



PUBLIC COPY

2019

MID-WESTERN REGIONAL COUNCIL
COUNCIL BUSINESS PAPERS

ORDINARY MEETING
WEDNESDAY 20 NOVEMBER 2019



*A prosperous and progressive community
we proudly call home*



PO BOX 156
MUDGEES NSW 2850

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

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13 November 2019

Dear Councillor,

MEETING NOTICE
Ordinary Meeting
20 NOVEMBER 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 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 16 October 2019

Council Decision:

That the Minutes of the Ordinary Meeting held on 16 October 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.	Please refer to report 9.6 of this agenda.
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.
DA0146/2018 Function Centre and Business Identification Signage	Res. 310/19 Ordinary Meeting 16/10/19	That Council defer the matter until the December Council meeting to enable: 1. further information on vehicle access to be provided showing access into the site can be safely achieved in both directions; and 2. an independent noise assessment to be completed as per the objectors request.	To be reported at the December Council Meeting
Draft Community Participation Plan	Res. 312/19 Ordinary Meeting 16/10/19	That Council: 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.	
Local Heritage Grants Policy Review	Res. 313/19 Ordinary Meeting 16/10/19	That Council: 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.	
Draft Long Term Financial Plan 2019-2029	Res. 316/19 Ordinary Meeting 16/10/2019	That Council: 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	To be reported at the December Council Meeting

SUBJECT	RESOLUTION NO. & DATE	RESOLUTION	ACTION
		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.	
Establishment of a recycled water facility and management system	Res. 323/19 Ordinary Meeting 16/10/2019	That Council: 2. seek Section 60 approval to use recycled effluent and to formulate a Recycled Water Management System (RWMS) 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	
Indoor Pool Feasibility Study	Res. 325/19 Ordinary Meeting 16/10/2019	That Council: 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.	To be reported to Council at a future meeting.
Classification of Land - Chapter 6, Part 2, Division 1 Local Government Act 1993	Res. 334/19 Ordinary Meeting 16/10/2019	That Council: 2. upon ownership of the allotment as identified in Attachment 1 to this Report, give public notice of a proposed resolution to classify that allotment as Operational Land in accordance with Chapter 6, Part 2, Division 1 Local Government Act 1993 (the Act); and 3. receive a further report after the public notice exhibition period to consider any submissions and deal with the next steps in the classification process as required by the Act.	Please refer to report 9.4 of this agenda.

Item 5: Mayoral Minute

5.1 Mayoral Minute: Mudgee Race Club Financial Assistance Request

MAYORAL MINUTE
TO 20 NOVEMBER 2019 ORDINARY MEETING
GOV400067, FIN300200

RECOMMENDATION

That Council support the Mudgee Race Club's request for \$2,000 for promotion of the Mudgee Cup to be funded from Events Assistance.

The Mudgee Race Club have written to Council requesting \$2,000 financial assistance for the promotion of the Mudgee Cup through 2KY/Sky commencing 16 November. The radio coverage will reach over 1,000,000 viewers and listeners, including a live show onsite at Mudgee on the morning of the Cup being Friday 6 December.



CR DES KENNEDY
MAYOR
8 November 2019

Attachments: 1. Mudgee Race Club - request for financial assistance.



Mudgee Race Club Inc.



"RACING SINCE 1842"

October 28th 2019

Mid Western Regional Council

Market Street

Mudgee NSW 2850

Attention: Mr Brad Cam
General Manager

Re: Assistance Advertising Promotion Mudgee Cup 2KY/Sky Big Sports Breakfast

On behalf of the Mudgee Race Club Inc, we would like to request assistance of \$2,000 in the promotion of the Mudgee Cup. The Promotion is thru 2KY/Sky commencing November 16th. The total cost of the promotion which is very advantageous to our growing tourist market is \$12,000.00.

The coverage reaches over 1,000,000 viewers and listeners. The show is onsite live from Mudgee the morning of the Cup Friday Dec 6th. One of the host of the show is Laurie Daley which has a huge following. There will be give aways and non- stop promotion of Mudgee.

The feedback of the promotion has come from as far away as Northern Queensland and from across the country.

Once again we would appreciate all and any assistance that is available. As a non for profit organization we value working with and for the community to assist in promoting this great region.

If you require any further information or I can be of any assistance please call Colleen 0448967778.

Regards

A handwritten signature in blue ink that reads "Colleen Walker".

Colleen Walker

Secretary



Item 6: Notices of Motion or Rescission

6.1 Funding for Senior Planning Activities 2020/2021

NOTICE OF MOTION LISTED BY CR ESME MARTENS
TO 20 NOVEMBER 2019 ORDINARY MEETING
GOV400067, A0100035

MOTION

That Council:

- 1. amend the Delivery Program for 2020/21 to allocate a budget of \$45,000 funded from unrestricted cash, to ensure the continued delivery of seniors activities as funded through Community Development funding in previous years, and that this funding be additional to the \$7,000 currently allocated towards seniors week; and**
- 2. lobby its three representatives in the NSW State parliament to reinstate grants for senior's activities previously provided for by the Department of Community and Justice and now totally directed to Targeted Early Intervention.**

Background

For a number of years Council has received a grant of approximately \$114,000 with discretion to utilise the grant towards Community Development activities and part of this grant has been used for the employment of staff on a part-time basis to assist with seniors activities.

This employee has worked with a voluntary Seniors Planning committee to hold lunches to celebrate Seniors Week for seniors at Rylstone, Kandos, Gulgong and Mudgee, a concert at Mudgee and various competitions for writing, photography and craft. At these functions the Senior Citizen of the year was announced for that area.

The various pensioners and superannuants associations have assisted with lunches and raise funds for the lunches and activities.

Council staff have arranged for advertising of the functions and competitions and recruited artists to perform.

A large contingent from nursing homes attend these functions and enter the competitions which is a highlight of their day.

Council rightly supports other sectors of our community such as youth, sporting, cultural, libraries so it is not unreasonable to provide some pleasure and reward to many who have themselves been volunteers over many years.

I urge Council to support our seniors and ensure an adequate budget for senior activities in the 2020/2021 budget.

Officer's comments

Prior to introduction of Targeted Early Intervention reform, the (now) Department of Communities and Justice provided Council with funds for a range of services to strengthen communities and build their capacity. There was a strong focus on disadvantaged groups, including people on low incomes, people who are isolated due to where they live, people who have little or no access to community resources meaning they are not able to participate in community life and activities. Activities that benefitted senior community members, therefore, could be provided through this funding given the broad discretion available to Council at the time.

The State Government has now, however, identified a rise in entries into statutory out-of-home care and believe that redirecting funds towards target audiences of Aboriginal children, families and communities; 0-3 year olds and families with at least one parent younger than nineteen, will assist in addressing this major concern. Council, therefore, as a recipient of Department of Communities and Justice funding, no longer has the discretion as to how to direct funds and must move to service the three main target audiences mentioned previously. It is not expected that lobbying on this issue would have a major impact on this statewide initiative. There is an expectation within State Government that activities for seniors would be primarily funded by local government.

A limited budget of \$7,000 does remain to support Seniors Week activities and this takes the form of monetary donations to the four towns of the region; it does not cover staffing expenses.

In the event that Council wishes to continue facilitating events for seniors beyond 30 June 2020, a budget needs to be endorsed to do so. It is anticipated that the role could be filled by a staff member employed 28 hours per fortnight. Budget line items, including but not limited to contractors fees, and materials and consumables would also need to be endorsed.

A budget of approximately \$45,000 would be recommended for consideration as part of the 2020/21 budget process. This would enable Council to meet the full extent of the current work undertaken in this area, including the provision of some activities and events beyond Seniors Week.

6.2 Code of Meeting Practice - Public Forum

NOTICE OF MOTION LISTED BY CR PERCY THOMPSON
TO 20 NOVEMBER 2019 ORDINARY MEETING
GOV400067,

MOTION

That Council amend the Code of Meeting Practice to reinstate the opportunity for community members to address the Council during the Public Forum on matters that are not listed in the Business Paper.

Background

Community members used to be able to address Council at the Village Forums that were held quarterly throughout the region. When the Village Forums were discontinued, community members still had an opportunity to address Council during the Public Forum held prior to the Council meeting each month. I am continually being contacted by members of the community who are unhappy that they are now unable to make a presentation to Councillors during the Public Forum since the Code of Meeting Practice changed, as the Code no longer allows presentations during Public Forum on matters that are not listed in the business paper. It is important that the community still has an opportunity to approach the Council.

Officer's comments

In developing its Code of Meeting Practice, Council has followed the recommendations of the Office of Local Government's Model Code of Meeting Practice.

However, the section on Public Forums is not mandatory and can be amended by Council.

The current adopted Code requires addresses to the Public Forum to relate to a particular item in the Agenda. The intent of this is to ensure that Council are dealing with strategic and governance issues of the organisation rather than operational issues and also ensuring that the same issues are not repeatedly presented to Council.

If a Councillor is approached by members of the public on a particular issue, then a Notice of Motion can be developed by that Councillor so that the matter can be addressed as part of the agenda.

Members of the public can also discuss concerns regarding operational issues with Council staff. This may lead to the production of a report to a Council meeting which would then allow the matter to be discussed at the Public Forum.

Alternatively, Council can determine a recommended change to the Code of Meeting Practice which would then need to be exhibited as part of a public consultation process.

6.3 Road Maintenance Program

NOTICE OF MOTION LISTED BY CR PERCY THOMPSON
TO 20 NOVEMBER 2019 ORDINARY MEETING
GOV400067,

MOTION

That Council continues its grading road maintenance program where water is available.

Background

Council has reduced grading of unsealed roads due to the current dry conditions and lack of water, however there are areas in the region where water is still available. Gravel roads have deteriorated greatly during the extended drought and it is important that Council continue its road maintenance program where water is available.

Officer's comments

Although water is available in some regions within the local government area using it effectively and efficiently is very difficult. Currently field moisture content within gravel road pavements is very low. To incorporate sufficient moisture into these pavements requires a lot of water and a lot of mixing by machinery. This leads to low productivity and high cost. Grading in the current conditions could cost up to 4-5 times the cost under normal conditions. Also there is the risk that the end product may fail due to insufficient moisture and compaction resulting in a worse road condition than currently exists.

Although many roads are in poor condition there are no reports of dangerous roads risking the safety of users, if they drive to the prevailing conditions. The current strategy is to stop non-essential road construction works when field moisture is available and place all available graders on gravel maintenance grading. This was the case in mid-September when it rained, approximately 40km of road was graded in a short period.

Item 7: Office of the General Manager

7.1 Water Security of the Macquarie Valley

REPORT BY THE GENERAL MANAGER
TO 20 NOVEMBER 2019 ORDINARY MEETING
GOV400067,

RECOMMENDATION

That Council:

1. **receive the report by the General Manager on the Water Security of the Macquarie Valley; and**
2. **lead a delegation with the Mayor of Mid-Western Regional Council, the Mayor of Orange City Council and the Chair of the Orana Joint Organisation to meet with the appropriate Ministers about a long term solution for water security.**

Executive summary

Council are concerned with the impacts of the ongoing drought and the need to find a long term solution to water security in the Macquarie and Cudgegong Valleys. It is recommended that Council lead a delegation with the Mayor of Orange City Council, the Chair of the Orana Joint Organisation and Mid-Western Regional Council Mayor to meet with the appropriate Ministers about a long term solution for water security.

Disclosure of Interest

Nil.

Detailed report

Following my recent meeting with Water NSW over discussions of the bulk water transfer out of Windamere Dam to Burrendong Dam, it has become apparent to me that water security in both the Macquarie and Cudgegong valleys has reached a critical point. With no further inflows into both of these dams, towns down stream of Burrendong in the lower Macquarie are going to reach critical water shortages by mid-way through next year.

I feel it is important that a delegation meets with the appropriate Ministers and government agencies to discuss a long term solution for water security in these catchments.

Community Plan implications

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

Strategic implications

Council Strategies

Not applicable.

Council Policies

Not applicable.

Legislation

Not applicable.

Financial implications

Costs of leading the delegation will be covered by the Government Lobbying budget allocation. No further funds are required.

Associated Risks

Not applicable.

BRAD CAM
GENERAL MANAGER

30 October 2019

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

7.2 Councillor Delegates to External Committees and other Organisations

REPORT BY THE DIRECTOR COMMUNITY
TO 20 NOVEMBER 2019 ORDINARY MEETING
GOV400067, A0110015

RECOMMENDATION

That Council:

1. receive the report by the Director Community on the Councillor Delegates to External Committees and other Organisations;
2. appoint Councillors _____ and _____ as alternate delegates to the Joint Regional Planning Panel for the period of November 2019 to August 2020; and
3. appoint Councillor _____ as the delegate to the Bowdens Silver Mine Community Consultative Committee for the period of November 2019 to August 2020.

Executive summary

Council is represented on numerous committees and other organisations. The need has arisen for Council to appoint alternate delegates to the Joint Regional Planning Panel, in the event that Councillor Holden or Cavalier are not available.

Councillor O'Neill has also submitted his resignation from the Bowdens Silver Mine Community Consultation Committee and so a new Council delegate must be determined for this Committee.

Disclosure of Interest

Cr O'Neill has declared a conflict of interest in relation to the Bowdens Silver Mine.

Detailed report

It is noted that the appointments discussed in this recommendation to Council are for the period up until the September 2020 election. Following the 2020 election, the newly formed Council will determine the representation of all Committee and delegates to external bodies for the period of the new Council.

Community Plan implications

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

Strategic implications

Council Strategies

Community Strategic Plan

Council Policies

Provision of Expenses and Facilities to Councillors

Legislation

Local Government Act

Financial implications

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

Associated Risks

Not applicable

SIMON JONES
DIRECTOR COMMUNITY

30 October 2019

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

7.3 Council Meeting Schedule for 2020

REPORT BY THE MANAGER GOVERNANCE
TO 20 NOVEMBER 2019 ORDINARY MEETING
GOV400067, GOV400064

RECOMMENDATION

That Council:

1. **receive the report by the Manager Governance on the Council Meeting Schedule for 2020; and**
2. **confirm the dates for Ordinary Meetings of Council for 2020 as follows:**
 - **Wednesday 19th February 2020**
 - **Wednesday 18th March 2020**
 - **Wednesday 15th April 2020**
 - **Wednesday 20th May 2020**
 - **Wednesday 17th June 2020**
 - **Wednesday 15th July 2020**
 - **Wednesday 19th August 2020**
 - **Wednesday 7th October 2020**
 - **Wednesday 21st October 2020**
 - **Wednesday 18th November 2020**
 - **Wednesday 16th December 2020**

Executive summary

This report sets the meeting program for the year 2020.

Disclosure of Interest

Nil.

Detailed report

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

There are two considerations with the regular schedule for 2020. The first is the Local Government Elections to be held on Saturday 12th September 2020. This dates means that it is not possible to hold the ordinary meeting in September as election results are unlikely to be confirmed until later in September.

The first meeting of the new Council will be held on the first Wednesday of October. This will allow time for confirmation of the members of the new Council. This meeting will primarily be ceremonial, involving the election of Mayor and Deputy Mayor, Councillor Oaths and any other urgent business that cannot wait until the meeting on the third Wednesday of October.

Community Plan implications

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

Strategic implications

Council Strategies

Not Applicable

Council Policies

Code of Meeting Practice

Legislation

Under Section 365 of the Local Government Act 1993, Councils are required to meet at least ten times per year. This schedule allows for 11 meetings in 2020.

Financial implications

Not Applicable.

Associated Risks

Not Applicable.

TIM JOHNSTON
MANAGER GOVERNANCE

SIMON JONES
DIRECTOR COMMUNITY

18 October 2019

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Item 8: Development

8.1 MA0017/2020 (DA0214/2014) - Modification to Subdivision and Industrial Development - 86 Depot Road, Mudgee

REPORT BY THE SENIOR TOWN PLANNER
TO 20 NOVEMBER 2019 ORDINARY MEETING
GOV400067, DA0214/2014

RECOMMENDATION

That Council:

- A. receive the report by the Senior Town Planner on the MA0017/2020 (DA0214/2014) - Modification to Subdivision and Industrial Development - 86 Depot Road, Mudgee;**
- B. approve MA0017/2020 (DA0214/2014) - Modification to Subdivision and Industrial Development - 86 Depot Road, Mudgee to do the following:**
 - I. Amend the approved plans, for the buildings on proposed Lots 1, 2, 3 and 4; and**
 - II. Amend Condition 1A to refer to the amended plans; and**
 - III. Amend Condition 5 to clarify fencing requirements;**

Subject to the following conditions:

CONDITIONS

PARAMETERS OF CONSENT

Approved Plans

~~1. Development is to be carried out generally in accordance with stamped plans 3312-A01 to 3312-A09 and BK041.dwg Pages 1 to 4 and the Application received by Council on 16 December 2013 except as varied by the conditions listed herein. Any minor modification to the approved plans will require the lodgement and consideration by Council of amended plans. Major modifications will require the lodgement of a new development application.
(DELETED MA0020/2017)~~

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

Title / Name:	Drawing No / Document Ref	Revision / Issue:	Date:	Prepared by:
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Site Plan (Lot 6)	3312-A01	A	April 2013	Giselle Denley Drafting Services
Ground Floor Plan (Lot 6)	3312-A02	B	Nov 2017	Giselle Denley Drafting Services
Elevations (Lot 6)	3312-A03	B	Nov 2017	Giselle Denley Drafting Services
Site Plan (Lots 1-4)	3312-A04	C	Nov 2017	Giselle Denley Drafting Services
Ground Floor Plan, South East Elevation and South West Elevation (Lot 1)	3312-A03	D	Sep 2019	Giselle Denley Drafting Services
Ground Floor Plan, First Floor Plan & South East Elevation (Lots 2 and 3)	3312-A04	C	Sep 2019	Giselle Denley Drafting Services
Ground Floor Plan, First Floor Plan & South East Elevation (Lot 4)	3312-A05	C	Sep 2019	Giselle Denley Drafting Services
Master Plan	3312-A08	A	April 2013	Giselle Denley Drafting Services
Storage Shed Typical Floor Plan & Storage Shed Front Elevation	3312-A09	A	April 2013	Giselle Denley Drafting Services
Proposed subdivision Showing Existing Improvements	BK041.dwg Sheet 1 of 4	-	14/10/2013	Jabek Pty Ltd
Layout Industrial Development Lots 1-6 (Stage 2)	BK041.dwg Sheet 2 of 4	-	14/10/2013	Jabek Pty Ltd
Service Layout	BK041.dwg Sheet 3 of 4	-	14/10/2013	Jabek Pty Ltd
Detail Lot 7	BK041.dwg Sheet 4 of 4	-	14/10/2013	Jabek Pty Ltd

The following plans/drawings supersede the above listed plans/drawings in relation to the road layout, stormwater drainage concept, proposed lot boundaries, boundary setbacks, car parking layout and landscaping.

Title / Name:	Drawing No / Document Ref	Revision / Issue:	Date:	Prepared by:
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Concept Stormwater Plan	MX-10284.01-C2.0	B	17/11/17	Triaxial Consulting
Concept Stormwater Plan Basin Details	MX-10284.01-C2.1	B	17/11/17	Triaxial Consulting
Turning Circle Plan Sheet 1 of 2	MX-10284.01-C3.0	B	17/11/17	Triaxial Consulting
Turning Circle Plan Sheet 2 of 2	MX-10284.01-C3.1	B	17/11/17	Triaxial Consulting
Landscaping Plan	MX-10284.01-C4.0	C	23/03/18	Triaxial Consulting

(ADDED MA0020/2017 AND AMENDED BY MA0017/2020)

2. Notwithstanding the approved plans the structure is to be located clear of any easements and/or any water and sewer mains in accordance with Council Policy.

2A. The following limits apply to the proportion of the building on proposed Lot 6 that may be used for industrial premises or warehouse purposes:

- a) A maximum of 2,000m² of the building on proposed Lot 6 may be used as industrial premises, with the remainder able to be used for warehouse/storage purposes; or
- b) Any amount of the building less than the cumulative total of 2,000m² may be used as industrial premises, with the remainder able to be used for warehouse/storage purposes; or
- c) The total floor area of the building on proposed Lot 6 may be used for warehouse/storage purposes.

Note – this condition is applied to ensure that the use of the building matches the number of car parking spaces shown on the approved plans.

(ADDED MA0020/2017)

2C. Landscaping is to be provided in all areas identified as landscaping within the following plan:

Landscaping Plan	MX-10284.01-C4.0	C	23/03/18	Triaxial Consulting
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(ADDED MA0020/2017)

AMENDMENTS TO APPROVED PLANS

3. The maximum fill permitted to be placed on proposed Lot 1 is limited to 500mm above the existing natural ground level as shown on Plan No.BK041.dwg, Sheet 3 of 4.
4. No roller-doors are to be constructed in the north–western wall of the proposed workshop on Lot 1 in the subdivision of Lot 210 DP775001.
5. A minimum 1.8 metre high lapped and capped timber fence is to be provided along the western and southern boundaries (Golf Club land and adjoining industrial development to the south) of the development prior to the commencement of any works on the site. The timber fence is to be erected along the western boundary of proposed Lots 1 to 4. The remainder of the western boundary adjoining proposed Lot 7 may be fenced with a chain mesh fence.
(ADDED MA0017/2020)

- 5A. All lots in the approved subdivision shall have a minimum lot size of 2,000m².

Note – Proposed Lot 5 on the approved plans has a lot size of 1,870m². Lot 5 may be readily increased to 2,000m² by adjusting the boundary between Lots 4 and 5. Amended plans demonstrating compliance shall be provided prior to the issue of a Subdivision Certificate involving Lot 5.

(ADDED MA0020/2017)

- 5B. Amended plans are to be submitted to and approved by Council, indicating that a minimum of 16 parking spaces are provided on proposed Lot 4. Such plans are to be approved by Council prior to the issue of a Construction Certificate for any development on proposed Lot 4.

(ADDED MA0020/2017)

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE - CIVIL

6. The submission to Council of engineering design plans for any road works shall include pavement and wearing surface investigation and design, sedimentation and erosion control plans, and a detailed construction plan. These plans are to be approved by the Council prior to the issue of a Construction Certificate.

7. A detailed engineering design (including sediment and erosion control) supported by plans, and an “Autocad compatible” Plan, (in dwg format including pen-map), material samples, test reports and specifications are to be prepared in accordance with AUS-SPEC #1 (as modified by Mid Western Regional Council) and the conditions of this development consent. The engineering design is to be submitted to and approved by Council or an Accredited Certifier prior to the issue of a Construction Certificate.

8. Engineering plans of the sewer mains extension are to be submitted to and approved by Council or an accredited certifier prior to the issue of a Construction Certificate.

Note 1: Council will quote on connecting any sewer or water main extension to the existing “live” main on receipt and approval of engineering plans.

Note 2: Council does not permit other bodies to insert new junctions into ‘live’ sewer mains.

9. The applicant is to submit a Drainage Report prepared in accordance with the Institution of Engineers publication Australian Rainfall and Run-off to the Principal Certifying Authority for approval prior to the release of the Construction Certificate. The report must demonstrate that stormwater runoff from the site is not increased beyond the existing undeveloped state up to and including a 1.5 year ARI. All storm water detention details including analysis shall be included with the drainage report.

10. The Cul-de-sac proposed at the end of Depot road must be designed pursuant to “AUSTROADS Design Vehicles and Turning Path Templates Guide 2013” to accommodate at least a B-Double turning radius (15m) when travelling between 5-15km/hr. The turning path plan must be submitted to Council prior to the issue of the Construction Certificate.

11. All finished surface levels shall be shown on the plans submitted for the Construction Certificate. Where it is proposed to import fill, the material shall be certified as free of hazardous materials and contamination by a suitably qualified geotechnical engineer. Fill placed in residential or commercial lots shall be compacted in accordance with AS3798-2007 Guidelines on Earthworks for Commercial and Residential
-

Developments.

PRIOR TO ISSUE OF THE CONSTRUCTION CERTIFICATE - BUILDING

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

- 12. Prior to release of the Construction Certificate, approval pursuant to Section 68 of the Local Government Act, 1993 to carry out water supply, stormwater and sewerage works is to be obtained from Mid-Western Regional Council.
- 13. A schedule of existing and proposed fire safety measures is to be submitted to the Principal Certifying Authority with the application for the Construction Certificate.
- 14. The developer shall obtain a Certificate of Compliance under the Water Management Act. This will require:
 - (a) Payment of a contribution for water and sewerage headworks at the following rate:

Water Headworks	\$55,426.00
Sewerage Headworks	\$26,959.00
Total Payable	\$82,385.00

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

- (b) The adjustment of existing services or installation of new services and meters, as required, in compliance with Australian Standard 3500: National Plumbing and Drainage Code. All costs associated with this work shall be borne by the developer.
 (AMENDED MA0020/2017)

14A. In accordance with the provisions of section 94A of the Environmental Planning and Assessment Act 1979 and the Mid-Western Regional Council Section 94A Development Contributions Plan (the Section 94A Plan), a levy based on the value of works shall be paid to Council in accordance with this condition for the purpose of public facilities, prior to the issue of a Construction Certificate.

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

Note – the levy amount will be adjusted by the Consumer Price Index, if not paid in the same financial year it was calculated. Based on the cost of the proposed development submitted with the DA (\$2,450,000), an indicative total levy of \$24,500 is payable.

**A pro-rata portion of the Section 94A contribution may be paid prior to the issue of a Construction Certificate for only part of the total development.
 (ADDED MA0020/2017)**

14B. Prior to the issue of any Construction Certificate that includes above ground works, a

landscape plan shall be submitted to and approved by Council. 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) Provision of landscaping adjacent to and between car parking areas to assist in visually breaking up the expanse of the car park.
- e) Provide landscaping and fencing (if to be provided) within the front boundary landscaped setback that achieves the following:
 - (i) Allows for passive surveillance between the road reserve and the internal car park and entrance to buildings. This may be achieved by using shrubs that have a maximum height of 0.8m at maturity and trees that have a minimum canopy height of 1.7m at maturity.
 - (ii) Includes a mixture of trees, shrubs and groundcovers to create mass of vegetation with an average height of 2m at maturity, within the approved landscaped areas.
- f) Utilise endemic species, where practicable, which are appropriate for the site.
- g) Details of an irrigation system connecting to the on-site rainwater tanks.
(ADDED MA0020/2017)

- 14C. A landscaping bond of \$1,500 is to be paid to Council prior to the issue of a Construction Certificate for above ground building works. Such bond is to be refunded upon satisfactory completion of the landscaping in accordance with the approved landscaping plan.
(ADDED MA0020/2017)

PRIOR TO THE COMMENCEMENT OF WORKS – CIVIL

15. Prior to development the applicant shall advise Council's ~~Development and Community Services Department~~ Operations Directorate, in writing, of any existing damage to Council property before commencement of works. The applicant shall repair (at their own expense) any part of Council's property damaged during the course of this development in accordance with AUS-Spec #1/2 (as modified by Mid-Western Regional Council) and any relevant Australian Standards.
(AMENDED MA0020/2017)
16. A Traffic Control Plan (TCP) completed by a "Certified Person" for implementation during works is to be submitted to Mid-Western Regional Council prior to any work commencing.
17. A copy of the Contractor's public liability insurance cover for a minimum of \$20,000,000 is to be provided to Mid-Western Regional Council as an interested party. All work is to be at no cost to Council.

PRIOR TO THE COMMENCEMENT OF WORKS – BUILDING

18. No work shall commence until a Construction Certificate has been issued and the applicant has notified Council of:
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- 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 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 involved in 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. Prior to the commencement of works on site, the applicant shall advise Council's ~~Development and Community Services Department~~ Operations Directorate, in writing, of any existing damage to Council property.
(AMENDED MA0020/2017)

CIVIL CONSTRUCTION

- 21A. The applicants shall, at their own expense, engage a registered surveyor to relocate any survey mark that may be disturbed by the development or any associated work. Any information regarding relocation should be supplied to the Land Titles Office and Council.
(NUMBERED MA0020/2017)
22. All works are to be constructed at the full cost of the developer, in a manner consistent with Aus-Spec #1 and Council's standard drawings.
23. The developer is to grant Council (or an Accredited Certifier on behalf of Council) unrestricted access to the site at all times to enable inspections or testing of the subdivision works.
24. The subdivision works are to be inspected by the Council (or Accredited Certifier on behalf of Council) to monitor compliance with the consent and the relevant standards of construction encompassing the following stages of construction:
- a) Installation of sediment and erosion control measures.
 - b) Water and sewer line installation prior to backfilling.
 - c) Establishment of line and level for kerb and gutter placement.
 - d) Road and driveway pavement construction (including excavation, formwork and reinforcement).
 - e) Road pavement surfacing.
 - f) Practical completion.
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25. The contractor/owner must arrange an inspection by contacting Council's Development and Community Services Department between 8.30am and 4.30pm Monday to Friday, giving at least twenty four (24) hours notice. Failure to have the work inspected may result in the access being removed and reconstructed at the contractors/owners expense.
26. All earthworks, filling, building, driveways or other works, are to be designed and constructed (including stormwater drainage if necessary) so that at no time will any ponding of stormwater occur on adjoining land as a result of this development.
27. Interallotment drainage is to be provided to remove stormwater from any lots that cannot discharge to the street in accordance with Aus Spec #1. Easements not less than 1m wide shall be created over interallotment drainage in favour of upstream allotments.
28. The requirements for stormwater quality, as specified in the DCP, shall be addressed in the design prior to issue of the Construction Certificate. The design shall be such that there is no increased maintenance burden on Council.
29. ~~The Developer must upgrade Depot road for the full frontage of the subdivision to the following standard:~~

Item	Requirement
Road Reserve Width	12 m
Pavement Width	2 x 3.5m travel lanes
Seal	Asphalt (Hot mix)
Drainage	To centre median swale

(DELETED MA0020/2017)

- 29A. The developer must construct the full length of the proposed new extension of Depot Road located in Lot 210 DP775001, to the following standard:

Item	Requirement
Road Reserve Width	21.6 m
Pavement Width	13m (invert to invert)
Court Bowl/ Cul-de-sac Head	15m radius to invert
Seal	(i) All parts of the cul-de-sac head that is wider than 18m: Asphalt (Hot mix) (ii) The remainder of the Depot Road extension: Two coat bitumen seal
Drainage	Direct stormwater runoff to subdivision drainage design in accordance with Section 5.3 of the Development Control Plan

(ADDED MA0020/2017)

30. Car parking for lots 1-6 must comply with the following standards:
 - a) All vehicles must be provided adequate means to exit the lot in a forward direction;
 - b) Each parking space is to have minimum dimensions of 5.5m x 2.4m;
 - c) Each disabled car parking space is to be in accordance with the provisions of Clause D3.5 of the Building Code of Australia and Australian Standard as 2890.6 – 2004;
 - d) All car parking spaces are to be line-marked and sealed with a hard standing, all weather material and must be maintained in a satisfactory condition at all times;

and

- e) The aisle widths, internal circulation, ramp widths and grades of the car park are to generally conform to the Roads and Traffic Authority *Guide to Traffic Generating Developments 1992* and Australian Standard AS2890.1 – 2004. Details of compliance are to be shown on the relevant plans and specifications.

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

Note: The applicant should contact the Aboriginal Land Council and consult a suitably qualified individual to determine if artefacts were uncovered.

- 32. Runoff and erosion controls shall be installed prior to clearing and incorporate:
 - a) diversion of uncontaminated upsite runoff around cleared and/or disturbed areas and areas to be cleared and/or disturbed;
 - b) sediment control fences at the downslope perimeter of the cleared and/or disturbed area to prevent sediment and other debris escaping from the land to pollute any stream or body of water; and
 - c) maintenance of all erosion control measures at maximum operational capacity until the land is effectively rehabilitated and stabilized beyond the completion of construction.

WATER AND SEWER

- 33. The developer is to extend and meet the full cost of water and sewerage reticulations to service the development plus the cost of connecting to existing services. All water and sewerage work is required to be carried out in accordance with the requirements of Mid-Western Regional Council (as the Water Supply Authority under the Local Government Act, 1993) and in accordance with the National Specification – Water & Sewerage Codes of Australia.
- 34. The applicant is to provide separate water and sewer reticulation services to each lot.
- 35. Three metre wide easements, including associated Section 88B Instruments, are to be created in favour of Council over any existing or newly constructed water or sewerage reticulation components located within the subject property, or extended through adjoining private properties as a result of this subdivision.

BUILDING CONSTRUCTION

- 36. 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.
- 37. All plumbing and drainage work must be carried out by a licensed plumber and drainer and must comply with the Plumbing Code of Australia.
- 38. Construction work noise that is audible at other premises is to be restricted to the following times:
Monday to Saturday - 7.00am to 5.00pm
No construction work noise is permitted on Sundays or Public Holidays.
- 39. All mandatory inspections required by the Environmental Planning & Assessment Act

and any other inspections deemed necessary by the Principal Certifying Authority being carried out during the relevant stage of construction.

40. The strength of the concrete used for the reinforced concrete floor slab must be 25Mpa.
41. The list of measures contained in the schedule attached to the Construction Certificate are required to be installed in the building or on the land to ensure the safety of persons in the event of fire in accordance with Clause 168 of the Environmental Planning and Assessment Regulation 2000.

PRIOR TO THE ISSUE OF THE SUBDIVISION CERTIFICATE

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

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

43. A linen plan and two (2) copies are to be submitted to Council for approval and endorsement by the General Manager.
 44. If the Subdivision Certificate is not issued, for any reason whatsoever, by the end of the financial year immediately following the date of determination, then the charges and contributions contained in this consent, may be increased to the current rate at the time of payment.
 45. Underground electricity, street lighting and telecommunications are to be supplied to the subdivision.
 46. Prior to issue of the Subdivision Certificate, Council is to be supplied with:
 - a) A certificate from the appropriate power authority indicating that satisfactory arrangements have been made for provision of electricity supply to the subdivision;
 - b) A certificate from the appropriate telecommunications authorities indicating that satisfactory arrangements have been made for provision of telephone services to the subdivision;
 - c) All contributions must be paid to Council and all works required by the consent be completed in accordance with the consent, or an agreement be made between the developer and Council;
 - d) As to the security to be given to Council that the works will be completed or the contribution paid; and
 - e) As to when the work will be completed or the contribution paid.
 47. Following completion of the subdivision works, one full set of work-as-executed plans, on transparent film suitable for reproduction, and an "Autocad compatible" work-as-executed Plan, (in dwg format including pen-map), is to be submitted to Council. All work-as-executed plans shall bear the Consulting Engineer's or Consulting Surveyor's certification stating that all information shown on the plans is accurate.
 48. The developer must provide Council and land purchasers with a site classification for each lot within the subdivision. The classification is to be carried out at a suitable building site on each lot and is to be carried out by a NATA registered laboratory
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using method (a) of Clause of AS2870 - 2011. Results are to be submitted to Council prior to issue of the Subdivision Certificate.

49. ~~In accordance with the provisions of section 94A of the Environmental Planning and Assessment Act 1979 and the Mid-Western Regional Council Section 94A Development Contributions Plan, a levy of 1% of the cost of carrying out the development shall be paid to Council in accordance with this condition for the purpose of:~~

~~The levy is: \$24,500 based on the estimated cost of development of \$ 2,450,000.00 (DELETED MA0020/2017 – AMENDED CONDITION MOVED TO CONDITION 14A)~~

50. The developer is to provide a water service and meter for each lot in the subdivision. This can be achieved by making a payment to Council of \$1650 per lot to cover the cost of installing both the service and a 20mm meter on the water main.

$$\text{TOTAL PAYABLE} \quad 6 \quad \times \quad \$1650 \quad = \quad \$9,900$$

Note: Council does not permit other bodies to connect to ‘live’ water mains.

OR

51. Where the water service has been provided by the developer. The developer is to provide a water meter for each lot in the subdivision. This can be achieved through providing a water service ending with a lockable ball valve to each lot and make a payment to Council of \$370.00 per lot to cover the cost of a 20mm meter and installation.

$$\text{TOTAL PAYABLE} \quad 6 \quad \times \quad \$370 \quad = \quad \$2,220$$

Note: Council does not permit other bodies to connect to ‘live’ water mains.

52. The developer is to provide a sewer junction for each dwelling in the subdivision. This can be achieved by making a payment to Council of \$1,450.00 per new junction to cover the cost of Council installing a junction in an existing main.

$$\text{TOTAL PAYABLE} \quad 6 \quad \times \quad \$1,450.00 \quad = \quad \$8,700$$

Note: Council does not permit other bodies to insert new junctions into “live” sewer mains.

PRIOR TO ISSUE OF THE OCCUPATION CERTIFICATE

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

53. 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.

54. All car parking and associated driveway works are to be completed prior to occupation of the development.

- 54A. All plants shown on the approved landscape plan/s are to be planted and all hard

landscaping (eg rocks, retaining walls, solid garden bed edging) is to be installed prior to the issue of an Occupation Certificate.
(ADDED MA0020/2017)

CONDITIONS RELATED TO THE ONGOING USE OF THE SITE

55. 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.
56. All loading and unloading in connection with the premises shall be carried out wholly within the site.
57. Garbage areas are to be adequately screened from public view with an opaque fence and / or adequate landscaping.
58. All waste generated by the proposed development shall be disposed of to an approved location in accordance with the Waste Minimisation & Management Act 1995.
59. All security fencing is to be pre-coloured or powder coated. Security fencing to the public road frontage is to be erected on or behind the front building line. Full details of proposed fencing is to be included on the landscaping plan.
60. 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".
61. No display or sale of goods is to take place from public areas or footpaths fronting the premises.
62. All 'Colorbond' material for the proposed sheds is to be non-reflective.
63. Hours of operation of the industrial buildings are restricted to the following times;
Monday to Saturday 7.00am to 6.00pm
No work is permitted on Sundays or Public Holidays
64. The combined maximum permitted noise level for all activities within the subject industrial development is 5dB(A) above the background noise level of 39dB(A) as measured at the property boundary of Lot 210 DP 775001 and the Mudgee Golf Course and the residentially zoned land.
65. Measures, such as raised kerb edges, bollards and/or fencing, are to be installed and maintained around all approved landscape areas in order to prevent vehicles driving over them.
(ADDED MA0020/2017)
66. Landscaping is to be maintained in accordance with the approved landscape plan.
(ADDED MA0020/2017)

ADVISORY NOTES

- 1 The removal of trees within any road reserve requires separate approval of Council in accordance with the policy "Tree Removal and Pruning Public Places".
 - 2 The land upon which the subject building is to be constructed may be affected by
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restrictive covenants. This approval is issued without enquiry by Council as to whether any restrictive covenant affecting the land would be breached by the construction of the building, the subject of this approval. Persons to whom this approval is issued must rely on their own enquiries as to whether or not the building breaches any such covenant.

- 3 Section 82A of the Environmental Planning and Assessment Act (EP&A Act) provides the ability to seek a review of the determination. This request is made to Council and must be made within 6 months after the date on which you receive this notice. The request must be made in writing and lodged with the required fee. Please contact Council's Planning and Development Department for more information or advice.
- 4 If you are dissatisfied with this decision, section 97 of the EP&A Act 1979 gives you the right to appeal to the Land and Environment Court within 6 months after the date on which you receive this notice.
- 5 To ascertain the date upon which the consent becomes effective, refer to section 83 of the EP&A Act.
- 6 To ascertain the extent to which the consent is liable to lapse, refer to section 95 of the EP&A Act.
- 7 The development is to operate so as to not emit offensive noise, as defined in the *Protection of the Environment Operations Act 1997*.
(ADDED MA0020/2017)

STATEMENT OF REASONS

The determination decision was reached for the following reasons:

1. The proposed modification is considered to result in minimal environmental impact and is substantially the same development as the originally approved development – thereby satisfying the requirements of Section 4.55(1A)(a) and (b) of the Environmental Planning and Assessment Act 1979.
2. The proposed modification complies with the requirements of the applicable environmental planning instruments and Mid-Western Regional Development Control Plan 2013.
3. The proposed modification is considered satisfactory in terms of the matters identified in Section 4.15 of the Environmental Planning and Assessment Act 1979.
(NEW STATEMENT OF REASONS MA0017/2020)

Executive summary

OWNER/S	DTM Property Enterprises Pty Ltd
APPLICANT:	DTM Property Enterprises Pty Ltd
PROPERTY DESCRIPTION	86 Depot Road, Mudgee (Lot 2102 DP1237751)
PROPOSED DEVELOPMENT	Industrial Development and Subdivision
ESTIMATED COST OF DEVELOPMENT:	\$2,450,000
REASON FOR REPORTING TO COUNCIL:	Original application referred to Council
PUBLIC SUBMISSIONS:	Nil

A modification of consent application under Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* was lodged with Council on 3 October 2019. The proposed modification of Development Consent DA0214/2014 seeks to make minor alterations to the buildings on proposed Lots 1, 2, 3 and 4 and to reduce the amount of timber fencing along the north-western boundary of the property.

The proposal generally complies with the relevant plans and controls and is recommended for approval.

Disclosure of Interest

Nil.

Detailed report

Approved development

The original application, approved on 21 May 2014, was for a torrens title subdivision, resulting in 7 lots, and erection of industrial buildings (DA0214/2014). The approved development includes an extension to Depot Road that terminates in a cul-de-sac head.

The original approval was modified at the Council meeting held on 20 June 2018. This modification changed the road design and stormwater concept and provided landscaping areas along the property frontages.

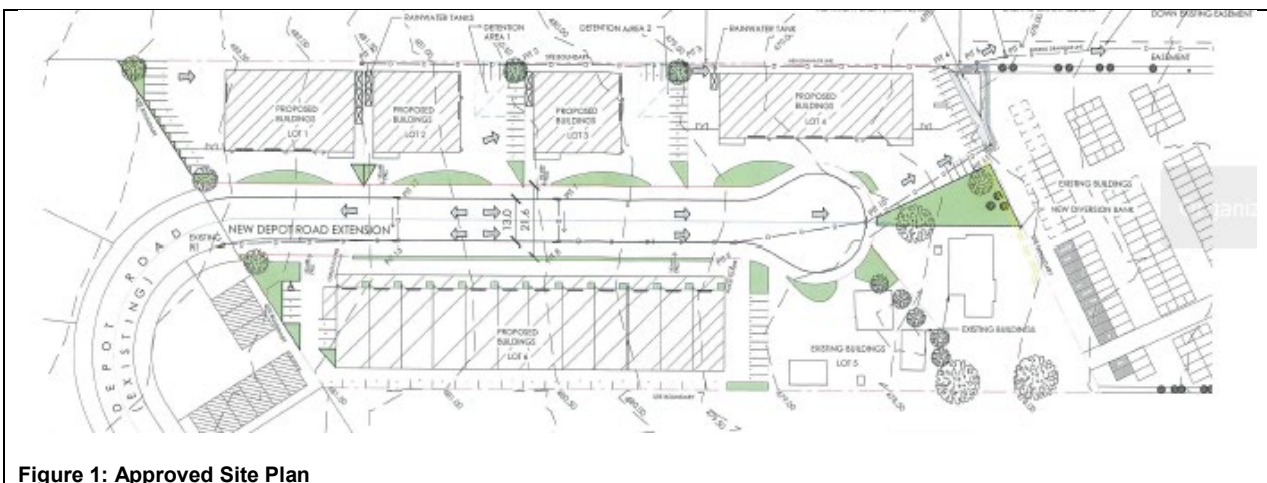


Figure 1: Approved Site Plan

Proposed modification

This application to modify the development consent was submitted to Council on 3 October 2019. The proposed modification seeks to:

- (i) Amend the floor plans and elevations of the building on proposed Lot 1 by:
 - Adding a minor addition to the building of 18m² to incorporate a toilet block;
 - Relocating the internal stairs to the first floor office;
 - Adding a roller door to the north-west elevation;
 - Adding a 4m wide awning to the south-east elevation of the building; and
 - Changing roller doors on the south-west and south-east elevations to sliding doors.
- (ii) Amend the floor plans and elevations of the buildings on proposed Lots 2 and 3 by:

- Relocating the internal stairs to the first floor office;
 - Adding a 4m wide awning to the south-east and north-east elevations of the building.
- (iii) Amend the floor plan and elevations of the building on proposed Lot 4 by:
- Relocating the internal stairs for the first floor office; and
 - Adding a 4m wide awning to the south-east elevation of the building.
- (iv) Amend the fence on the north-western boundary of the property so that it will be part timber and part chain mesh fencing.

REQUIREMENTS OF REGULATIONS AND POLICIES

Section 4.55 Modification Legislation

Minimal Environmental Impact

The Modified Application is made pursuant to Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*. Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* pertains to modifications to a Development Consent that are of minimum environmental impact. It is considered that the proposed modification, involving minor alterations to the approved buildings, will have 'minimal environmental impact' compared to the originally approved proposal.

Substantially the Same Development

The proposed development is considered to be substantially the same development as the approved buildings and lot layout for the subdivision remains substantially the same. The proposed modifications to the buildings are minor in nature and do not increase the density of development on the site.

Consultation

The original development application was not integrated development, and no consultation with other approval bodies is required for this modification.

Notification and Submissions

The application was notified in accordance with MWRDCP 2013. No submissions were received during the notification period, ending 29 October 2019.

Matters for Consideration

The consent authority is required to consider the relevant matters outlined in Section 4.15 of the *Environmental Planning and Assessment Act 1979*. These considerations are summarised as follows:

- a) The provisions of any environmental planning instruments.

The proposed modification does not alter the approved development's compliance with the provisions of the *Mid-Western Regional Local Environmental Plan 2012* and the applicable State Environmental Planning Policies.

- b) The provisions of any development control plan.

The proposed modification does not alter the approved development's compliance with the relevant provisions of *Mid-Western Regional Development Control Plan 2013* (the DCP). It is noted that the previous modification approved a number of variations from the DCP requirements. The current modification application makes no changes to those aspects of development that varied from DCP requirements (eg building setbacks and the amount of landscaping provided along property frontages).

- c) The provisions of any planning agreement.

Not applicable.

- d) The regulations.

Not applicable.

- e) The likely impacts of development.

The majority of the proposed modifications are minor in nature and do not alter the proposal's environmental impacts. However, the proposed modification involving adding a roller door into the north-western wall of the building on Lot 1 and changing the fence construction along the golf course boundary are likely to contribute to noise and visual impacts of the development. Consequently, these specific changes are not supported.

- f) The suitability of the site for the development.

The proposed modification does not alter the suitability of the site for the approved development.

- g) Any submissions received.

Not applicable – no submissions received in response to neighbour notification of the proposed modification.

- h) The public interest.

No significant issues in the interest of the public are expected as a result of the proposed modification.

ASSESSMENT OF PROPOSED MODIFICATIONS

Proposed modification to the building on Lot 1

The proposed changes to the building on proposed Lot 1 include:

- Adding a minor addition to the building of 18m² to incorporate a toilet block;
- Relocating the internal stairs to the first floor office;
- Adding a roller door to the north-west elevation;
- Adding a 4m wide awning to the south-east elevation of the building; and
- Changing roller doors on the south-west and south-east elevations to sliding doors.

The proposed modification results in only a minor change to the building footprint, to accommodate the toilet block. This minor increase in floor area will not significantly change the appearance of the

building and will not interfere with vehicle movements in the car parking area. It is noted that this addition to floor area is located towards the rear of the building.

The proposed changes to the south-west and south-east elevations are not considered to be significant. There are no development requirements in relation to roller doors or sliding doors for industrial developments in Council's development control plan. The proposed awning will be cantilevered from the wall and no new posts will interfere with the loading and vehicle manoeuvring area at the front of the building.

The proposed addition of a roller door on the north-western (ie rear) wall of the building was intended to provide access to the rear of the property and allow for cross-ventilation within the building. Condition 4 of the development consent specifically requires that no roller door be provided on this side of the building. This condition was applied on the original consent in order to address concerns in relation to noise impacting on the residences located on Inverness Avenue and the golf course. No justification has been provided in this modification of consent application to change the original assessment of the noise concerns. The applicant has been advised that this part of the modification will not be supported and was asked to provide an acoustic report to support their position. The applicant has not provided an acoustic report or further information to support the proposed modification. It is recommended that the proposed roller door not be approved and Condition 4 of the development consent remain unchanged.

Proposed modifications to the buildings on proposed Lots 2, 3 and 4

The proposed changes to these buildings include:

- Relocating the internal stairs to the first floor office; and
- Adding a 4m wide awning to the front of the building.

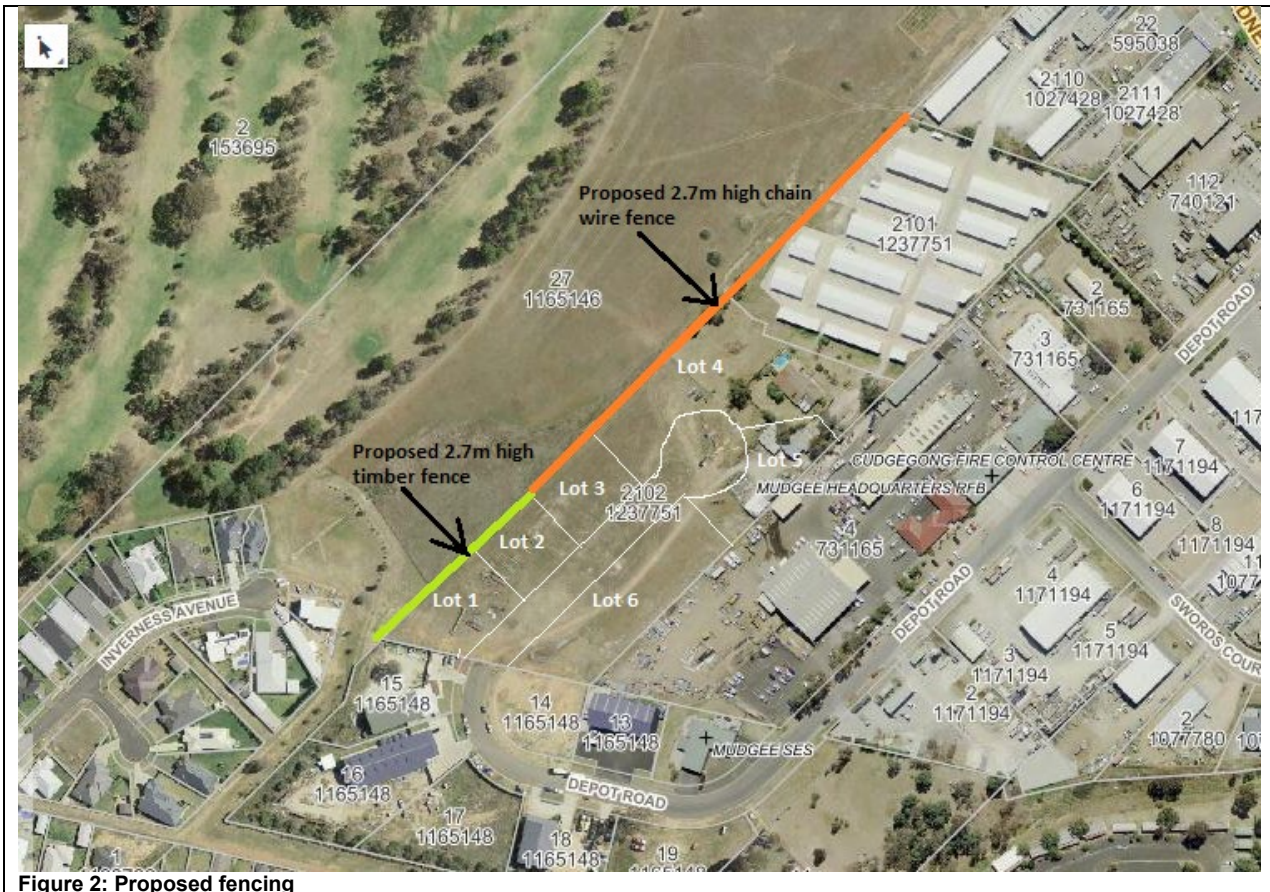
There are no concerns related to the relocation of the internal stairs.

The proposed 4m wide awning on the front of the buildings:

- will not increase the floor area of the buildings;
- will contribute to breaking up the front facades of the buildings; and
- will not interfere with loading or vehicle manoeuvring in front of the buildings.

Proposed modifications to the fence on the western boundary of the property

The proposed modification seeks to provide a 2.7m high timber fence along part of the western boundary of the property, with the remainder of the fence to be chain mesh fencing. The following diagram illustrates the locations of the fences.



Condition 5 of the development consent is reproduced as follows:

5. A 1.8 metre high lapped and capped timber fence is to be provided along the western and southern boundaries (Golf Club land and adjoining industrial development to the south) of the development prior to commencement of any works on the site.

This condition was applied to the original development consent to:

- provide an acoustic barrier between the industrial units and the golf course and the residences on Inverness Avenue; and
- provide a visual barrier between the rear of the industrial units and the golf course and nearby residences.



Figure 3: Fencing required by Condition 5

In order to ensure satisfactory acoustic and visual shielding is provided, it is considered appropriate that fencing behind the industrial units be solid timber fencing. Fencing alongside the storage units may be chain mesh fencing as the storage units do not normally emit noise and the greater distance from neighbouring residences reduces their visual impact. It is recommended that Condition 5 be amended to reflect these amended fencing requirements, as per the below –

A minimum 1.8 metre high lapped and capped timber fence is to be provided along the western and southern boundaries (Golf Club land and adjoining industrial development to the south) of the development prior to the commencement of any works on the site. The timber fence is to be erected along the western boundary of proposed Lots 1 to 4. The remainder of the western boundary adjoining proposed Lot 7 may be fenced with a chain mesh fence.

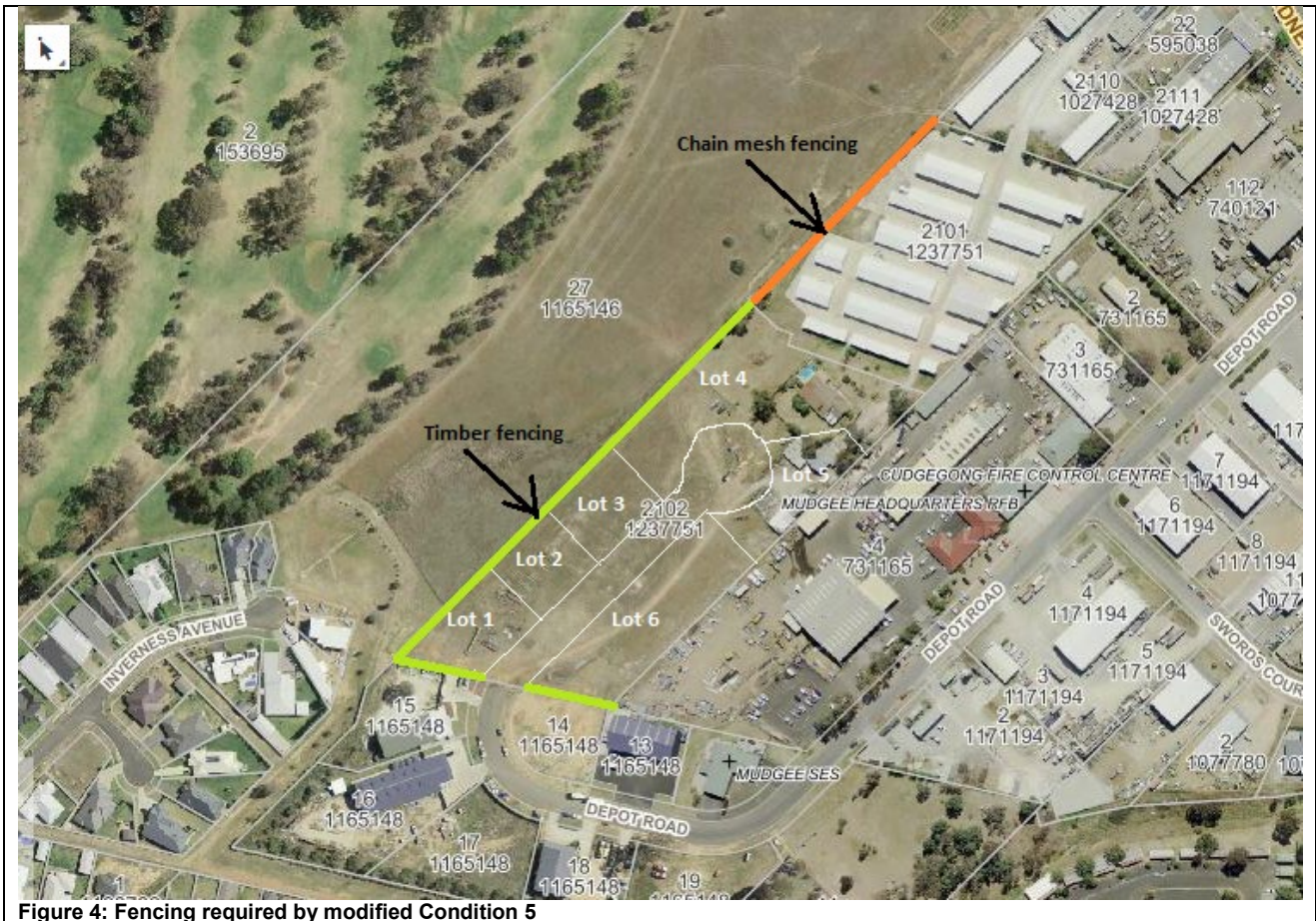


Figure 4: Fencing required by modified Condition 5

SUBMISSIONS MADE IN ACCORDANCE WITH ACT OR REGULATIONS

Public Submissions

The application was notified in accordance with MWRDCP 2013. No submissions were received during the notification period, ending 29 October 2019.

Submissions from public authorities

Nil.

CONSULTATIONS

Health & Building

Not applicable.

Development Engineer

Not applicable.

Heritage Advisor

Not applicable.

Community Plan implications

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

Strategic implications

Council Strategies

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

Council Policies

Not applicable.

Legislation

Environmental Planning and Assessment Act 1979.

Financial implications

Section 94A contributions will be collected in accordance with the Section 94A contributions plan.

Associated Risks

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

ILIJA SUSNJA
SENIOR TOWN PLANNER

LINDSAY DUNSTAN
MANAGER, STATUTORY PLANNING

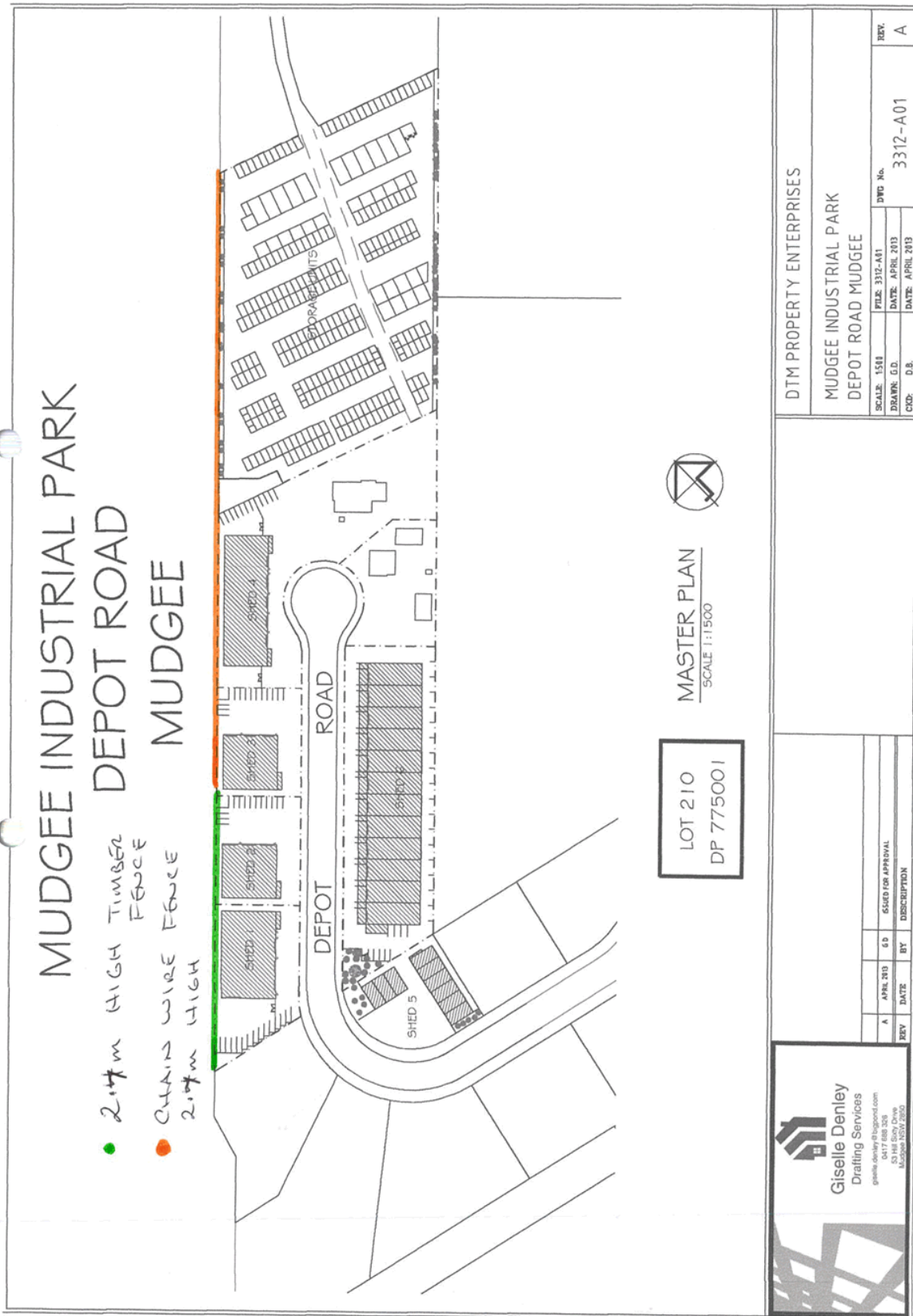
JULIE ROBERTSON
DIRECTOR DEVELOPMENT

31 October 2019

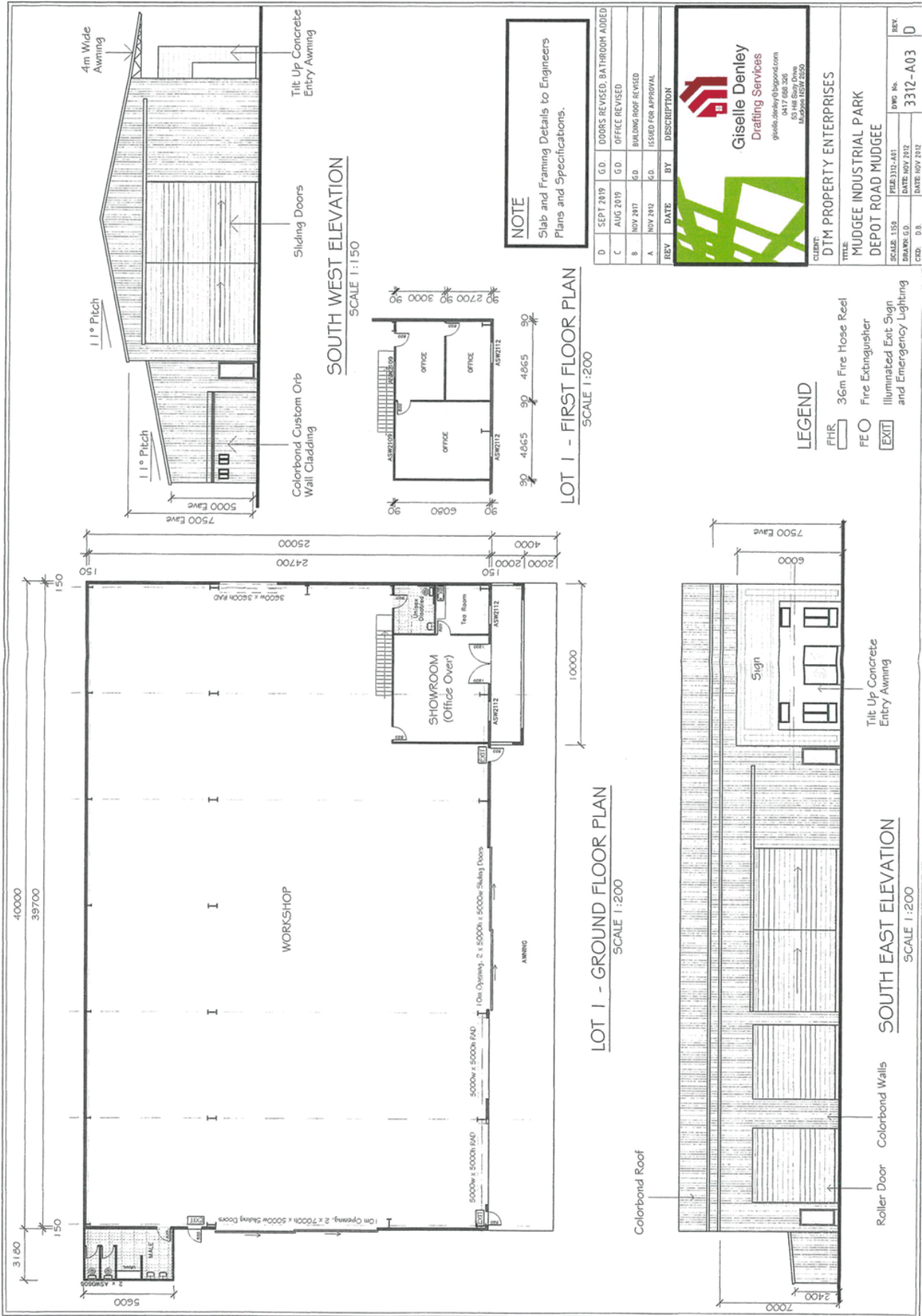
Attachments: 1. Plan of proposed modified fencing.
 2. Modified floor plans for Lots 1, 2, 3 and 4.

APPROVED FOR SUBMISSION:

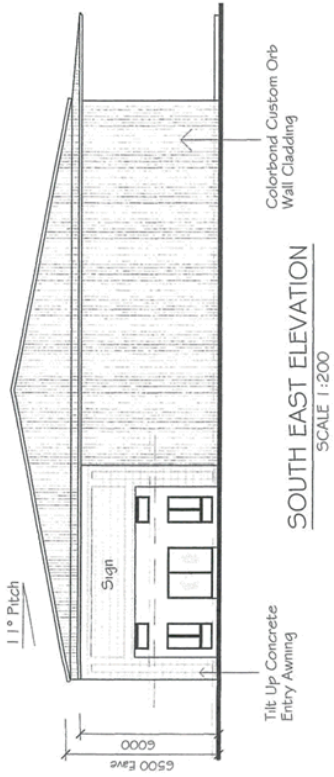
BRAD CAM
GENERAL MANAGER



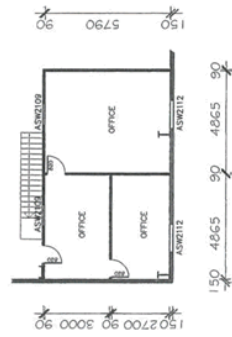
DTM PROPERTY ENTERPRISES		MUDGEE INDUSTRIAL PARK DEPOT ROAD MUDGEE		FILE: 3312-A11	DWG No. 3312-A01	REV. A								
SCALE: 1:500	DRAWN: G.D.	DATE: APRIL 2013	CHECKED: D.B.	DATE: APRIL 2013										
<p>Giselle Denley Drafting Services 0417 888 328 giselle.denley@bigpond.com 15/10/2013 12:00</p>		<table border="1"> <thead> <tr> <th>REV</th> <th>DATE</th> <th>BY</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>APRIL 2013</td> <td>G.D.</td> <td>ISSUED FOR APPROVAL</td> </tr> </tbody> </table>		REV	DATE	BY	DESCRIPTION	A	APRIL 2013	G.D.	ISSUED FOR APPROVAL			
REV	DATE	BY	DESCRIPTION											
A	APRIL 2013	G.D.	ISSUED FOR APPROVAL											



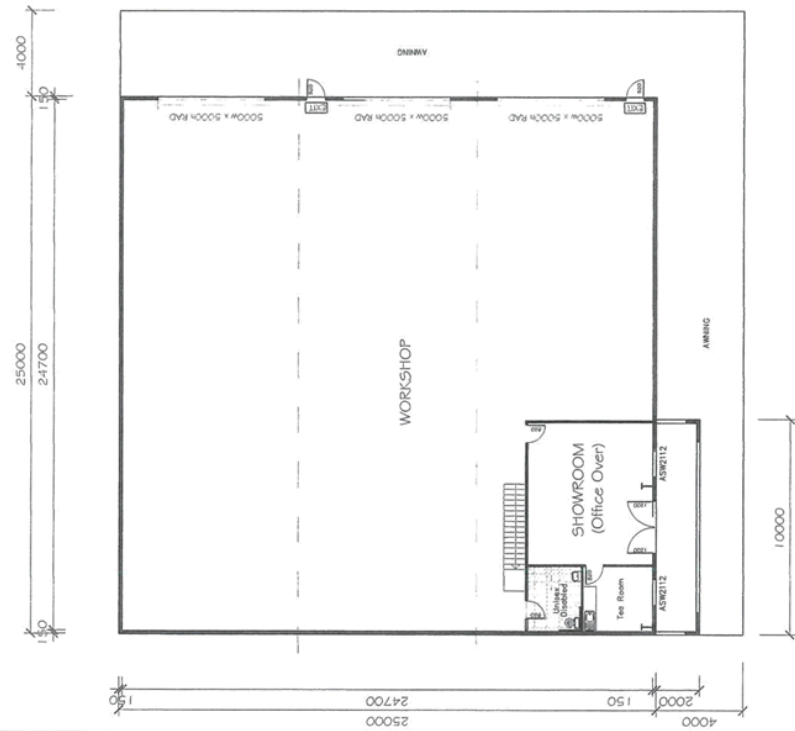
NOTE
 Slab and Framing Details to Engineers
 Plans and Specifications.



LEGEND
 FHR 36m Fire Hose Reel
 FEO Fire Extinguisher
 EXIT Illuminated Exit Sign and Emergency Lighting



LOT 2 & 3 - FIRST FLOOR PLAN
 SCALE 1:200

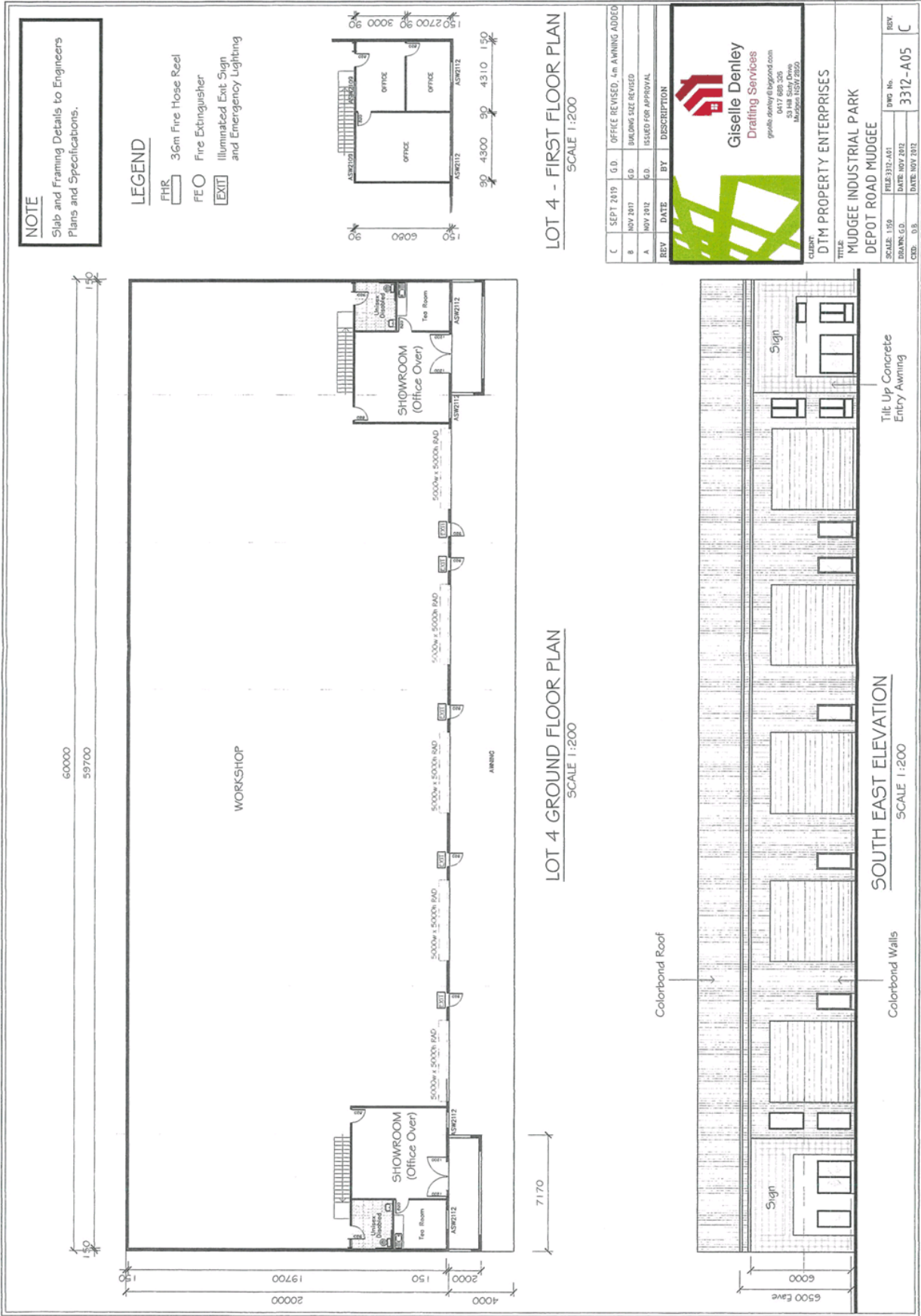


LOTS 2 & 3 GROUND FLOOR PLAN
 SCALE 1:150

C	SEPT 2019	G.D.	OFFICE REVISED, 4m AWNING ADDED
B	NOV 2017	G.D.	BUILDING SIZE REVISED
A	NOV 2012	G.D.	ISSUED FOR APPROVAL
REV	DATE	BY	DESCRIPTION

Giselle Denley
 Drafting Services
 giselle.denley@bigpond.com
 0417 638 336
 10/100 Wattle Street
 Ashburton NSW 2820

CLIENT:	DTM PROPERTY ENTERPRISES
TITLE:	MUDGEES INDUSTRIAL PARK DEPOT ROAD MUDGEES
SCALE:	1:150
DRAWN G.D.	FILE: 3312-A01
CHECK: D.B.	DATE: NOV 2012
	DWG. No. 3312-A04
	REV. C



8.2 MA0014/2020 - MODIFICATION TO DA0520/2004 - TWO LOT SUBDIVISION - 11 MULGOA WAY, MUDGEES NSW 2850

REPORT BY THE TOWN PLANNER
TO 20 NOVEMBER 2019 ORDINARY MEETING
GOV400067, P1194961

RECOMMENDATION

That Council:

- A. receive the report by the Town Planner on the MA0014/2020 - MODIFICATION TO DA0520/2004 - TWO LOT SUBDIVISION - 11 MULGOA WAY, MUDGEES NSW 2850;
- B. approve MA0014/2020 - MODIFICATION TO DA0520/2004 - TWO LOT SUBDIVISION - 11 MULGOA WAY, MUDGEES NSW 2850 subject to the following conditions:

APPROVED PLANS

1. The subdivision is to be carried out generally in accordance with the amended stamped approved subdivision plan, Plan No. SD869, Sheet 1 of 1, not dated and received by Council 2nd June 2005. Plan of Subdivision of Lot 2 DP880847 Sheet 1 of 1 prepared by Robert John Crooks, dated 1st February 2019 and reference BK556.

(AMENDED BY MA0014/2020)

AMENDMENTS

2. Battleaxe handle to be divided equally between proposed Lot 21 and Lot 22 with reciprocal right of way easement created under Section 88B. Subdivision plan to be suitably amended and submitted to Council prior to the issue of the Subdivision Certificate.
3. The sewer easement (indicated on the stamped approved plan) located in the north western corner of the building envelope is to be excluded from the building envelope, as indicated in red on the stamped approved plan.

PRIOR TO THE ISSUE OF SUBDIVISION CERTIFICATE

These conditions have been imposed to ensure that the proposed subdivision complies with the requirements of the Environmental Planning and Assessment Act, 1979, Council policies and the relevant standards.

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

Note: Council's fee to issue a *Subdivision Certificate* is set out in Council's fees and charges and for this development, at the date of determination, is \$140).

5. A linen plan and two (2) copies are to be submitted to Council for approval and endorsement by the General Manager.
6. Prior to the issued of a *Subdivision Certificate*:
 - (a) All contributions must be paid to Council and all works required by the consent be completed in accordance with the consent, or
 - (b) An agreement be made between the developer and Council;
 - (i) as to the security to be given to Council that the works will be completed or the contribution paid, and
 - (ii) as to when the work will be completed or the contribution paid.
- ~~7. In accordance with the provisions of section 94(1)(b) of the *Environmental Planning and Assessment Act 1979* and the Mudge Shire Council Section 94 Contribution Plan, a contribution shall be paid to Council in accordance with this condition for the purpose of:~~

Transport Improvements	\$536
Drainage	\$107
Community Facilities	\$629
Community Services	\$261
Open Space Improvements	\$402
Open Space Purchase	\$402
TOTAL PAYABLE	\$2337

(DELETED BY MA0014/2020)

- within
- at
8. If the *Subdivision Certificate* is not issued, for any reason what so ever, twelve (12) months of the date of determination, then the charges and contributions contained in this consent, may be increased to the current rate the time of payment.
 9. ~~The developer shall obtain a *Certificate of Compliance* under the *Water Management Act 2000*. This will require:~~

- ~~(a) Payment of a contribution for water and sewerage headworks at the following rate:~~

Water Headworks	\$2522
Sewerage Headworks	\$1847
TOTAL	\$4369

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

(DELETED BY MA0014/2020)

10. The developer is to provide a sewer junction for each lot in the subdivision. This can be achieved by making a payment to Council of \$900 per new junction to cover the cost of Council installing a junction in an existing main.

TOTAL PAYABLE 1 x \$900 = \$900

Note: Council does not permit other bodies to insert new junctions into “live” sewer mains.

11. The developer is to provide a water service and meter for each lot in the subdivision. This can be achieved by making a payment to Council of \$850 per lot to cover the cost of installing both the service and a 20mm meter on the water main.

TOTAL PAYABLE 1 x \$850 = \$850

Note: Council does not permit other bodies to insert new junctions into “live” water mains.

12. Interallotment drainage is to be provided to remove stormwater from any lots that cannot discharge to the street in accordance with AusSpec #1.
13. Three metre wide easements, including associated Section 88 instruments, are to be created in favour of Council over any existing or newly constructed inter-allotment drainage, water, or sewerage reticulation components located within the subject property, or extended through adjoining private properties as a result of this subdivision.
14. Vehicular entrances are to be provided to all lots at the full cost of the developer.
15. All works are to be constructed at the full cost of the developer, in a manner consistent with Aus-Spec #1 and Council’s standard drawings.
16. The applicants shall, at their own expense, engage a registered surveyor to relocate any survey mark that may be disturbed by the development or any associated work. Any information regarding relocation should be supplied to the Land Titles Office and Council.
17. Prior to issue of the *Subdivision Certificate*, Council is to be supplied with:
 - (a) A certificate from Country Energy indicating that satisfactory arrangements have been made for provision of an underground electricity supply and street lighting to the subdivision.
 - (b) A *Pre-Provisioning Confirmation Document* from Telstra indicating that satisfactory arrangements have been made for the provision of telephone services to the subdivision.
 - (c) Documentary evidence of the creation of easements with associated Section 88 instruments, in favour of the lots which benefit from the utility, over any services through private property.
18. The building material, scrap metal and the like presently on the site are not appropriate “fill” and is to be removed. Please note “filling” requires the consent of Council.
19. The Plan of Subdivision submitted for Certification must be accompanied by a Surveyors Certificate that provides certification of the location of all existing infrastructure that services existing dwellings being located either within the boundaries of the allotment they are servicing or covered by appropriate easements.

(NEW CONDITION MA0014/2020)

STATEMENT OF REASONS

The determination decision was reached for the following reasons:

1. The proposed modification is considered to result in minimal environmental impact and is substantially the same development as the originally approved development – thereby satisfying the requirements of Section 4.55 (1A)(a) and (b) of the *Environmental Planning and Assessment Act 1979*.

(NEW STATEMENT OF REASON MA0014/2020)

Executive summary

OWNER/S	Glendiver Pastoral Company Pty Limited
APPLICANT:	Mr Nicholas Van Lijf
PROPERTY DESCRIPTION	11 Mulgoa Way, MUDGEES NSW 2850 Lot 2 DP880847
PROPOSED DEVELOPMENT	Two lot subdivision
REASON FOR REPORTING TO COUNCIL:	Prior development application for subdivision determined by Council
PUBLIC SUBMISSIONS:	Nil

On 27 October 2004 Council granted consent to Development Application DA0520/2004 for a two lot subdivision at 11 Mulgoa Way, Mudgee. At the time of approval, one of the proposed lots contained an existing dwelling and the other lot contained a building envelope. A modification to the building envelope was approved on 26 August 2005. The original development consent and subsequent modification were both determined at a Council Meeting as both applications received multiple objections from surrounding neighbours.

A separate Development Consent for the land - also determined at a Council Meeting - DA0946/2006 was issued on 2 August 2006 which approved an attached dual occupancy within the building envelope area approved under DA0520/2004 and subsequent modification. Construction of the attached dual occupancy has been completed with the Final Occupation Certificate being issued on 24 April 2008.



Council is now in receipt of a Section 4.55 application to modify the subdivision consent DA0520/2004. The proposal relates to the re-alignment of the dividing boundary to be consistent with the boundaries depicted in DA0946/2006 for a dual occupancy and providing equal river frontage to each lot. The proposal does not increase the number of lots proposed, one lot will

contain a dwelling and one lot will contain an attached dual occupancy. The change in lot sizes is summarised in the following table:

	Approved Lot size (DA0520/2004)	Proposed Lot size (MA0014/2020)
Proposed Lot 21 (existing dwelling)	2320 m ²	1392 m ²
Proposed Lot 22 (dual occupancy)	970 m ²	1904 m ²

Figure 1 shows an extract from the currently approved plans for DA0520/2004 and Figure 2 shows the proposed plans under this modification. A full copy of the proposed subdivision plan under this modification is provided in Attachment 1.

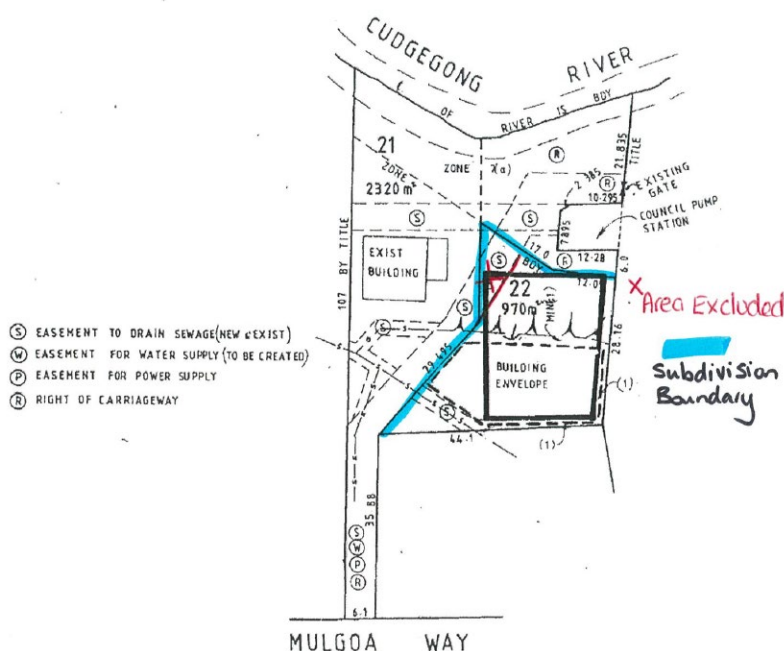


Figure 1: Extract from approved subdivision layout approved under DA0520/2004. The blue highlighted area has been added to indicate the approved subdivision boundary between the two lots.

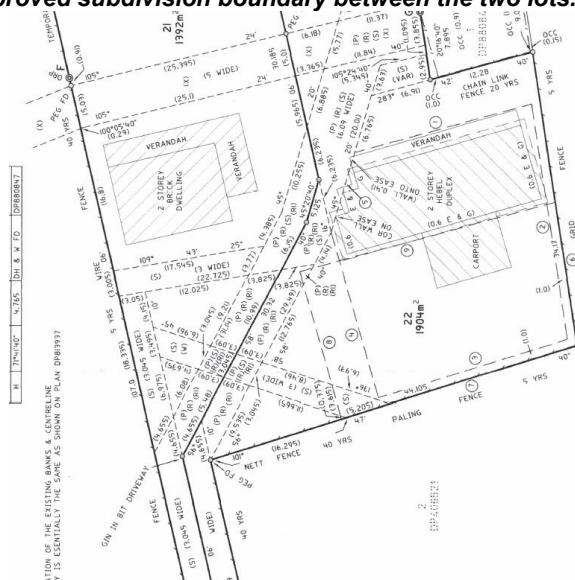


Figure 2 – Extract from proposed modification plan.

Minor changes have also been made to the plans in accordance with Conditions 2 and 3 of the consent relating to the battleaxe handle to be divided equally between the proposed lots and a reciprocal right of way easement to be created, as well as the sewer easement updated as required.

The application was notified, in accordance with Mid-Western Regional Development Control Plan 2013, for a period of 14 days ending 1 October 2019. During the notification period, no submissions were received.

The original consent for the subdivision (DA0520/2004) was considered under the Mudgee LEP 1998. At that time the land comprised two zones and part of the approved boundary line followed the zoning of the land. Since this time, considerable changes have been made to planning legislation with the introduction of the Mid Western Regional Local Environment Plan (MWLEP) in 2012. Under the MWLEP, the land no longer comprises two zones and is zoned R1 General Residential with a minimum lot size of the area of 600 square metres. The application has been considered against the current planning controls and is considered to be consistent with the requirements of the Mid-Western Local Environment Plan 2012 and the Development Control Plan 2013.

Pursuant to the powers handed down by the General Manager, conferred under Section 378 of the *Local Government Act 1993*, and as the first modification application was approved by Council resolution, staff do not have the power to determine the application in accordance with their *Delegation of Authority*. Subsequently, the application is referred to a full Council meeting.

The application is recommended for approval.

Disclosure of Interest

Nil

Detailed report

COMMENCEMENT OF DEVELOPMENT CONSENT DA0520/2004

DA0520/2004 was issued for a two lot subdivision at 11 Mulgoa Way, Mudgee on 27 October 2004 with the consent to lapse on 27 October 2009.

The Final Occupation Certificate for the attached dual occupancy on the land was issued on 24 April 2008. Significantly, this is prior to the lapse date of the development consent DA0520/2004 for subdivision of 26 August 2010. The dual occupancy was required to be connected to the relevant water and sewer services, indicating that the requirements of the subdivision – namely conditions 10 and 11 had been completed prior to the lapse date, and the development application has been physically commenced and continues to be active.

ASSESSMENT IN ACCORDANCE WITH SECTION 4.55 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979:

The application has been assessed in accordance with Section 4.55 of the *Environmental Planning & Assessment Act 1979*. The main issues are addressed below.

REQUIREMENTS OF REGULATIONS AND POLICIES

4.55(1A) Modifications involving minimal environmental impact

(1A) Modifications involving minimal environmental impact

A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:

(a) it is satisfied that the proposed modification is of minimal environmental impact, and

Comment No physical changes to the development will result from the proposed modification. The dwelling and dual occupancy on each proposed lot is already constructed and connected to the relevant services.

(b) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and

Comment Council is satisfied that the proposed modification is substantially the same development given the original consent was granted for a two lot subdivision of the land.

*(c) it has notified the application in accordance with:
(i) The regulations, if the regulations so require, and
(ii) A development control plan,*

Comment The Section 4.55 Application was notified to adjoining neighbours as all previous applications were also notified.

(d) It has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.

Comment No submissions were received.

(3) In determining an application for modification of a consent under this section, the consent authority must take into consideration such of the matters referred to in section 4.15 (1) as are of relevance to the development the subject of the application. The consent authority must also take into consideration the reasons given by the consent authority for the grant of the consent that is sought to be modified.

Comment All matters under Section 4.15(1) of relevance to the modification are addressed below.

(4) The modification of a development consent in accordance with this section is taken not to be the granting of development consent under this Part, but a reference in this or any other Act to a development consent includes a reference to a development consent as so modified.

Comment The applicant has submitted the Section 4.55(1A) application to Council in order to amend conditions of consent relating to the approved subdivision plan only. No further development consent is sought by the modification application in accordance with this part.

4.15(1) (a) Evaluation – Matters for consideration

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

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

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

Clause 1.2 Aims of Plan

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

Clause 2.2 Zoning of Land to Which Plan Applies

The land is zoned R1 General Residential and is therefore subject to the Plan.

Clause 2.3 Zone objectives

R1 General Residential

1. To provide for the housing needs of the community.

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

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

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

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

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

Clause 2.6 Subdivision – consent requirements

As the proposal involves subdivision this will also require development consent as discussed throughout the report.

Clause 4.1 Minimum subdivision lot size

The proposed subdivision generally meets the objectives of the clause as the proposal will promote further suitable land uses that can be accommodated on the site whilst complying with all the relevant planning controls.

The proposed lots have an area of 1904 m² and 1392 m². The minimum lot size pursuant to the mapping is 600m².

Accordingly, the proposal complies with the development standard. Notwithstanding this it is noted that one lot will contain an existing attached dual occupancy, which is further discussed in the next section.

Clause 4.1A Minimum lot sizes for dual occupancies, multi dwelling housing and residential flat buildings

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

The existing **dual occupancy (attached)** will be on a site equal to or greater than 600m² being 1904m². Accordingly, the proposal complies with this development standard.

Clause 5.10 Heritage Conservation

No items of aboriginal significance or a heritage item are recorded on the site or in the vicinity.

Clause 6.1 Salinity

No impact – the proposal will not require any earthworks to be undertaken.

Clause 6.2 Flood planning

The site is identified as being in a “low risk” flood area. A small portion of the lot at the rear is identified as “medium” flood risk area.

No impact - each proposed lot is already developed for residential accommodation. The proposed modification does not include any new works to be undertaken and therefore will not impact on existing flood impacts to the land and its surrounds.

Clause 6.3 Earthworks

No impact - the proposed modification will not involve any physical works including earthworks.

Clause 6.4 Groundwater vulnerability

Not applicable - the site is not identified as groundwater vulnerable.

Clause 6.5 Terrestrial biodiversity

Not applicable - the proposal is not located in any area identified as ‘Moderate or High Biodiversity Sensitivity’.

Clause 6.7 Active street frontages

Not applicable - the site is not located within the area mapped as ‘Active street frontage’.

Clause 6.8 Airspace operations – Mudgee Airport

The proposal will not penetrate the relevant height limits for safe operation of the Mudgee Airport.

Clause 6.9 Essential Services

All essential services that are relevant to the proposal are available to the proposed lots.

Clause 6.10 Visually sensitive land near Mudgee

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

4.15(1) (a) Requirements of Regulations and Policies

(ii) Draft environmental planning instruments (EPI)

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

4.15(1) (a) Requirements of Regulations and Policies

(iii) Any development control plans

Mid-Western Regional DCP 2013

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

Part 7.1 Urban Subdivision

DEVELOPMENT CONTROL REQUIREMENT	COMPLIES?
Applies to	
Land zoned residential; village zones; rural residential lots up to 2 hectares	Land is zoned Residential
Lot size	
Minimum lot size as determined by MWRC LEP 2012	Yes, lots will be 1904 m ² and 1392 m ² which is greater than the minimum lot size of 600 m ² .
All lots have street frontage	Both lots will have access / frontage to Mulgoa Way.
Lots increase in size relative to slope as follows: – 0-10 degrees: 600m ² – 10-15 degrees: 700m ² – 15-20 degrees: 800m ² – >20: subdivision prohibited	Complies
All lots have 16m width at building line in residential and village zones	Yes. Lots are of ample size and dimension.
Battle-axe handles in R1, R3 and RU5 Village have width of 4m	Complies - existing lot has battle-axe handle 6.10m wide. Current consent requires reciprocal carriageway easements for access to both lots in subdivision.
Battle-axe handles in R2 and R5 residential zones have width of 6m	Not applicable
Lot Design	
For infill subdivision lot orientation maximises solar access and takes account of existing pattern of development	Yes. Achieves adequate solar access.
For new release subdivision lot orientation maximises solar access by maximising north-south lots	Not applicable
For new release subdivision east-west orientated lots have increased width and midpoint	Not applicable
Lots generally rectangular in shape	The proposed lots will be generally rectangular in shape, containing an existing dwelling and dual occupancy.
Lots on southern side of road provide greater frontage width for better solar orientation of future dwelling	Not applicable
Corner lots have sufficient area to allow dual occupancy and independent utility connection points	Not applicable
Street Layout and Design	
Traffic Impact Statement submitted for 5+ lots	Not applicable
Traffic Impact Statement submitted for all subdivisions where new road required	Not applicable
Subdivision integrates with existing residential area	Yes
New roads must provide “through road” connections to surrounding roads and road heads where they exist in the locality	Not applicable
Where cul-de-sac treatment unavoidable, pedestrian linkages between streets provided	Not applicable
Multiple cul-de-sacs and “no through roads” discouraged	Not applicable
Maximum number of lots in cul-de-sac is 12 lots	Not applicable
Subdivision >80 lots should not require backtracking	Not applicable

DEVELOPMENT CONTROL REQUIREMENT	COMPLIES?
Road Standards for New Development	
Urban Road Standards required	Not applicable
1 x 1.2m footpath, barrier kerbing	Not applicable
Commercial and Industrial Subdivision roads: 22m road reserve, 13m carriageway, 2 x 4.5m nature strip, 1 x 1.2m footpath, barrier / rollover kerbing	Not applicable
Cycle ways and footpaths	
Cycle ways and pedestrian networks included in new subdivisions	Not applicable
If subdivision site identified in Council cycle way plan or pedestrian strategy, subdivision needs to respond to strategy	Not applicable
New subdivisions provide direct, convenient and safe access to major facilities	Yes, existing access to Mudgee retained
Cul-de-sacs may be required to include 10m wide shared overland flow/pathway	Not applicable
Developer to provide contribution to Council for installation of cycle ways and footpaths prior to release of subdivision certificate	Not applicable
Open Space	
Greenfield sites >20 lots ensure that lots are <400m from local park, playground or passive open space	Not applicable
Where on-site detention basins double as open space, must include raised level area which incorporates playground or fitness equipment etc and shading landscaping	Not applicable
Landscaping	
Landscape plan provided, detailing treatment of public domain	Not applicable
Land dedicated as public reserve top soiled, levelled, turfed prior to release of subdivision certificate and maintained by developer for period of two years	Not applicable
Street Trees	
Two (2) street trees provided per lot	Not applicable
Developer provides levy to Council to provide these trees after 80% of works carried out	Not applicable
Utility Services	
Servicing plan submitted showing provision of underground electricity, sewer, water, drainage and telecommunications to the development	Lots already connected to reticulated water, sewer, electricity and telecommunications.
Evidence of consultation with relevant authorities submitted with application	Not applicable (small subdivision)
Drainage	
As per Section 5.3 Stormwater and Drainage	Not applicable – lots have already been developed and connected to stormwater system.

SECTION 64 AND SECTION 94 CONTRIBUTIONS

Section 64 and Section 94 contributions have been charged and paid under DA0946/2006 for the dual occupancy on the subject site. Accordingly, Conditions 7 and 9 will be deleted as part of this modification.

IMPACT OF DEVELOPMENT

(a) Context and Setting

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

(b) Access, Transport and Traffic

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

(c) Public Domain

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

(d) Utilities

All relevant utilities are already connected to each of the lots.

(e) Heritage

Not applicable.

(f) Other Land Resources

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

(g) Water

No significant impact expected.

(h) Soils

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

(i) Air and Microclimate

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

(j) Flora and Fauna

Not applicable.

(k) Waste

Waste service available.

(l) Energy

Not applicable.

(m) Noise and Vibration

Not applicable.

(n) Natural Hazards

The site is identified as flood prone. This has been discussed elsewhere in the report with a conclusion stating that the proposed modification will have no impact given no new works are required as part of the subdivision.

(o) Technological Hazards

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

(p) Safety, Security and Crime Prevention

Increased passive surveillance as a result of the proposed development.

(q) Social Impact in the Locality

Generally positive.

(r) Economic Impact in the Locality

Generally positive.

(s) Site Design and Internal Design

The subdivision layout is considered to be appropriate to the existing development and features of the land.

It is noted that the boundary to be modified under this application originally followed the zone boundaries which existed at the time of the original approval. At the time of the original application, the land contained two zones being 7(a) and 1(a1) under the then in force Mudgee LEP 1996. Subdivision was generally not permitted under Zone 7(a) meaning that the boundary was required to follow the zoning boundaries. Since the time of the original approval, significant changes have been made to planning legislation. The land is no longer dual zoned and is currently zoned R1 General Residential under the Mid Western Regional Local Environmental Plan 2012 with subdivision permissible under this zone subject to meeting the minimum lot size of 600sqm.

(t) Construction

Not applicable – no new construction required.

(u) Cumulative Impacts

There are no known cumulative impacts as a result of the proposal.

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 application was neighbour notified, in accordance with Mid-Western Regional Development Control Plan 2013, for a period of 14 days, ending 1 October 2019. During the notification period, no submission/s were received.

Submissions from public authorities

No submissions were sought or received from public authorities

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

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

SCHEDULE 1: COMMUNITY PARTICIPATION REQUIREMENTS

The following reasons, pursuant to clause 20(1) of Schedule 1, are given by Council for the granting of the consent, that is sought to be modified.

The determination decision was reached for the following reasons:

1. The proposed modification is considered to result in minimal environmental impact and is substantially the same development as the originally approved development – thereby satisfying the requirements of Section 4.55 (1A)(a) and (b) of the *Environmental Planning and Assessment Act 1979*.

*CONSULTATIONS***Health & Building**

No consultation necessary.

Development Engineer

Council's Development Engineer has provided comments with no objections to the proposed modification subject to the inclusion of one new condition.

Community Plan implications

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

Strategic implications

Council Strategies

Not applicable.

Council Policies

Mid-Western Development Control Plan 2013

Legislation

Mid-Western Regional Local Environment Plan 2012.

Environmental Planning and Assessment Act 1979 (as amended).

Environmental Planning and Assessment Regulations 2000.

Financial implications

Not Applicable.

Associated Risks

Should Council refuse the application, the applicant may seek a further review of this decision or appeal through the Land & Environment Court.

SARAH HOPKINS
TOWN PLANNER

LINDSAY DUNSTAN
MANAGER, STATUTORY PLANNING

JULIE ROBERTSON
DIRECTOR DEVELOPMENT

8 October 2019

Attachments: 1. Proposed Subdivision Plan _ MA0014/2020.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

PLAN FORM 2 (A2)

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

Sheet 1 of 1 sheets

M.G.A. COORDINATE SCHEDULE
CLAUSE 70 OF THE SURVEYING & SPATIAL INFORMATION REGULATION 2017

MARK	MGA COORDINATES		CLASS	ORDER	METHOD	STATE
	EASTING	NORTHING				
SSM 52617 'Y'	743960.415	6390496.332	C	3	SCIMS	FOUND
SSM 58620	744110.333	6390480.360	C	3	SCIMS	FOUND
SSM 70030 'X'	743789.049	6390538.906	C	3	SCIMS	FOUND

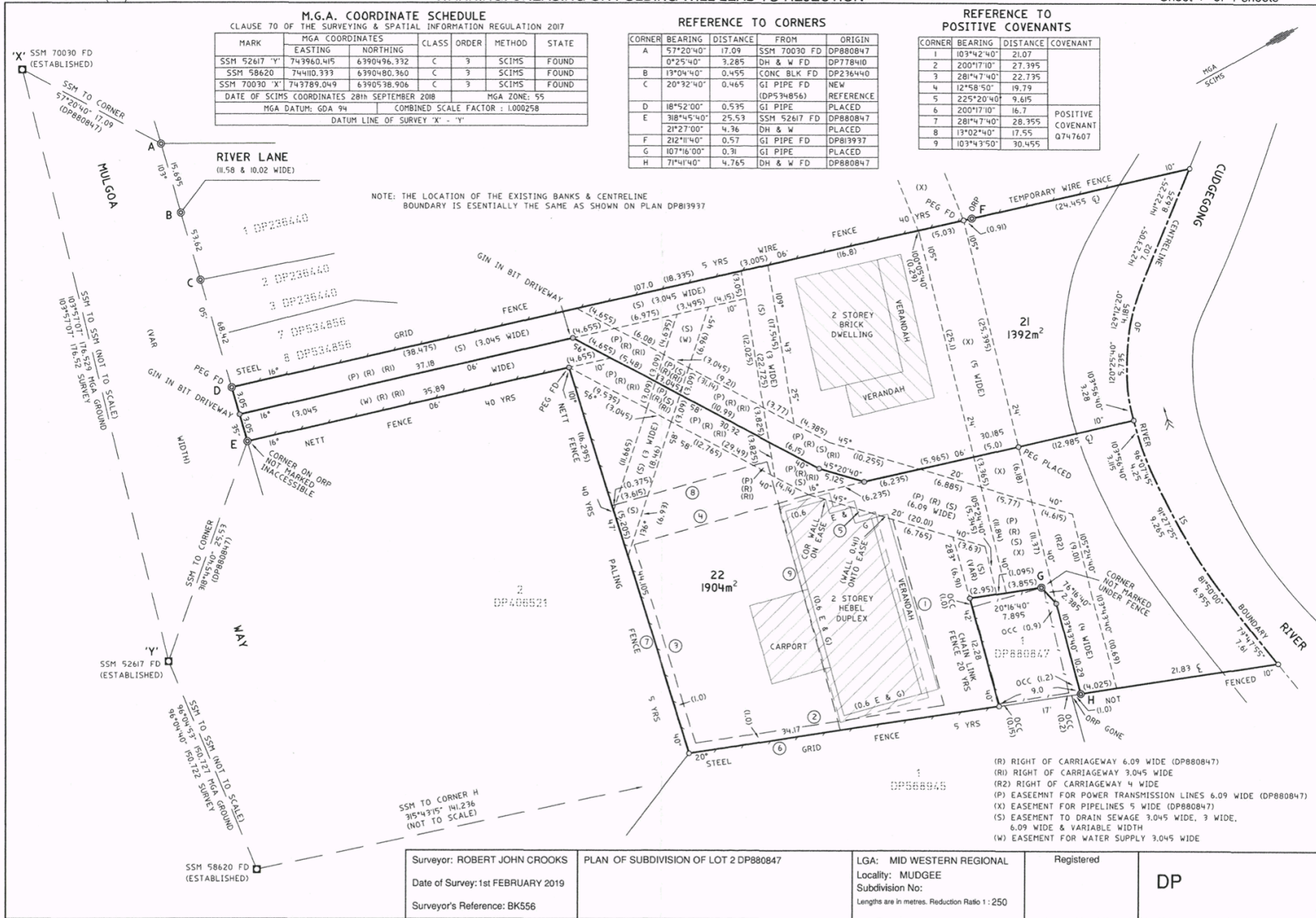
DATE OF SCIMS COORDINATES 28th SEPTEMBER 2008 MGA ZONE: 55
MGA DATUM: GDA 94 COMBINED SCALE FACTOR: 1.000258
DATUM LINE OF SURVEY 'X' - 'Y'

REFERENCE TO CORNERS

CORNER	BEARING	DISTANCE	FROM	ORIGIN
A	57°20'40"	17.09	SSM 70030 FD	DP880847
B	0°25'40"	3.285	DH & W FD	DP778410
C	19°04'40"	0.455	CONC BLK FD	DP236440
D	20°32'40"	0.465	GI PIPE FD	NEW
E	18°52'00"	0.535	GI PIPE	PLACED
F	318°45'40"	25.53	SSM 52617 FD	DP880847
G	21°27'00"	4.36	DH & W	PLACED
H	107°16'00"	0.31	GI PIPE	PLACED
I	71°41'40"	4.765	DH & W FD	DP880847

REFERENCE TO POSITIVE COVENANTS

CORNER	BEARING	DISTANCE	COVENANT
1	103°42'40"	21.07	
2	200°17'10"	27.395	
3	281°47'40"	22.735	
4	12°58'50"	19.79	
5	225°20'40"	9.615	
6	200°17'10"	16.7	POSITIVE COVENANT
7	281°47'40"	28.355	
8	17°02'40"	17.55	
9	103°43'50"	30.455	0747607



NOTE: THE LOCATION OF THE EXISTING BANKS & CENTRELINE BOUNDARY IS ESSENTIALLY THE SAME AS SHOWN ON PLAN DP819937

- (R) RIGHT OF CARRIAGEWAY 6.09 WIDE (DP880847)
- (R1) RIGHT OF CARRIAGEWAY 3.045 WIDE
- (R2) RIGHT OF CARRIAGEWAY 4 WIDE
- (P) EASEMENT FOR POWER TRANSMISSION LINES 6.09 WIDE (DP880847)
- (X) EASEMENT FOR PIPELINES 5 WIDE (DP880847)
- (S) EASEMENT TO DRAIN SEWAGE 3.045 WIDE, 3 WIDE, 6.09 WIDE & VARIABLE WIDTH
- (W) EASEMENT FOR WATER SUPPLY 3.045 WIDE

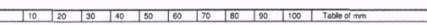
Surveyor: ROBERT JOHN CROOKS
Date of Survey: 1st FEBRUARY 2019
Surveyor's Reference: BKS56

PLAN OF SUBDIVISION OF LOT 2 DP880847

LGA: MID WESTERN REGIONAL
Locality: MUDGEE
Subdivision No:
Lengths are in metres. Reduction Ratio 1:250

Registered

DP



8.3 Country Universities Centre Proposal

REPORT BY THE MANAGER ECONOMIC DEVELOPMENT
TO 20 NOVEMBER 2019 ORDINARY MEETING
GOV400067, ECO800022

RECOMMENDATION

That Council:

1. receive the report by the Manager Economic Development on the Country Universities Centre Proposal;
2. provide in principle support for the establishment of a Country Universities Centre in Mudgee;
3. authorise staff to work with Country Universities Centre to seek grant funding and to coordinate the establishment of the Country Universities Centre Mudgee Board; and
4. authorise the General Manager to hold a position of Director on the Country Universities Centre Mudgee Board.

Executive summary

The opportunity exists to pursue a Country Universities Centre (CUC) in Mudgee. The Country Universities Centre is a not-for-profit organisation, established with the aim of making tertiary education more accessible for regional and remote communities in New South Wales.

CUC Mudgee would provide a dedicated learning space for university and other tertiary students currently studying by correspondence. This report seeks to provide in principle support for the establishment of Country Universities Centre Mudgee and Council's participation in application for funding and supporting the establishment of an incorporated company to operate the centre.

Disclosure of Interest

Nil.

Detailed report

Background

The Country Universities Centre is a not-for-profit organisation, established with the aim of making higher education more accessible for communities in regional and remote areas. Regional youth participate in tertiary education at less than half the rate of their metropolitan counterparts, with the gap widening further in recent years.

One of the biggest challenges faced by regional and remote students is the absence of a 'campus' environment and its associated support and benefits. The Country Universities Centre delivers supported learning to these students, providing them with access to campus level technology, facilities, tutors, supportive administrative and academic staff and a network of fellow students.

CUC targets communities that have sufficiently large populations to provide sustainable student bases within the Centres, but have had equity needs for better higher educational opportunities including the lack of sufficient existing higher educational infrastructure such as a university campus. In NSW, this has generally led to the development of proposals to establish Centres in towns of approximately 7,000 to 20,000 population.

The NSW Government has provided \$8 million in funding to realise the concept. In early 2018, CUC Far West (in Broken Hill) and CUC Goulburn were established successfully, with student numbers exceeding expectations to have 116 and 98 registered students respectively at the end of their first year of operation. 295 students were enrolled across the two Centres after semester one 2019. Further Centres in Narrabri, Moree, Grafton, Griffith and Leeton have recently opened in 2019 utilising NSW Government funding.

From experience at other CUC's across NSW, there are a broad range of ages that utilise a CUC. From current enrolments, it is noted that 32% are under 25 years, 30% are 25 – 35 years, 20% are 35 – 45 years and 18% are over 55 years old. Post-graduates make up 18% of all registrations. Currently, the student body of the CUC is dominantly female, comprising 80% of registrations.

NSW Government funding exists to open additional centres, and Mudgee has been identified as an appropriate location due to the current population and diverse economy.

Further, \$15m in Commonwealth Government funding is currently available to establish and support the operation of these centres, (applications close 28/11/19).

According to the Commonwealth Department of Education, in Mudgee, there are currently 515 tertiary students, of which 248 are internal (face to face), 212 are external (studying online) and 55 are multimodal (external with residential schools etc.).

Governance

Under the CUC model, the Country Universities Centre (Mudgee) will be incorporated as a company limited by guarantee and registered as a charity. A constitutional template has been established by CUC and utilised at the current 7 centres. A Community Skill-Based Board must be appointed with representatives from local government, the education community and local industry/services/business. Funding requirements are that the organisation is 'Community-owned'.

Location

It is proposed to utilise Mudgee TAFE campus and undertake capital works along with TAFE to create a dedicated CUC space. This space will meet the CUC requirements of:

- A terminal room (at least 80 square metres)
- A large tutorial room (to accommodate at least 20 people)
- Two small break out rooms (10-20 square metres)
- Social area (indoor and also possibly outdoor)
- Kitchenette with refrigerator, microwave, tea/coffee facilities
- Toilets

Staff and operations

CUC Mudgee will employ a Centre Manager prior to the opening of the Centre, so that the Manager can address refurbishment and technology installation (working with CUC Administration) and also to create awareness of the new educational opportunities in the community. This position has the following key responsibilities:

- Management of the Facility
- Student Support
- Community Relations

In addition to the Centre Manager, there may be, in future, the opportunity for casual staff, volunteers and mentors to assist with the CUC Mudgee.

The Centre Manager position will be funded through the establishment and grant funding sought.

Student Access to Centres

It is a requirement of the funding that any student enrolled with any higher education provider or Vocational Education Training provider must be able to register their student details with the Centre and be able to utilise the Centre facilities and access support provided by the Centre.

Centres must not charge students for:

- a. the use of the Centre; and
- b. the support that is provided through the Centre,

Students can be charged for incidental or consumable items.

It is recommended that Council's Economic Development team work the Country Universities Centre staff to apply for funding from both the State and Federal Government to establish a CUC in Mudgee with the aim of opening in 2020.

Further, is it recommended that Council's General Manager undertakes a Director position on the CUC Community Board to represent Council in providing advice to CUC staff on opportunities with students and employer engagement.

Community Plan implications

Theme	Building a Strong Local Economy
Goal	A range of rewarding and fulfilling career opportunities to attract and retain residents
Strategy	Build strong linkages with institutions providing education, training and employment pathways in the Region

Strategic implications

Council Strategies

This project meets Council's strategy of building strong linkages with institutions providing education, training and employment pathways in the region.

Council Policies

Not Applicable

Legislation

Not Applicable

Financial implications

There is no upfront or ongoing financial commitment from Council for this project. Funding will be sought for the establishment of CUC Mudgee and ongoing operational costs for a period of three years.

Associated Risks

If Council does not pursue a Country University Centre in the region, the risk of students leaving the region for education opportunities or not undertaking further education studies at all, will continue. Further, monies currently available in the relevant grant funds may not exist in the future and therefore Council may not have the opportunity to receive funding for such an activity and would have to self-fund such an activity if it wanted to proceed in the future.

ALINA AZAR
MANAGER ECONOMIC DEVELOPMENT

JULIE ROBERTSON
DIRECTOR DEVELOPMENT

30 August 2019

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

8.4 Events Assistance Applications

REPORT BY THE EVENTS OFFICER
 TO 20 NOVEMBER 2019 ORDINARY MEETING
 GOV400067, ECO800009; FIN300052

RECOMMENDATION

That Council:

1. receive the report by the Events Coordinator on the Events Assistance Applications;
2. provide Events Assistance to the below applicants (includes cash and in-kind amounts) for Period 1, July – December 2019;

Mudgee Indoor Swimming Club	\$583
Rylstone Kandos and District Dog Club	\$1170

3. provide Events Assistance to the below applicants (includes cash and in-kind amounts) for Period 2, January – June 2020;

Gulgong Turf Club	\$1000
Cadillac LaSalle Club of Australia	\$2000
Western Schools Sports Association	\$2500

4. provide multi-year Events Assistance funding to the below applicants (includes cash and in-kind amounts) for the period of 2020, 2021 and 2022; and

	2020	2021	2022
Henry Lawson Society	\$2000	\$2000	\$2000
Rylstone Kandos Street Machine Club	\$2000	\$2000	\$2000
Gulgong Prince of Wales Eisteddfod	\$2500	\$2500	\$2500
Cudgegong Cruisers	\$491	\$506	\$521
Cudgegong Valley Antique Machinery Club	\$500	\$500	\$500
Arts Council Gulgong	\$1000	\$1000	\$1000
Gulgong Folk Club	\$1000	\$1000	\$1000

5. amend the 2019/20 Budget for Events Assistance to:
 - allocate \$5,000 additional funds for community run events to be funded from Unrestricted Cash.

Executive summary

This report considers applications for Events Assistance under Council's Events Assistance Policy. It relates to 3 events in period 1, (July – December 2019) where applications have been received late. It also includes events to be held in period 2, between 1 January and 30 June 2020, which is

the current period for applications. A total of 12 complete applications were submitted, with an additional 2 applications being passed to Finance to be submitted under Community Grants.

It should be noted that both the Warrior Warbirds AGM (\$2,000) and the Don Green Touch Carnival (\$2,500) as supported by Events Assistance, in period 1, were both cancelled and approved Events Assistance funding returned to the budget.

There is a shortfall in the Events Assistance Budget to meet the above recommendations of \$1,914.

Disclosure of Interest

Nil.

Detailed report

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

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

A summary of requests and recommendations can be found in Attachment 1. Full applications for each event can be found in Attachment 2.

Period 1

Mudgee Indoor Swimming Club

The event is to host the Mudgee Indoor Swimming Club Qualifying Carnival, with an expected attendance of 660 people. The Club are requesting in-kind funding, for the hire of Mudgee Swimming Pool of \$583. If Council wishes to support the event in 2019, the recommended amount based on the scoring scale is \$583.

Rylstone Kandos and District Dog Club

The Rylstone Kandos and District Dog Club hosted the Champions All Breed Show in September 2019 with an attendance of 900 people. The Club are requesting a reimbursement of funds paid, for the hire of Rylstone Showground of \$1,170. If Council wishes to support the event, the recommended amount based on the scoring scale is \$1,170.

Period 2

Gulgong Turf Club

The proposed Gulgong Cup is to be held in June 2020, with a projected attendance of 2,200 people. \$2,500 is requested to be used towards marketing the event. If Council wishes to support the event in 2020, the recommended amount based on the scoring scale is \$1000. Council supported the event in 2019, with \$1,000 in Events Assistance Funding.

Cadillac LaSalle Club of Australia

The proposed event is to host the National Cadillac Muster 2020 in Mudgee, bringing together an expected attendance of 3,000 people to their display day, to be held at Lawson Park on 2 April 2020. \$2,500 is requested made up of, in-kind hire fees for Lawson Park (\$162), electricity use (\$31) and cash towards marketing and the venue hire fees of Parklands Resort \$2,307. If Council

wishes to support the event in 2019, the recommended amount based on the scoring scale is \$2,000.

Western Schools Sports Association

The proposed event is to host 420 students from across the state for the CHS NSW PSSA Touch Championship, on 23 – 25 June 2020. In-kind funding of \$3,459 is requested to cover the cost of the hire of Glen Willow Sports Complex, including Field 1 with bathroom + BBQ (\$913 x 3 days = \$2739,) and Field 2 (\$240 x 3 days = \$720). If Council wishes to support the event in 2020, the recommended amount based on the scoring scale is \$2,500.

Multi-Year Funding

Henry Lawson Society

The proposed event is to host the annual Henry Lawson Festival in June 2020. The event has an expected visitor attendance of 3,500 people. \$2,500 is requested to be used towards traffic management (in-kind \$1100) and cash for marketing (\$1400) of the event. If Council wishes to support the event in 2020, 2021 & 2022 the recommended amount based on the scoring scale is \$2,000 for each year. Council supported the event in 2019, with \$2,500 in Events Assistance Funding.

Rylstone Kandos Street Machine Club

Kandos Street Machine and Hot Rod Show is an annual event attracting approximately 8,500 attendees over two days in January. Events Assistance of \$2,500 is requested made up of, in-kind hire fees for Simpkins Park (\$1,670) and cash for marketing material (\$830). If Council wishes to support the event in 2020, 2021 & 2022, the recommended amount based on the scoring scale is \$2,000 for each year. Council supported the event in 2019, with \$2,500 in Events Assistance Funding

Gulgong Prince of Wales Eisteddfod

Now in its 40th year, the Gulgong Prince of Wales Eisteddfod attracts approximately 3,965 attendees during its 16 day program. \$2,500 of funding is requested made up of in-kind hire fees for Gulgong Memorial Hall (speech x 2 days = \$184, dance x 8 days = \$332 & music x 1 day = \$184) and cash to be used towards the purchase of trophies, programs printing and prizes (\$1,800). If Council wishes to support the event in 2020, 2021 & 2022, the recommended amount based on the scoring scale is \$2,500 for each year. Council supported the event in 2019, with \$2,500 in Events Assistance Funding.

Cudgong Cruisers

CanCruise is annual event held in March with an expected attendance of 1,150 people. \$491 of in-kind Events Assistance funding is requested to cover hire fees for the hire of the Mudgee Showground (\$491 in 2020). If Council wishes to support the event in 2020, 2021 & 2022 the recommended amount based on the scoring scale is \$491 for 2020, \$506 for 2021 and \$521 for 2022. Council supported the event in 2019, with \$480 in Events Assistance Funding.

Cudgong Valley Antique Machinery Club

Mudgee Swap Meet and Car Boot Sale is an annual event, with an expected attendance of 1,390 people. \$2,500 of funding is requested made up of in-kind hire fees for the Mudgee Showground (\$317) and \$2,183 in cash to be used towards marketing materials, supplies and insurances. If Council wishes to support the event in 2020, 2021 & 2022 the recommended amount based on the scoring scale is \$500 for each year. Council supported the event in 2019, with \$500 in Events Assistance Funding.

Arts Council Gulgong

Gulgong uneArthed is an annual art show and exhibition held on the June long weeked. With an anticipated attendance of 1,420 made up of both locals and visitors to the region. \$2,500 of funding

is requested for in-kind hire of Gulgong Memorial Hall (\$900) and cash for administration costs, stationery and judges (\$1,100). If Council wishes to support the event in 2020, 2021 and 2022 the recommended amount based on the scoring scale is \$1,000 for each year. Council supported the event in 2019, with \$500 in Events Assistance Funding.

Gulgong Folk Club Inc.

Gulgong Folk Festival is an annual event held over the New Year period every year. With an anticipated attendance over the three days of the event of 1,000 people made up of both locals and visitors to the region. \$2,093 of funding is requested for in-kind hire of Coronation Park (\$31 x 3 = \$93) and cash for the printing of programs (\$2,000). If Council wishes to support the event in 2020, 2021 & 2022 the recommended amount based on the scoring scale is \$1,000 for each year.

Based on the above recommendations, there is a budget shortfall of \$1,914 to deliver the above support. It is recommended that Council amend the Events Assistance Budget by \$1,914 to meet this shortfall funded from Unrestricted Cash.

The Events Assistance scoring system below was used to score applications against set criteria.

LOCAL COMMUNITY/VOLUNTEER PARTICIPATION IN EVENT

SCORE	DEFINITIVE ANSWERS	VALUE JUDGEMENT
0	Unsatisfactory	No or limited local community/volunteer participation or impact (<500 residents)
1	Poor	Community/volunteer participation or local benefits impacting (500 to 1,000 residents)
2	Satisfactory	Community/volunteer participation or local benefits impacting between (1,000 to 2,000 residents)
3	Good	Direct community/volunteer involvement or local benefits impacting (>2,000 residents)

CAPACITY TO ENSURE EVENT CONTINUES AND DEVELOPS IN THE FUTURE

SCORE	DEFINITIVE ANSWERS	VALUE JUDGEMENT
0	Unsatisfactory	First time event being held, no plans outlined in application, unclear capacity to deliver event
1	Poor	Limited event history (year one), limited plans outlined in application
2	Satisfactory	Event is at least two years old, appropriate planning
3	Good	Well-established event with detailed planning for the future outlined

ECONOMIC ACTIVITY GENERATED FROM EVENT

SCORE	DEFINITIVE ANSWERS	VALUE JUDGEMENT
0	\$0-\$25K	Number of visitors to the region x \$373 (if multi-day event) or \$107 (if single day)
2	\$25K-\$50K	Number of visitors to the region x \$373 (if multi-day event) or \$107 (if single day)
4	\$50K-\$100K	Number of visitors to the region x \$373 (if multi-day event) or \$107 (if single day)

6	\$100K-\$150K	Number of visitors to the region x \$373 (if multi-day event) or \$107 (if single day)
8	\$150k-\$200K	Number of visitors to the region x \$373 (if multi-day event) or \$107 (if single day)
10	\$200K-\$250K	Number of visitors to the region x \$373 (if multi-day event) or \$107 (if single day)
12	\$250K-\$300K	Number of visitors to the region x \$373 (if multi-day event) or \$107 (if single day)
14	\$300K+	Number of visitors to the region x \$373 (if multi-day event) or \$107 (if single day)

ADDITIONAL POINTS IN-KIND REQUESTS

SCORE	VALUE JUDGEMENT
10	All events requesting 100% in-kind assistance receive 10 bonus points. Noting only up to cost of in-kind services will be funded

Attachment 1 outlines the requests and recommendations for funding.

Community Plan implications

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

Strategic implications

Council Strategies

Applications for Events Assistance are required to have clear linkages to the Community Plan Towards 2030 outcomes. This includes promoting the region as a great place to live, work, invest and visit. By supporting events that provide opportunities for local and visitor attendance, this increases visitation to the region and provides social and economic benefits to the region.

Council Policies

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

Legislation

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

Financial implications

Funding of \$40,000 was provided in the 2019/20 Operational Plan for Events Assistance. Based on the scoring system above, the recommendation of staff is to provide \$17,814 in Events Assistance. This leaves a negative balance of \$1,300 in Events Assistance.

It is recommended that Council amend the 2019/20 Events Assistance budget by \$1,300, funded from Unrestricted Cash to meet the shortfall of the above recommendations.

As the budget will be fully allocated, no further Events Assistance funding will be available for 2019/20.

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

Associated Risks

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

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

JOANNA LINDSAY
EVENTS OFFICER

JULIE ROBERTSON
DIRECTOR DEVELOPMENT

23 October 2019

Attachments: 1. Events Assistance Summary of Applications.
2. Events Assistance Applications. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Organisation	Name of event	Total Attendance	Event Dates	Amount Requested In Cash	Amount Requested In-kind	Summary of Requested	Total Amount Requested (cash + in-kind)	Total Score (out of 20)	Funding recommended	Funding Received Last Year	Multi year funding
Period 1 July - December Applications											
Mudgee Indoor Swimming Club	Mudgee Indoor Swimming Club Qualifying Carnival	665	24/11/2019	\$ -	\$ 583.00	In-kind Mudgee pool fee waiver \$583.00	\$ 583.00	13	\$ 583.00	\$ 500.00	2019, 2020, 2021
Rylstone Kandoes and District Dog Club	Quarantine All Breeds Dog Show	980	28/08/19 - 29/08/19	\$ -	\$ 1,170.00	Rylstone showground fire fees reimbursement \$1170 fare	\$ 1,170.00	12	\$ 1,170.00	N/A	Yes but no year specified
Period 2 January - June											
Gulgong Turf Club	Gulgong Golf Cup	2200	1/06/2020	\$ 2,400.00	\$ -	Cash	\$ 2,400.00	10	\$ 1,000.00	\$ 1,000.00	NO
Catholic LaSalle Club of Australia NSW Incorporated	2020 National Mudgee Master	3000	30/03/2020 - 31/04/2020	\$ 2,307.00	\$ 193.00	In-kind Lawson Park Hire Fee \$162.00 for the day and \$31.00 for access to power TOTAL \$193 Cash \$2307 (marketing materials and Parklands Venue hire)	\$ 2,500.00	17	\$ 2,000.00	N/A	N/A
Western Schools Sports Association	NSW CHS Girls Touch Championships	420	23/06/2020	\$ -	\$ 2,500.00	Open Water SUBURB Fee Waiver Field 2 - \$240.00 x 3 days = \$720.00 Field 1 - \$915.00 x 3 days = \$2745.00 TOTAL \$3465	\$ 2,500.00	23	\$ 2,500.00	N/A	TBC
Multi-Year Applicants											
Henry Lawson Society Gulgong	Henry Lawson Heritage Festival	3500	1/06/2020	\$ 1,400.00	\$ 1,100.00	Cash \$1400 In-kind \$1100 traffic management (amount listed as per 2019)	\$ 2,500.00	17	\$ 2,000.00	\$ 2,500.00	2020, 2021, 2022
Rylstone Kandoes Street Machine Club	Kandoes Street Machine and Hot Rod Show	8500	25/01/2020 - 30/01/2020	\$ 830.00	\$ 1,670.00	In-kind venue hire Simpkins Park \$1670 *see per email quote from Tracy Cash Marketing materials \$500	\$ 2,500.00	18	\$ 2,000.00	\$ 2,500.00	2020, 2021, 2022
Gulgong Prince of Wales (Ettobod)	The 40th Gulgong Prince of Wales Ettobod	1995	23/05/2020	\$ 1,800.00	\$ 700.00	Cash (trophies, programs, prizes) \$1800 In-kind venue hire Gulgong Memorial Hall and Prince of Wales Opera House \$184 (opunch 7 days, \$332 (dance 8 days), \$184 (music 1 day) \$700 total	\$ 2,500.00	20	\$ 2,500.00	\$ 2,500.00	2020, 2021, 2022
Gardergong Outlets	CarCafe	1150	13/05/2020	\$ -	\$ 491.00	Overnight hire fee \$491 (open Pavilion)	\$ 491.00	14	\$ 491.00	\$ 491.00	2020, 2021, 2022
Gulgong Valley Antique Machinery Club	Mudgee Swap Meet and Car Boat Sale	1396	12/11/2020	\$ 2,183.00	\$ 317.00	Venue fee Mudgee showground - \$317 Marketing materials, supplies, insurance - \$2183	\$ 2,500.00	8	\$ 500.00	\$ 500.00	2020, 2021, 2022
Arts Council Gulgong	OneART Three Art Show and Exhibition	1420	31/05/2020	\$ 1,100.00	\$ 900.00	Cash - administration costs, stationery, posters, prize money - \$1100 \$2000 - Printing of programs	\$ 2,000.00	12	\$ 1,000.00	\$ 1,000.00	2020, 2021, 2022
Gulgong Folk Club	Gulgong Folk Festival	1,000	1/01/2020	\$ 2,000.00	\$ 01.00	\$93 - x 3 days hire of Coronation Park	\$ 2,003.00	12	\$ 1,000.00	TBC	2020, 2021

8.5 Monthly Development Applications Processing and Determined

REPORT BY THE DIRECTOR DEVELOPMENT
TO 20 NOVEMBER 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 October 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

6 November 2019

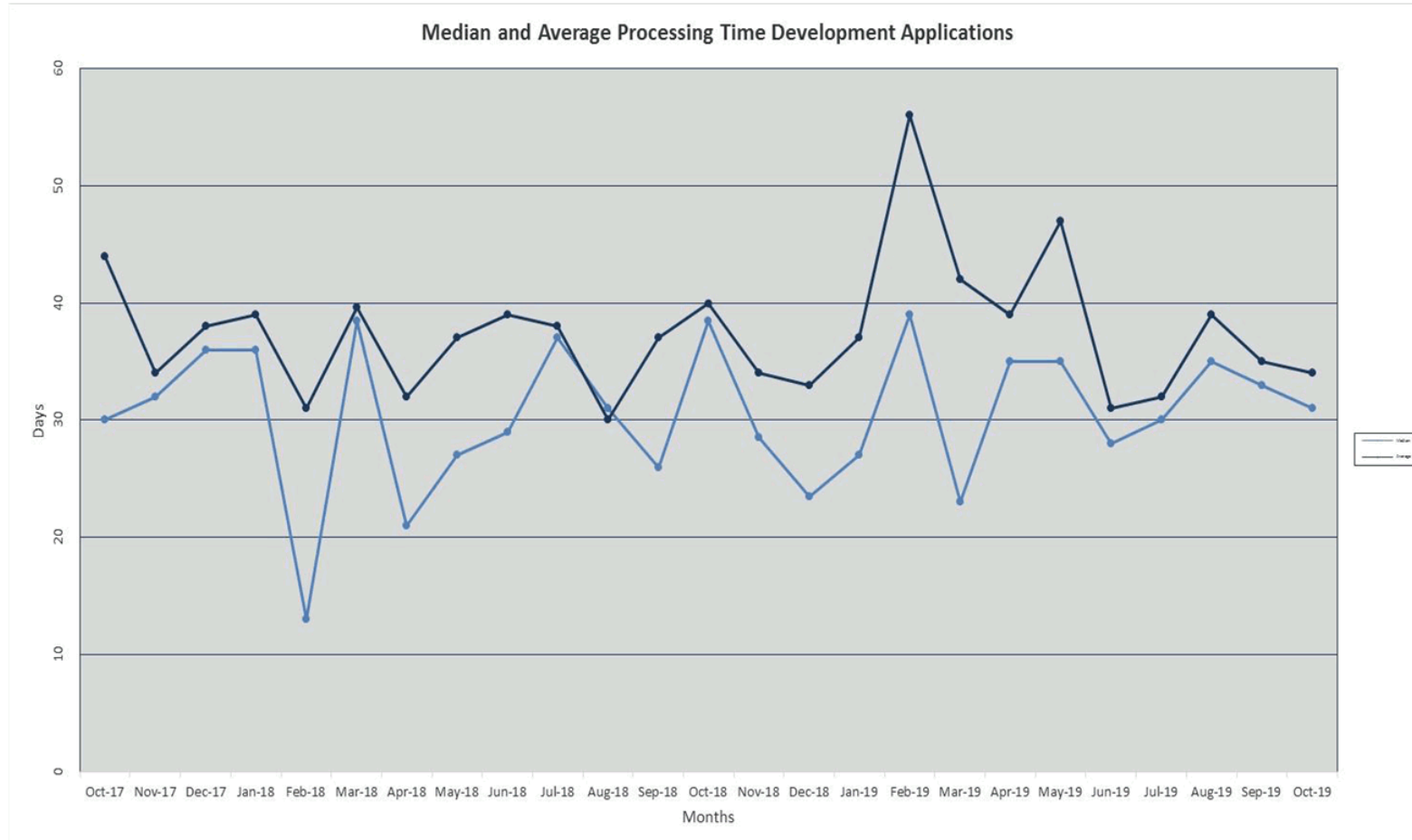
Attachments: 1. Monthly Development Applications Processing and Determined - October 2019.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

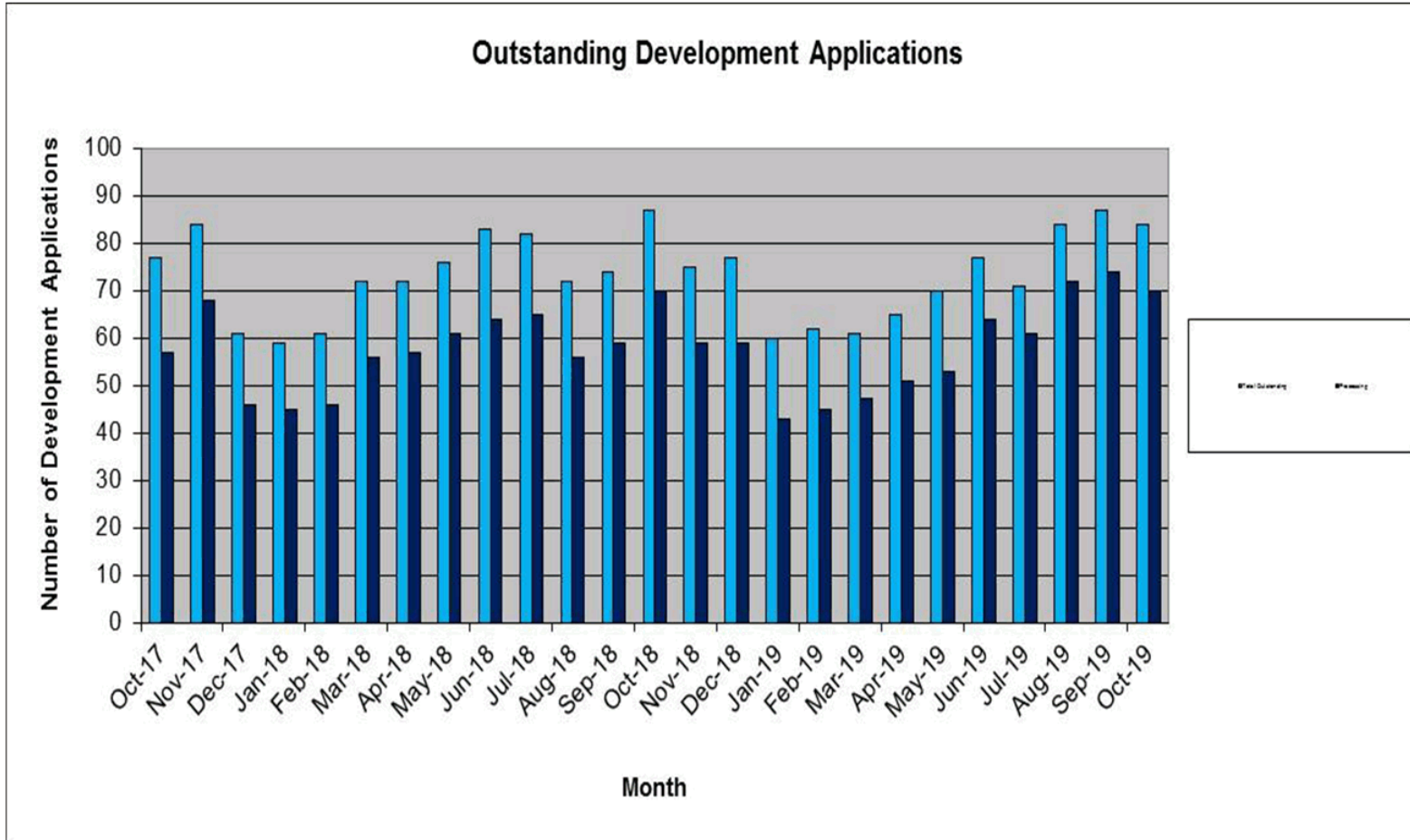
Monthly Development Application Processing Report – October 2019

This report covers the period for the month of May 2019. Graph 1 indicates the processing times up to 31, October 2019 with the month of October having an average of 34 days and a median time of 31 days.



Monthly Development Application Processing Report – October 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 – October 2019

The Planning and Development Department determined 28 Development Applications either by Council or under delegation during October 2019.

Development Applications Determined – October 2019

Appl/Proc ID	Description	House No	Street Name	Locality
DA0257/2019	Tourist and Visitor Accommodation	1257	Windeyer Road	WINDEYER
DA0295/2019	Subdivision - Torrens Title	153	Bruce Road	MUDGEE
DA0011/2020	Intensive Agriculture	80	Kemps Valley Road	KAINS FLAT
DA0013/2020	Electricity Generating Works	93	Mortimer Street	MUDGEE
DA0019/2020	Dwelling House	99	Plenty Road	SPRING FLAT
DA0021/2020	Residential Shed	39	Winter Street	MUDGEE
DA0034/2020	Change of use - Temporary Events	267	Ulan Road	BOMBIRA
DA0036/2020	Alterations & Additions	123	Horatio Street	MUDGEE
DA0041/2020	Residential Shed	14	Coomber Street	RYLSTONE
DA0043/2020	Dwelling House	4199	Hill End Road	HARGRAVES
DA0044/2020	Residential Shed	1	Taylor's Lane	RYLSTONE
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
DA0059/2020	Swimming Pool	164	Gladstone Street	MUDGEE
DA0062/2020	Shed >150m2	90	Spring View Lane	BUDGEE BUDGEE
DA0066/2020	Dwelling House	94	Mount Pleasant Lane	BUCKAROO
DA0067/2020	Swimming Pool	30	Denison Street	MUDGEE
DA0068/2020	Change of use - Shed to Dwelling	243	Castlereagh Highway	BURRUNDULLA
DA0070/2020	Residential Shed	12	Charles Lester Place	MUDGEE
DA0084/2020	Dwelling House	541	Spring Flat Road	SPRING FLAT
DA0085/2020	Dwelling House	77	Bellevue Road	MUDGEE
DA0090/2020	Residential Shed	16	Hughson Avenue	MUDGEE
DA0093/2020	Dwelling House	22	Alexander Dawson Court	MUDGEE
DA0095/2020	Residential Shed	30	Bateman Avenue	MUDGEE
DA0096/2020	Garage	8	Stuart Street	GULGONG
DA0105/2020	Carport	3602	Hill End Road	HARGRAVES

Monthly Development Application Processing Report – October 2019

Development Applications currently being processed – October, 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	MUDGEES
DA0102/2016	Dwelling House	705	Windeyer Road	GRATTAI
DA0325/2016	Change of use - Garage to Bedroom	179	Denison Street	MUDGEES
DA0343/2016	Commercial Alterations/Additions	137	Ulan Road	PUTTA BUCCA
DA0221/2017	Function Centre	141	Black Springs Road	EURUNDEREE
DA0266/2017	Residential Shed	3	Cudgegong Street	RYLSTONE
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	MUDGEES
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	MUDGEES
DA0089/2019	Change of use - Shed to Dwelling	2037	Coxs Creek Road	RYLSTONE
DA0228/2019	Recreation Facility (outdoor)	103	Wattlegrove Lane	LINBURN
DA0263/2019	Camping Ground	40	Grevillea Street	GULGONG
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	MUDGEES
DA0288/2019	Electricity Generating Works	3	Sydney Road	BURRUNDULLA
DA0304/2019	Change of use - Shed to Dwelling	103	Wollar Road	BUDGEES BUDGEES
DA0305/2019	Dual Occupancy	222	Camerons Road	RUNNING STREAM
DA0010/2020	Extractive Industry	329	Quarry Road	CARWELL
DA0014/2020	Dwelling House	142	Suzanne Road	TALLAWANG
DA0023/2020	Change of use - Storage Premises	16	Sydney Road	MUDGEES
DA0024/2020	Subdivision - Torrens Title	25	Dewhurst Drive	MUDGEES
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

Monthly Development Application Processing Report – October 2019

DA0045/2020	Dual Occupancy	71	Fairydale Lane	MUDGEE
DA0046/2020	Dual Occupancy	5	Xavier Court	MUDGEE
DA0049/2020	Depot	1599	Cope Road	COPE
DA0050/2020	Alterations & Additions	33	Wyaldra Street	GULGONG
DA0061/2020	Dual Occupancy	6	Charles Lester Place	MUDGEE
DA0063/2020	Dual Occupancy	10	Charles Lester Place	MUDGEE
DA0064/2020	Carport	19	Banjo Paterson Avenue	MUDGEE
DA0065/2020	Dual Occupancy	8	Xavier Court	MUDGEE
DA0069/2020	Dwelling House	31	Thomas Clark Place	MUDGEE
DA0071/2020	Commercial Alterations/Additions	1345	Lower Piambong Road	PIAMBONG
DA0073/2020	Alterations & Additions	428	Doughertys Junction Road	HARGRAVES
DA0075/2020	Dual Occupancy	166	Gladstone Street	MUDGEE
DA0077/2020	Child Care Centre	1	Sydney Road	MUDGEE
DA0078/2020	Alterations & Additions	54	Rodgers Street	KANDOS
DA0081/2020	Residential Shed	9	Bligh Close	MUDGEE
DA0086/2020	Subdivision - Torrens Title	50	Broadhead Road	MUDGEE
DA0087/2020	Dwelling House	114	Glen Alice Road	RYLSTONE
DA0088/2020	Subdivision - Torrens Title	1653	Coricudgy Road	KELGOOLA
DA0089/2020	Subdivision - Torrens Title	238	Broadhead Road	SPRING FLAT
DA0091/2020	Secondary Dwelling	76	Lesters Lane	PIAMBONG
DA0092/2020	Subdivision - Torrens Title	447	Burrundulla Road	BURRUNDULLA
DA0094/2020	Dwelling House	169	Robertson Street	MUDGEE
DA0098/2020	Dual Occupancy	47	Dunn Street	KANDOS
DA0099/2020	Dwelling House	15	Waterworks Road	MUDGEE
DA0101/2020	Subdivision - Torrens Title	41	Robert Hoddle Grove	BOMBIRA
DA0103/2020	Dwelling House	192	Buckaroo Road	BUCKAROO
DA0104/2020	Commercial Alterations/Additions	1307	Castlereagh Highway	APPLE TREE FLAT
DA0106/2020	Signage	47	Madeira Road	MUDGEE
DA0108/2020	Residential Shed	12	Menah Avenue	MUDGEE
DA0111/2020	Camping Ground	433	Ulan Road	EURUNDEREE
DA0113/2020	Boundary Adjustment	1829	Bocoble Road	CARCALGONG
DA0116/2020	Dwelling House	73	Bara Road	HAYES GAP

Monthly Development Application Processing Report – October 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
DA0022/2020	Signage	75	Denison Street	MUDGEE
DA0055/2020	Change of use - Dental Practice	47	Market 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
DA0083/2020	Change of use - Retail to Vet Surgery	45	Louee Street	RYLSTONE
DA0097/2020	Subdivision - Torrens Title	18	Louee Street	RYLSTONE
DA0100/2020	Alterations & Additions	57	Denison Street	MUDGEE
DA0102/2020	Information and Education Facility	90	Market Street	MUDGEE
DA0109/2020	Alterations & Additions	103	Gladstone Street	MUDGEE
DA0112/2020	Multi Dwelling Housing	122	Market Street	MUDGEE

Item 9: Finance

9.1 Presentation of the 2018/19 Financial Statements

REPORT BY THE FINANCIAL ACCOUNTANT
TO 20 NOVEMBER 2019 ORDINARY MEETING
GOV400067, FIN300161

RECOMMENDATION

That Council receive the report by the Financial Accountant on the Presentation of the 2018/19 Financial Statements.

Executive summary

Council's 2018/19 general purpose and special purpose financial reports have been audited by the Auditor-General and submitted to the Office of Local Government.

The Auditor-General has engaged Prosperity Advisors Group to provide audit and assurance services on this engagement. Mr Luke Malone of Prosperity, will make the public presentation of the financial reports at the 20 November 2019 Council meeting.

Disclosure of Interest

Nil.

Detailed report

In accordance with Section 419 of the Local Government Act 1993, Council must present its audited financial reports together with the Auditor's reports at a meeting of the Council. Council has requested the Auditor to attend this meeting. Public notice of the meeting has been given in the approved form, in accordance with Section 418(3) of the Act.

Section 418 of the Act requires that the public presentation of the audited financial reports must not be more than 35 days after the auditor's reports are given to Council. The date of the Auditor's report is 29 October 2019 and the public presentation falls within the timeframe.

As per Section 420, any person may make a submission to Council regarding the audited financial reports or the Auditor's reports. Any such submissions must be in writing and must be lodged with Council within seven days of the reports being publicly presented. Council must ensure that copies of all submissions received by it are referred to the Auditor. Council may take any such action as it considers appropriate with respect to any such submission, including the giving of notice to the Director-General of any matter that appears to require amendment of the Council's financial reports.

Copies of the financial reports are available for inspection at the Mudgee, Gulgong and Rylstone Administration Centres. A copy of the report has also been placed on Council's website. Copies of the reports have been distributed to Councillors.

Community Plan implications

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

Strategic implications

Council Strategies

Not applicable.

Council Policies

Not applicable

Legislation

The Local Government Act 1993 Division 2 – Accounting Records, Financial Reports and Auditing sets out the requirements surrounding Council's financial reports. This report, with the attached Audited Financial Statements, demonstrates that Council has met all of these requirements. Detailed information on the public notice and presentation requirements have been supplied in the detailed report section of this report.

Financial implications

Not applicable

Associated Risks

Not applicable

SUJEEWA RANAWAKE
FINANCIAL ACCOUNTANT

LEONIE JOHNSON
CHIEF FINANCIAL OFFICER

28 October 2019

Attachments: 1. Mid-Western Regional Council - Financial Statments - 2018-19. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

9.2 Annual Report 2018/19

REPORT BY THE FINANCIAL ACCOUNTANT
TO 20 NOVEMBER 2019 ORDINARY MEETING
GOV400066, COR400008

RECOMMENDATION

That Council:

1. **receive the report by the Financial Accountant on the Annual Report 2018/19; and**
2. **endorse the Annual Report 2018/19.**

Executive summary

Council is required to prepare an Annual Report summarising the achievements of the financial year, along with a number of Statutory Disclosures, Financial Statements and a State of the Environment Report. The draft report has been prepared, and is enclosed under separate cover for Council to review prior to its publication.

Disclosure of Interest

Nil.

Detailed report

Council's draft Annual Report 2019 is attached for endorsement by Council. The Annual Report meets all requirements as set out in the Local Government Act 1993, the Local Government Regulations 2005, and the Integrated Planning and Reporting Guidelines for Local Government in NSW issued by the Office of Local Government. Details of the requirements are listed below.

The Annual Report includes:

- A message from the Mayor and General Manager
- Details of Council structure
- Requirements under Civic Leadership
- Councils Vision and Values
- Information about the region
- Progress on the Operational Plan and Delivery Program
- Financial Snapshots and performance measures
- Statutory Information, and
- State of the Environment Report snapshots

Community Plan implications

Theme	Good Governance
Goal	Good communications and engagement
Strategy	Improve communications between Council and the community and create awareness of Council's roles and responsibilities

Strategic implications

Council Strategies

The Annual Report provides Councils achievements in implementing the Operational Plan 2019/20 and Delivery Program 2017-2021.

Council Policies

Not Applicable

Legislation

Section 428 of the Local Government Act 1993 requires that:

Council prepare an annual report within 5 months of the end of the year outlining its achievements in implementing its delivery program and the effectiveness of the principal activities undertaken in achieving the objectives at which those principal activities are directed.

The annual report must contain the following:

- a) a copy of the council's audited financial reports prepared in accordance with the Local Government Code of Accounting Practice and Financial Reporting published by the Department, as in force from time to time,
- b) such other information or material as the regulations or the guidelines under section 406 may require.

The Annual Report must be published on Council's website and a link provided to the Minister (OLG).

The Annual Report must contain a copy of Council's audited Financial Reports, State of the Environment Report, and a number of other items of information as set out in various sections of the Local Government (General) Regulation 2005, in particular Section 217.

Financial implications

Not Applicable

Associated Risks

Not Applicable

SUJEEWA RANAWAKE
FINANCIAL ACCOUNTANT

LEONIE JOHNSON
CHIEF FINANCIAL OFFICER

28 October 2019

Attachments: 1. Annual Report 2018/19. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

9.3 Policy Review - Credit Policy

REPORT BY THE REVENUE AND PROPERTY MANAGER
TO 20 NOVEMBER 2019 ORDINARY MEETING
GOV400067, A0140326

RECOMMENDATION

That Council:

1. receive the report by the Revenue and Property Manager on the Policy Review - Credit Policy;
2. place the revised Credit Policy on public exhibition for 28 days; and
3. adopt the revised Credit Policy if no submissions are received.

Executive summary

The existing Credit Policy (the Policy) has been reviewed and proposed amendments are suggested as part of Council's ongoing policy review program.

Disclosure of Interest

Nil.

Detailed report

The proposed changes to the Policy are consistent with the intent of the existing Policy and are primarily minor amendments to give clarity to, and reflect the scope of Council's current business operations and current business practices.

All proposed changes are shown as "track changes" on the copy of the Policy attached to this report.

Community Plan implications

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

Council Strategies

Not Applicable

Council Policies

By adopting the recommendation, Council is endorsing the Credit Policy changes to be placed out on public exhibition for comment. Should any submissions be received a further report will be

presented back to Council for consideration. If no submissions are received at the end of the exhibition period, the revised policy will be adopted and apply from that date.

Legislation

Local Government Act 1993

Local Government (General) Regulation 2005

Privacy and Personal Information Protection Act 1998

Privacy and Personal Information Protection Regulation 2019

Financial implications

Not Applicable

Associated Risks

Not Applicable

DIANE SAWYERS
REVENUE AND PROPERTY MANAGER

LEONIE JOHNSON
CHIEF FINANCIAL OFFICER

1 November 2019

Attachments: 1. Current Credit Policy with track changes.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



CREDIT POLICY



ADOPTED		REFERENCE	3
COUNCIL MEETING MIN NO	393/15	REVIEW DATE	NOVEMBER 2019
DATE	16 NOVEMBER 2015	FILE NUMBER	A0140326

Objective

Each act of supply of goods and/or services to an external individual, organisation or other party will give rise to a debt.

The objective of this Policy is to set out Council's principles in relation to the provision of credit facilities for external parties. The primary objectives of this Policy aim to ensure that:

- The provision of credit will be based upon equitable and consistent treatment of all prospective commercial debtors; and
- That parties who incur sundry debts do so in full expectation of meeting the repayment terms prescribed; and
- That all accounts receivable are managed in such a way as to not jeopardise the funding or effective cash flow of Council's operations.

RELEVANT LEGISLATION

- Local Government Act 1993
- Local Government (General) Regulation 2005
- Privacy and Personal Information Protection Act 1998 ([PIPPIPA ACT](#))
- [Privacy and Personal Information Protection Regulation 2019](#)

RELATED POLICIES

- [Debt Management and Recovery Policy](#)
- [Privacy Management Plan](#)
[Hardship Provision Policy](#)

POLICY

Accounts Receivable – Sundry Debtors

Sundry debtor credit accounts will not be routinely established for the following services:

- Private Works
- Facilities Hire
- Cemetery Fees

The provision of these services requires payment in advance except in limited circumstances where prior approval has been obtained from the Chief Financial Officer.

Prior to credit being given and a service provided, an application for such credit must be submitted on the prescribed form. The *Application for Credit* form details the terms and conditions of credit with Council. If the applicant is a corporation (as defined in the Corporations Act 2001), the Council may require from all the directors of the applicant company, personal guarantees in support of an application for such credit. The *Deed of Personal Guarantee and Indemnity* form details the terms and conditions of the personal guarantee.

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POLICY: ERROR! REFERENCE SOURCE NOT FOUND. | 18 NOVEMBER, 2015

Once submitted, the forms will be reviewed and assessed by the Manager Revenue & Property. The review and assessment of the application may include:

1. An evaluation of the applicant's previous payment history with Council; and
2. The Council making enquiries as to the credit and financial status of the applicant. The applicant is required to provide its consent for the Council to use the information disclosed in the submitted forms to make such enquiries. The enquiries information may include be disclosed, but are not limited to:
 - a. a credit reporting agency;
 - b. a debt collector; or
 - c. a legal services provider.

Credit will be refused where an evaluation of an application is deemed to be unsatisfactory.

The service unit manager/supervisor who provides the particular service and is requesting the creation of the sundry debtor, and who provides the service, is responsible for ensuring that Council is legally entitled to collect the debt when the invoice is raised.

Where a sundry debtor does not make payment within the timeframe contained-stipulated in the General Debtors and Other Debt Collection Considerations of Council's Debt Management and Recovery Policy, the Chief Financial Officer is authorised to suspend the debtor's credit with Council. The service unit manager/supervisor is to be advised immediately and willis required to give consideration -must ensure that no further services are provided to the debtor until further notification.ie -{The service may be suspended.

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Services may be provided, and credit extended, where debtors with suspended accounts repay the amount outstanding in full and subject to a further analysis of the credit that may be provided.

From time to time there will be instances where Council has to undertake immediate works that will require an Application for Credit form to be completed retrospectively. Where applicable an Application for Credit form will still be required to enable all sundry debtors to be treated consistently in accordance with this Policy.

Procedures in relation to the recovery of overdue sundry debtor accounts are prescribed in the General Debtors and Other Debt Collection Considerations of Council's Debt Management and Recovery Policy.

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Chief Financial Officer is authorised to deal with all matters that may vary from the provisions of this Policy.

PRIVACY

The Council is committed to protecting privacy. The personal information that Council is collecting is personal information for the purposes of the Privacy and Personal Information Protection Act 1998 (the Act). The intended recipients of the personal information are Officers within Council.

The Council keeps this personal information to change and update records and for assessing Applications for Commercial Credit, managing accounts and, if necessary collecting debts. This information may be disclosed, whether or not an account is overdue, to the Council's risk insurers, management and debt recovery collectors and its legal representatives.

Application may be made for access or amendment to information held by Council. A request can may also be made that Council suppress personal information from a public register. Council will consider any such application in accordance with the Act. Enquiries concerning pPrivacy issues can be addressed to the General Manager, PO Box 156, Mudgee NSW 2850.

POLICY: ERROR! REFERENCE SOURCE NOT FOUND. | 18 NOVEMBER 2015

VARIATION

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

9.4 Classification of Land - Part Allotment 1 DP1252505 Pitts Lane Putta Bucca

REPORT BY THE REVENUE AND PROPERTY MANAGER
TO 20 NOVEMBER 2019 ORDINARY MEETING
GOV400067, GOV400067, F0740001, F0650099

RECOMMENDATION

That Council:

1. receive the report by the Revenue and Property Manager on the Classification of Land - Part Allotment 1 DP1252505 Pitts Lane Putta Bucca; and
2. classify that part of Allotment 1 DP1252505, identified as the site coloured *red* on the plan as appended as Attachment 1 to this Report, as Operational Land in accordance with Chapter 6, Part 2, Division 1 Local Government Act 1993.

Executive summary

This Report seeks to formalise the classification of that part of Allotment 1 DP1252505 identified as the site coloured *red* on the plan as appended as Attachment 1 to this Report (the Lot), as *Operational* land.

Disclosure of Interest

Nil.

Detailed report

As part of the process of classification of the land, Council resolved on 18 September 2019 to advertise its intent to classify the Lot at Pitts Lane Putta Bucca as *Operational* in accordance with Chapter 6, Part 2, Division 1 Local Government Act 1993 (the Act).

Council's intention to classify the land as *Operational* was subsequently advertised in the local newspaper on 20 September 2019. Written submissions were called for with the closing date for submissions being 18 October 2019. No submissions were received.

This report now seeks to complete the process of classification of the land as *Operational*.

Community Plan implications

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

Strategic implications

Council Strategies

Not Applicable

Council Policies

Not Applicable

Legislation

Chapter 6, Part 2, Division 1 of the Local Government Act 1993, directs that all public land must be classified as either *Community* or *Operational* land.

Financial implications

Not Applicable

Associated Risks

Any land acquired by a council that is not classified under the Act i.e. resolved by council at the end of 3 months from the acquisition date, is taken to have been classified as *Community* land.

DIANE SAWYERS
REVENUE AND PROPERTY MANAGER

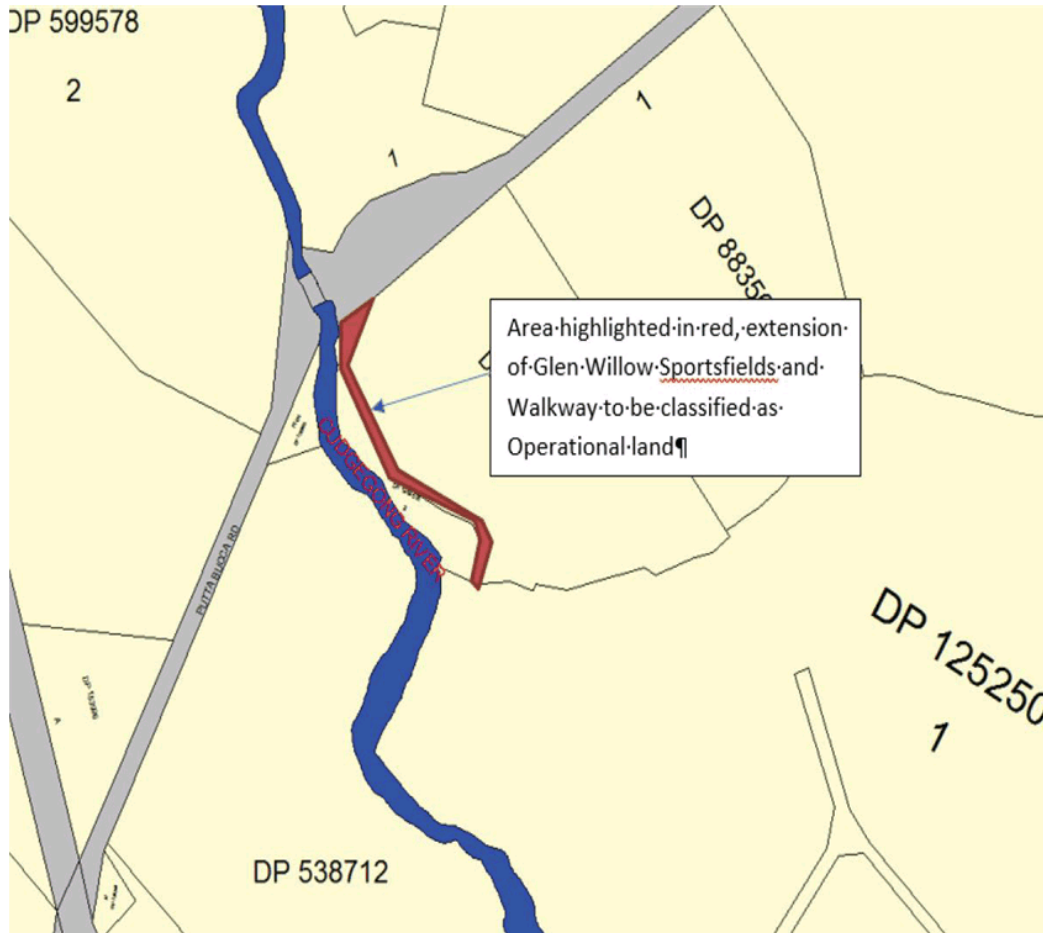
LEONIE JOHNSON
CHIEF FINANCIAL OFFICER

1 November 2019

Attachments: 1. Plan - Part Lot 1 DP1252505.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



9.5 Naming of a new street in a subdivision off Robertson Road, Mudgee

REPORT BY THE PROPERTY SUPPORT OFFICER
TO 20 NOVEMBER 2019 ORDINARY MEETING
GOV400067, GOV400067 R0790141

RECOMMENDATION

That Council:

1. **receive the report by the Property Support Officer on the the naming of a new street in a subdivision off Robertson Road, Mudgee; and**
2. **formally approve the name of Orth Court for this new street.**

Executive summary

Formal approval is requested to name the new street in a subdivision off Robertson Road in the town of Mudgee, Orth Court.

Disclosure of Interest

Nil.

Detailed report

Council, being the Roads Authority, is required to name new or unnamed streets and roads. Following the approval of a new subdivision off Robertson Road, Council wrote to the owner and neighbours of the subdivision on 9 July 2019 requesting their naming suggestions. Public consultation was also invited in an advertisement placed in the 12 July 2019 issue of the Mudgee Guardian and on Council's website.

From submissions received, Council provisionally approved the name of Orth Place at their 21 August 2019 meeting.

Harold Orth (1900-1975) lived in Mudgee all his life operating a stock carrying business which continued on in his family for a further 20 years after his passing.

The Geographical Names Board has been advised of this street name and has no objection.

Orth Place was advertised in the 13 September 2019 issue of the Mudgee Guardian and on Council's website with one additional submission received.

Mr Eason, the owner of the land upon which the subdivision is located, contacted Council concerned about several issues. His business partner, Mr Geelan, wished his submission to be for Edna Place as opposed to Geelan Place. Mr Eason believes that Edna could have a "general" historical attachment to an old farming district, rather than having any specific association with Mr Geelan's mother, Edna. From a marketing standpoint, Mr Eason felt that Orth Place would not be acceptable from a selling perspective. In this light he felt that,

should Council proceed with their choice of Orth, the street type of Court would be a better choice.

The Geographical Names Board has been advised of the amended street name of Edna Place and has no objection. There is also no issue with amending the previously approved name of Orth Place to Orth Court.

Notices of the new street name were served on Australia Post, the Registrar General, the Surveyor General, the NSW Ambulance Service, NSW Fire & Rescue, NSW Rural Fire Brigades, NSW Police Force, NSW State Emergency Service and NSW Volunteer Rescue Association via the NSW Online Road Naming System with no objections received.

Should Council choose Edna Place new notices will need to be forward to these agencies. Should Council choose Orth Court no new notices will need to be forwarded.

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

In accordance with Council’s Road, Bridge & Place Naming Policy; should Council formally endorse the naming of this new street, notice of the approved name will be:

1. published in the Government Gazette, the Mudgee Guardian and on Council’s website.
2. Concurrently, notice of the new names will be sent to Australia Post, the Registrar General, the Surveyor General, the Chief Executive of the NSW Ambulance Service, NSW Fire & Rescue, NSW Rural Fire Brigades, NSW Police Force, NSW State Emergency Service and NSW Volunteer Rescue Association, and, in the case of a classified road – Roads and Maritime Services.

Community Plan implications

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

Strategic implications

Council Strategies

Not applicable.

Council Policies

Road, Bridge & Place Naming Policy.

Legislation

Roads Act 1993.

Road Regulation 2008.

Geographical Names Act, 1996.

Geographical Names Board of NSW Address Policy and User Manual, October 2019.

Financial implications

The cost of and installation of one street sign at the intersection of Robertson Road and the unnamed street will be met by the developer.

Associated Risks

Nil.

CAROLYN ATKINS
PROPERTY SUPPORT OFFICER

LEONIE JOHNSON
CHIEF FINANCIAL OFFICER

4 November 2019

- Attachments:*
1. Letter to GNB dated 29/7/19.
 2. Letter to GNB dated 1/8/19.
 3. Response from GNB dated 1/8/19.
 4. Letter to GNB dated 21/10/19.
 5. Response from GNB dated 21/9/19.
 6. Submission.
 7. Submission.
 8. Submission.
 9. Submission.
 10. Submission.
 11. Map.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



CA: R0790141

PO BOX 156
MUDGEE NSW 285086 Market Street MUDGEE
109 Herbert Street GULGONG
77 Louee Street RYLSTONEPh: 1300 765 002 or (02) 6378 2850
Fax: (02) 6378 2815
email: council@midwestern.nsw.gov.au

29 July 2019

The Secretary
Geographical Names Board
PO BOX 143
BATHURST NSW 2795**NOTIFICATION OF NEW PROPOSAL TO NAME**

Notice is hereby given that Mid-Western Regional Council, pursuant to Section 162 of the Roads Act 1993 as amended; is intending the name the lane as shown below and have received public submissions for the following names in the town of Mudgee:

- Geelan Court

Please refer to attached map for location.

Geelan relates to Edna Geelan (30/5/1943-13/12/2016). Edna was a nurse at the Sydney Adventist Hospital in Wahroonga then worked for her brother, a GP, as his registered nurse for 30 years.

Should you have any queries in relation to this matter or wish to make any suggestions please do not hesitate to contact Carolyn Atkins of Council's Revenue and Property Department on ☎ 02 63782850 or 1300 765 002.

Yours faithfully

A handwritten signature in black ink, appearing to read "D Sawyers", written over a light blue horizontal line.

Diane Sawyers
Manager Revenue and Property



CA | R0790141

1 August 2019

The Secretary
Geographical Names Board
PO BOX 143
BATHURST NSW 2795

MID-WESTERN REGIONAL COUNCIL

PO Box 156, MUDGEE NSW 2850

86 Market Street, Mudgee | 109 Herbert Street, Gulgong | 77 Louee Street, Rylstone

T 1300 765 002 or 02 6378 2850 | F 02 6378 2815

E council@midwestern.nsw.gov.au

NOTIFICATION OF NEW PROPOSAL TO NAME

Notice is hereby given that Mid-Western Regional Council, pursuant to Section 162 of the Roads Act 1993 as amended; is intending the name a new street in a subdivision as shown below and have received a public submission for the following name in the town of Mudgee:

- Orth Place

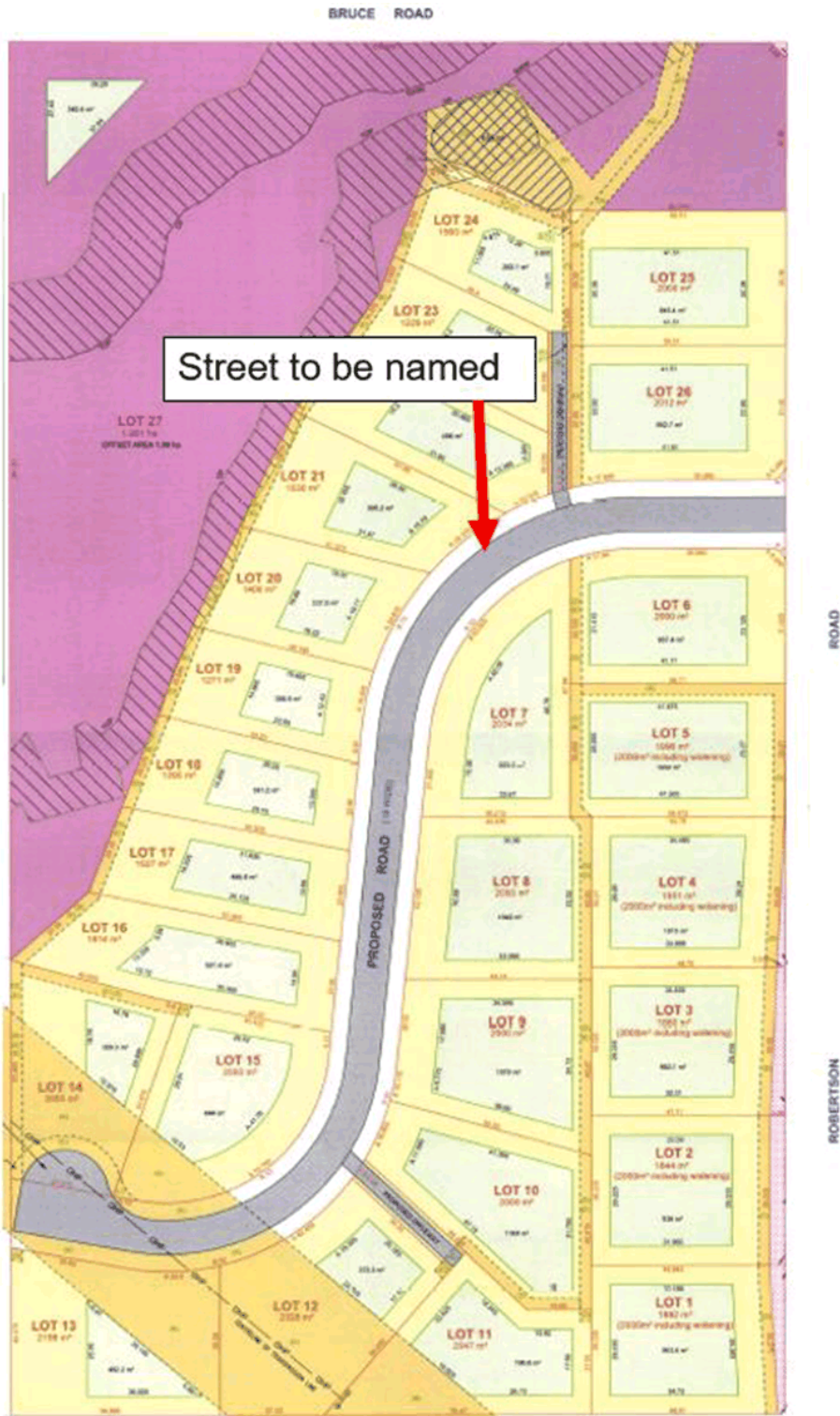
Please refer to attached map for location.

Harold Orth (1900-1975) lived in Mudgee all his life operating a stock carrying business which continued on in his family for a further 20 years after his passing.

Should you have any queries in relation to this matter or wish to make any suggestions please do not hesitate to contact Carolyn Atkins of Council's Revenue and Property Department on ☎ 02 63782850 or 1300 765 002.

Yours faithfully

DIANE SAWYERS
MANAGER REVENUE & PROPERTY



From: SS GNB <SS-GNB@finance.nsw.gov.au>
Sent: Thursday, 1 August 2019 12:27 PM
To: Carolyn Atkins
Cc: SS GNB <SS-GNB@finance.nsw.gov.au>
Subject: [EXTERNAL] RE: Name submitted for road naming - off Robertson Road

Hi Carolyn,

The road **Geelan Court** is pre-approved for use providing it does not commemorate a living person or could be construed to be supporting a business. Please be aware the road type of **Court** is only to be used for a cul-de-sac.

NB: Please note this is only a pre-approval - a thorough investigation would still need to be completed for the road name if submitted in NORNS.

Kind Regards,
Aaron Thomas
Statutory Officer, Geographical Names Board

Spatial Services | Department of Customer Service
p 02 6332 8062 |
e aaron.thomas@finance.nsw.gov.au | www.spatialservices.finance.nsw.gov.au | www.customerservice.nsw.gov.au
346 Panorama Ave, Bathurst NSW 2795



Customer
Service

Please consider the environment before printing this email

From: SS GNB <SS-GNB@finance.nsw.gov.au>
Sent: Thursday, 1 August 2019 12:28 PM
To: Carolyn Atkins
Cc: SS GNB <SS-GNB@finance.nsw.gov.au>
Subject: [EXTERNAL] RE: Name submitted for road naming - off Robertson Road

Hi Carolyn

The road **Orth Place** is pre-approved for use providing it does not commemorate a living person or could be construed to be supporting a business. Please be aware the road type of **Place** is only to be used for a cul-de-sac.

NB: Please note this is only a pre-approval - a thorough investigation would still need to be completed for the road name if submitted in NORNS.

Kind Regards,
Aaron Thomas
Statutory Officer, Geographical Names Board

Spatial Services | Department of Customer Service
p 02 6332 8062 |
e aaron.thomas@finance.nsw.gov.au | www.spatialservices.finance.nsw.gov.au | www.customerservice.nsw.gov.au
346 Panorama Ave, Bathurst NSW 2795



Customer
Service

Please consider the environment before printing this email



CA | P0790141

21 October 2019

The Secretary
Geographical Names Board
PO BOX 143
BATHURST NSW 2795

Dear Sir/Madam,

NOTIFICATION OF NEW PROPOSAL TO NAME

Notice is hereby given that Mid-Western Regional Council, pursuant to Section 162 of the Roads Act 1993 as amended; is intending the name the lane as shown below and have received public submissions for the following names in the town of Mudgee:

- Edna Place

Please refer to attached map for location.

Edna relates to Edna Geelan (30/5/1943-13/12/2016). Edna was a nurse at the Sydney Adventist Hospital in Wairoonga then worked for her brother, a GP, as his registered nurse for 30 years.

Should you have any queries in relation to this matter or wish to make any suggestions please do not hesitate to contact Carolyn Atkins of Council's Revenue and Property Department on ☎ 02 63782850 or 1300 765 002.

Yours faithfully

A handwritten signature in black ink, appearing to read "D Sawyers".

Diane Sawyers
Manager Revenue and Property





**Geographical
Names Board**

PO Box 143 Bathurst NSW 2795
346 Panorama Avenue, Bathurst NSW 2795
Tel 1800 025 700 | 02 6332 8214 | www.gnb.nsw.gov.au

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

ATTENTION: Carolyn Atkins

Dear Carolyn

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

I refer to your letter dated 21 October 2019, which proposed the following road name for approval:

Edna Place

On behalf of the Surveyor General the names have been reviewed under the NSW Address Policy and User Manual and no objections are raised, provided that the road type 'place' is appropriate.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Michael van den Bos'.

Michael van den Bos

Senior Statutory Officer

21 October 2019



Dwight Geelan ·

Carolyn Atkins; Paul LeMottee; Sarah Pringle; Kate Wheeler ·

Tue 16/07

[EXTERNAL] Re: Query re DA0191/2015 subdivision 196 Robertson Road - re new Road Naming

Retention Policy · Inbox - 18 Months (1 year, 5 months)

You replied to this message on 24/07/2019 11:28 AM.

G'Day All, Edna Geelan was my mothers name. Mum died on the 13 of December 2016 and i would like to name this road after her.

Regards Dwight

From: Dwight Geelan ·

Sent: Wednesday, 24 July 2019 1:01 PM

To: Carolyn Atkins

Subject: [EXTERNAL] Re: Query re DA0191/2015 subdivision 196 Robertson Road - re new Road Naming

G'Day Carolyn,

Mum was born 30th May 1943, She spent he whole life at Arcadia 2159. She was a nurse at the Sydney Adventist Hospital at Wahroonga

and then worked for her brother who was a GP as his registered nurse for about 30 years. I will try to get a photo to you.

Regards Dwight

Mid Western Regional Council

86 Market St
MUDGEE 2850

30th JULY 2019

Dear Sir

Request for Submissions – Proposed Street Name – Robertson Rd Mudgee.

I would like the name to be: ORTH COURT – ORTH PLACE- or ORTH ROAD

My husband John Orth's family lived in Mudgee all their lives His parents Harold and Madge Orth (deceased) lived in Lawson St for 46 years operating a stock carrying business which continued on for another 20 years until the passing of their son Peter.

I would like the Road etc to be named in memory of the late Harold Orth.

Please give this submission your consideration.

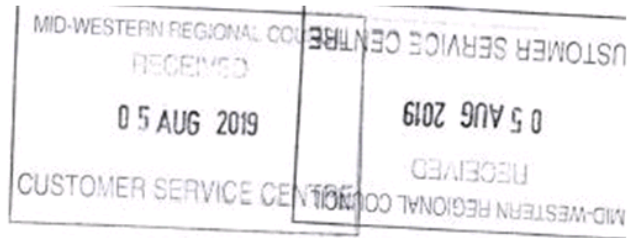
Yours faithfully



MARGARET ORTH (Mrs)



1st August 2019
Mid Western Regional Council
86 Market St
Mudgee 2850



Dear Sir / Madam

Request for submission - Proposed new Street Name off - Robertson Rd Mudgee.

Names put forward by John & Margaret Orth are Orth Place/Street/Court/Drive

Thank you for your phone call of today requesting more info re the Orth Family.

HAROLD ORTH was born 15th August 1900 and later in life married Madeline Crowley-

They had two sons Peter Orth born 6th February 1934 and passed away 29th August 2006.

John Orth born 15th February 1940 only surviving member. Harold's and his parents had a small Inn "Glenwood" on the Ulan Road. Harold bought a small truck to pick up rabbits and transported them to a freezer at Gulgong. He then made a small wooden crate for it and started carrying sheep to the Mudgee Saleyards. Harold & Madeline then moved into Lawson Street Mudgee where they lived until their death Harold passed away 18th March 1969 aged 68 years Madeline passed away 7th November 1975 aged 73yrs. When they moved to town they operated a local trucking business They both worked long hours seven days a week . When their son Peter was old enough he worked with Harold and the bought a bigger truck. Brother John also joined the partnership at the age of 17.

One of their loyal customers was Havilah Station Havilah -owned by Mr Peter White Mr White helped Harold financially and they purchased a much larger truck carrying Wool Sheep and Cattle for Tongy Station at Cassilis owned by the Ballieu family. The name of the business was then H O Orth & Sons. They transported Stud stock to Brisbane Show also to the Sydney Royal Show for the White family.

The longest trip was from King Ranch in Bowral to Lone Ranch in Queensland. After Harold and Madeline passing the Business was sold. Son Peter passed away 29th August 2006 and John continued working with other transport companies before his retirement in 2017

Sincerely - Margaret & John Orth



Owner of Photo
John Oeth "
Mudgee "

Peter Oeth.
Load of Wool from Tongy Station Cassilis -
to Sydney.
24 Bales. 1st Bottom Row
" " 2nd Middle "
" " 3rd Top "



Harold Oeth. Driver
The empty fuel drums were picked up from
the properties when the wool was collected on
route to Sydney.



Harold Orth. First truck purchased from property.
"Glenwood" was they first lived on the Main Rd

Owner of photo J. Orth
R. v

Mudgie



Harold Orth
Madeline Orth
John Orth

Owner of photo
John Orth
Mudgie



Harold Orth in Truck (Driver)

Ivy Gould, Emily Gould, William Gould, standing back do not know, Olive Gould check dress Edna Gould nursing Neta Gould, Elsie Gould, Harold Orth in truck, his mother Mrs Orth – Glenwood their property now owned by John Webb, son of Elsie Gould.

Owner of photo

John Orth

H. Lodge

From: com
Sent: Saturday, 5 October 2019 7:36 AM
To: Council
Subject: Naming of new road off Roberston Road Mudgee

Caution: This email originated from outside the organisation.

Dear Sir/Madam,

This email is in response to your letter dated 4th September that reported on the naming process for the road in subdivision DA019/2015.

I am the owner of the property in question that my wife and I purchased through our superannuation fund Dankasar Pty Ltd. On receipt of your letter dated July 9, I chose not to have input into the name of the only road in the subdivision, as I thought the Council would, through due process, select a suitable name.

Further developments have encouraged me to now have some input. The first of these was the receipt of your letter suggesting the name "Orth" Place. Putting on a marketing hat, and acknowledging that this name may mean something to the residents of Mudgee, I find this name unacceptable personally, and from a selling perspective, a serious deterrent.

After realising your intent, I spoke with my business partner, Dwight Geelan, who advised me that he had communicated with the Council his preferred name of "Edna" Place. Could you please give this name your serious consideration. It is linked to the heritage of any country town in regional Australia, is simple to relay/communicate, and is non-specific. I find this a much more appealing name from a marketing perspective.

I realise that this is a bit late in the process, but I would appreciate your sincere consideration of my request.

PS If you have been following my correspondence over the years, you will notice that we have moved to Queensland since purchasing the Mudgee property in question.

Peter Eason

From: p.eason
Sent: Thursday, 31 October 2019 6:28 PM
To: Carolyn Atkins
Subject: RE: Attn: Carolyn Atkins Naming of new road off Roberston Road Mudgee

Caution: This email originated from outside the organisation.

Hello again Carolyn,

I've now read the submission from the remaining member of the Orth family and can see a strong connection to the region. My further comments below....

1. After discussing the matter with Dwight Geelan, it would appear that the name 'Edna Place' is his preferred name. I think the name should be interrogated for it's 'general' historical attachment to an old farming district, rather than having any association with Dwight's mother. If this were the case it would be easily supported as it has always been a name of choice for previous generations and a good link to the regions history.
2. If this name is not preferred for whatever reason and some members of the selection panel prefer the name Orth, I would only support it if it was linked to the word Court. My reason for this is that it has a nice sort of ring to it. Orth Court is far better than Orth Place.
3. I mentioned earlier that while I like the historical aspect, my preference from a marketing point of view is the sound and the ease of spelling and lack of interpretation errors from a mailing address perspective.
4. A local name that is linked to the Robertson Road locality specifically would be another consideration, and while I'm sure it's far too late in the process for this, I was told that the block of land had a clay pit in it. Could this resolve the issue of binding someone's name to the subdivision eg Clay Pit Place! You would perhaps have better suggestions for this theme!

Thanks for hearing me out Carolyn. I hope I have brought reasonable suggestions to you for the Council's consideration.

Peter Eason



9.6 Solar Array Initiative

REPORT BY THE CHIEF FINANCIAL OFFICER
TO 20 NOVEMBER 2019 ORDINARY MEETING
GOV400067, A000000

RECOMMENDATION

That Council:

1. receive the report by the Chief Financial Officer on the Solar Array Initiative;
2. endorse the proposed model of a 5 MW (battery ready) solar array;
3. approve progressing the Solar Array Initiative through Stage 1, including concept design, community consultation, capital expenditure reporting, Development Application, and engineering and grid connection approval;
4. support the proposal that the model includes the benefit of providing lower energy pricing options to local business; and
5. amend the 2019/20 budget to increase the solar array initiative by \$25,000 for Stage 1 costs, funded from unrestricted cash.

Executive summary

At the Ordinary Council Meeting on 17 October 2018, Council resolved to continue exploring the Solar Farm Initiative (Solar Array Initiative). This report advises the progress on this initiative and seeks to obtain endorsement of the next stage of this project: completion of a concept design and detailed business case.

Disclosure of Interest

Nil.

Detailed report

PROPOSED MODEL

Constructive Energy have been contracted to perform a high level business case that details the benefits and estimated costs of the Solar Array Initiative. They have produced a high level business case, which is attachments 1 & 2 to this report. The business case details several options:

1. Model 1 - 5 MW Solar "stand alone" power station (no batteries)
2. Model 2 - 5 MW Solar power station capable of arbitrage (batteries)

Based on current and historical market conditions, the battery ready solar array provides the most favourable business outcome, due to the current market cost of batteries.

Under the proposed model (Model 1):

- MWRC "pays off" the solar project within 10 years
- Achieves reduced energy costs – Estimated Savings of \$48,000 per annum

- Provides stable pricing for a large portion of consumption; and
- Enables introduction of beneficial rates for local business

Council, through Constructive Energy, also applied for a grant for the purchase of batteries for the 5 MW solar array, however was unsuccessful. Should grant funding become an option in the future, this would support expanding to Model 2.

PROJECT SCOPE

The project has been broken into 4 stages:

- Stage 1: Concept design, connection approval and feasibility confirmation
- Stage 2: Detailed design and construction trade package tender process
- Stage 3: Onsite construction, commissioning and energisation
- Stage 4: System operation, tuning and maintenance

STAGE 1 - BASIC ENGINEERING & GRID CONNECTION APPROVAL

The purpose of the basic engineering proposal is to provide a concept design to obtain project DNSP grid connection approvals and de-risk the project. In addition, geotechnical surveys will be carried out to ascertain through either the connection approval or condition of the site that the project has the relevant approvals to proceed prior to further investment.

Proposed next steps in the Solar Array Initiative include:

1. Prepare high-level business case and capital expenditure report (including mobilisation, initial design fees and authority approvals)
2. Establish project team, including contractual arrangements
3. Conduct design and obtain Connection Investigation Services Agreement (CISA)
4. Confirm likely Commercial & Industrial (C&I) customer uptake levels and pricing
5. Finalise detailed business case and obtain MWRC approval to progress to Stage 2

ESTIMATED CAPITAL BUDGETS

Further to this business case, it is noted that preliminary cost estimates for construction of the power station are as follows:

The below estimate covers design, construct and energise of a 5MW (battery ready) solar array.

	DESCRIPTION	BUDGET ESTI MATE
1	STAGE 1 – Concept design/ Engineering & Grid Connection Approval	\$200,000
2	STAGE 2 - Detailed Design & Construction Documents	\$362,000
3	STAGE 3 – Basis of Construction	\$7,300,000
	TOTAL – EXCLUDING CONTINGENCY & GST	\$7,862,000

Stage 4 has no capital budget allocated. All ongoing operations and maintenance costs are modelled through Stage 4 (review attachment 1).

A more accurate cost estimate will be obtained after concept and detailed design stages are complete.

PROPOSED LOCATION

Council has two possible site locations for a solar power station:

Site A – Mudgee Water Treatment Plant

Site B – Gulgong Sewer Treatment Plant

The estimated costs are based on construction at Site A.

FUTURE STAGES & COMMUNITY ENGAGEMENT

Council utilises the “Your Say” tool for the purposes of consulting and providing feedback for large projects like the Solar Array Initiative. Council plans to carry out effective community consultation through Stage 1, to ensure that community expectations are met and objectives of the project remain community driven.

A further report will be brought back to Council to establish progression of Stages 2-4, should the project continue to remain feasible at all levels.

Community Plan implications

Theme	Good Governance
Goal	An effective and efficient organisation
Strategy	Pursue efficiencies and ongoing business improvement

Strategic implications

Council Strategies

Not Applicable

Council Policies

Not Applicable

Legislation

One of the considerations of the proposed model is the method for operating the solar farm. It is possible that a public-private partnership will be considered, and if this is the recommended outcome, Council will need to comply with Part 6 of the Local Government Act 1993, including:

Local Government Act 1993 – Section 400L

Decision by council to enter into public-private partnership

Any decision by a council in relation to entering into a public-private partnership may only be made by resolution of the council.

Local Government Act 1993 – Section 400C

Guidelines to be followed by councils in relation to public-private partnerships

400C Guidelines to be followed by councils in relation to public-private partnerships

(1) The Departmental Chief Executive may from time to time issue guidelines requiring specified procedures and processes to be followed by councils in relation to entering into, and carrying out projects under, public-private partnerships.

- (2) Without limitation, the PPP guidelines may contain provisions requiring--
- (a) feasibility and risk assessment, and
 - (b) the identification of appropriate governance and administrative arrangements (including appropriate management structures and auditing requirements), and
 - (c) the undertaking of on-going risk management measures, and
 - (d) due diligence in the carrying out of projects under public-private partnerships.

Financial implications

The current budget allocation for the Solar Array Initiative is \$180,000. Feasibility costs of about \$5,000 have already been costed to this project, in 2019/20. Estimated costs for Stage 1 are about \$200,000, including Development Application fees, therefore an additional \$25,000 has been recommended to bring the total budget for this financial year to \$205,000. As these design and approval costs are considered to be capital, this cost does not effect the 2019/20 Operating Performance Ratio.

Should the project go ahead, changes in the future year ratios will occur as follows:

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

Associated Risks

The below risks have been highlighted in the high level business case report. Mitigation strategies for all of these risks have been detailed, and are retained in the report due to commercial in confidence measures.

1. MWRC energy purchasing exposed to spot price outside solar hours
2. Excess generation sold to spot market, in future years of low daytime prices
3. Capital cost increases (escalation, foreign exchange, etc)
4. Network connection availability

LEONIE JOHNSON
CHIEF FINANCIAL OFFICER

4 November 2019

- Attachments:*
1. Solar Array Business Case Summary. (Confidential - separately attached)
 2. Constructive Energy – Draft High Level Business Case 5 November 2019. (Confidential - separately attached)
 3. Report Council Meeting 17 October 2018 - 15.1 Urgent Confidential Business Without Notice - Solar Farm Initiative. (Confidential - separately attached)
 4. Min no 309-18 Council Meeting 17 October 2018 - Item 15.1 Solar Farm Initiative. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

9.7 Quarterly Budget Review Statement September 2019

REPORT BY THE MANAGER FINANCIAL PLANNING
TO 20 NOVEMBER 2019 ORDINARY MEETING
GOV400067, FIN300201

RECOMMENDATION

That Council:

1. **receive the report by the Manager Financial Planning on the Quarterly Budget Review Statement September 2019;**
2. **amend the 2019/20 Budget in accordance with the proposed variations as listed in the Quarterly Budget Review Statement attachment to this report; and**
3. **note the opinion of the responsible Accounting Officer regarding the satisfactory financial position of Council, based upon the revised estimates of income and expenditure.**

Executive summary

This report, with its incorporated attachment, makes up the September 2019 Quarterly Budget Review Statement of the 2019/20 Operational Plan. Proposed budget variations to the Budget with relevant financial implications are included in the attachment.

Disclosure of Interest

Nil.

Detailed report

The Quarterly Budget Review Statement presents a summary of council's financial position at the end of each quarter. It is the mechanism whereby councillors and the community are informed of council's progress against the operational plan and the last revised budget along with recommended changes and reasons for major variances.

Certification

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

It is my opinion that the attached Quarterly Budget Review Statement for Mid-Western Regional Council indicates that Council's projected financial position as at 30 September 2019 will be satisfactory, having regard to the projected estimates of income and expenditure for the 2019/20 financial year.

Community Plan implications

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

Strategic implications

Council Strategies

The recommendation if approved will amend the 2019/20 Budget. In accordance with the Delivery Program 2017/21 a comprehensive Quarterly Budget Review reporting is required to be completed within two months of period end.

Council Policies

Not applicable.

Legislation

Clause 203 of the Local Government (General) Regulation 2005 requires that:

- (1) Not later than 2 months after the end of each quarter (except the June quarter), the responsible accounting officer of a council must prepare and submit to the council a budget review statement that shows, by reference to the estimate of income and expenditure set out in the statement of the council's revenue policy included in the operational plan for the relevant year, a revised estimate of the income and expenditure for that year.
- (2) A budget review statement must include or be accompanied by: (a) a report as to whether or not the responsible accounting officer believes that the statement indicates that the financial position of the council is satisfactory, having regard to the original estimate of income and expenditure, and (b) if that position is unsatisfactory, recommendations for remedial action.
- (3) A budget statement must also include any information required by the Code to be included in such a statement.

Financial implications

Approval of all the proposed budget variations in this report will have the following impact on Council's projected cash balances:

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

Associated Risks

Approval of the budget variations proposed in this report are required in order to meet some project deadlines.

NEIL BUNGATE
MANAGER FINANCIAL PLANNING

LEONIE JOHNSON
CHIEF FINANCIAL OFFICER

1 November 2019

Attachments: 1. September Quarterly Budget Review Statement 2019. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

9.8 Monthly Budget Review - October 2019

REPORT BY THE MANAGER FINANCIAL PLANNING
TO 20 NOVEMBER 2019 ORDINARY MEETING
GOV400067, FIN300201

RECOMMENDATION

That Council receive the report by the Manager Financial Planning on the Monthly Budget Review - October 2019.

Executive summary

This report provides Council with information on the progress of the 2019/20 capital works program as at 31 October 2019.

Disclosure of Interest

Nil.

Detailed report

The attachment to this report provides lists all capital projects.

Community Plan implications

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

Strategic implications

Council Strategies

Not applicable.

Council Policies

Not applicable.

Legislation

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

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

Financial implications

Not applicable.

Associated Risks

Not applicable.

NEIL BUNGATE
MANAGER FINANCIAL PLANNING

LEONIE JOHNSON
CHIEF FINANCIAL OFFICER

5 November 2019

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

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



*Good
Government*

MONTHLY BUDGET
REVIEW – 31 OCTOBER
2019

ATTACHMENT 1 – CAPITAL
PROGRAM UPDATE

20 NOVEMBER 2019

MID-WESTERN REGIONAL COUNCIL
CORPORATE: FINANCE

■ ■ ■ ■ ■ TOWARDS 2030



CAPITAL WORKS PROGRAM

Summary of capital works program as at 31 October 2019.

9.08 M

Actual YTD

214

Capital Projects

12%

Budget Spent

30

Capital Projects
Completed

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
Looking after our Community							
MUDGEE POUND - CAGE REPAIRS	40	0	40	0	1%	0	Consultation
COMM. TRANSPORT- VEHICLE PURCHASE	105	0	105	80	77%	17	Initial works
AGED CARE UNITS - CAP -COOYAL/ANDERSON ST GULGONG	9	0	9	6	69%	0	Complete
CAPITAL -DENISON STREET UNITS	11	0	11	0	0%	12	Procurement
CEMETERY CAPITAL PROGRAM	24	0	24	16	70%	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	36	39%	0	Construction
RYLSTONE LIBRARY BRANCH	11	0	11	0	0%	0	Design
MUDGEE 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	Procurement
GUIDES BUILDING - RYLSTONE	40	0	40	1	4%	0	Consultation
GULGONG HALL	30	0	30	1	4%	0	Procurement
RED HILL COTTAGE	30	0	30	4	12%	0	Project Scope
KANDOS LIBRARY & HALL	20	0	20	3	16%	0	Complete
KANDOS POOL WATER PARK	50	0	50	0	0%	0	Project Scope
KANDOS POOL HEATERS	85	0	85	0	0%	0	Procurement
GULGONG POOL MATTS	28	0	28	0	0%	0	Procurement
GULGONG POOL MATT ROLLERS	22	0	22	0	0%	0	Project Scope
MUDGEE POOL ROOF	51	0	51	2	5%	0	Design
MUDGEE SHOWGROUNDS - REDEVELOPMENT	500	0	500	0	0%	0	Consultation
GLEN WILLOW SPORTS GROUND UPGRADES	13,850	0	13,850	201	1%	1,644	Design

	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
\$'000							
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	269	100%	0	Complete
GLEN WILLOW CRICKET NETS	44	0	44	47	106%	0	Complete
MUDGEESKATE PARK	15	0	15	7	46%	0	Complete
MUDGEESKATE SHOWGROUNDS - AMENITIES	219	0	219	185	85%	36	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	4	65%	0	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
MUDGEESKATE OUTDOOR WATER PARK	44	0	44	40	91%	0	Complete, awaiting invoices
DISTRICT ADVENTURE PLAYGROUND	110	0	110	109	99%	0	Complete
PLAYGROUND EQUIPMENT - WHEELCHAIR ACCESSIBLE SWING	60	0	60	0	0%	41	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	23	117%	0	Complete
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	8	49%	7	Final 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
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	108	4%	223	Design
STREETScape - CBD INFRASTRUCTURE	25	0	25	14	57%	0	Procurement
Total	19,781	0	19,781	1,436	7%	2,157	

Protecting our Natural Environment

RURAL WASTE DEPOT UPGRADES	212	0	212	0	0%	54	Initial works
MUDGEE WASTE DEPOT UPGRADES	35	0	35	2	4%	4	Design
NEW TIP CONSTRUCTION	150	0	150	6	4%	20	Design
WASTE SITES REHABILITATION	150	0	150	5	3%	1	Initial works
RECYCLING PLANT UPGRADES	165	0	165	0	0%	0	Project Scope
LEACHATE POND ENLARGEMENT	485	0	485	12	2%	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	22	67%	0	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	4	30%	0	Initial works
MUDGEE FLOOD STUDY & FLOODPLAIN MANAGEMENT PLAN	155	0	155	0	0%	49	Final works
LAWSON PARK CULVERT REPLACEMENT	110	0	110	42	38%	31	Procurement
COX ST INLET PIT	10	0	10	1	9%	0	Project Scope
EARTH CHANNEL ENLARGEMENT WORKS	98	0	98	0	0%	0	Project Scope

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
CAUSEWAY IMPROVEMENT - PYRAMUL ROAD	0	0	0	16	0%	1	Complete
PIT MODIFICATIONS – VARIOUS LOCATIONS	20	0	20	0	0%	0	Project Scope
PUTTA BUCCA WETLANDS CAPITAL	36	0	36	0	0%	33	Procurement
PUTTA BUCCA WETLANDS EXTENSION	15	0	15	0	0%	0	Procurement
WATER NEW CONNECTIONS	76	0	76	35	46%	0	Construction
WATER AUGMENTATION - MUDGEE HEADWORKS	2,720	0	2,720	83	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	Procurement
WATER MAINS - HERBERT ST STATION TO QUEEN	28	0	28	42	153%	2	Complete-awaiting invoices
WATER MAINS - WHITE ST GULGONG	64	0	64	59	93%	2	Final works
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	8	50%	0	Procurement
WATER METER REPLACEMENT	1,548	0	1,548	605	39%	512	Construction
CHLORINE DISINFECITON - GULGONG - UPGRADE	15	0	15	0	0%	0	Procurement
SEWER NEW CONNECTIONS	22	0	22	9	40%	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%	1,207	Construction

\$'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
RECYCLED WATER MANAGEMENT SYSTEM	90	0	90	0	0%	0	Project Scope
Total	22,719	0	22,719	953	4%	2,268	

Building a Strong Local Economy

CUDGEGONG WATERS CARAVAN PARK	298	0	298	305	102%	18	Final works
RYLSTONE CARAVAN PARK - CAPITAL	260	0	260	27	10%	20	Consultation
RIVERSIDE CARAVAN PARK FIRE SERVICES	0	0	0	0	0%	6	Procurement
HERITAGE WALKS IN OUR REGION	25	0	25	0	0%	0	Consultation
ENTRANCE SIGNAGE PROJECT	120	0	120	6	5%	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	Construction
SALEYARDS CANTEEN	34	0	34	33	95%	0	Complete
PROPERTY - MUDGEE AIRPORT SUBDIVISION	10	0	10	12	128%	0	Final works
PROPERTY - EX SALEYARDS STAGE I	910	0	910	589	65%	390	Construction
RYLSTONE KANDOS PRESCHOOL EXTENSION	339	0	339	8	2%	0	Procurement
COMMERCIAL PROPERTY PURCHASE	2,850	0	2,850	296	10%	0	Procurement
Total	4,875	0	4,875	1,275	26%	434	

	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
\$'000							
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
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	Initial works
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	1	1%	45	Initial works
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	62	125%	0	Complete
RESEAL - BARNEYS REEF RD SEG 60, 100 - 120	170	0	170	7	4%	113	Initial works
RESEAL - CANADIAN LEAD RD SEG 10	18	0	18	0	0%	12	Initial works

CORPORATE: FINANCE | MONTHLY BUDGET REVIEW – SEPTEMBER 2019

	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
\$'000							
RESEAL - GLEN ALICE RD SEG 50, 110 - 120	113	0	113	4	4%	55	Initial works
RESEAL - KURTZ LN SEG 10	11	0	11	0	0%	6	Initial works
RESEAL - SPRING CREEK RD SEG 80 - 150	249	0	249	18	7%	169	Initial works
RESEAL - WINDEYER RD SEG 120 - 130	76	0	76	1	1%	0	Initial works
RESEAL - MOUNT VINCENT RD SEG 10 - 30, 90, 117	146	0	146	0	0%	112	Initial works
RURAL SEALED ROAD REHAB & WIDENING - BUDGET ONLY	0	0	0	1	0%	0	Budget only
REHAB - LUE RD SEG 50 -80	320	0	320	3	1%	109	Initial works
REHAB - HENRY LAWSON DR SEG 210	251	0	251	214	85%	10	Final works
REHAB - RIDGE RD SEG 90	233	0	233	0	0%	117	Initial works
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	22	43%	22	Construction
ULAN WOLLAR ROAD - STAGE 1	3,971	0	3,971	1,519	38%	417	Construction
ULAN WOLLAR ROAD - STAGE 3A	1,610	0	1,610	182	11%	1	Construction
RURAL SEALED ROAD LAND MATTERS	15	0	15	8	51%	0	Initial works
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	318	33%	44	Construction
RURAL SEALED REGIONAL ROAD REPAIR PROGRAM	800	0	800	3	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	39	2%	44	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	57	5%	131	Design
BVW UPGRADE RNSW 2080	1,100	0	1,100	62	6%	19	Construction
RURAL SEALED REGIONAL ROAD LAND MATTERS CAPITAL	5	0	5	0	0%	0	Consultation
RAZORBACK RD PASSING BAYS	35	0	35	31	90%	0	Complete-awaiting invoices
WIDEN AND SEAL MT VINCENT ROAD HILL	200	0	200	0	0%	0	Design

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
SEAL EXTENSION - SPRING FLAT SOUTH LANE	215	0	215	171	80%	0	Construction
RESHEETING	1,852	0	1,852	419	23%	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
SEAL EXTENSION - WOLLAR ROAD	0	0	0	6	0%	79	Final works
WOLLAR RD - STAGE 1 RECTIFICATION (CORTINA)	6	0	6	4	68%	0	Complete-awaiting invoices
WOLLAR RD - STAGE 5	334	0	334	80	24%	2	Construction
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%	109	Construction
ULAN ROAD - REHAB GEORGE CAMPBELL DRIVE TO BUCKAROO LANE	700	0	700	91	13%	194	Construction
ULAN ROAD - RESEAL RIDGE RD TO TOOLE RD	108	0	108	1	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	3	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	5	8%	5	Project Scope
AIRPORT SUBDIVISION COMMUNICATIONS	80	0	80	70	88%	0	Construction
CARPARK - RED HILL RESERVE	40	0	40	6	16%	0	Project Scope
Total	22,075	0	22,075	3,508	16%	1,832	

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
Good Government							
MUDGEES ADMINISTRATION BUILDING UPGRADE	14	0	14	4	26%	0	Final works
RYLSTONE COUNCIL BUILDING	93	0	93	2	2%	0	Initial works
OLD POLICE STATION CAPITAL	7	0	7	0	0%	0	Consultation
OPERATIONS ADMIN CAPITAL	10	0	10	10	95%	0	Complete
CARMEL CROAN BUILDING CAPITAL	30	0	30	15	50%	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%	156	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	1,779	74%	1,042	Procurement
MUDGEES DEPOT WASHBAY	120	0	120	65	54%	0	Construction
RYLSTONE DEPOT WASHBAY	165	0	165	1	0%	4	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	12	98%	0	Complete
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	Design
Total	3,908	0	3,908	1,905	49%	1,203	
Total Capital Works Program	73,358	0	73,358	9,076	12%	7,894	

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.

9.9 Monthly Statement of Investment and Bank Balances as at 31 October 2019

REPORT BY THE MANAGER FINANCIAL PLANNING
TO 20 NOVEMBER 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 31 October 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 31 October 2019.

Community Plan implications

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

Strategic implications

Council Strategies

Not applicable.

Council Policies

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

Legislation

As per Clause 212 of the Local Government (General) Regulation 2005, the Responsible Accounting Officer certifies that:

- a) this report sets out details of all money that the Council has invested under Section 625 of the Act, and
- b) all investments have been made in accordance with the Act, the regulations and Council's investment policies.

Financial implications

Not applicable.

Associated Risks

Not applicable.

NEIL BUNGATE
MANAGER FINANCIAL PLANNING

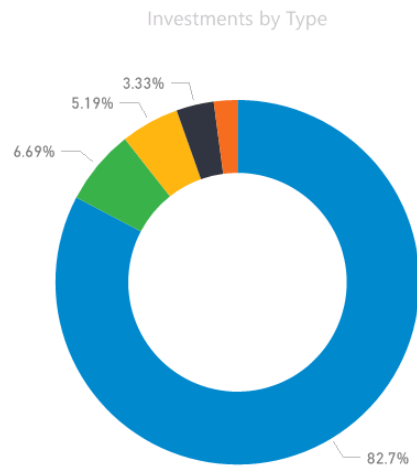
LEONIE JOHNSON
CHIEF FINANCIAL OFFICER

6 November 2019

Attachments: 1. Investments Report as at 31 October 2019.

APPROVED FOR SUBMISSION:

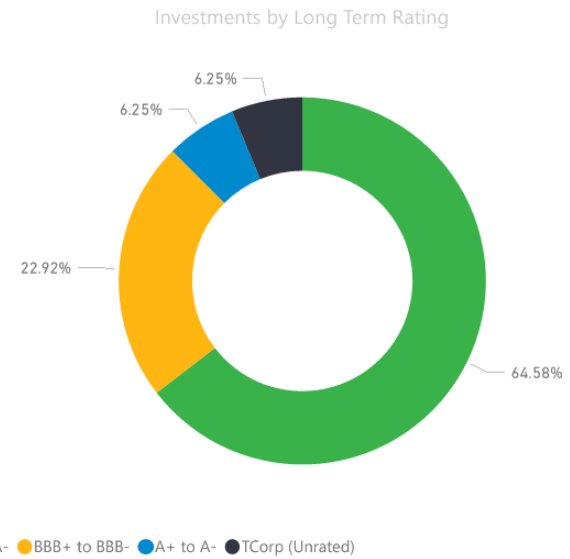
BRAD CAM
GENERAL MANAGER



**Mid-Western Regional Council
Cash and Investments
as at 31 October 2019**

Total Investment Portfolio

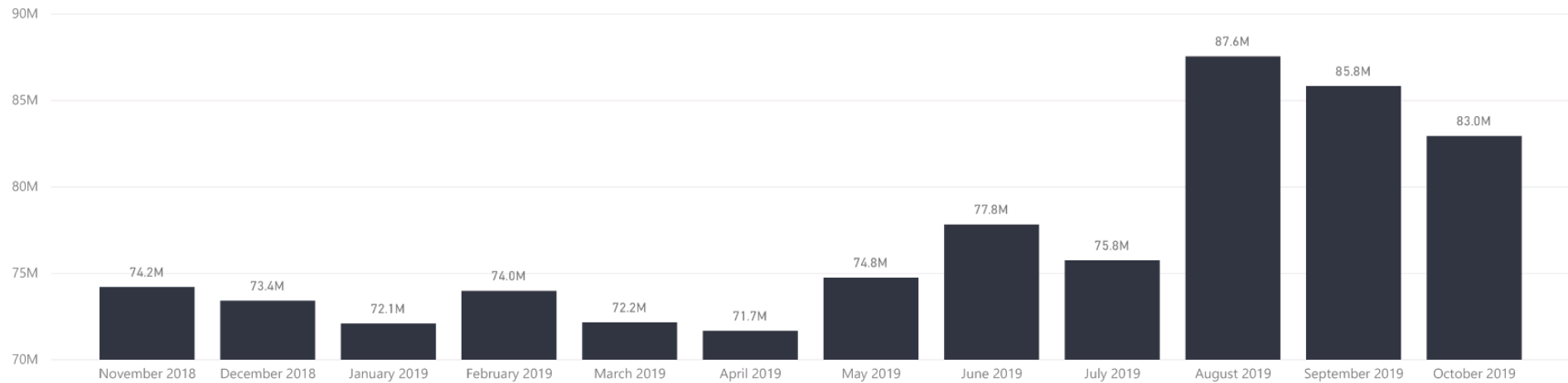
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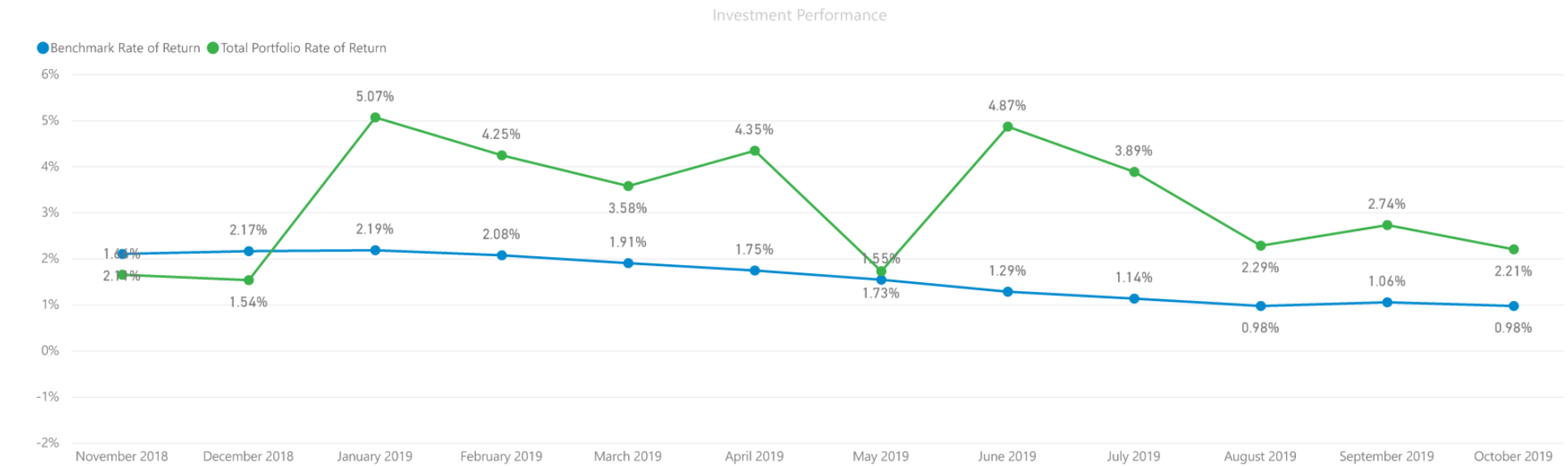
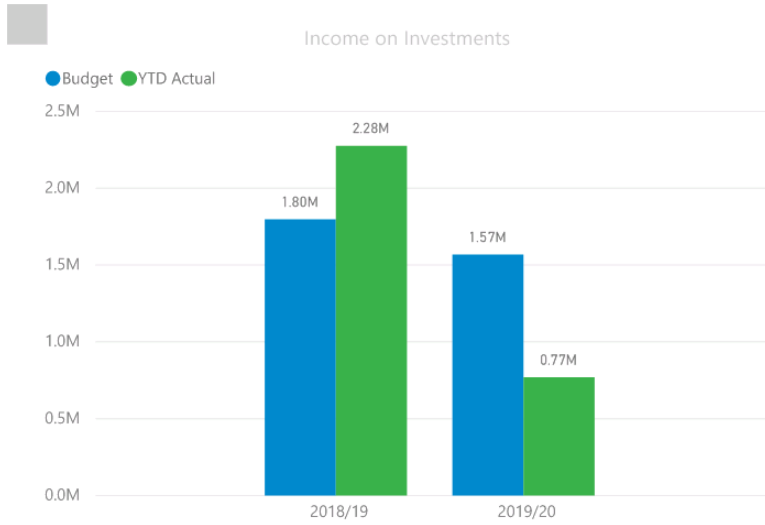


● Term Deposit ● TCorp - MTG Fund ● At Call ● TCorp - LGT Fund ● TCorp - Cash Fund

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

Portfolio Balance at End of Month





At Call Fund and Managed Funds

Institution	Yield	Term to Maturity	Principal	Amount
NAB	1.15%		0	4,302,437.89
TCorp - Cash Fund	0.00%		1	1,737,775.45
TCorp - Long Term Growth Fund	0.00%		5	2,764,198.38
TCorp - Medium Term Growth Fund	0.00%		5	5,549,711.65
Total				14,354,123.37

Current Term Deposits

Institution	Yield	Term to Maturity	Principal	Amount
AMP	2.75%	69		2,000,000
AMP	2.80%	27		1,000,000
AMP	2.80%	27		1,000,000
AMP	2.80%	41		1,500,000
AMP	2.80%	48		1,000,000
Bank Of Queensland	2.60%	48		1,500,000
Bank Of Queensland	2.07%	167		1,000,000
Bankwest	1.54%	251		2,000,000
Bankwest	1.52%	265		2,000,000
Bankwest	1.52%	272		2,000,000
CBA	1.52%	300		1,000,000
CBA	1.52%	307		1,000,000
CBA	1.52%	328		2,000,000
Credit Union Australia	2.85%	13		1,000,000
ING	2.86%	125		2,500,000
ING	2.77%	475		1,000,000
Macquarie	1.80%	90		2,000,000
ME Bank	2.38%	83		1,500,000
ME Bank	1.93%	223		1,500,000
NAB	2.90%	181		1,500,000
NAB	2.75%	97		1,500,000
NAB	2.44%	48		1,500,000
NAB	1.95%	237		1,500,000
NAB	1.79%	237		1,500,000
NAB	1.60%	293		1,000,000
NAB	1.57%	279		1,500,000
NAB	1.55%	335		1,500,000
NAB	1.62%	363		1,500,000
NAB	1.50%	356		1,500,000
Rural Bank	2.73%	13		1,500,000
St George	2.50%	111		2,000,000
St George	2.61%	545		2,500,000
St George	2.35%	146		2,500,000
St George	2.45%	139		1,600,000
St George	2.40%	118		1,500,000
St George	2.40%	153		1,500,000
St George	2.27%	174		1,500,000
St George	2.22%	195		1,500,000
Westpac	2.85%	167		1,000,000
Westpac	2.88%	209		2,500,000
Westpac	2.63%	321		1,500,000
Westpac	1.54%	643		1,500,000
Westpac	1.56%	349		1,500,000
Westpac	1.55%	482		1,500,000
Total				68,600,000

Investment Portfolio Summary

Term to Maturity	Amount \$'000	Actual	Cumulative Actual	Cumulative Minimum	Policy Compliance
Less than 3 months	27,854,123	34%	34%	20%	OK
Between 3 months and 1 year	48,600,000	59%	92%	40%	OK
Between 1 year and 2 years	6,500,000	8%	100%	50%	OK
Between 2 years and 4 years	-	0%	100%	85%	OK
More than 5 years	-	0%	100%	0%	OK
Total	82,954,123				

Long Term Rating	Institution	Policy Limit	Policy Compliance (Institution)	% of Portfolio	Amount
AA-	Bankwest	40%	OK	7%	6,000,000
	CBA	40%	OK	5%	4,000,000
	NAB	40%	OK	23%	18,802,438
	St George	40%	OK	18%	14,600,000
A	Westpac	40%	OK	11%	9,500,000
	ING	20%	OK	4%	3,500,000
BBB+	Macquarie	20%	OK	2%	2,000,000
	AMP	10%	OK	8%	6,500,000
BBB	Bank Of Queensland	10%	OK	3%	2,500,000
	Rural Bank	10%	OK	2%	1,500,000
	Credit Union Australia	5%	OK	1%	1,000,000
Tcorp Cash (Unrated)	ME Bank	5%	OK	4%	3,000,000
TCorp Hour-Glass (Unrated)	TCorp - Cash Fund	30%	OK	2%	1,737,775
	TCorp - Long Term Growth Fund	15%	OK	3%	2,764,198
	TCorp - Medium Term Growth Fund	15%	OK	7%	5,549,712
Grand Total				100%	82,954,123

Long Term Rating Group	Credit Policy Limit	Policy Compliance (SP Group)	% of Portfolio	Amount
AAA to AA-	100%	OK	64%	52,902,438
A+ to A-	50%	OK	7%	5,500,000
BBB+	20%	OK	13%	10,500,000
BBB	10%	OK	5%	4,000,000
Tcorp Cash (Unrated)	15%	OK	2%	1,737,775
TCorp Hour-Glass (Unrated)	30%	OK	10%	8,313,910
Grand Total			100%	82,954,123

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)	1,709,347.04		4,302,437.89
TCorp - Cash Fund	1,736,120.77		1,737,775.45
TCorp - Long Term Growth Fund	2,753,712.81		2,764,198.38
TCorp - Medium Term Growth Fund	5,541,366.46		5,549,711.65
Total	11,740,547.08	-	14,354,123.37

The below table shows matured term deposits

Institution	Yield	Maturity Date	Principal Amount	Total Interest Amount
ING	2.92%	43,740.00	1,000,000.00	57,600.00
Defence Bank	2.80%	43,768.00	2,000,000.00	55,846.58
NAB	2.75%	43,740.00	1,000,000.00	21,623.29
AMP	2.75%	43,754.00	1,000,000.00	21,020.55
NAB	2.73%	43,754.00	2,000,000.00	39,790.68
Total			7,000,000.00	185,881.10

The below table shows new term deposits

Institution	Yield	Maturity Date	Principal Amount	Total Interest Amount
NAB	1.50%	44,125.00	1,500,000.00	23,732.88
Total			1,500,000.00	23,732.88

Item 10: Operations

10.1 Local Government Road Safety Program

REPORT BY THE SENIOR WORKS ENGINEER
TO 20 NOVEMBER 2019 ORDINARY MEETING
GOV400067, R0790090

RECOMMENDATION

That Council:

1. receive the report by the Senior Works Engineer on the Local Government Road Safety Program;
2. agree to participate in *Transport for NSW and Roads and Maritime Services (RMS) Local Government Road Safety Program (LGRSP)* and employ a suitably qualified person in a part time position as Road Safety Officer (RSO) if successful;
3. amend the 2019/20 budget to increase employee costs by \$18,500 (including salary plus on-costs) for the part time position employment of a Road Safety Officer, commencing from January 2020, to be funded from unrestricted cash; and
4. amend the Delivery Program by \$37,000 for 2020/21 to establish an expenditure budget (including salary plus on-costs) for the employment of a RSO, to be funded from unrestricted cash.

Executive summary

The purpose of this report is to consider participation in the Local Government Road Safety Program and appoint a Road Safety Officer to facilitate the program. Roads and Maritime Services (RMS) will contribute to the cost of salary and on-costs for the appointment.

Disclosure of Interest

Nil.

Detailed report

Available data shows that on the public road network within MWRC's LGA, in the period of the last 3 years there has been,

- 219 reportable crashes; included within this figure there have been
- 12 fatalities;
- 261 injuries, 93 of which rated as serious.

In 2019 alone 5 fatalities and 2 serious injuries occurred.

At the Local Traffic Committee meeting held September 2019, following a fatality on Bylong Valley Way at Budden, it was suggested that Council should look to consider employing a RSO for the purpose of raising road traffic safety awareness in our region.

Transport for NSW and RMS has implemented the LGRSP with the aim of assisting NSW councils to reduce the likelihood of death and injury from road trauma in their local community. Most councils participating in the LGRSP employ a RSO to facilitate the programme.

The RSO has a wide role encompassing not only behavioural road safety education, but also influencing the construction of infrastructure to improve the safety of road users. Within councils, RSOs work across engineering, community services, planning, communications, and customer service areas and provide links to community stakeholders, community groups, local health, Police officers and local businesses, all of whom contribute to road safety over the long term.

Key role responsibilities of the RSO will include:

- Participation in the Local Traffic Committee
- Apply for road safety project funding
- Support road safety projects to address identified issues within the LGA
- Develop and implement evidence based projects aimed at improving road safety in our communities
- Facilitate involvement of local businesses, agencies and community groups in education programs focusing on safe people, safe roads, safe speeds, and safe vehicles.
- Develop road safety marketing communications and engagement strategies that support the message of state government marketing activities.

Subject to MWRC's preparation and implementation of a Local Road Safety Action Plan (Action Plan), RMS will provide funding towards Council's costs of employing one or more RSOs, whether full time or part time, of up to 50% of the cost of the salary for an RSO but capped at \$64,600 per year. This includes up to a maximum of 35% of on-costs (for award leave conditions, including sick leave, maternity/paternity leave, long service leave, payroll tax, superannuation and workers compensation (where applicable) but not annual leave which is included in the salary).

Additionally, RMS agrees to provide funding for projects in Council's Action Plan as determined by RMS.

Community Plan implications

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

Strategic implications

Council Strategies

Participation in the LGRSP and the employment of a RSO links directly to Operational Plan 2019/20

Strategy 4.1.1: Provide traffic management solutions that promote safer local roads and minimise traffic congestion

- Action: Work with the RMS to improve road safety
- Action: Participate in relevant regional transport committees and working parties.

Council Policies
Not Applicable

Legislation
Not Applicable

Financial implications

RMS has indicated that annual salaries offered by participating Councils range from \$65,000-\$85,000 plus on-costs for a full time position. For the part time position of 3 days per week, if a base salary of \$45,000 is offered to a suitable candidate the total cost including superannuation and other on-costs is \$67,050.

MWRC’s annual contribution will be \$36,675. RMS will contribute the balance. The RMS funding application must be renewed on a 12 monthly basis.

Accordingly, if Council wishes to continue to appoint a RSO, it will be required to amend the 2019/20 budget by \$18,338 and Delivery Program 2017/21 for the 2020/21 year to establish an expenditure budget of \$36,675 per annum.

Additional to the salary contribution, RMS agrees to provide further funding for projects that RMS approves in a Council’s Action Plan, to levels typically of \$20,000- \$25,000 per annum and as determined by RMS.

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

Associated Risks

Medium risk - There is a risk that Council is unable to identify a suitable candidate and/or that the expected outcomes of the program will not be achieved.

Low risk – As RMS funding application must be renewed on a 12 monthly basis, there is a risk that RMS may in the future cancel funding for this position.

RAY KEARNS
SENIOR WORKS ENGINEER

GARRY HEMSWORTH
DIRECTOR OPERATIONS

5 November 2019

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

10.2 RFT 2019/36 Supply and Delivery of Readymix Concrete Tender

REPORT BY THE TENDERING AND CONTRACTS OFFICER
TO 20 NOVEMBER 2019 ORDINARY MEETING
GOV400067, COR400251

RECOMMENDATION

That Council:

1. **receive the report by the Tendering and Contracts Officer on the RFT 2019/36 Supply and Delivery of Readymix Concrete Tender;**
2. **accept the list of prequalified suppliers for tender RFT 2019/36 Supply and Delivery of Readymix Concrete, in accordance with Clause 178(1)(b) of Local Government (General) Regulations 2005;**
 - **Boral Resources (Country) Pty Ltd**
 - **J & SK Kuchta Pty Ltd**
 - **Mudgee Mini Mix & Landscaping Pty Ltd**
3. **accept the term of this contract is for a period of 3 years, commencing 1 December 2019, expiring 30 November 2022; and**
4. **delegate the authority to the General Manager to approve any additional service providers, seeking application during the term of this contract.**

Executive summary

An open tender process in accordance with Section 55 of the Local Government Act 1993 was undertaken for the establishment of a panel of prequalified suppliers for the supply and delivery of readymix concrete.

The tendering process was initiated and a Procurement Plan and Tender Evaluation Plan were developed. A Tender Assessment Panel was formed, comprising representative from the most relevant departments within Council.

Disclosure of Interest

All panel members signed a declaration prior to the tender process indicating no disclosure of interest.

Detailed report

The terms of the contract were for the supply and delivery of Readymix Concrete for a three (3) year term. This contract does not provide the opportunity for suppliers to rise and/or fall their tendered values, however, it does allow for Consumer Price Index (CPI) increases to the original tendered rates each year.

Advertised

Open to the Market: 2 September 2019
 Closed: 30 September 2019
 Days advertised: 28 days in total

The above tender was advertised in the;

- Mudgee Guardian on Friday 30 August 2019
- Council's e-Tendering portal – VendorPanel 2 September 2019
- Information regarding this tender was published on Council's website 30 August 2019

It should be noted that due to the nature of this tender, advertisement was not conducted in the Sydney Morning Herald.

Tenders Received:

Three (3) tenders were received (in alphabetical order);

Boral Resources (Country) Pty Ltd
 J & SK Kuchta Pty Ltd
 Mudgee Mini Mix & Landscaping Pty Ltd

Late Tenders:

No late submissions were received.

Conforming Tenders:

Two (2) submissions were deemed non-conforming on the basis of mandatory requirements. This could be attributed to the suppliers tendering inexperience. Based on this, Council provided an additional two (2) days to provide the necessary requirements enabling all parties to become conforming.

Evaluation Methodology:

The objective of the evaluation was to form a prequalified panel of Service Providers offering high quality service.

The main measurable for inclusion was meeting the mandatory requirements / compliance outlined in the request for tender.

Evaluation Findings:

The submissions received from all tenderers adhere to Councils mandatory requirements / compliance.

Further integration of the tendered rates reveal that no singular tendered rate exceeded a +/- 30% threshold when compared to the average.

This level of investigation was used as a measure of ensuring that Service Providers did not highlight risk of an over inflated price or a price which conversely was uncharacteristically low, thus offering the best outcome for Council.

Community Plan implications

Theme	Good Governance
Goal	An effective and efficient organisation
Strategy	Pursue efficiencies and ongoing business improvement

Strategic implications

Council Strategies

Nil

Council Policies

Procurement 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 contract is not formed, Council will have no available means for procurement of readymix concrete in line with legislation.

ALISON CAMERON
TENDERING AND CONTRACTS OFFICER

23 October 2019

Attachments: 1. Readymix Concrete Tender - Pricing Schedule. (Confidential - separately attached)

APPROVED FOR SUBMISSION:

GARRY HEMSWORTH
DIRECTOR OPERATIONS

10.3 Policy Review - Unmaintained and Unformed Roads

REPORT BY THE MANAGER WORKS
TO 20 NOVEMBER 2019 ORDINARY MEETING
GOV400067, A0100021

RECOMMENDATION

That Council:

1. receive the report by the Manager Works on the Policy Review - Unmaintained and Unformed Roads;
2. place the revised Unmaintained and Unformed Roads Policy on public exhibition for 28 days; and
3. adopt the revised Unmaintained and Unformed Roads Policy if no submissions are received.

Executive summary

The purpose of this report is to consider the reviewed Unmaintained and Unformed Roads Policy and place it on public exhibition prior to adoption.

Disclosure of Interest

Nil.

Detailed report

Staff have reviewed the Unmaintained and Unformed Roads Policy and made some relatively minor changes as shown in the attached version of the policy.

Community Plan implications

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

Strategic implications

Council Strategies

Not Applicable

Council Policies

By adopting the recommendation, Council is endorsing the Unmaintained and Unformed Roads Policy changes to be placed out on public exhibition for comment. Should any submissions be received a further report will be presented back to Council for consideration. If no submissions are

received at the end of the exhibition period, the revised policy will be adopted and apply from that date.

Legislation

Roads Act 1993.

Financial implications

Not Applicable

Associated Risks

Not Applicable

ANDREW KEARINS
MANAGER WORKS

GARRY HEMSWORTH
DIRECTOR OPERATIONS

1 October 2019

Attachments: 1. Unmaintained and Unformed Roads Policy.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



POLICY

Unmaintained and Unformed Roads

ADOPTED	VERSION NO
COUNCIL MEETING MIN NO	REVIEW DATE
DATE:	FILE NUMBER

A prosperous and progressive community

Deleted: To define guidelines that can be applied to all requests for maintenance of roads currently not on the maintained road register. road reserves

Deleted: ROADS ACT 1993
8 Right of access to public road by owners of adjoining land

(1) The owner of land adjoining a public road is entitled, as of right, to access (whether on foot, in a vehicle or otherwise) across the boundary between the land and the public road.
(2) The right conferred by this section does not derogate from any right of access that is conferred by the common law, but those rights are subject to such restrictions as are imposed by or under this or any other Act or law.

86 Functions of council in respect of private roads

(1) A council may direct the owner of a private road (other than a classified road) to carry out such work as, in the opinion of the council, is necessary to prevent the road from becoming unsafe or unsightly or, if of the opinion that it is appropriate that the work should be carried out by the council at its own expense, may carry out any such work itself.
(2) If there is more than one owner of a private road, the respective owners are liable to pay those expenses in such proportions as the council decides.
(3) In deciding the proportion of expenses to be paid by the respective owners, the council must have regard to:
(a) the benefit that any particular land will derive from the work, and
(b) the amount and value of any work carried out in respect of the road by the respective owners or occupiers of the land.

138 Works and structures

(1) A person must not:
(a) erect a structure or carry out a work in, on or over a public road, or
(b) dig up or disturb the surface of a public road, or
(c) remove or interfere with a structure, work or tree on a public road, or
(d) pump water into a public road from any land adjoining the road, or
(e) connect a road (whether public or private) to a classified road, otherwise than with the consent of the appropriate roads authority.
Maximum penalty: 10 penalty units.
(2) A consent may not be given with respect to a classified road except with the concurrence of the RTA.
(3) If the applicant is a public authority, the roads authority and, in the case of a classified road, the RTA must consult with the applicant before deciding whether or not to grant consent or concurrence.
(4) This section applies to a roads authority and to any employee of a roads authority in the same way as it applies to any other person.
(5) This section applies despite the provisions of any other Act or law to the contrary, but does not apply to anything done under the provisions of the Pipelines Act 1967 or under any other provision of an Act that expressly excludes the operation of this section.

139 Nature of consent
(1) A consent under this Division:

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Deleted: This policy identifies roads or road segments not presently maintained by Council (Refer Attachment). This list of roads is not definitive as there are many "paper" roads within the region in which there may be access tracks. As Council is made aware of any named tracks they will be added to the list.

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Objective

- To establish guidelines for the management and administration of unformed/unmaintained roads, and
- This policy will assist Council in achieving Theme 4, Goal 1 of the Community Plan.

Legislative requirements

This Policy is consistent with the ROADS ACT 1993.

Related policies and plans

- The Roads Asset Management Plan
- Land Acquisition & Disposal Policy

Policy

Council currently looks after approximately 1,200 km of unsealed roads. The roads that Council currently maintains are listed in Council Roads Asset Management Plan. There are hundreds of kilometres of roads in our local government area (LGA) that are presently identified as unmaintained, i.e. those that do not receive regular grading or any other works thereon. The cost to perform a maintenance grade on these roads would be approximately \$2,000 per grade/km (assuming appropriate formation exists)

The length of unformed roads (i.e. paper roads) in the area has been estimated to be over 3,000 km. At an assumed average rate for construction in excess of \$20,000 per km for good open surface road (single lane in virgin country) it may cost over \$60 million to construct all of the presently unformed roads. This does not take into account that many of the unformed roads have never been constructed because they are over sand-hills, rocky ridges or swamps.

The issue of roads that should be maintained by Council is an emotive one, where in certain cases an expectation exists for Council to maintain every rural road to each ratepayer's property. A road is defined as unmaintained, if not listed as maintained in Council's Roads Asset Management Plan.

Unfortunately with existing financial constraints it is unlikely that sufficient funding is available to adequately maintain Council's existing unsealed road network. To add any additional roads at this time would place an undue burden on the available funding.

The lack of a maintained road to every rural property could have some social impact placing an increased cost on the landowners to maintain their own access.

POLICY: UNMAINTAINED AND UNFORMED ROADS | , ERROR! REFERENCE SOURCE NOT FOUND.

All Councils are being urged to consider very carefully the creation of new assets as figures indicate that it may already be beyond the resources of governments, including local government to maintain existing assets. While council will receive requests for the creation of new roads it will give such requests consideration against the above background.

The unformed but surveyed roads are on occasions a hindrance and a liability to property owners. There are occasions when Council will give consideration to selling road reserves to the adjoining landowner(s) – refer Permanent Road Closures Policy.

Council Road Reserves

Roads will only be added to the maintained list after consideration by Council and taking into account the cost to bring the road up to a minimum standard (as defined in the Road Asset Management Plan), ongoing maintenance costs and the impact on the total roads program.

Sections of Council road reserve that service less than 5 permanent residences will not be considered for addition to the maintained road list, noting that historically, there are maintained roads within the local government area that do not meet this requirement.

Road extensions beyond a property boundary will not be considered. Council considers that its first priority is to provide access to individual properties, access for the improved management of a property is the responsibility of the landowner.

Council may perform maintenance on unmaintained roads under a private works arrangement with the affected property owner(s) when plant is in the region and subject to current workloads.

Private individuals or Contractors may perform maintenance on public roads that are unmaintained, if and only if:

- They have submitted Council's 'Application for Works within the Road Reserve' - such application shall detail the extents of proposed maintenance activities, experience of the person performing the works, and plant and equipment to be used for the maintenance;
- Appropriate traffic control plans are in place prior to undertaking the proposed works;
- The applicant has a current Public Liability Insurance Policy to cover any mishap which may occur with a recommended minimum level of indemnity of \$20 million and such policy shall be suitable endorsed to cover Council

Approval of a dwelling on a property on an unformed road or track does not commit the Council to the construction or repairs of that road. Council works are dependent on finances available and works programmed.

Crown Road Reserves

Crown Road Reserves are administered by NSW Department of Industry – Lands. Council does not maintain or administer Crown Road Reserves.

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Deleted: Council will not maintain every public road reserve within the local government area whether formed tracks or unformed road reserves. Council will only provide a maintained road network within the limit of funds available as determined in the Road Asset Management Plan as amended from time to time.

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Deleted: Where the subdivision of land creates a new road, a condition of the development approval will be that the developer constructs the new road in accordance with Council requirements.

Where the subdivision of land or a new development envisages the construction or upgrading of a road within an existing road reserve and the upgrade is solely for that development, a condition of approval will be that road access to that land is required to be upgraded to a standard sufficient to serve that development. In other cases, Council may negotiate with the proponent for a contribution to the cost of the upgrade to enable the application to meet the requirements of the development.

Deleted: Council will consider applications from adjoining owners for the closure and sale of unformed roads in the LGA in accordance with its Permanent Road Closure Policy.

POLICY: UNMAINTAINED AND UNFORMED ROADS | , ERROR! REFERENCE SOURCE NOT FOUND.

Where a Crown road reserve has a road constructed on it that is maintained by Council, Council will transfer these Crown road reserves to Council road reserves.

Where a Crown road reserve that is not maintained by Council is required because it provides the only legal and physical means of access, Council will not consent to the road reserve being closed. Council will transfer these Crown road reserves to un-maintained Council road reserves, the maintenance being the responsibility of the owners of the lots gaining access from the road.

All NSW Department of Industry – Crown Lands & Water fees and/or Council fees associated with any road closures and/or transfers will be borne by the landowner requesting the closure or transfer.

Council must be satisfied prior consenting to any Crown Road transfers that there are no fencing encroachments, enclosure permits (issued by Crown Lands), or misaligned roads. Under the Crown Lands Act 1989, NSW Trade & Investment – Lands, has a legal responsibility to ensure the use of the public land, including roads, is authorised. Any anomalies should be resolved prior to transfer as once Council becomes the roads authority, it also assumes the liability for the roads.

Council is not responsible for any costs associated with the physical construction of any former Crown road reserve once it has been transferred to Council control. This includes (but not limited to) surveys and fencing.

The Landowner is responsible for lodgement of the required Council 'Application for Works within the Road Reserve' with council prior to commencing any physical construction of unformed road reserves, and only after the Crown road reserve has been formally transferred and gazetted to Council as the controlling authority.

Where the Crown Road provides access to 10 or more lots and the road is upgraded by the developer, Council may consider maintenance of the Crown Road. This will only be considered where the developer has constructed the road to conform to conditions of consent, and only after the Crown road reserve has been formally transferred and gazetted to Council as the controlling authority.

Private Roads

The following procedure shall be followed when a request is made to have the Council accept a privately owned road as a Council public road:

- An application to Council signed by all people having an interest in the road, such as owner in fee simple and abutting property owners having rights-of-way over the road, shall be presented. This application shall state that all parties having interest in the road will be willing to dedicate the subject road as a public road reserve. The application shall also be accompanied by a scaled drawing of the road, prepared by a licensed surveyor, locating the road with reference to existing roads, waterfronts, etc., and showing all abutting property lines.
- The Council shall accept no privately owned road unless it meets all of the minimum standards as set forth in Auspec and the Council's Road Asset Management Plan.
- A copy of the application will be submitted to Council who may suggest other requirements upon the applicants before the Council may accept the road.
- If Council accepts the transfer of the Road as a maintained public road, then the applicant(s) shall lodge a Subdivision Application for determination and registration of the road reserve.
- The road shall not be considered a Council maintained road until all conditions and requirements have been met and approved by the Council.

Deleted: Council does not maintain or administer Crown Road Reserves.¶
¶
If Department of Lands proceeds to transfer Crown Roads to Council, then Council will not maintain additional rural roads constructed as accesses to rural subdivision or properties. ¶
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POLICY: UNMAINTAINED AND UNFORMED ROADS | , ERROR! REFERENCE SOURCE NOT FOUND.

10.4 Mudgee Water Filtration Headworks and Pump Upgrade

REPORT BY THE MANAGER, WATER & SEWER
TO 20 NOVEMBER 2019 ORDINARY MEETING
GOV400067, WAT500004

RECOMMENDATION

That Council:

1. **receive the report by the Manager, Water & Sewer on the Mudgee Water Filtration Headworks and Pump Upgrade;**
2. **Accept grant funding in the amount of \$1,147,500 from Restart NSW Safe and Secure Funding grant;**
3. **authorise the General Manager to finalise and sign the funding agreement with NSW State Government; and**
4. **amend the 2019/20 Budget to replace water fund developer reserve funding with grant income of \$1,147,500 in the Water Augmentation – Mudgee Headworks Project.**

Executive summary

The purpose of this report is to accept the grant funding of \$1,147,500 from Restart NSW Safe and Secure funding grant for the upgrade of Mudgee Water Filtration Plant Headworks and Pumps.

Council has not been able to achieve full production of potable water from Mudgee Water Filtration plant due to hydraulic flow issues, inadequate chemical mixing and filtration rates. The raw water pumps have had major operational issues pumping from the Cudgegong River. This has caused the electric motors to burn out requiring replacement motors being fitted. Council made an application for funding assistance to the NSW Restart Safe & Secure Stream 2, the application was successful and Council are offered assisted funding of \$1,147,500 to undertake this upgrade. Council has engaged Kellog, Brown & Root (KBR) to assess and design rectification of these issues including a redesign of the raw water pumping system.

Disclosure of Interest

Nil.

Detailed report

The upgrade and rectification of the systems is part of Council's Strategic Business Plan and is included in 2019/20 budget and 20/21, 21/22 budgets. Council's application for funding from Restart Safe & Secure was based on the costings of the concept report by Worley Parsons, the detailed investigation by KBR has identified further discrepancies.

The upgrade was to increase the Mudgee Water Filtration Plant production from 14ML/day to 18ML/day. So the upgraded plant can meet the design criteria without further modifications.

The rectification work included improve the hydraulic capabilities of the flocculation system to reduce and eliminate floc carry-over to the filtration system. To test and insure that the chemical dosing system is optimised to achieve the Australian Drinking Water Guidelines (ADWG), with the best costing options for Council. To improve the mixing capabilities of the chemical dosing components to allow better treatment processes. The installation of a third filter to allow continued increase in the production of the potable water whilst insuring there is adequate capabilities during turbid water events and backwashing sequences. Enhance the water softening process and pH control, and assess the PAC system to insure it is capable of maintaining the odour and taste controls. Upgrading the electrical as required and insure that the SCADA and telemetry interface with Council's existing systems.

The investigation has indicated more problems than initially estimated at approximately \$5,980,824. KBR the design engineers have been requested to prepare the design with separable portions to allow for construction and budgeting capability to be carried out over several budget periods. KBR has estimate a 25% contingency in the conceptual design stage, instead of the normal 15% at this stage.

By delaying the construction of the roof and auxiliary walkway as well as the third sludge pond. The relocation of the storm water discharge from the sludge lagoons to the storm water channel will reduce the time required to dry the sludge for removal, thereby reducing the necessity to construct the third lagoon with this contract. It will be required in the future and should be included in the forward planning.

The delaying of these two separable portions and reducing the concept contingency to 15% reduces the estimated costing to approximately \$4,612,000.

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 extra potable water for future development. This is included in the Water and Sewer strategic plan. Comply with Legislative (Section 68) requirements, efficient maintenance and management water usage and infrastructure.

Obtain a Section 60 approval if required

Council Policies

Drinking Water Management Plan

Legislation

Section 68 NSW Local Government Act 1993

Section 60 NSW Local Government Act 1993

Financial implications

The upgrade of the Water Filtration Plant and the raw water pump station are included in the current budget and future budgets until 2022/23 financial year. This is part of the thirty year strategic plan for Water & Sewer capital replacements and upgrades, estimated at \$6,019,000.

The upgrade will increase the water filtration plants output allowing for future development in the township of Mudgee. With the development will increase the user base of the potable water supply therefore increasing the water revenue for Council's Water & Sewer section.

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

The tender and construction period is expected to be approximately two years and will be finalised in the 2021/22 budget year. There will be a transfer of funds to next years' budget after the awarding of the Tender.

Associated Risks

Without proceeding will limit the opportunity for further development within the township of Mudgee, with Council being unable to supply adequate drinking water volumes.

TOM BALDWIN
MANAGER, WATER & SEWER

NEIL BUNGATE
MANAGER FINANCIAL PLANNING

GARRY HEMSWORTH
DIRECTOR OPERATIONS

7 November 2019

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Item 11: Community

11.1 RFT 2019/32 Provision of Cleaning Services

REPORT BY THE BUILDING SERVICES OFFICER
TO 20 NOVEMBER 2019 ORDINARY MEETING
GOV400067, COR400247

RECOMMENDATION

That Council:

1. receive the report by the Building Services Officer on the Provision of Cleaning Services Tender;
2. increase the 2019/20 budget allocation for cleaning services by \$9,000, funded from unrestricted cash;
3. increase the cleaning services budget allocation within the Delivery Program for the years 2020/21, 2021/22, 2022/23 by \$18,000 per annum, funded from unrestricted cash;
4. accept the tender submitted by Mudgee Contract Cleaners for schedules 1 and 3 for the provision of cleaning services, tender documentation in accordance with clause 178 of the Local Government (General) Regulations 2005 at a tendered price of \$XX;
5. accept the tender submitted by Absolute Cleaning for schedules 2, 4, 5, 6 and 7 for the provision of cleaning services, tender documentation in accordance with clause 178 of the Local Government (General) Regulations 2005 at a tendered price of \$XX;
6. authorise the General Manager to finalise and execute the contracts with Mudgee Contract Cleaners and Absolute Cleaning for the Provision of Cleaning Services;
7. grant delegation to the General Manager to approve variations to these contracts of up to a total of 10% of each original contract sum; and
8. notify the unsuccessful tenderers in writing.

Executive summary

An open Tender process was undertaken in accordance with Section 55 of the Local Government Act 1993 for the implementation of Cleaning Services across Council Buildings and Facilities.

Tenders were called on the 23 August 2019 for the Provision of Cleaning Services for Council Buildings and Facilities. Advertisements for the tender were placed in the Sydney Morning Herald, the Mudgee Guardian, and Vendor Panel and Mid-Western Regional Councils website.

The tendering process was initiated and a Procurement Plan and Tender Evaluation Plan were developed. A tender evaluation panel (TEP) was formed comprising of representatives from the most relevant departments within Council. Members of the Assessment Panel used the Evaluation Plan and methodology to determine which tenders offered the best value for money.

Disclosure of Interest

All panel members signed a declaration of interest prior to the tender process indicating no disclosure of interest.

Detailed report

The term of the contract for the Provision of Cleaning Services across Council buildings and facilities is for a one (1) year contract with the provision of a two (2) year extension. The requirements of the contract are nominated within the proposed cleaning schedules and tender documentation.

This contract does not provide the opportunity for suppliers to rise and/or fall their tendered values, however, it does allow for Consumer Price Index (CPI) increases to the original tendered rates each year.

The proposed provision of service is to deliver cleaning services to various Council buildings and facilities located across the Local Government Area Mudgee, Rylstone, Kandos, Gulgong, Hargraves, Ilford and Goolma. The scope of service varies in accordance to the buildings requirements or usage, this information has been formulated into seven (7) schedules and tenderers were advised they can submit a price for a combination of one (1) or more of the schedules or submit pricing for the entire contract.

For the purpose of the contract the service was divided into the cleaning schedules which identify locality, action and frequency which is specific to each facilities requirements. The break-down of the service is as follows:

- Schedule 1 Mudgee Offices and Halls
- Schedule 2 Mudgee Parks and Public Conveniences
- Schedule 3 Gulgong Offices and Halls
- Schedule 4 Gulgong Parks and Public Conveniences
- Schedule 5 Rylstone Kandos Offices and Halls
- Schedule 6 Rylstone Kandos Parks and Public Conveniences
- Schedule 7 Rural Locations (Hargraves and Goolma Public Conveniences)

Schedules 1 to 6 cover buildings and facilities Council has previously had included within the cleaning services contract. These schedules have been adjusted to keep up with the needs of the facility, all adjustments made were additions and no service has been reduced or removed, taking this into consideration it is important to note the scope of service has been expanded which has been reflected in the submissions received.

Schedule 7 is a new schedule which includes the rural locations of Hargraves and Goolma public conveniences. It was proposed these locations be included in the regular cleaning service to allow Council to manage the facilities condition and this will help ensure quality service and maximum availability is provided to the community through these facilities.

An hourly rate was also requested from all tenderers to be submitted for unplanned cleaning on request outside of the regular schedules when required. The Request for Tender specified schedules may be required to have variations made throughout the duration of the contract only on request from Council.

Advertised:

The Request for Tender opened to the market 23 August 2019 and closed on 16 September 2019.

The above tender was advertised in the:

- Mudgee Guardian
- Sydney Morning Herald
- Council's e-Tendering portal
- Information regarding this tender was published on Council's website

Tenders Received:

Eight (8) tenders were received as listed below in alphabetical order.

- Absolute Cleaning
- Advanced Cleaning
- Health Services
- Majestic Commercial Cleaning
- Oita Facility Management
- Rosebin (Think Solutions)
- Solo Services Group

Late Tenders:

No late submissions were received

Conforming Tenders:

Two (2) submissions were deemed non-conforming on the basis of mandatory requirements. Due to the competitive pool of compliant tenders the Tender Evaluation Panel did not determine it as necessary to provide further opportunity for the required information to be provided.

Tender Evaluation Panel Members

Panel Member	Name	Position Title
Chairperson	Karli Anshaw	Building Services Officer
Panel Member 1	Kristie Ward	Manager Procurement
Panel Member 2	Tracey Kane	Manager Recreation Services

Evaluation Methodology:

The objective of the evaluation was to identify appropriate service provider(s) capable of providing value for money cleaning services for Council's buildings and facilities. Council offered service providers the opportunity to apply for either all or part of the contract. On evaluation, it was determined to evaluate the tenderers in two parts.

Part 1: Mudgee/Gulgong Offices & Halls (Schedules 1 & 3)

Part 2: Mudgee/Gulgong/Rylstone/Kandos Parks, Rylstone Offices and Halls and Rural Public Conveniences (Schedules 2,4,5,6 & 7)

The parts were determined as seven tenderers had applied for the whole contract and one tenderer had applied for Mudgee/Gulgong Offices & Halls only (Schedules 1 & 3).

The Tender Evaluation Panel determined they had two options in awarding the contract:

Option 1: Whole Contract

Option 2: Contract divided into two parts as listed above

The option most suitable was determined by which outcome was the best value for money and carried the least amount of risk for Council by following the Tender Evaluation Plan.

Mandatory Requirements need to be met where specific information or documentation was required within the Request for Tender documentation. Where this information was not provided the tender was deemed a non-conforming tender.

The Evaluation Criteria nominated for this tender was formed from the following components:

- Price (50%)
- Experience in similar provision of service (25%)
- Capability, resourcing and ability to meet scope (25%)

Non-price scores were evaluated by the Tender Evaluation Panel and applied to the total score using the nominated weighting for each criteria as outlined in the approved procurement plan.

Price scores were calculated by the proper price score formula and the allocated weighting for price criteria was applied as outlined in the approved procurement plan.

To manage the high level of variation a fair price was calculated, this calculation was derived from the average price of the tendered costs. The Tender Evaluation Panel deemed a 30% bracket each side of the average price to be the nominated fair price bracket. If a price fell outside of this fair price bracket the tenderers understanding of the service was scrutinised and eliminated if deemed high risk.

It was important to the Tender Evaluation Panel that the Tenderers provided sufficient evidence that they had an educated understanding to the volume of work, expected standards and the locality of some of the facilities due to their remoteness. The purpose behind this methodology was to reduce the potential for variations and also provided clarity around pricing submitted and the tenderers understanding.

Evaluation Findings:

Information provided under separate cover.

Community Plan implications

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

Strategic implications

Council Strategies

Not Applicable

Council Policies

Procurement Policy

Legislation

Local Government Act 1993

Local Government (General) Regulations 2005

Financial implications

The rates obtained under this contract will form a Goods and Services Contract. There is budget allocated to this service but there will be an increase due to the additional requirements within each schedule (including 2 new office sites) combined with the addition of services to Goolma, Hargraves and Ilford (previously managed through separate local arrangements).

The increased contract scope requires an additional \$18,000 to be allocated to the cleaning services budget allocations across Council, per annum. Therefore, recommendations for budget increases have been made in order to enter into the new contract arrangement.

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

Associated Risks

If this contract is not formed, Council will have no means for the provision of Cleaning Services across Councils buildings and facilities.

All other tender specific risks have been addressed in pre-tender risk assessment and mitigated throughout the tender evaluation process where possible.

KARLI ANSHAW
BUILDING SERVICES OFFICER

SIMON JONES
DIRECTOR COMMUNITY

24 October 2019

- Attachments:*
1. RFT 2019/032 Evaluation Tables and Final Recommendation Including Price. (Confidential - separately attached)
 2. RFT 2019/032 Price Score Evaluation Table. (Confidential - separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

11.2 Exemption from Tendering - Telephony and Network Solution

REPORT BY THE MANAGER, INFORMATION AND COMMUNICATIONS TECHNOLOGY
TO 20 NOVEMBER 2019 ORDINARY MEETING
GOV400067, INT800008

RECOMMENDATION

That Council:

1. **receive the report by the Manager, Information and Communications Technology on the Exemption from Tendering - Telephony and Network Solution;**
2. **approve an exemption from tendering, in accordance with section 55(3)(i) of the Local Government Act 1993, noting that due to extenuating circumstances, a satisfactory result would not be achieved by inviting tenders; and**
3. **note the reasons why a satisfactory outcome would not be achieved by inviting tenders are:**
 - (i) **the current telephony and network solution is embedded into the operations of all departments; and**
 - (ii) **there is no indication of the solution being end of life;**
 - (iii) **the additional time, costs and training required to implement a new solution is not considered value for money.**

Executive summary

Council's three (3) year service agreement for the supply of a VOIP (Voice Over Internet Protocol) phone system and associated network services has ended. As the solution is not end of life and used extensively by all departments in Council, a new agreement is required to be signed with Telstra, as indicative pricing on a new agreement shows that significant cost savings can be made.

An exemption from Tendering is required as the cost of a new agreement over a three (3) year period would exceed \$250,000.

Disclosure of Interest

Nil.

Detailed report

In 2016, Council implemented Telstra's TIPT (Telstra IP Telephony) phone and network solution after an RFQ process through Vendor Panel

The three (3) year LGP (Local Government Procurement) agreement included the following:

- Installation of 165 Handsets, including conference phones and wireless phones.
- Call Centre Software for Customer Service

- Direct Fibre connection for Internet connectivity from Telstra's nearest exchange into the Council Building at 86 Market St, Mudgee
- Managed Network Devices
- Project Management and training of end users.

Over the last three (3) years, there have been a number of improvements to the system to allow better reporting and functionality, including an active call waiting dashboard for the customer service team. The current solution is also embedded into the configuration of the corporate network, from remote sites, to email and security configurations.

At present, the current phone system suits the needs of Mid-Western Regional Council and its practises. The benefit of approaching Telstra to arrange a new agreement is to predominately increase the capacity of Council's Internet speeds, which would allow a broader range of systems, including cloud technology, to be investigated. As Telstra's phone solution relies on using its network solution as well, one can't be changed without impacting the other.

A new phone and network solution from a different supplier would incur connection, setup and training costs, as all current hardware for the Telstra system is owned by Telstra, and rented by Council.

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

Procurement Policy

Legislation

Local Government Act 1993

Financial implications

There are no financial implications with signing a new three (3) year agreement with Telstra as pricing has not changed. During the annual budget process, operating budgets will be reviewed to ensure adequate funding for each financial year.

Associated Risks

If Council needs to go to Tender, there is a possibility that the phone system and phone system would have to be replaced with a different solution, costing time and money. All staff would need to be trained on how to use the new system and major network configuration changes would need to occur (outside of operating hours).

As the current agreement has expired, it is costing Council money maintaining the agreement on a month-by-month basis when Telstra can be approached to sign a new agreement.

IAN BLAKE
MANAGER, INFORMATION AND
COMMUNICATIONS TECHNOLOGY

SIMON JONES
DIRECTOR COMMUNITY

4 November 2019

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

11.3 Acceptance of Seniors Cards - Swimming Pools and Town Hall Cinema

REPORT BY THE DIRECTOR COMMUNITY
TO 20 NOVEMBER 2019 ORDINARY MEETING
GOV400067, FIN300040

RECOMMENDATION

That Council:

1. **receive the report by the Director Community on the Acceptance of Seniors Cards - Swimming Pools and Town Hall Cinema;**
2. **place on public exhibition for 28 days the proposal for a change to Council's Fees and Charges to allow for the acceptance of Seniors Cards for concession fees for entry to Swimming Pools and for entry to the Mudgee Town Hall Cinema; and**
3. **adopt this change to fees and charges with the change coming into effect from January 1, 2020, if no submissions are received.**

Executive summary

Presently, Council only provides for concession rates at our Pools and the Town Hall Cinema for pensioners and children. It is recommended that the NSW Seniors Card also be allowed to access concession rates. For the swimming pools this means a reduction in entry fee from \$5 to \$2 for a single entry and for a season ticket this would mean a reduction from \$110 to \$79. For the Town Hall Cinema, the reduction would be from \$15 to \$10.

Disclosure of Interest

Nil.

Detailed report

The NSW Seniors Card is now a well established part of business related transactions in the community. It is available to members over the community who are over 60 years of age and working less than 20 hours per week. The program is an initiative of the NSW Government introduced in 1992 to recognise the contribution older citizens make to our community. Through a combination of business discounts and government concessions, it aims to help seniors live healthier, happier, more active and affordable lives in retirement.

There is legislation that covers Council pensioner concession for rating purposes and this is articulated in the Pensioner Concessions Policy. However, swimming pool entry and cinema entry can be seen as business related transactions and treated differently. This change to the way Council's fees and charges and administered provides an opportunity to further promote activity, wellbeing and social interaction for seniors in the community. While there may be a small loss of income experienced through this change, this is likely to be negligible and at least partially offset by an increase in seniors engagement with these activities.

If Council does determine that it is in the community interest to make this change, the timing of the introduction is for discussion. It is preferable to make this change for the start of the 2020/21 financial year (and the start of next year's pool season). However, the change can happen from January as this can impact half season tickets for the remainder of 2019/20. It would also allow the change for the Town Hall cinema to happen sooner. Unless specifically advised otherwise by Council, there would be no discounts applied to full season tickets.

Community Plan implications

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

Strategic implications

Council Strategies

Operational Plan and Fees and Charges

Council Policies

Pensioner Concessions Policy

Legislation

Local Government Act

Financial implications

It is likely that there will be a small decrease in income. However, in the context of the overall budget, this is likely to be negligible.

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

Associated Risks

The only risk appears to be the potential for a small financial impact.

SIMON JONES
DIRECTOR COMMUNITY

9 October 2019

Attachments: 1. Seniors Card Email - John Honeysett.
2. Seniors Card Facts.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

From: John Honeysett
Sent: Friday, 6 September 2019 10:05 AM
To: Council <Council@midwestern.nsw.gov.au>
Subject: Why are Seniors discriminated against with pool season passes

Caution: This email originated from outside the organisation.

My wife and I are 66 and 67 respectively. We are self funded retirees. We are rate payers in this region. Why do other aged pensioners and some unemployed people who may or may not be rate payers find themselves in a position to gain a significant discount on their swimming pool season pass whilst my wife and I must pay the full adult fee. This is unfair. It places an extra financial burden upon our ability to maintain fitness levels and to engage in regular physical activity in the ongoing therapy of our arthritis and associated medical conditions. In our travels Seniors Card holders issued by NSW state government receive same discounts as pensioner card holders, especially when it comes to council swimming pool entry. We think Mid Western Region Council is discriminating against self funded retiree rate payer seniors. It is unfair. If it is good for one group of aged people in this region it is equally good for the other. We would like councilors to discuss this issue and reconsider the cost of swimming pool season passes to seniors card holders.

John and Andrea Honeysett
Sent from my iPad

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Seniors Card Facts

NSW SENIORS CARD MEMBERS ARE ANYTHING BUT 'RETIRING'

Our membership is over 1.6 million strong - with around 6,000 - 8,000 new members coming on board each month. Over 90% of the state's seniors carry the Seniors Card, or its sister card, the Senior Savers Card - and they're not afraid to use it!

They're a market force to be reckoned with...

- Seniors account for 31% of the population and 51% of the net wealth in Australia
- They spend more on travel, entertainment, white goods, new cars, healthcare, furniture, gardening products and food and beverages than any other age group

They love their Seniors Card and the businesses that support it...

- 83% use their Discount Directory
- 70% use their Seniors Card every month - 32% every week!
- They visit the website in droves - up to 50,000 unique visits a month
- 68% are more likely to shop at stores that accept the card
- 74% feel that businesses that accept the Seniors Card care about their customers

They're out and about, active and interested...

- 81% dine out
- 82% enjoy gardening
- 77% do home improvements
- 69% go to the cinema or theatre
- 82% travel within NSW for holidays
- 74% travel interstate
- 67% travel overseas
- 50% drive six or more hours a week

And - they're more connected and tech savvy than ever...

- 76% use the internet daily
- 57% use smartphones
- 54% use tablets
- 53% use laptops
- 30% use social networking
- 70% book holidays online

Seniors are a growing, active and respected part of the NSW Community. And NSW Seniors Card is working every day to give them the special consideration and advantages they deserve.

Source: <https://www.seniorcard.nsw.gov.au/about/seniors-card-facts>

11.4 Draft ICT Strategic Plan 2020-2023

REPORT BY THE MANAGER, INFORMATION AND COMMUNICATIONS TECHNOLOGY
TO 20 NOVEMBER 2019 ORDINARY MEETING
GOV400067, INT800010

RECOMMENDATION

That Council:

1. **receive the report by the Manager, Information and Communications Technology on the Draft ICT Strategic Plan 2020-2023;**
2. **place the Draft ICT Strategic Plan 2020-2023 on public exhibition for 28 days; and**
3. **adopt the revised ICT Strategic Plan 2020-2023 if no submissions are received.**

Executive summary

The purpose the ICT (Information and Communications Technology) Strategic Plan, is to align technology with the needs of Council and the community and provides a three (3) year direction of ICT Services.

Disclosure of Interest

Nil.

Detailed report

Historically, Council's ICT Strategy has been supported by a number of resources, both internally and externally. This has resulted in solutions that do not necessarily align themselves with the need of Council and the community.

This ICT Strategic Plan that has been developed in conjunction with the Community Plan, Delivery Program and Workforce Plan sets out five (5) key strategies:

- 1) Provide a secure, reliable and available ICT environment
- 2) Support an agile and mobile workforce
- 3) Implement a framework for change and development
- 4) Enhance service delivery to the community
- 5) Maximise the value from ICT Investment

Council will focus on these strategies and their underlying objectives over the next three (3) years to guide investment and deliver more effective and efficient services to all stakeholders.

Community Plan implications

Theme	Good Governance
Goal	An effective and efficient organisation
Strategy	Pursue efficiencies and ongoing business improvement

Financial implications

At this point, there is nothing budgeted for the ICT Strategic Plan and there are no financial commitments being requested at present. It is proposed that any additional funding required by the ICT Strategic Plan be considered as part of the annual budget process.

IAN BLAKE
MANAGER, INFORMATION AND
COMMUNICATIONS TECHNOLOGY

SIMON JONES
DIRECTOR COMMUNITY

25 October 2019

Attachments: 1. Draft ICT Strategic Plan 2020-2023.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

ICT STRATEGIC PLAN 2020/23

MID-WESTERN REGIONAL COUNCIL





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GLOSSARY OF TERMS

TERM	DEFINITION
Anti-Virus	A program that provides protection and is designed to identify, block or remove threats.
BAU – Business as Usual	Normal Conduct of Business in day to day operations.
BCP – Business Continuity Plan	The process involved in creating a system of prevention and recovery from potential threats to a company.
Centralised Management	A single service that provides comprehensive software licensing and deployment.
Cloud Technologies	The delivery of computing services – including servers, storage, databases, networking, software, analytics and intelligence – over the Internet (“the cloud”) to offer faster innovation, flexible resources and economies of scale.
CRM – Customer Relationship management	A technology for managing all your company’s relationships and interactions with customers and potential customers.
Digital By Default	Digital services which are so straightforward and convenient that all those who can use digital services will choose to do so, while those who can't are not excluded.
Digital Workspace	A digital workspace is an integrated technology framework designed to deliver and manage app, data, and desktop delivery.
DR – Disaster Recovery	Involves a set of policies, tools and procedures to enable the recovery or continuation of vital technology infrastructure and systems following a natural or human-induced disaster.
Firewall	Network security device that monitors traffic to or from your network. It allows or blocks traffic based on a defined set of security rules.
Hardware Clients	Physical End User computers, including Desktops, laptops and tablets.
Hoteling	Allowing Users to log into a phone at any given work location.
ICT – Information and Communications Technology	Incorporates electronic technologies and techniques used to manage information and knowledge, including information-handling tools used to produce, store, process, distribute and exchange information.
Infrastructure	Refers to an enterprise’s entire collection of hardware, software, networks, data centres, facilities.
IOT – Internet of Things	A common device connected to a network that provides enhanced functionality.
Microwave Network	A communications system that uses a beam of radio waves in the microwave frequency range to transmit information between two or more fixed locations.
Mobile Device	A device that is small enough to hold in your hand. Includes mobile phones and tablets.
Office 365	Online Subscription based service that provides powerful online cloud services that enable collaboration, security, compliance, mobility, intelligence and analytics
ROI – Return on Investment	Measures the gain or loss generated on an investment relative to the amount of money invested.
SLA – Service Level Agreement	A contract between a service provider and its internal or external customers that documents what services the provider will include and defines the service standards the provider is obligated to meet.
Smart Cities	A program that uses data and technology to create efficiencies, improve sustainability, create economic development for people living and working.
Token Based Authentication	A secondary method of validation that enables the connection to a corporate network.
VPN	A connection method used to add security and privacy to network connections over a private, public or mobile network, protecting sensitive data.

STRATEGY 1 > Provide a secure, reliable and available ICT environment

Overview

Mid-Western Regional Council (MWRC) relies on its ICT systems to provide critical services to its stakeholders. With the release of the NSW Cyber Security Policy in February 2019 by the NSW State Government, focus needs to be given to the security, accessibility and reliability of these ICT systems.

Objectives

1.1 Maximise security while maintaining performance and access.

Security will need to be balanced against performance and access. To maintain the security of Personally Identifiable Information (PII), access will be granted only if there is a need to fulfil position responsibilities.

1.2 Ensure Business Continuity and Disaster Recovery requirements align with ICT capabilities.

In the event of an emergency or natural disaster, MWRC needs to return to "Business as Usual" (BAU) as quickly as possible. This recovery will utilise equipment that is "fit for purpose" and meet Business Continuity Plan (BCP) restore times.

1.3 Utilise current and developing network technologies to improve connectivity for all staff at Council sites.

The MWRC Local Government Area (LGA) encompasses a large area, with many different terrains. MWRC needs to support the demand for constant connectivity by developing failover solutions for network outages.

1.4 Develop ICT capabilities to support Council's growing need for an efficient service.

Internal ICT resources need to develop and adapt to the changes in the ICT environment of MWRC. The introduction of flexible working hours and cross-skilling will be investigated so ICT will be able to provide an efficient support channel for MWRC's business units.

1.5 Improve ICT environment visibility through security information and event management (SIEM).

SIEM provides insights into activities that are occurring within the ICT environment and can list the history of changes over an extended period of time. MWRC needs to be able to maintain its commitment to meeting compliance requirements for Cybersecurity and accountability.

ACTION ITEM	RESOURCES	TIMELINE (FY)
Upgrade Perimeter security with Next Generation Firewalls.	ICT	2019/2020
Refine Anti-Virus policies.	ICT	Ongoing
Review User Security settings and align with NSW Government Cybersecurity Policy.	ICT	2019/2020
Identify BCP and DR requirements and upgrade DR site to be "fit for purpose".	ICT, Executive Team	2019/2020
Maintain regular DR and BCP testing procedures.	ICT	Ongoing
Utilise existing Microwave Network and make improvements where necessary.	ICT	Ongoing
Implement backup VPN tunnels for network failover.	ICT	2019/2020
Provide a training environment where ICT Staff can develop their skills.	ICT, Human Resources Team	Ongoing
Maintain SLAs for Departments and apply to ICT operations	All Departments	2020/2021
Ensure auditing capabilities meet reporting requirements	ICT, Executive Team	Ongoing
Introduce additional level of security by providing token-based authentication.	ICT	2020/2021



STRATEGY 2 > Support an agile and mobile workforce

Overview

MWRC services a large local government area with Office locations in Mudgee, Gulgong and Rylstone. With employees spread over the entire Mid-Western region, investment must be made to make these employees as productive outside of the office as when they are in it.

Objectives

2.1 Provide staff with the resources to work from multiple sites.

As cloud solutions are being investigated, staff need to have access to the on premise infrastructure to enable connection to corporate applications and services. Mobile Devices will be assigned where necessary.

2.2 Investigate the usage of cloud technologies to enable efficiencies.

Cloud technologies have matured to a point where they need to be considered as a viable alternative to on premise solutions. Due to the cost of Cloud solutions, any move by MWRC will be a measured approach, looking at the benefits compared to on premise.

2.3 Promote ICT training to Staff.

With the introduction of new ICT systems and solutions, regular staff training needs to be provided to ensure all users are using it correctly and efficiently. Refresher training will also be delivered for applications that are currently in use.

2.4 Enable Centralised Management and Deployment of Applications.

A mobile workforce needs to have the support of the ICT Department, from any location. All MWRC devices will be monitored and maintained by a Centralised management system that will allow the efficient deployment of updates, software and applications.

2.5 Promote a collaborate workplace.

Working in teams enables staff to be quicker and more effective in their work, with this view, MWRC will utilise Cloud based applications to promote a collaborative workplace. This will enable the mobile workforce to participate in projects, while not being locked down to a physical location to share information.

ACTION ITEM	RESOURCES	TIMELINE (FY)
Introduce VPN connectivity for hardware clients.	ICT	2019/2020
Enable Office 365 and seek improvements in work efficiency with cloud available applications.	ICT	2019/2020 and 2020/2021
Creation of centralized application deployment tool supporting both applications and updates.	ICT	2019/2020
Conduct a skills matrix of all ICT support staff to determine areas that are requiring additional training and provide training where necessary.	ICT, Human Resources Team	Ongoing
Introduce digital workspaces to facilitate project collaboration through improving conferencing tools such as video conferencing and online collaboration tools such as and Microsoft Teams.	All Departments	2019/2020 and 2020/2021
Enable all telephones to support hoteling allowing all users to be able to sign in and out at every desk phone.	ICT	2020/2021
Introduce secure print to enable workplace flexibility.	ICT	2020/2021



STRATEGY 3 > Implement a framework for change and development

Overview

MWRC needs to be able to adapt to changes in the Global ICT environment. An internal Framework for change allows all improvements, ideas and enhancements to be reviewed in the same way. This enables all changes to be reviewed on their own merit and investigated with all business units involved.

Objectives

3.1 Promote openness to change.

MWRC will leverage the appetite for change across the organisation by providing an avenue for open discussion and feedback. Any changes that are proposed will be reviewed to determine the benefit and effect on each individual business unit.

3.2 Endorse ICT to be a leader in Projects that require new systems/processes.

ICT will be promoted as a key partner in projects that require new systems/process. This will ensure that any new systems and processes will be able to be analysed on their integration with current solutions.

3.3 Build systems to be “Digital by Default”.

When investigating and building new systems, there will be a requirement that these systems will be fully available online, allowing customers to complete functions and activities at any time, without attending an MWRC office.

3.4 Focus on assisting staff adapt to Change.

To avoid resistance to change with current and new applications and systems, MWRC will use training to enable all staff to familiarise themselves with any new processes and procedures.

ACTION ITEM	RESOURCES	TIMELINE (FY)
Introduce a change management procedure to enhance the understanding of both the benefit, risk and outcome of change.	ICT	2019/2020
Adopt a “digital challenge” for each business decision that utilises the digital workspace creating the business mindset of “can we do this better” through the use of technology.	All Departments	Ongoing
Introduction of automation for current “day to day” business activities such as staff on boarding.	All Departments	Ongoing
Provide ongoing training internally for gaining maximum use of existing applications and any introduction of future systems or applications.	ICT, Human Resources Team	Ongoing
Provide a framework for each project that incorporates an Information Technology element with ICT having a seat at the table.	Management Team	2020/2021



STRATEGY 4 > Enhance service delivery to the community

Overview

Local Government must change the customer’s perception of what services can be provided and how. MWRC’s aim is to provide a full, self-service solution that delivers multiple services in a customer focused way on any device and at any time.

Objectives

4.1 Engage the members of the community.

MWRC will regularly engage the community about issues affecting them and collaborate with ICT to identify any possible solutions through the use of technology. MWRC will also review current products and services to ensure they remain relevant and cost-effective.

4.2 Utilise digital services and Smart City Technologies to provide innovative solutions.

Through the Smart Cities program and other grant funding opportunities, MWRC will seek to provide innovative solutions to problems in the Mid-Western Region. Digital services will be investigated to widen visibility and access to these solutions.

4.3 Support a 24/7 portal.

Demand for public services and expectations of levels of service are always increasing. Residents and businesses demand the same levels of access and personalisation that they see online from large private sector organisations. MWRC will use this influence to investigate a 24/7 portal for the community.

4.4 Utilise captured data to add value to customer interaction.

MWRC will explore how it can use its existing data to draw insights and design products and services with the needs of the community in mind. This will be through collaboration with all business units of MWRC and ICT.

ACTION ITEM	RESOURCES	TIMELINE (FY)
Use digital capability to capture customer information to gain insights.	ICT and Customer Facing Staff	Ongoing
Investigate the electronic transmission of rates and water notices.	ICT, Revenue Team	2019/2020 and 2020/2021
Leverage the Smart Cities program to create innovation through Internet of Things (IOT).	ICT, Economic Development	Ongoing
Drive for a CRM that is a single source of truth for customer information.	ICT and Customer Facing Staff	2021/2022
Review each service that Council provides and enable efficiencies where possible.	All Departments	Ongoing



STRATEGY 5 > Maximise the value from ICT investment

Overview

MWRC will be focusing on identifying and delivering benefits and value for money from ICT investment, including the ongoing transformation of Council, and the continuous improvement of customer services.

MWRC will also seek to maximise the efficient use of new and existing assets.

Objectives

5.1 Ensure ICT Assets are utilised to get “value for money”.

MWRC will ensure that all ICT Assets are reviewed to allow the maximum value is obtained.

5.2 Common capabilities and shared services are adopted where possible.

MWRC will work towards creating a culture of openness regarding ICT needs across all business units by ensuring that all discussions include all departments will identify common themes, trends and needs to allow for a common approach that has a broader application.

5.3 Leverage capabilities of current corporate applications.

MWRC currently uses a number of corporate application suites for internal business processes. Features for current applications need to be leveraged to maximise return on investment (ROI). Updates that provide new features and functionality should be investigated before looking at new solutions to fulfil a shortfall provided by current vendors.

5.4 Undertake Return on Investment (ROI) for each critical ICT Service for cloud evaluation.

As technology develops at a rapid pace and a number of core MWRC business applications now support cloud-based implementation, there is an opportunity to undertake a ROI to understand if MWRC can make significant savings for software maintenance and support. ICT will undertake a ROI report to provide clarity on which technology supports the needs of the business and understand the true impact of emerging technology’s provided by the software vendors.

ACTION ITEM	RESOURCES	TIMELINE (FY)
Perform ROI for Asset leasing vs Capital Expenditure for End User Devices	ICT and Finance Team	2019/2020
Increase Flexibility with ordering by reviewing the rollout process.	ICT	2020/2021
Engage third party vendors to provide current Feature sets and roadmaps.	ICT	Ongoing
Perform ROI report to provide clarity on which Software supports the needs of the business	ICT	Ongoing

11.5 Policy review - Business Use of Footpaths

REPORT BY THE MANAGER GOVERNANCE
TO 20 NOVEMBER 2019 ORDINARY MEETING
GOV400067, GOV400047

RECOMMENDATION

That Council:

1. **receive the report by the Manager Governance on the Policy review - Business Use of Footpaths;**
2. **place the Business Use of Footpaths Policy on public exhibition for 28 days; and**
3. **adopt the Business Use of Footpaths Policy if no submissions are received.**

Executive summary

This Policy informs business owners of how they can extend their business onto the footpath directly in front of their shops. The policy required minor changes to clarify administrative matters to obtain and maintain a permit for business use of footpath.

Disclosure of Interest

Nil.

Detailed report

The review identified several minor changes for better clarity of how footpath permits are administered including;

The 1.2-metre kerb setback (*public safety from parking of vehicles*) is now mandated and the policy provides for the applicant to give reasons why it is not required.

A “*temporary permit*” application form has been introduced and will be used for Popup shops, busking, charity organisations, businesses who do not normally use the footpath.

The example diagrams in the policy are being changed to reflect the 1.2 from the kerb setback.

Insurance policies must include the applicants ABN or ACN stipulating providing it to council at each renewal date

Clearer definition of the fees that are applicable and inclusion of a non-payment of fees as a valid reason to terminate the permit.

Setting a limit to the number of temporary permits a business can request annually to two and those temporary permits will not extend past 8 weeks per year.

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

Business Use of Footpaths
Compliance Policy

Legislation

Roads Act s125, 126, 127

Financial implications

This Policy does not provide any financial gains for council. Fees and Charges for Business Use of Footpaths Permits are based on cost recovery.

Associated Risks

Public safety and liability risks have been identified for business use of footpaths. These risks are mitigated by the extension of business insurances to cover their business activity on the footpath.

TIM JOHNSTON
MANAGER GOVERNANCE

SIMON JONES
DIRECTOR COMMUNITY

22 October 2019

Attachments: 1. Marked changes version Business Use of Footpaths Policy.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



POLICY

Business Use of the Footpath

*A prosperous
and progressive
community*

ADOPTED		VERSION NO	3.03.1
MEETING MIN NO	68/18	REVIEW DATE	NOVEMBER 2021
DATE	21 MARCH 2018	FILE NUMBER	GOV400047, A0420120

1 Purpose

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

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

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

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

The permits available are:

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

Temporary Use Permits include:

- Displays and promotions
- Community groups fundraising
- Busking

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

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

2 Objective

The objectives of this policy are as follows:

2.1 Access and Equity

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

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2.2 Council and community Protection

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

2.3 Economic

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

3 Legislative requirements

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

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

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

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

Footpath dining that is not exempt will require development consent under the *Environmental Planning and Assessment Act 1979* To be exempt development, pursuant to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, the use of the footway must:

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

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

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

4 Areas to which this Policy applies

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

5 Applying to use the Footpath

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

6 Footpath area that can and cannot be used

Business, community groups and entertainers use of footpath areas is permitted, with the approval of Council, generally on footpaths immediately adjacent to a shop front and in locations that do not cause an impediment to other footpath users.

The use of footpath areas maybe either prohibited or restricted, in locations where they obstruct the clear view line of pedestrians or motorists. Clear view lines allow pedestrians to view on-coming traffic and motorists to observe pedestrians movements.

To ensure access and equity there will generally be minimum width retained for pedestrian circulation of at least 1.8 metres immediately adjacent to the property boundaries (generally the building line), for the clear passage of footpath users.

[A 1.2 metre setback from the kerb edge is generally required to ensure the safety of pedestrians and patrons from contact with moving motor vehicles.](#)

Council may, on the merit of a particular situation and application, consider variation to this standard where the applicant can show that the proposal is consistent with the surrounding environment, adequate pedestrian circulation and parking safety is maintained or that agreement has been obtained from the relevant Access Committee.

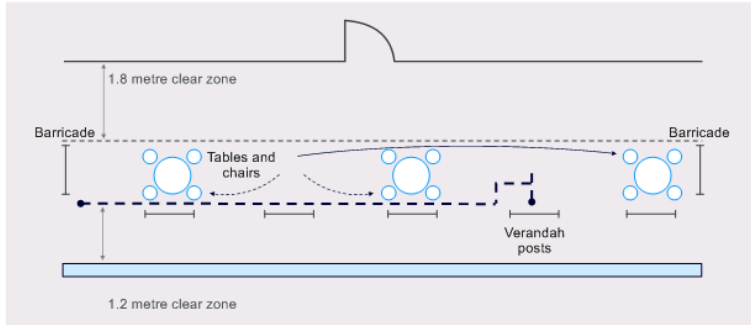
Any use of footpaths will be conditional upon the safety of potential users. ~~Where deemed necessary, a 1.2 metre setback from the kerb edge may be required to ensure the safety of pedestrians and patrons from contact with moving motor vehicles~~

These setback conditions (3 metres) may result in there being only small areas of footpath available for use. Applications should make this assessment before applying and paying any fees and charges.

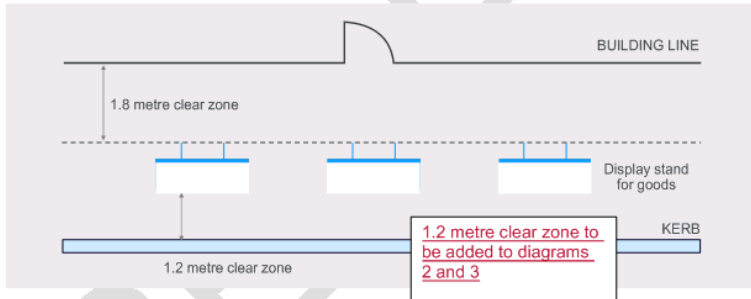
POLICY: BUSINESS USE OF THE FOOTPATH | 15 NOVEMBER 2017

Some examples of how footpaths may be used by businesses are set out diagrammatically below:

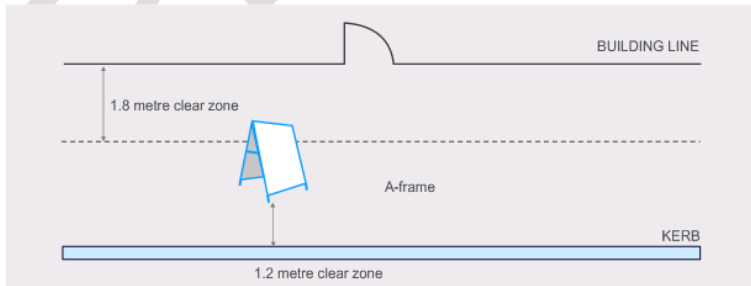
6.1.1 FOOTPATH DINING



6.1.2 DISPLAY OF GOODS FOR SALE



6.1.3 ADVERTISING OF BUSINESS



7 Public liability Insurance

Permission for the use of the footpath will only be valid where adequate insurance cover is provided by the applicant. To ensure Council and community protection from claims that may arise as a result of use of the footpath area the permit holder must:

- Take out a public liability insurance policy for the sum of not less than \$20,000,000 which is to be in force at all times during the term of the approval. Extend the policy to indemnify Mid-Western Regional Council against any public liability claims arising from trading activities on the footpath. Your insurance policy must also state the ABN (or ACN) for the business the permit is to relate to.
- Provide proof of this current policy to council with the application for approval or when requested to do so (This can be by way of a Certificate of Currency).
- Maintain this insurance policy during the term of the approval and provide updated Certificates of Currency each year upon ~~renewal~~ the renewal of your insurance policy.

8 The Permit

Council will issue a Permit to those who receive approval to use the footpath for business purposes. The issue of permits to use the footpath for business purposes will be at the sole discretion of the General Manager. This Permit must be prominently displayed in the front window of the business of which the Permit refers.

9 General Conditions

All business / persons being issued with a permit shall be required to comply with the following general conditions:

9.1 Term

Approvals shall be for a maximum period of 5 years.

9.2 Fees

Council reserves the right to charge a fee for the administration process of determining, approving and issuing permits.

Permits are subject to an application fee ~~and; an area~~ and annual renewal fee, with an area fee additional to each of the previous fees, as outlined in Mid-Western Regional Councils Schedule of Fees and Charges. The annual fees will be charged every 12 months from the date of approval.

9.3 Hours of operation

The hours of operation for any approved area must be the same as or less than the approved hours of operation of the associated business unless specified in the permit. The hours of operation for the approved area may be limited if it is considered that the amenity of the surrounding area or the safety of pedestrians or footpath diners may be adversely affected. Businesses seeking approval for the service of alcohol with meals will have hours of alcohol service defined, refer section 10.4 below

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9.4 Maintenance of approved area

The approved area and areas between the shop premises shall be kept clean at all times and any spills or other material likely to cause injury or accident shall be removed immediately by the applicant/operator.

9.5 Smoking

Smoking is not permitted in any area used for dining or any other area as provided under the Smoke-free environment act 2000.

9.6 Business or financial Transactions

No business or financial transactions shall be carried out on the approved area. Such activities shall be carried out wholly within the confines of the premises. This does not include the giving and taking of bills, and associated tips and charges.

9.7 Lighting

Any proposed lighting must be included in the application for approval by Council and be in accordance with the relevant Australian Standards.

9.8 Noise

Amplified music is not permitted.

9.9 Safety

The approved area shall not in any form reduce the safe egress of people from the business premises.

9.10 Access

- The applicant should provide access in accordance with AS1428 for people with disabilities.
- No business use of the footpath will be permitted where the use would create access problems for people with disabilities.
- In heritage areas with narrower footpaths, consideration will still be given to applications which take account of the needs of all persons who require clear lines of access past footpath obstacles.

9.11 Public Assets

- The removal/relocation of any Council assets, such as rubbish bins and existing street furniture, shall be subject to Council approval and will be at the applicant's cost.
- The removal/relocation of any public utilities/infrastructure shall not be permitted unless justification on public benefit can be made to Council and approvals have been obtained from the relevant authorities. Works will be carried out at the applicant's cost.

9.12 Breaches of Conditions

- If a business permitted to use the footpath in accordance with the Policies conditions breach any of the conditions that apply to their permit will in the first instance be warned. The warning of the breach will be placed in writing.

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- Businesses that have been warned of a breach and are found to have again breached will have the permit withdrawn. Notice of withdrawal of the permit will be in writing.
- Businesses who have the service of alcohol condition 10.4 contained in their permit and have been found to have breached condition 10.4 will have the notice of permit being withdrawn notified to the Liquor Licensing Authority.

9.13 Permit transferability

The Permit cannot be transferred from one user to another. Should a business be sold, the new business operator must make a new application to Council for permission to use the footpath.

9.14 Termination of a permit

A Permit can be terminated at any time by either party with one week's notice.

The Council may enter the approved area and terminate the approval, without notice if:

- The operator breaches the approval and does not remedy the breach within 14 days of receipt of written notice from the Council ([this includes non-payment of fees](#));
- In the Council's opinion, the road safety or pedestrian circumstances in regard to the approved area substantially change; or
- Council's approval granted pursuant to section 68 of the Local Government Act 1993 and section 125 of the Roads Act 1993 is either revoked by Council, or lapses.

9.15 Enforcement and Compliance.

Enforcement can be taken under the Roads (General) Regulation 2000 in relation to the placement of obstructions on the footpath, or Section 125(1) and 121B of the environmental Planning and Assessment Act 1979. Failure to comply with the conduct of business set out herein or with the enforcement order may result in receiving a fine or cancellation of the Permit. These offences incur set penalties set by State legislation.

10 Specific Conditions

10.1 Advertising Signs

The following controls apply to all signage/advertising to be displayed on the approved area:

- Large portable advertising signs or fixed structures will be referred to Councils Planning department for determination of the need for a Development Application to be lodged with the Council.
- Signage/advertising can be permitted on A-frames, barriers and umbrellas. (Umbrellas must be of non-reflective material, signage on each umbrella must be consistent with all other umbrellas on the approved area).
- No other signage will be permitted on any other structure on the footpath/nature strip.
- All signage must be placed to avoid obstruction to pedestrian movement (in accordance with Section 6)
- A-Frames must be a maximum height of 1.2 metres and maximum width of 0.6 metres
- A-Frames must only be displayed during business hours
- A-Frames are to be generally located directly in front of the premises to which they relate
- Signage must be of colour (or marked) so that it is distinguishable
- Signage must not have any sharp edges or protruding parts
- Signage must directly relate to your business

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10.2 Display of goods for sale

- Separate approval under Section 68 of the Local Government Act 1993 is also required to sell articles on the footpath.
- Display stands must be stable or firmly secured. Display stands should be a minimum height of 1.0 metres and a maximum height of 1.2 metres and width of 0.75 metres. All display stands should be of high quality design.
- No part of the footpath is to be used for storage.

10.3 Dining

- Footpath dining areas associated with pubs or small bars require development consent under the *Environmental Planning and Assessment Act 1979* in addition to a permit under Section 125 of the *Roads Act 1993*.
- Separate approval under Section 68 of the Local Government Act 1993 may also be required if temporary shade structures overhang the road.
- Barricades are optional. If installed, barricades must not contain parts that are likely to cause damage to the pavement, or sharp edges, hinges and other moving parts that may present a hazard to patrons or pedestrians
- Any proposed transparent solid barrier (such as Perspex) should comply with AS 1428.1 Access and Mobility, and should be clearly marked for the full width with a highly visible contrasting line.
- Outdoor dining areas must be easily accessible from the public footway and should as far as possible present an open and inviting image to entice participation. Planter boxes may be used in appropriate circumstances to physically define the side boundaries or perimeters of an outdoor dining area.
- Planter boxes may be considered in open areas, where there is sufficient room and pedestrian movement is not impeded. The planter boxes must be well-maintained by the applicant. Council reserves the right to order the removal of planter boxes that are not properly maintained including the consistent provision of approved high-quality flowers or vegetation. Permanent planter boxes will only be considered on footpath areas where the footpath has been widened for specific business use.
- Approved planters shall be terra cotta, concrete or reconstituted stone in natural, sandstone or terra cotta colour, or powder coated, brushed stainless steel or timber.
- Outdoor furniture should be strong, durable, waterproof and weather resistant designed for commercial outdoor use. Tables and chairs should fold or stack for storage.
- Outdoor furniture may be powder coated or polished aluminium, brushed or stainless steel, natural or painted timber, or canvass. Under no circumstances shall outdoor furniture consist of "cheap" bulk manufactured plastic chairs. Surfaces such as table tops should be non- reflective. All outdoor furniture will be subject to the approval of Council.
- Outdoor furniture is not to be placed outside the approved area under any circumstances.
- Each business should adopt a single colour and style for tables and chairs in its particular area to provide consistency and identity.
- All outdoor furniture must be temporary and must be able to be removed in extreme weather conditions.
- Umbrella's must be securely mounted at all times and in the advent of high winds must be managed so that they do not cause harm to patrons and pedestrians.
- Where the use of a heating device is proposed, details of the type, location and design must be included in the application. Heating devices must be designed in a manner which minimises risk and as such shall turn off automatically if overturned to prevent injury to patrons and property. Heating devices must be removed when not in use and suitably screened from public view. All outdoor heaters must comply with the relevant Australian Standards.
- Food and drink must be served on non-disposable crockery and cutlery. Food and drink must not be prepared in the area approved for outdoor eating.
- Paper, foam or plastic plates, cups and cutlery shall not be used for footpath outdoor dining

areas.

- Appropriate footpath service shall be provided which includes as a minimum the removal of any dirty plates, cups, cutlery, footpath staining, and rubbish on a regular basis during each operating day.

10.4 Dining / Liquor Licensing area

- Footpath dining areas associated with pubs or small bars require development consent under the Environmental Planning and Assessment Act 1979 in addition to a permit under Section 125 of the Roads Act 1993.
- Separate approval under Section 68 of the Local Government Act 1993 may also be required if temporary shade structures overhang the road
- All applications for a dining / liquor licenced area permit will be referred to NSW Police Mudgee Local Area Command. Local Police can make representations to the Office of Liquor Gaming & Racing as part of the consideration of the liquor license boundary extension application and; comment directly to the Council on the proposed local permit being issued.
- Council will issue to applicants a letter outlining the local conditions of the permit, this letter may be used by businesses when applying to the Office of Liquor Gaming & Racing to extend their liquor licence boundary to include the designated area of footpath.
- Conditions may include:
 - Barricades 1 metre in height clearly defining the boundaries of the licenced area will be approved in consultation with the council. The barricades must be linked together and constructed so that they cannot be easily moved by patrons and can tolerate wind events.
 - The maximum capacity of patrons to be seated at tables in the permitted footpath dining area will be limited by the available square meters of footpath divided by 3 multiplied by 4 which equates to the maximum number of patrons at one time in the designated area (4 persons per 3 square metres).
 - Seated table service of alcohol with meals by authorised staff of the licenced premises only will be permitted Service of alcohol with meals is restricted to be undertaken between the hours 12 noon and 10 pm, and;
 - no more than one alcoholic drink may be supplied to any one person at any one time and;
 - the following drinks must not be sold or supplied;
 - any drink (commonly referred to as a 'shot') that contains more than 30 ml
 - of spirits or liqueur and that is designated to be consumed rapidly and;
 - any drink containing more than 50% spirits or liqueur and;
 - any ready to drink (RTD) beverage with an alcohol by volume content more than 5% and;
 - any drink prepared on the premises that contains more than one 30ml nil nip of spirits or liqueur
 - Wine and beer sold by the glass cannot exceed the following individual serve quantities; wine not exceeding 150 ml and beer not exceeding 425mls
 - Liquor must only be sold or supplied in vessels opened by authorised staff of the licenced premises
 - No liquor may be taken out of the footpath defined licenced area
- NB: in this condition, ready to drink (RTD) beverage means an alcoholic mixed beverage that is prepared by the manufacturer.
- In the case of BYO the proprietor shall serve and store the alcohol provided by patrons within the premises (not the footpath area) as single drinks as above.
- Signposting of the licenced area will be displayed on the outside panels of the barricades to inform the public of the licenced area.
- Signposting of the Alcohol Free Zone will be displayed on the inside of the barricades informing patrons that as they leave the licenced area they are entering an alcohol free zone.
- Outdoor furniture should be strong, durable, waterproof and weather resistant designed for

POLICY: BUSINESS USE OF THE FOOTPATH | 15 NOVEMBER 2017

commercial outdoor use. Tables and chairs should fold or stack for storage.

- Outdoor furniture may be powder coated or polished aluminum, brushed or stainless steel, natural or painted timber, or canvass. Under no circumstances shall outdoor furniture consist of "cheap" bulk manufactured plastic chairs. Surfaces such as table tops should be non-reflective. All outdoor furniture will be subject to the approval of Council.

10.5 Temporary Use Permits

- Temporary use permits are required by businesses, community organisations and individuals wanting to access the footpath/nature strip for once off / occasional activities including advertising, promotions, fundraising, and entertainment and busking. Applications must contain the following;
 - A description of the activity to be conducted e.g. fashion parade, sale of raffle tickets, busking, promotion, advertising, choir etc.
 - The date and times of the activity including setup and takedown e.g. 10.30 am to 12.30 pm
 - A description of furniture and fittings to be placed on the footpath / nature strip
 - A letter/email of consent from the business that is supporting the activity to be conducted on the footpath in front of their shop
 - A certificate of currency (refer to item 7 above)
- Temporary use permits issued by council will be dated, signed by the authorizing officer and state the permitted activity. Permits must be made available upon request by a council employee. Businesses must display permits in the front window, as per section 8.
- For businesses requesting a temporary permit to use the footpath;
 - A maximum of two (2) Temporary Business Use of Footpath applications can be submitted during any one calendar year, and
 - Such an application cannot exceed more than four (4) weeks at any one time.
- Businesses requesting to use the footpath in excess of the above restrictions will be required to submit a Permanent Business Use of Footpath form and pay the appropriate fees and charges.

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11.6 Out of School Hours Care Support

REPORT BY THE MANAGER, COMMUNITY SERVICES
TO 20 NOVEMBER 2019 ORDINARY MEETING
GOV400067, COS300722

RECOMMENDATION

That Council:

1. **receive the report by the Manager, Community Services on the Out of School Hours Care Support; and**
2. **provide in-principle support for the application for an Out of School Hours Care Service licence in the event that a feasible opportunity arises.**

Executive summary

This report seeks to inform Council about opportunities to provide Out of School Hours Care support to families of primary school aged children in Gulgong, Mudgee, Kandos and/or Rylstone.

Disclosure of Interest

Nil.

Detailed report

The NSW Government has announced a \$120 million commitment to expand access to before and after school care for public primary school children across NSW. Schools across the State have been releasing online polls to determine families' interest in this service at their local public schools.

Most recently, the Department of Education advertised a Request for Tender for the licence to operate an Out of School Hours Care Service based at Rylstone Public School. The turnaround time from the on-site mandatory briefing to tender deadline was just ten days. Council staff were therefore not in a suitable position to adequately brief Council and gain their endorsement to lodge a conforming tender.

Given the Department's commitment to expanding before and after care services across the State, future requests for tender within the Mid-Western Region may be released again with very limited turnaround for submissions. In the circumstances, Council staff seek Council's in-principle support to apply for an Out of School Hours Care Service licence in the event that the opportunity again arises and the project appears feasible.

An Out of School Hours Care Service can be an extension of Council's Family Day Care Scheme and is able to be supervised by the Family Day Care Coordinator. Council would need to obtain Service Approval by the regulator of education and care services in NSW, as well as Department of Human Services' approval to utilise the Child Care Subsidy system through this new service. Given Council already holds Provider Approval and Service Approval for its Family Day Care service, it is not expected it would have any significant trouble applying for these further approvals

although timeframes need to be reasonable in order to ensure they are obtained prior to commencement of the additional service.

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 Plan.

Council Policies

Not Applicable.

Legislation

Not Applicable.

Financial implications

Income and expenses associated with an Out of School Hours Care Service need to be considered on an individual basis, including anticipated attendance figures. The Service's income source will primarily comprise fees paid by families and carers (potentially subsidised by the Federal Government's Child Care Subsidy dependent upon a family's eligibility). Expenses would include, but are not necessarily limited to, staff salaries and wages, the cost of the licence fee, and basic catering for the children. The financial implications will be explored in a business case in detail once a potential licence becomes available so that viability can be assessed. Any surplus funds can be utilised to assist with the day-to-day operation of Council's Family Day Care Service that will have its grant funding exhausted by 30 June 2021.

A further report will be brought back to Council in the event that a licence opportunity arises.

Associated Risks

Risk	Consequence	Probability	Impact	Mitigation
Fluctuating attendance numbers falling below budgeted forecast	Service would be operating at a loss	Possible	Significant	Ensure high quality service promoted heavily amongst relevant communities.
Fluctuating attendance numbers falling below budgeted forecast	Service would be operating at a loss	Possible	Significant	Investigate transport opportunities to support participation rates.
Fluctuating	Service may be	Possible	Significant	Structure the Service for

attendance providing no steady income forecast	operating at a loss			term-long bookings and, potentially, charge higher fees for casual attendees. Non-attendances without notice still payable.
Competition	Existing child care service providers could lose business	Possible	Unknown	Investigate further once a licence opportunity is identified.

FIONA TURNER
MANAGER, COMMUNITY SERVICES

SIMON JONES
DIRECTOR COMMUNITY

28 October 2019

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

11.7 Community Services Quarterly Update - July to September 2019

REPORT BY THE MANAGER, COMMUNITY SERVICES
TO 20 NOVEMBER 2019 ORDINARY MEETING
GOV400067, COS300015

RECOMMENDATION

That Council:

1. **receive the report by the Manager, Community Services on the Community Services Quarterly Update - July to September 2019; and**
2. **note the recent services provided and activities coordinated by Council's Community Services Department.**

Executive summary

This report aims to familiarise Council with services and activities provided by its Community Services Department and to inform it of issues and events of note that arose during the period July to September 2019 (inclusive).

Disclosure of Interest

Nil.

Detailed report

Details of Community Services' quarterly activities, events, milestones and points of note are contained in the attachment to this report. Of particular interest:

- As at 29 September 2019, there is just one vacancy across the whole Family Day Care scheme (in Wellington). Mudgee, Kandos and Gulgong Family Day Care Services have steadily maintained a full capacity for 0-5 year olds; and
- A submission to the Stronger Country Communities Fund Project was lodged in September to fund the youth services program for a further two years.

Community Plan implications

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

Strategic implications

Council Strategies

Not Applicable.

Council Policies

Not Applicable.

Legislation

Not Applicable.

Financial implications

Not Applicable.

Associated Risks

Not Applicable.

FIONA TURNER
MANAGER, COMMUNITY SERVICES

SIMON JONES
DIRECTOR COMMUNITY

28 October 2019

Attachments: 1. Community Services Quarterly Update - July to September 2019.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

COMMUNITY DEVELOPMENT

Mudgee and Gulgong interagency

The July meeting was attended by a big number of local and outreach agencies. Two guest speakers for the meeting were Josh Morton – from Veritas House, continuing to promote the “Western Homeless Connect” event which was a free community event connecting individuals who are homeless, or at risk of homelessness, with support services from around the Central West. The other guest speaker was Susan Kanisek - Senior Health Clinician/Joint Child Protection Response Program/Integrated Care Directorate. The Joint Investigation Response Team (JIRT) Program is an interagency partnership between NSW Health, NSW Family and Community Services (FACS) and the NSW Police Force to respond to the most serious cases of child abuse and neglect. JIRT’s role is to undertake joint investigations of statutory child protection matters that require a criminal justice response.

At the September meeting, Pamela Tanner - Australian Red Cross – Emergency Services was the guest speaker who talked about the purpose for this service which is Preparedness, Response and Recovery, mainly for fire, floods and also disease outbreaks although can include other emergency situations.

Like previous quarter local issues spoken during this period and which are affecting the community services sector continuing to be, changes in the NGO/Government funding focus, homelessness, mental health issues and services, the re-building of the Mudgee Hospital, NDIS as well as opportunities to work together and support mutual client groups. MWRC provide secretarial support in taking the minutes for these meetings.

Rylstone and Kandos Interagency

Pamela Tanner from Red Cross Emergency Services presented at one of the meetings during this quarter. Pamela spoke of the importance of this vital service and provided us with a demonstration of workshops that they offer to primary schools called Pillowcase Workshops, which train children in what to do in case of emergency and if they have to leave quickly what they will need to pack. These responses are taught for fire evacuation, floods and also for DV situations. The other training that is being provided to community members to be demonstrated was the development of writing out all your necessary contacts, license and passport numbers and emergency contacts, medications etc. Also how to pack an emergency container and what to place in it so it is available all the time. Through Red Cross’s presentation to the Interagency she has had a number of workshop bookings in the Rylstone and Kandos areas and also registered to be present at the Family Fun Day.

Mudgee People Against Violence:

The group meets every two month to share information/raise awareness about Domestic Violence, planning events like White Ribbon Day. This year White Ribbon Day event is planned for the Friday, 22 November in the Anglican Church grounds. The event will be in conjunction with the Friday market. The group will use the opportunity to raise awareness about domestic violence and services available in the area. They also will promote service available in the community for young families and children.

Seniors Week Planning Committee:

The Seniors Week Planning Committee meeting for this quarter took place Wednesday 19th September where members discussed activities for the next year Seniors Week Festival, to be held from 12th to 23rd February 2020. Members decided that the seniors’ week activities will be held in the area from 12th March to 29th March 2020. They believed that February, date proposed by the NSW Government clash with Rylstone, Mudgee and Gulgong shows.

Members also talked about the possibility of running the art, craft, photography and writing competitions as well as offering seniors in the region a concert like previous years.

Targeted Early Intervention

Although some of the current meetings and programs include Targeted Early Intervention services and events, work has been undertaken on how to move into this focused area. Areas that the Community Development Officers can focus on have been discussed and as these program ideas are further developed and can be rolled out throughout the communities of Mudgee, Gulgong, Rylstone and Kandos.

NAIDOC Week

NAIDOC Week was celebrated at Mid-Western Regional Council area with two activities. A Flag Raising Ceremony was held in Mudgee on 10 July, followed by a morning tea in The Stables. The event was well attended by 40 people. The Rylstone and Kandos NAIDOC Week Flag Raising Ceremony was held on 11 July at Kandos Museum followed by a luncheon. This event was very well attended with 92 participants. A smoking ceremony provided by local Wiradjuri man, Peter Swain was an integral part of this NAIDOC ceremony. After the official ceremony, attendees were able to have entry into the museum and look at the Dabee Story banners.

COMMUNITY TRANSPORT**Statistics**

CHSP trips	1218
CTP trips	388
NDIS trips	120
DVA trips	26
HRT trips	79
FCR	14
Non Reportable	13
Total	<u>1921</u>

Unmet requests for transport

There were five unmet requests for transport during this period. Reasons for refusal included no available cars or journeys already too complex and long.

NDIS

No new NDIS clients despite recent advertising efforts.

Fleet

The Service has a new Kia Carnival currently in Victoria for wheelchair accessible modifications with delivery expected end of November 2019. One Camry has been replaced as it reached an odometer reading of 300,000km. A further Camry will be replaced for the same reason shortly.

Volunteers

Volunteer driver, Pat Burns celebrated 25 years of volunteering with the service.

The Service currently has 23 active volunteers. Two new volunteers have completed all required checks and paperwork and will be commencing induction and training shortly.

FAMILY DAY CARE

Family Day Care Educators are self-employed and therefore Council's Coordination Unit is supporting 17 locally-owned businesses. The breakdown as at 30 September 2019 is; 1 in Gulgong, 1 Kandos, 9 Mudgee and 6 Wellington. The number of children currently registered is 243.

The Coordination Unit's two Child Development Officers have maintained their increased monitoring and support visits to all Educators and continue to focus on the Quality Area 1 of the National Quality Standards. The Coordinator also conducts random spot visits to ensure compliance.

The Coordination Unit is continuing to receive calls for families requiring care in all towns. As at 29 September 2019, there is just one vacancy across the whole scheme and this is for an Educator located in Wellington. Mudgee, Kandos and Gulgong have steadily maintained a full capacity for 0-5 year olds.

The Service has a waiting list consisting of approximately 19 families who require care now, including 23 families waiting on additional places with their current Educators. The Service is beginning to receive calls regarding vacancies in 2020.

The Coordination Unit is continuing to be present at local childhood events, such as National Simultaneous Story Time and National Reading Hour, both which were held at the Mudgee Library

As at 30 September 2019, Family Day Care remains one of the cheaper child care options for our local families due to the flexibility of charged hours and the option for weekend and overnight care.

MEALS ON WHEELS**Statistics**

Meals, including hot meals, chilled desserts, sandwiches and soups:

July	605
August	615
September	603
Total	1,823

Frozen meals, including meals, baked meals and breaky meals:

July	38
August	65
September	55
Total	158

Current number of active clients for Meals on Wheels

33 meal deliveries 9 receiving frozen meals only

Summary

My Aged Care referrals are continuing to come through steadily.

Volunteers

Volunteer numbers remain steady with 160 individuals coming from 13 different organisations. Five individual volunteers have registered this quarter.

Frozen meals

A recall on frozen meals was alerted by the supplier. All applicable meals distributed by Mudgee Meals on Wheels were immediately identified, accounted for and those distributed reclaimed.

YOUTH SERVICES

School holiday and partnership activities

Attendance at the July school holiday activities overall was good, and feedback from the exit surveys indicates events were well received by attendees. The two excursions were incredibly popular; an ice-skating trip to Bathurst and a visit to Mudgee Observatory. Youth Council's partnership activities with Mudgee Readers' Festival during August were all successful.

Bi-Annual NSW Youth Council Conference

A small delegation consisting of the Deputy Youth Mayor, one Youth Councillor, and a Youth Services Officer, attended the three day conference hosted by Blacktown Youth Advisory Committee during September. The schedule allowed the participants to network and gain insight on a number of youth related issues. Additionally the content of the conference prompted thoughts and ideas on ways to improve the current programmes run by the Mid-Western Regional Youth Council, and potential new programmes and events. Overall it was definitely worthwhile attending, and the delegation strongly recommended a delegation be sent to the 2021 conference in Tumut.

Staffing

Youth Services is now facilitated by two part-time Youth Services Officers.

Funding and grant applications

A grant application for the Youth Opportunities Program 2019/20 - Round 8 was submitted in August. Should this application be successful the *Youth Services Directory* will be available on a dedicated online website style platform. The possibility of developing a mobile app for the directory will be explored at a later date, should the website feedback indicate it would be welcome and is feasible.

In September the Independent Planning Commission advised against the KEPCO Bylong mine proceeding. As such, it has been assessed as unlikely that KEPCO Bylong will renew the Youth Services funding from February 2020. Council staff have commenced exploring other funding possibilities. A submission to the Stronger Country Communities Fund Project was lodged in September to fund the youth services program for a further two years.

11.8 Library Services - Quarterly Report

REPORT BY THE MANAGER LIBRARY SERVICES

TO 20 NOVEMBER 2019 ORDINARY MEETING

GOV400067, F0620020

RECOMMENDATION

That Council receive the report by the Manager Library Services on the Library Services - Quarterly Report.

Executive summary

This report seeks to inform Council of the activities undertaken by the Mid-Western Regional Council Library Service, under the broad outlines of Customer Visits, Library Borrowings & Purchased items, Strategic Partnerships, and Sustainable Organisations. This report covers the period July – September 2019.

Disclosure of Interest

Nil

Detailed report

CUSTOMER VISITS, LIBRARY BORROWINGS, & PURCHASED ITEMS

It is pleasing to note that Library visits and borrowings are currently on the increase. Visits to the Library's branches during the July – September 2019 period were slightly higher than for the previous period.

Quarter	Visits
July-September 2019	27,778
April-June 2019	26,907

Across the Library Service, loans of library items increased slightly when compared to the previous quarter.

Quarter	Loans
July-September 2019	23,637
April-June 2019	22,363

Loans from the Mobile Library increased when compared to the previous quarter.

Quarter	Loans
July-September 2019	1,807
April-June 2019	1,797

The use of library resources (library subscribed databases) showed a large increase when compared with the previous quarter of 2019.

Quarter	Accesses
July-September 2019	2,631
April-June 2019	647

The Library continues to purchase new items in line with the Collection Development Strategy. These items include audio books, magazines, fiction and non-fiction for adults and children in both print and electronic formats, and DVDs.

Quarter	Purchases
July-September 2019	2,115

STRATEGIC PARTNERSHIPS

The Library continues to support the Rotary/Council Mudgee Town Hall Cinema partnership on Council’s behalf, by providing continuous administrative support, liaising with film distributors and Rotary, and provision of online/over the counter ticket sales. Over the July-September 2019 period this totalled approximately 90 Library support hours, and included 29 movie screenings, with 1,963 patrons attending a movie.

Mudgee Readers’ Festival continues to be a vital Library partner, co-hosting a continuous program of author talks and literary events throughout the year. In August, Mudgee hosted the annual Mudgee Readers’ Festival, with 13 separate events held in Mudgee Library and the Town Hall Theatre, reaching 544 attendees. Over the Festival weekend, 881 people also enjoyed the 17 other satellite events held throughout the local region.

SUSTAINABLE ORGANISATION

The Library continues to encourage a life-long love of books and reading through its early literacy initiatives. During the July-September period, Library staff hosted 88 separate early learning sessions, reaching 861 children; this included a special Father’s Day session of Bookworms, and a celebration of The Reading Hour in the Theatre.

During the July school holidays, the Library hosted 46 different events for 1,066 children, including craft & storytelling sessions, 3D scanning, OZO Bots & Arduino Coding, and a comedy show in the Theatre. The Library also facilitated 16 Young Adult events for 223 attendees.

During this quarter, the Library hosted 16 sessions & workshops for adults, with 149 attendees.

Community Plan implications

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

Strategic implications

Council Strategies

The Library Services – Quarterly Report has been developed in line with the 2017/18 – 2020/21 Delivery Program, and the Library’s Collection Management Strategy.

Council Policies

Not Applicable.

Legislation

Not Applicable.

Financial implications

Not applicable.

Associated Risks

Not applicable.

MICHELLE MAUNDER
MANAGER LIBRARY SERVICES

SIMON JONES
DIRECTOR COMMUNITY

7 November 2019

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Item 12: Reports from Committees

12.1 Heritage Committee Meeting Minutes 20 August 2019

REPORT BY THE MANAGER, STRATEGIC PLANNING
TO 20 NOVEMBER 2019 ORDINARY MEETING
GOV400066, DEV700020

RECOMMENDATION

That Council:

- 1. receive the report by the Manager, Strategic Planning on the Heritage Committee Meeting Minutes 20 August 2019; and**
 - 2. note the minutes of the 20 August 2019 Heritage Committee Meeting.**
-

Executive summary

The purpose of this report is to advise Council of the considerations of the Heritage Committee meeting held on 20 August 2019.

Disclosure of Interest

Nil.

Detailed report

A copy of the minutes from the August 2019 meeting are attached to this report.

There was one recommendation from the Heritage Committee Meeting held on the 20 August 2019 provided below followed by a staff comment.

Heritage Committee Recommendation:

It is recommended a sub-committee comprising Barbara Hickson, Peter Monaghan and David Warner (or delegate from the existing committee members)

1. assist Development Directorate to develop a heritage consideration area 'high alert' areas maps to be permanently mounted in each of the Works offices;
2. liaise with the Operations Directorate in determining a contact on each of the Works offices, and
3. make recommendations to the Committee on any required further action.

Staff Comment:

A Council resolution is not required to form a sub-committee.

The work in developing a high alert / high heritage sensitivity mapping has commenced. Initial input has been received from the committee and has been provided to Council's GIS Coordinator to be digitised. Hard copies can then be produced and displayed in the Gulgong, Mudgee and Rylstone depots.

The Director of Operations has previously provided contact details for the Administration Officer (Roads), Manager Works and himself. The matter of providing specific contacts with the Gulgong, Mudgee and Rylstone depots will be discussed. This action does not require a resolution of Council.

The sub-committee can make recommendations to the Committee and this will be minuted and considered by Council when required. Accordingly, this action does not require a resolution of Council.

Community Plan implications

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

Strategic implications

Council Strategies

Conducting Heritage Committee Meetings is consistent with Council's Heritage Strategy.

Council Policies

Not applicable.

Legislation

The Heritage Committee is operating under Section 355 of the Local Government Act 1993, which allows it to exercise a function of Council.

Financial implications

Not applicable.

Associated Risks

Not applicable.

SARAH ARMSTRONG
MANAGER, STRATEGIC PLANNING

JULIE ROBERTSON
DIRECTOR DEVELOPMENT

3 September 2019

Attachments: 1. August Minutes.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

HERITAGE COMMITTEE MEETING MINUTES (UNCONFIRMED)

MUDGEES – STABLES MEETING ROOM

TUESDAY 20 AUGUST 2019 – 9.30AM

1. WELCOME and PRESENT

Chris Pearson, John Bentley, Barbara Hickson, Virginia Hollister, Peter Monaghan, Staff:
 Sarah Armstrong.

2. APOLOGIES

David Warner

3. CONFIRMATION OF PREVIOUS MINUTES – JULY 2019

Moved: Peter Monaghan second: Barbara Hickson.

Note: Amendment to the July minutes – Heritage Strategy to be referenced in the
 Community Plan and Heritage Strategy to be updated.

4. MATTERS IN PROGRESS

Matter	Responsible	Progress / Action
Local Heritage Grants.	Development Directorate Committee consideration	Council successfully received grant funding for the Local Heritage Grants program of \$11,000.00.
Heritage Conservation Fact Sheet (commenced September 2016).	Development Directorate	Community Plan Proposal withdrawn by the Committee upon receiving advice. First distribution will be to landowners of heritage items, a cover letter will accompany the fact sheet. The Development Director highlighted other means of reaching the targeting audience.
Heritage Advisor.	Development Directorate	Council successfully received grant funding for the Heritage Advisor program of \$12,000.00.
Review of the Rylstone Main Street Study (commenced September 2016).	Committee Members	OE&H grant, with matching funding provided by Council. Amendments to the submitted report to be made by Council's Corporate Development Team.

Matter	Responsible	Progress / Action
DCP Review – inclusion of Heritage Conservation provisions.	Development Directorate Committee Members	OE&H Grant and Council Community Plan Proposal unsuccessful. Heritage Conservation Area Statements of Significance prepared. Council staff have engaged the Heritage Advisor to prepare a draft of heritage conservation provisions for the DCP, draft to be provided to Council end June 2018. DP&E have provided Council with draft DCP structure. Structure to be placed on public exhibition, timing? Council will amend DCP inline with structure and include heritage provisions. Ask Director if provisions can be viewed by the Committee.
Proposed Heritage Conservation Area for Kandos (commenced June 2017).	Sub committee	Project paused.
Heritage Near Me funding application 'Snapshot of our Heritage' (commenced May 2018).	Development Directorate	Project completion date now October 2019.
Gulgong block signage audit (commenced July 2018).	Chris Pearson, David Warner, Barbara Hickson.	The matter will be considered by Council's Traffic Committee on 16 th August 2019. The matter was considered before the meeting and a written response provided to the Committee. Chris Pearson spoke to the matter of the proliferation of signage and the removal of excess signage.

5. BUSINESS ARISING FROM THE PREVIOUS MEETING

5.1 Nil.

6. GENERAL BUSINESS

6.1 Assisting heritage conservation area works processes undertaken by Operations Directorate

Terms of Reference

In providing Council advice and recommendations particularly to:

- assist Council's development of heritage policies and action, and
- propose programs to raise the profile of heritage

It is recommended a sub-committee comprising Barbara Hickson, Peter Monaghan and David Warner (or delegate from the existing committee members)

1. assist Development Directorate to develop a heritage consideration area 'high alert' areas maps to be permanently mounted in each of the Works offices;
2. liaise with the Operations Directorate in determining a contact on each of the Works offices, and
3. make recommendations to the Committee on any required further action.

Moved: Peter Monaghan second: Chris Pearson.

6.2 Heritage Strategy

Peter Monaghan discussed the drafting of a new Heritage Strategy and referenced a document previously prepared by Virginia Hollister.

6.3 Resignation of Committee Member

Chris Pearson advised of his resignation. David Warner remains on the Heritage Committee as a Gulgong representative.

Date of next meeting Tuesday 22 August 2019

Schedule of meetings 2019 –

Tuesday 22 October
Tuesday 17 December

12.2 Gulgong Memorial Hall Committee

REPORT BY THE MANAGER, CUSTOMER SERVICES
TO 20 NOVEMBER 2019 ORDINARY MEETING
GOV400067, A0100024

RECOMMENDATION

That Council:

1. receive the report by the Manager, Customer Services on the Gulgong Memorial Hall Committee; and
2. note the minutes from the Gulgong Memorial Hall Committee meeting held 8 October 2019.

Executive summary

The purpose of this report is to advise Council of the considerations and recommendations of the Gulgong Memorial Hall Committee meeting held on 8 October 2019

Disclosure of Interest

Nil.

Detailed report

The Gulgong Memorial Hall Committee met on 8 October 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

10 October 2019

Attachments: 1. Gulgong Memorial Hall Minutes 8 October 2019.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Gulgong Memorial Hall Meeting 8/10/2019

Opened: 1607

Present: Charles Vassel, Toni Morrison, Percy Thompson, Chris & Pauline Hannaford, Ray Thackeray, Maureen Trgo, Cheryl Vassel

Apologies: Richard Cushway.

Minutes of last meeting: Accepted Pauline, 2nd Ray

Correspondence: copy of poster for Christmas Celebration.

Letter from Richard re unable to attend meeting

General Business:

Fire doors and security doors are being constructed at present, will be installed soon. The roof will be pulled down after Christmas, repairs attended to, new guttering installed, then painting done.

Men's Shed waiting for builder re wall. Any external work needs Council approval to be done, any internal work Men's Shed can do themselves.

Should Committee approach Council re dates when doors will be installed and roof fixed, perhaps Brad Cam, Simon Jones or Council OH&S Safety Officer? All in favour. Chris and Toni will do this.

Percy has rung to find out when the money for the Christmas Celebration will be forwarded to Committee, also contacted Brad Cam, doors will be installed soon, roof will be attended to early in the new year.

Possibility of another two major events in Hall each year:

Antique Auction for 4 days, Friday to Monday, twice a year. If Hall is hired for 4 or more days, then hirer only get charged half the weekly rate, so a saving of about \$180.

Are Clay Gulgong using the Hall in April next year? This happens during School Holidays, so not in competition with Nichole's dance studio.

Richard Cushway will send an update every three months as to who is hiring the Hall.

Council cannot find any application for the Christmas Celebration funding. This was submitted at the end of March. Copy has been printed and handed to Councillor Thompson to give to Council Staff.

Christmas Celebration: Poster needs new logo for Gulgong Traders. Start time 4.30.

Have one major issue, if Council finance does not come through how the Christmas Celebration will be run.

Parents of Little Athletics will assist with Christmas Celebration, will work out games in case it is wet. Have approx. 11 Mothers to help.

Youth helpers from Bathurst will not be coming, so Vaughan is trying the local youth group.

Chris & Pauline - Swoop is coming, will talk to them.

Santa has requested more room to get changed, as last year he was a bit cramped. There is room at the Commercial for him to use, and hopefully there will be two Shetland Ponies available.

Charlie has spoken to IGA, and letter has been delivered, will more than likely be ok for vouchers and hams. The new owners of IGA are Gulgong Traders.

Has anyone spoken to Alan Walker re the photos? He said yes, it is still on.

Ray and Chris were at the school, and asked one of the teachers where the Christmas gear was, they do not know. Will send letter to headmaster.

Will need to buy Hay, as well as using the bumpers.

Charlie – contact Tracey re Santa photos.

Chris & Pauline are buying tattoos.

Will book Hall tomorrow for the 10/12/2020

Have been asked to put a stall in.

Maureen – Jumping Castle.

Hospital Auxillary will have stall.

Ice blocks and lollies.

Men's Shed drinks

Water Balloons

Firies – Water slide.

Chris – Cheryl Cunningham re mister.

Meeting Closed 1700

Next meeting 12/11/19 1600 at the Men's Shed.

Action Plan

Person Responsible	Action	Result
Cheryl	Letter to David Lewis re School Equipment	
Charlie	Talk to Tracy Spenser re Santa Photos	
Maureen	Lollies, Water Balloons, ice blocks	
Cheryl	Poster updates	
Cheryl	Book Hall for next year	
Chris & Pauline	Tattoos	
Chris	Cheryl Cunningham – Water Mister	
Maureen	Jumping Castle	
Chris & Pauline	Swoop	

12.3 Gulgong Sports Council Ordinary Meeting Minutes - 9 September & AGM Minutes - 9 September 2019

REPORT BY THE MANAGER RECREATION SERVICES

TO 20 NOVEMBER 2019 ORDINARY MEETING

GOV400067, A0360003

RECOMMENDATION

That Council:

1. receive the report by the Manager Recreation Services on the Gulgong Sports Council Ordinary Meeting Minutes - 9 September & AGM Minutes - 9 September 2019; and
2. note the minutes of the Gulgong Sports Council Ordinary Meeting Minutes and the AGM minutes both of 9 September 2019.

Executive summary

The purpose of this report is to advise the Council of the considerations and recommendations of the Gulgong Sports Council meeting & AGM held on 9 September 2019

Disclosure of Interest

Nil.

Detailed report

The Sports Council receives an updated Works Request and Matter in Progress Report together with updated financial details each month prior to their meetings.

Community Plan implications

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

Strategic implications

Council Strategies

Not applicable

Council Policies

Not applicable

Legislation

The Gulgong 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

25 October 2019

- Attachments:*
1. Gulgong Sports Council Meeting Minutes - 9 September 2019.
 2. Gulgong Sports Council AGM - 9 September 2019.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Page 1

**GULGONG SPORTS COUNCIL
Monthly Meeting**

Monday 9th September, 2019 @ Gulgong Bowling Club.

Meeting Opened; 6.00 pm

Apologies; C.Rae, B.Rae, K.Miller, D.Reynolds, C.Rae

Moved; P.Thompson 2nd m.Freestone 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, , T.Kane MWRC, T.Papworth, C.Forrestor,

Minutes; Minutes from last meeting be adopted dated 8th July, 2019.

Moved C.Holden 2nd P Thompson Carried

Council Business;

1. New seating to be installed at Victoria Park, two have been installed awaiting on others to be installed, this cannot be done until lights have been installed.
2. BBQ Shelter at Billy Dunn oval to be installed Gulgong Terries to forward plans and requests MWRC. This has been done and awaiting approval.
3. Water restrictions are in place for sporting ovals.
4. Laneways at Billy Dunn and Victoria Park to be put on the MWRC management plan for sealing to stop dust being spread through the houses and schools that align the sporting fields.

Finance;

Balance; \$12,877.32

Income; Nil

Expenditure;

Furney's Building and Plumbing Supplies; \$5,500.00 (BBQ Shelter)

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. Craig Holden President put forward a Motion that the Gulgong Sports Council provide financial assistance to the amount of \$5,500.00 for the installation of the shelter for the BBQ area at Billy Dunn Oval. The supply of materials and installation is to be carried out by Furney's Building and Plumbing Supplies.

Moved C.Holden 2nd P.Thompson Carried

Meeting closed 7.30 pm.

Next Meeting; 6.00 pm Monday, 11th November, 2019 @ Gulgong Bowling Club.

President



Craig Holden.

**GULGONG SPORTS COUNCIL
AGM
Monday 9th September, 2019 @ Gulgong Bowling Club.**

Meeting Opened; 7.15 pm

Apologies; Tucker, B.Rae,D.Reynolds, K.Miller, C.Rae.

Moved P.Thompson 2nd M.Freestone Carried

Present; M.Gaudry B.Gudgeon, T.Kane MWRC, T.Papworth, C.Holden, M.Freestone, P.Thompson, Holden, S.Haney, C.Forrester, P.Thompson MWRC, L.Hawkins.

Minutes; Minutes from last AGM meeting be adopted dated September, 2018.

Moved C.Holden 2nd B.Gudgeon Carried

Presidents Report;

Craig Holden the president of the Gulgong Sports Council would like to thank the following for their hard work and input to the Sports Council during 2019; B.Gudgeon, T.Papworth, M.Guadry and M.Freestone. A Special Thanks must goes to Tracey Kane and her Team for all their hard work on our sporting ovals and also on the new amenities that had been installed during 2019, their support is very much appreciated. To Mid-Western Regional Council for their financial assistance and in supporting our goals to promote sport in Gulgong.

Treasurers Report;

Brian Gudgeon moved that all accounts have been paid and that the Balance of our finances stands at \$12,877.32 as of this AGM.

Moved B.Gudgeon 2nd M.Freestone Carried.

Council Business;

1. **The Gulgong Sports Council to look at supplying proper change rooms for women at Billy Dunn Oval as this become a very special need to women and girls who need a facility of safety and an area of privacy.**

Election of Committee;

The existing committee stepped down from their positions; Councillor P.Thompson was appointed Chairperson for the election of the 2020 Committee.

<u>Position</u>	<u>Nominated</u>	
President	Craig Holden	Accepted Position
Secretary	Craig Holden	Accepted Position
Treasurer	Brian Gudgeon	Accepted Position

The nominations were accepted and voted in by the members that were present at the AGM Meeting held at the Gulgong Bowling and Sporting Club on Monday the 9th of September 2019.

Meeting closed 7.45 pm.

President
Craig Holden.

A handwritten signature in black ink, appearing to be 'Craig Holden', written in a cursive style.

12.4 Mid-Western Regional Council Access Committee

REPORT BY THE MANAGER, COMMUNITY SERVICES
TO 20 NOVEMBER 2019 ORDINARY MEETING
GOV400067, COS300797

RECOMMENDATION

That Council:

1. receive the report by the Manager, Community Services on the Mid-Western Regional Council Access Committee; and
2. note the minutes of the Mid-Western Regional Council Access Committee held on 1 October 2019.

Executive summary

The Mid-Western Regional Council Access Committee meets monthly to discuss and provide advice to Council on operational and strategic issues affecting physical access and inclusion for all residents and visitors to the region

Disclosure of Interest

Nil.

Detailed report

During the October 2019 meeting, members of the Access Committee considered a development application for a childcare centre on Sydney Road, Mudgee. The Committee also discussed positive feedback regarding Council works in Gulgong. Further detail of discussions are contained in the minutes attached to this report.

The next meeting of the Mid-Western Regional Council Access Committee is due to be convened on 5 November 2019.

Community Plan implications

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

Strategic implications

Council Strategies

Council's Disability Inclusion Action Plan supports collaboration between Council and its Access Committee, to provide advice on operational and strategic issues affecting access for all residents of and visitors to the region.

Council Policies

Not Applicable.

Legislation

Mid-Western Regional Council is committed to an inclusive and accessible region and seeks to meet its obligations under the *Disability Discrimination Act 1992* and the NSW *Disability Inclusion Act 2014* through its Disability Inclusion Action Plan.

Financial implications

Not Applicable.

Associated Risks

Not Applicable.

FIONA TURNER
MANAGER, COMMUNITY SERVICES

SIMON JONES
DIRECTOR COMMUNITY

28 October 2019

Attachments: 1. Minutes - Access Committee - 1 October 2019.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



8. General Business:

P. Morris: Very positive to see Gulgong ramps being installed near RSL club. Receiving very positive feedback. Gutters in laneway behind post office also have been fixed. Gutters removed and replaced with ramps.

9. Matters pending:

Nil.

Closed: 11:21am.

Next meeting date – 5 November 2019 – Admin Foyer Meeting Room.

12.5 Mid-Western Regional Youth Council

REPORT BY THE MANAGER, COMMUNITY SERVICES
TO 20 NOVEMBER 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 meetings convened on 10 September 2019 and 8 October 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 meetings on 10 September 2019 and 8 October 2019.

The Youth Councillors discussed a range of items, such as school holiday activities and the possible purchase of a driving simulator for use by learner drivers living within the community.

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

KEPCO Bylong has been refused development consent for its Bylong Coal Project. This is likely to have a flow-on effect for the third year of KEPCO Youth Services Funding. Council staff have been exploring other options, however, and have most recently lodged a submission to the Stronger Country Communities Fund Project to fund the youth services program for a further two years.

Associated Risks

See above. Ongoing financial support for Council's Youth Services is not guaranteed for a further year. Council staff are exploring alternate funding options.

FIONA TURNER
MANAGER, COMMUNITY SERVICES

SIMON JONES
DIRECTOR COMMUNITY

28 October 2019

- Attachments:*
1. Minutes - Youth Council - 10 September 2019.
 2. Minutes - Youth Council - 8 October 2019.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

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>



MINUTES OF YOUTH COUNCIL MEETING

DATE: 8 October 2019
VENUE: Mudgee Council Chambers,
86 Market Street, Mudgee
COMMENCEMENT TIME: 4:08 pm

1. ATTENDANCE

1.1. In Attendance

Youth Councillors: Angus Danson (Youth Mayor; Chair), Christopher Barry (Deputy Youth Mayor), Courtney Boxsell, Rhiannon McPherson, Zowee Roberts.

Councillors: Councillor Sam Paine (Deputy Mayor).

Council Staff: Fiona Turner (Manager, Community Services), Cathy Meyers (Youth Services Officer).

1.2. Apologies:

Councillor Alex Karavas, Nicola Hayes, Lucah Hill, Rose Mortensen, Daniel Trevethan, Sam Sbisa.

Motion: Acceptance of apologies.

Moved: R McPherson Seconded: C Barry Carried

2. MINUTES – 9 September 2019

Motion: Acceptance of minutes.

Moved: A Danson Seconded: Z Roberts Carried

3. CORRESPONDENCE IN/OUT

3.1. Email from Delta Fraser dated 26 September 2019 requesting Youth Council purchase anime and manga for the library, as well as some Hanafuda cards.

Motion: That Youth Council spend up to \$600 purchasing anime and manga for the library, as well as some Hanafuda cards as per D Fraser's request.

Moved: A Danson Seconded: R McPherson Carried.

Action: S Sbisa to investigate and purchase items requested.

4. BUDGET

4.1. F Turner reported increased spending is required to exhaust the 2019/2020 budget appropriately.

4.2. C Meyers and F Turner still investigating the possibility of purchasing a driving simulator for the region's learner drivers but having trouble working out where it can be stored, whilst still maximising usage and maintaining supervision. Have investigated the PCYC but usage there may be limited by membership. Now exploring Mudgee High School. A Danson suggested having it situated at a driving school. Driving schools are generally mobile offices, plus use does not contribute to driving log hours. There is also the issue of limiting usage if kept in a frequently unattended premises.

Action: C Meyers to continue investigation.

- 4.3. C Meyers has further investigated the wishlist of Youth Council branded promotional items from the September meeting. Minimum orders comes to around \$5,000-\$6,000. List to be narrowed down to three items for a more realistic budget: drink bottles, USBs and fidget cubes. Can explore purchases again in the future. Need also to be mindful of storage.

Action: C Meyers to undertake purchases of Youth Council branded promotional items.

- 4.4. Update on 2020 Youth Services funding (F Turner). KEPCO Bylong Coal Project has been refused development consent by the Independent Planning Commission. This is very likely to have a flow-on effect for the third year (2020) of our Youth Services funding. Council staff are, however, exploring alternate options and S Paine was able to confirm that Council is very vested in maintaining current Youth Services activities.

5. EXISTING BUSINESS

5.1. Youth Council Events

- 5.1.1. Future school holiday events – Carry over agenda item to November Youth Council meeting.

Note: Z Roberts has investigated a horse riding activity and reports it is not available.

- 5.1.2. Inspirational Speaker – Carry over agenda item to November Youth Council meeting.

5.2. NSW Youth Council Conference – Post-event report (C Barry)

C Barry reported that the recent Youth Council Conference was really good and he believes delegates should be sent every year. It was good to see what other Councils are doing. C Barry does not believe Youth Council should rush in and consider running a similar program any time soon but continue to get a feel for it and experience around the different aspects of the conference. The next conference will be convened in Tumut. C Barry advised the conference gave him more inspiration and tools to consider what Youth Council can enact in this region. A negative, however, was that the timetable was very jam packed; needed more downtime. But the guest speakers were good and, overall, it was a good experience. Delegates split into groups (mini workshops) on different topics for exploration. C Barry attended a workshop on 'Gender and Cultural Diversity' which provided examples of events and activities that could apply to this region to improve this area.

6. BUSINESS ARISING

6.1. Code of Conduct – Six monthly review (F Turner)

This Code was first introduced to Youth Council at its April 2019 meeting. Reviews/refreshers will be undertaken every six months. F Turner drew Youth Councillors attention to the following particular matters within the Code:

- Obligations of general conduct (including the prohibition of intimidation or verbal abuse, bullying and harassment and the abuse of power, as well as any conduct likely to bring Council into disrepute);
- Pecuniary interests;
- Non-pecuniary conflicts of interest;
- Personal benefits.

All Youth Councillors present indicated they understood the above discussion.

Action: F Turner to provide R McPherson with a copy of the Code.

6.2. Youth radio (C Barry)

C Barry proposed that Youth Council start a youth radio show once per week after school for an hour with local talent, people doing good things within the community, celebrating achievements (eg, sports teams winning), musical acts, call in games, quizzes, prizes, etc. It could also be a

valuable tool for Youth Council advertising. The show could be broadcast through 2MG. F Turner suggested we would need to consider Council's Media Policy, get the permission of the General Manager, speak with 2mG to see if this is a possibility (is it still broadcasting locally in the afternoon?). Promoting Youth Radio would be important – through school announcements, Level Up and other Youth events, Facebook. Pre-recording may be an option also.

Action: C Meyers to explore options regarding Youth radio through 2MG and report back.

7. GENERAL BUSINESS

7.1. Relay for Life (R McPherson)

R McPherson has spoken to people involved in Relay for Life planning and there have been no ideas for stalls and activities submitted yet.

Action: Youth Council to consider some ideas for fundraising at the event for discussion in future meetings

8. DETAILS OF NEXT MEETING

8.1. Tuesday, 12 November 2019, Mudgee Council Chambers, Market Street, Mudgee.

4:38PM 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
Investigate Youth Councillor t-shirt options.	Youth Services Officers	08.10.2019
Investigate inspirational guest speakers.	S Sbisa	12.11.2019
Investigate Relay For Life team partnership options with Council.	Youth Services Officers	12.11.2019
Purchase anime, manga and Hanafudu cards up to the value of \$600.	S Sbisa	12.11.2019
Investigate purchase options for a driving simulator.	C Meyers	12.11.2019
Purchase Youth Council branded promotional material.	C Meyers	12.11.2019
Provide R McPherson with a copy of Council's Code of Conduct.	F Turner	09.10.2019 Completed
Investigate Youth radio options.	C Meyers	12.11.2019
Consider fundraising options for Relay for Life.	Youth Councillors	12.11.2019

12.6 Gulgong Sports Council Meeting Minutes 14th October 2019

REPORT BY THE MANAGER RECREATION SERVICES
TO 20 NOVEMBER 2019 ORDINARY MEETING
GOV400067, A0360003

RECOMMENDATION

That Council:

1. **receive the report by the Manager Recreation Services on the Gulgong Sports Council Meeting Minutes 14th October 2019; and**
2. **note the minutes for the Sports Council Meeting held 14th October 2019**

Executive summary

The purpose of this report is to advise Council of the considerations and recommendations of the Gulgong Sports Council Meeting held on 14th October 2019.

Disclosure of Interest

Nil.

Detailed report

The Gulgong Sports Council receives an updated works request and matters in progress report together with updated financial details each month prior to the meetings.

Community Plan implications

Theme	Looking After Our Community
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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 Gulgong 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

30 October 2019

Attachments: 1. Gulgong Sports Council Meeting Minutes 14th October 2019.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Page 1

GULGONG SPORTS COUNCIL
Monthly Meeting
Monday 14th October, 2019 @ Gulgong Bowling Club.

Meeting Opened; 6.00 pm

Apologies; M.Gaudry, T.Kane

Moved; P.Thompson 2nd M.Freestone Carried

Present; B.Gudgeon GDCA, C.Holden Sports Council, M.Freestone Touch Football, P.Thompson MWRC, T.Papworth,

Minutes; Minutes from last meeting has not been presented, to be adopted at next meeting.

Moved C.Holden 2nd P Thompson Carried

Council Business;

1. BBQ Shelter at Billy Dunn oval to be installed. Steve Haney awaiting approval and confirmation so that project can get started from Council. All finances has been approved for project and all details required has been sent to Council.
2. Rebecca Finney asked for assistance in funding to the total of \$350.00 for shirts for juniors for the touch football competition for 2019. Please see attached letter.

Moved C.Holden 2nd B.Gudgeon Carried

Finance;

Balance; \$12,877.32

Income; Nil

Expenditure; Rebecca Finney Touch Football \$350.00 Junior Shirts.

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

Moved B.Gudgeon 2nd M.Freestone. Carried

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. Safety issue at Victoria Park with new fence, more openings required for access to retrieve ball when playing cricket. Fence too high for juniors. Needs onsite meeting with Council.

Moved C.Rae 2nd T.Papworth Carried

Meeting closed 7.30 pm.

Next Meeting; 6.00 pm Monday, 11th November, 2019 @ Gulgong Bowling Club.

President
Craig Holden.



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 *GROUNDINGS 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 Update on LEC Matter DA0081/2018

The reason for dealing with this report confidentially is that it relates to advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege in accordance with Section 10A(2)(g) 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 a matter subject to legal proceedings.

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.