Confidential)*

Joy Harrison advised the MOU between MRT and Manor Enterprises commenced on 7th August 2019. Operating hours to be extended to 10am-2pm until further notice and will remain closed on Mondays and Tuesdays. Future plan to relocate Visitor Information Centre to the Miners once restoration works have been completed.

- 4. RED HILL MASTER PLAN PROGRESS**
- Proposed Move of Toilet Block – Committee discussed the options available and determined to most appropriate and cost effective solution was to keep the Toilet in the Miner's Cottage dependant on future costings and to ensure it was accessible to the public
Moved: Bill Murphy Second: Tony Harrison Carried

- **Upgrade of Miner’s Cottage / Visitor Information Centre** – Karli Anshaw (Council Building Services Dept) discussed the \$30,000 budget allocated to restore the cottage and the proposed maintenance works involved. Karli advised the scope of works would be shared with the Committee when finalised.

5. RED HILL DERELICT MINE SITE

General discussion on the potential of improving this derelict mine site following an on-site meeting held between Andrew Sapkanis and Committee members. The committee determined that:

- (a) The Derelict Mines Division (NSW Planning) be contacted to ascertain the closest and most appropriate fence around the site with a view on ongoing maintenance and signage.
- (b) Possible funding be sourced from Council and/or Derelict Mines to design and erect signage.

Moved: Chris Pearson

Second: Tony Harrison

Carried

6. RED HILL LANDSCAPE DESIGN MASTERPLAN

Update provided by Rebecca on the planning phase of the landscaping masterplan. The 1st meeting has been carried out and next one is scheduled for 9th Sept. Plan to be completed by end of 2019.

7. NEW WORKS REQUESTS

- Clear grass inside derelict mine site
- Move sign for Visitor Information Centre

8. GENERAL BUSINESS

- (a) Committee wished to extend their appreciation of the road works completed at White St intersection and the bus visitor parking.
- (b) Motion – Cr Thompson moved that the GGE MOU be extended to include the operation of the Cottage and use as a Visitor Information Centre and Tea Room operations.

Moved: Cr Thompson

Second: Bill Murphy

Carried

MEETING CLOSED 4.27PM

NEXT MEETING: 3PM ON WEDNESDAY 2ND OCTOBER 2019 AT RED HILL SCHOOL (NOTE – ORIGINALLY SCHEDULED FOR WED 6TH NOVEMBER HOWEVER REQUESTED TO MOVE FORWARD TO DISCUSS PROPOSED RED HILL MASTERPLAN)

ACTIONS

TASK	WHO	PROGRESS
Red Hill Signage Audit	Red Hill Committee	On Hold – waiting on landscaping report and revised masterplan.
Source recommendations and quote to improve drainage of pathways	MWRC	On Hold - waiting on landscaping report
Panning Troughs near cottage to be reinforced with concrete base or pavers	Joy & Tony Harrison	On Hold – waiting on revised masterplan
Review process of listing Red Hill Site on State Heritage Register	Richard Cushway	
Consult with NSW Dept of Planning re Fence material options & possible funding for Signage	Committee / MWRC	
Clear Grass from inside derelict Mine Site	MWRC	
Request sign to be moved for Visitor Information Centre	Joy & Tony Harrison?	
Extend GGE MOU to include operations of Visitor Information Centre and Tea Room	MWRC	On Hold until Miner's Cottage opens



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MINUTES

RED HILL COMMITTEE MEETING

Meeting commenced at 3.07pm on Wednesday 2nd October 2019 at Red Hill School Gulgong

Attendees: Councillor Percy Thompson (Chair), Chris Pearson, Joy Harrison, Rebecca Neilson (Red Hill School), Maurice Gaudry, Richard Cushway (MWRC Staff), Alina Azar (WRC staff).

1. APOLOGIES

Tony Harrison, Bill Murphy, David Warner

Moved: Maurice Second: Joy Carried

2. REVIEW OF PREVIOUS MEETING MINUTES & ACTIONS

No Comments

Moved: Joy Second: Maurice Carried

3. GULGONG GOLD EXPERIENCE UPDATE

Joy Harrison (GGE Co-ordinator) provided a brief update on operations and advised everything is progressing well and visitation has been strong, especially since the Visitor Information Centre (VIC) was moved there on 7th September. It was noted that the hours of operation would stay at 1-3pm Wed-Sun and will increase to 10-2pm when the VIC is moved to the Miners Cottage.

Note – Joy will submit 2 quarterly reports at the next Red Hill Meeting (Feb 2020).

4. MINER'S COTTAGE REFURBISHMENT UPDATE

Richard Cushway (Council staff) informed the Committee that the budget to restore the Miner's Cottage has been increased from \$30k to \$60k due to major termite infestation and repair works required to repair the floor area. Richard also explained that Council's heritage advisor is being consulted during the scoping phase to ensure all proposed refurbishment works, including the Tea Room and Kitchen area, would be permissible.

5. \$10K FEDERAL GRANT OPPORTUNITY

Alina Azar (Council staff) informed the Committee of a potential \$10k in Federal Grant funding through Communities Environment Program. The proposal involves the planting and landscaping of 200 trees and shrubs scattered around the site and installation of 3 possum and 3 bird nesting boxes. The proposal will be submitted next week and if successful in receiving this grant it would need to be completed by 30 July 2020.

6. REVIEW OF PROPOSED RED HILL MASTER PLAN

Following an email sent to all committee members 2 weeks ago, Richard discussed in further detail the updated proposed masterplan for the Red Hill site. The changes to the masterplan include a new exhibition space and public toilets, a mining themed children's playground, security fencing around the site, a Billabong and additional visitor parking. It was explained that the Council would need to review, approve and allocate necessary funds for this masterplan to go ahead, and would require additional support through funding opportunities. Chris Pearson asked that any new works reflect the 'true history of the site' and Bill Murphy asked that the location of the fence is carefully considered to ensure public accessibility is maintained to some areas (e.g. BBQ, toilets and children's playground). The Committee were all in support of this masterplan and were enthusiastic of the further development of this site.

Moved: Maurice Second: Chris Carried

7. RED HILL EEC LANDSCAPING MASTERPLAN UPDATE

Rebecca Neilson (Red Hill EEC) advised the landscaping masterplan 1st draft is due back by 4th October and the next workshop will be held on site next Wed 6th October. The 3rd and final workshop has not been scheduled at this stage.

8. NEW WORKS REQUESTS

Cr Thompson asked for some mullock heaps to be installed around the site. Richard would look into this further for the next meeting.

9. GENERAL BUSINESS

No further business

MEETING CLOSED 4.08PM

NEXT MEETING: 3PM ON WEDNESDAY 5TH FEBRUARY 2020 AT RED HILL SCHOOL

ACTIONS

TASK	WHO	PROGRESS
Red Hill Signage Audit	Red Hill Committee	On Hold – waiting on landscaping report and revised masterplan.
Source recommendations and quote to improve drainage of pathways	MWRC	On Hold - waiting on landscaping report
Panning Troughs near cottage to be reinforced with concrete base or pavers	Joy & Tony Harrison	On Hold – waiting on revised masterplan
Review process of listing Red Hill Site on State Heritage Register	Richard Cushway	
Consult with NSW Dept of Planning re possible funding for Signage	Richard Cushway	
Clear Grass from inside derelict Mine Site	MWRC	
Request sign to be moved for Visitor Information Centre	Joy & Tony Harrison	Completed
Extend GGE MOU to include operations of Visitor Information Centre and Tea Room	MWRC	On Hold until Miner's Cottage opens
Installation of Mullock Heaps around Red Hill site	Richard Cushway	

GULGONG GOLD EXPERIENCE

FIRST HALF YEAR REPORT

The first half year of 2019 has been very successful for us with the number of entry almost doubling from the same time last year.

We put this down to the focus we have put on family involvement. Every weekend and every day during the school holidays we had people coming from all around Australia and also some from overseas. I think this is because it is a unique activity for most city children and not to mention country children as well. Parents are pleased to get the children off the ipads and iphones for an hour or two while they pan for gold. It is also educational for them as they are learning about the gold rush of 1870 and also the hardships the miners suffered.

We have had three bus-loads of visitors each with 50 people. We also had the Fujitsu Company with 86 visitors and a two bus-loads of 79 students from the University of Technology. It was quite a challenge to entertain each of these groups especially the larger groups as there has never been so many people through at any one time. I planned out the visits and had the volunteers well acquainted with their responsibilities when the groups arrived. I was delighted with the results.

I have also attached the financials for the first half of the year. We had quite a bit of expenditure in the first couple of months especially stocking up the gold panning bags as we were left with very little stock and no money. The money from the Holtemann was not put into our account until 31st January so we had to make do from January 1st. The Holtemann had also made arrangements with Gordon Burke a Gulgong Electrician to move the lights around which (to my mind) made very little difference. The cost of this work was \$3362.02.

From August 14th our opening hours and days will change to: Open Wednesday to Sunday (from 10am to 2pm except for long weekends and the school holidays when we will be open 7 days from 10am to 2pm. (I looked back over visitor numbers for the first six months and we had 15 visitors on a Monday and about the same on a Tuesday which means the volunteers sit there with no one coming in. Traditionally these two days are always slow in Gulgong.) The new times are advertised in the new visitor guide which will be launched on 6th August. They will also be on our website as well as that of MRTI. We will become the Gulgong Visitor Centre on August 7th.

We have a great lot of 16 volunteers. I sent out the August roster with the additional times (four hours instead of two) and I have not had one complaint. I think they are all excited to be involved in the progress of the complex into the future.

ATTENDANCE FIGURE JANUARY 1ST TO JUNE 30TH 2019

Manor Enterprises Pty Ltd – Joy Harrison took over 1st January 2019 figures to 30th June 2019

January 2019	204
February 2019	94
March 2019	267
April 2019	401
May 2019	302
June 2019	271

Total visitors	1539

Last Year 960 as per Maureen Hall's figures to Council



2019 RED HILL MASTERPLAN



- STAGE 1 - COMPLETED WORKS**
- 1 Mine shaft completed at a cost of \$1million. Successfully operating.
- STAGE 2 - COMPLETED WORKS**
- 2 Construction of a Bus and Car Parking area. Completed at a cost of \$40,000
- STAGE 2 - FUNDED WORKS IN PROGRESS**
- 3 Restoration of the Miner's Cottage so it can become the entry to the complex. It will be used as tea rooms, gift shop and visitor information centre. The estimated cost \$60,000
- STAGE 3 - FUTURE WORKS**
- 4 Creation of a new exhibition space and public toilets. Approx cost of \$400,000
To be created in a style that references historical buildings depicted in old photographs from the Red Hill site. To be used to exhibit 'old trades' such as a blacksmith, leather products, wool spinner.
- STAGE 4 - PROPOSED FUTURE WORKS**
- 5 Children's mining themed playground to be constructed and also two unisex and one disabled toilet.
At an approximate cost of \$250,000
- 6 Security Fencing for the entire complex at a cost of approx. \$200,000
- 7 Create a 'Billabong' of running water to give the true experience of Gold Panning. When not in use the water can be turned off and it will become a dry river bed with rocks and suitable planting. Approx. \$200,000
- 8 Construction of additional visitor parking to be built at a cost of \$40,000

12.6 Gulgong Memorial Hall Committee Meeting

REPORT BY THE MANAGER, CUSTOMER SERVICES
TO 16 OCTOBER 2019 ORDINARY MEETING
GOV400067, A0100024

RECOMMENDATION

That Council:

1. receive the report by the Manager, Customer Services on the Gulgong Memorial Hall Committee Meeting; and
2. note the minutes from the Gulgong Memorial Hall Committee meetings held 15 June, 13 August and 10 September 2019.

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 15 June, 13 August and 10 September 2019.

Disclosure of Interest

Nil.

Detailed report

The Gulgong Memorial Hall Committee met on 15 June, 13 August and 10 September 2019 as part of their ongoing monthly meetings.

Community Plan implications

Theme	Looking After Our Community
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Goal	Meet the diverse needs of the community and create a sense of belonging
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Strategy	Provide equitable access to a range of places and spaces for all in the community
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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

SIMON JONES
DIRECTOR COMMUNITY

2 October 2019

- Attachments:*
1. Gulgong Memorial Hall Committee Minutes 15 June 2019.
 2. Gulgong Memorial Hall Committee Minutes 13 August 2019.
 3. Gulgong Memorial Hall Committee Minutes 10 September 2019.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Gulgong Memorial Hall Meeting 15/06/2019

Opened 16.05

Present: Percy Thompson, Richard Cushway, Ray Thackeray,
Chris & Pauline Hannaford

Apologies: Toni Morrison, Maureen Trgo, Cheryl & Charlie
Vassel

Minutes: Read and accepted Moved Ray Thackeray, seconded
Pauline Hannaford

Business arising: UPDATES

Fire Doors to be installed before the end of the
financial year.

Lockable cupboard for the kitchen to be installed before
the end of the financial year. Approximate costing \$1000

Costing for the cupboard is to be deducted from \$5000
granted for purchase of crockery, glasswear etc.

Purchase of new stove is on hold.

New roof and guttering is to allocated to the first half
of next financial year.

Repairs and replacement to downpipes and storm water
drains to be under a "works request".

Banner to advertise Christmas party. Design to be done by
Chris and Ray then submitted to council for approval Pricing
is needed Funding to come from monies held by Mens Shed

Ray to ring approved council builders re quotes to
replace glass wall of Men's Shed as we need 2 quotes before
the Men's Shed can apply for a grant from the Australian
Men's Shed Association to finance this replacement.

Next meeting 9/07/2019 at 4 p.m.

Meeting closed 4.30 p.m.

Untitled

GULGONG MEMORIAL HALL MEETING 13/08/2019

Opened 16.10

Present: Maureen Trgo, Ray Thackeray,
Bill Clifford, Chris & Pauline Hannaford

Apologies: Cheryl & Charlie Vassel,
Richard Cushway

Minutes: read & accepted from 15/06/2019
moved by Ray T & seconded by Pauline H.

Business arising: email regarding tables
& chairs via Marilyn Frost not appropriate.

The committee is disappointed in the
proscration of the council contractors in the lack of
support in trying to update our memorial hall
see attached email (reg. Fire Doors) this is a
far more important issue than a crockery
cupboard for which we have no crockery at this stage.

The Men's Shed informed the committee
that they are not being able to obtain any quotes
contact or otherwise from any of the so
named designated contractors and feel that council
should start investigating further tradesmen.

At this stage we have not received any
confirmation to our request for funding for this year's
Christmas celebration in the Anzac Park
in Gulgong. A written response would be appreciated.

Meeting closed 16.40.

Next meeting 10/09/2019

Gulgong Memorial Hall Committee Meeting Minutes 10/09/2019

Opened 16.10

Present: Ray Thackeray, Maureen Trgo, Chris & Pauline Hannaford

Apologies: Bill Clifford, Richard Cushway

Minutes: Read & accepted (June & August)

Business arising: Email from Richard Cushwaay & Karli (MWRC employee) confirming a meeting with Chris Hannaford in regard to an action plan for repairs to the Memorial Hall see attached.

An email from Bruce McGregor Real Estate requesting the use of the sound system for the public opening of Holtermann Museum in October this year. Chris and Ray agreed to operate the system on the day see attached

Chris tabled a copy of council charges for the Memorial Hall and has requested further explanations on how these charges have been reached and what flexibility is there in this to different organisations.

Meeting closed 16.20 next meeting 8/10/2019 maintaining the second Tuesday of each month unless specifically stated.

Item 13: Urgent Business Without Notice

URGENT BUSINESS WITHOUT NOTICE

As provided by Clauses 19 & 20 of Council's Code of Meeting Practice (Clause 14 LGMR).

GIVING NOTICE OF BUSINESS

19. (1) The Council must not transact business at a meeting of the Council:
- (a) unless a Councillor has given notice of the business in writing at least two (2) days prior to the day on which the agenda and business paper is prepared and delivered to Councillors; and
 - (b) unless notice of the business has been sent to the Councillors in accordance with Clause 6 of this Code. (see Section 367 LGA & Clause 14(1) LGMR)
- (2) Subclause (1) does not apply to the consideration of business at a meeting if the business:
- (a) is already before, or directly relates to a matter that is already before the Council (see Clause 14(2)(a) LGMR); or
 - (b) is the election of a chairperson to preside at the meeting as provided by Clause 12(1) (see Clause 14(2)(b) LGMR); or
 - (c) is a matter or topic put to the meeting by the chairperson in accordance with Clause 21 (see Clause 14(2)(c) LGMR); or
 - (d) is a motion for the adoption of recommendations of a committee of the Council; (see Clause 14(2)(d) LGMR); or
 - (e) relates to reports from officers, which in the opinion of the Chairperson or the General Manager are urgent;
 - (f) relates to reports from officers placed on the business paper pursuant to a decision of a committee that additional information be provided to the Council in relation to a matter before the Committee; and
 - (g) relates to urgent administrative or procedural matters that are raised by the Mayor or General Manager.

BUSINESS WITHOUT NOTICE

20. (1) Despite Clause 19 of this Code, business may be transacted at a meeting of the Council even though due notice of the business has not been given to the Councillors. However, this can happen only if:
- (a) a motion is passed to have the business transacted at the meeting; and
 - (b) the business proposed to be brought forward is ruled by the Chairperson to be of great urgency. Such a motion can be moved without notice. (see Clause 14(3) LGMR)
- (2) Despite Clause 30 of this Code, only the mover of a motion referred to in subclause (1) can speak to the motion before it is put. (see Clause 14(4) LGMR)

Item 14: Confidential Session

LOCAL GOVERNMENT ACT, 1993

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

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

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

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

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DISCLOSURE AND MISUSE OF INFORMATION

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

Maximum penalty: 50 penalty units

MOTION

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

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

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

CHAIRMAN

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

14.1 Classification of Land - Chapter 6, Part 2, Division 1 Local Government Act 1993

The reason for dealing with this report confidentially is that it relates to commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it in accordance with Section 10A(2)(d)(i) of the Local Government Act, 1993.

Discussion of this matter in an open meeting would be, on balance, contrary to the public interest as it involves discussion of (d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

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

The General Manager will read out any written representations received.

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

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