



****CONFIDENTIAL COPY****

Business Papers 2024

MID-WESTERN REGIONAL COUNCIL

ORDINARY MEETING
WEDNESDAY 16 OCTOBER 2024

*A prosperous and progressive
community we proudly call home*





PO BOX 156
MUDGEES NSW 2850

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

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

9 October 2024

Dear Councillor,

MEETING NOTICE
Ordinary Meeting
16 OCTOBER 2024
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.

The meeting will be live streamed on Council's website.

Members of the public may address Council at the Public forum, which is held at 5.30pm immediately preceding the Council meeting. Speakers who wish to address Council are invited to register by 4.00pm on the day prior to the Council Meeting by contacting the Executive Assistant to the Mayor and General Manager.

Yours faithfully

A handwritten signature in black ink, appearing to be "BRAD CAM", written in a cursive style.

BRAD CAM
GENERAL MANAGER

AGENDA

Acknowledgement of Country	9
Item 1: Apologies.....	9
Item 2: Disclosure of Interest.....	9
Item 3: Confirmation of Minutes.....	9
3.1 Minutes of Ordinary Meeting held on 14 August 2024	9
3.2 Minutes of Ordinary Meeting held on 9 October 2024	9
Item 4: Matters in Progress	10
Item 5: Mayoral Minute.....	11
Nil	
Item 6: Notices of Motion or Rescission.....	12
Nil	
Item 7: Office of the General Manager	13
Nil	
Item 8: Development	14
8.1 DA0198/2024 - Six (6) Serviced Apartments, One (1) New Shed with Toilet, Use of Existing Building as Secondary Dwelling and Ancillary Works - 106 School Lane, Budgee Budgee.....	14
8.2 ME0046/2024 - Modification to DA0109/2016 to Redesign Road, Lot Layout and Staging - Staged Subdivision (1 into 46 Lots) - 66 Edgell Lane, Buckaroo.....	49
8.3 August - Monthly Development Applications Processing and Determined	76
8.4 September - Monthly Development Applications Processing and Determined	85
8.5 Planning Proposal Lot 3 DP 1223039 - 277 Black Springs Road, Eurunderee - Post Exhibition.....	94
8.6 Draft Employment Lands Strategy (Industrial) 2024 - Post Second Exhibition	97
8.7 2024-25 Local Heritage Grant Allocation.....	102

8.8	Acceptance of NSW Community and Employment Benefit Program Grants.....	107
8.9	Community Engagement Plan 2024-2025.....	112
8.10	State of our Region Report.....	130
8.11	Street Banner Policy - Post Exhibition.....	132
Item 9:	Corporate Services.....	140
9.1	Draft Financial Statements 2023/24.....	140
9.2	Grants Commission Financial Assistance Grant 2024-25.....	143
9.3	Monthly Statement of Investments as at 31 August 2024.....	150
9.4	Monthly Statement of Investments as at 30 September 2024.....	158
9.5	Community Grants Program - October 2024.....	166
9.6	Monthly Budget Review - September 2024 Budget Variations.....	173
9.7	Quarterly Budget Review - June 2024.....	175
Item 10:	Operations.....	177
10.1	Sealing of Crossings Road, Menah.....	177
10.2	Acceptance of Grant Funding - Towards Zero Safer Roads Program.....	180
Item 11:	Community.....	183
11.1	MRT Quarterly Report - April to June 2024.....	183
11.2	Council Advisory Committees, External Committees, and other Committees.....	185
11.3	Gulgong Gold Experience and Miner's Cottage 6 monthly report.....	193
11.4	Community and Cultural Services Quarterly Report.....	200
11.5	Solar Array Progress Report.....	209
11.6	Mudgee Cemetery Clean-Up Report.....	221
11.7	Sports Advisory Groups Update - Meeting August 2024.....	224
Item 12:	Reports from Committees.....	231
12.1	Audit Risk and Improvement Committee Minutes - 23 August 2024.....	231
12.2	Local Traffic Committee Meeting Minutes - August 2024.....	251
12.3	Local Traffic Committee Meeting Minutes - September 2024.....	263
Item 13:	Urgent Business Without Notice.....	276

Item 14: Confidential Session.....278
 14.1 Opportunity to Purchase Land..... 282

Item 15: Urgent Confidential Business Without Notice286

Item 16: Open Council.....286

Item 17: Closure.....286

Acknowledgement of Country

I would like to acknowledge the traditional owners of the lands on which we meet, the Wiradjuri people and pay our respects to elders past, present and emerging.

Item 1: Apologies

Item 2: Disclosure of Interest

Councillors are reminded of their oaths or affirmations of office taken and their obligations under Council's Code of Conduct to disclose conflicts of interest when and if they arise and ensure they are managed appropriately.

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 14 August 2024

3.2 Minutes of Ordinary Meeting held on 9 October 2024

Council Decision:

That the Minutes of the Ordinary Meetings held on 14 August 2024 and 9 October 2024 be taken as read and confirmed.

The Minutes of the Ordinary Meetings are separately attached.

Item 4: Matters in Progress

SUBJECT	RESOLUTION NO. & DATE	RESOLUTION	ACTION
Investigation of Garbage collection service at Queen's Pinch Waste Transfer Station	Res. 66/20 Ordinary Meeting 18/03/2020	Staff investigate the feasibility of replacing the Waste Transfer Station on Queen's Pinch Rd with a garbage collection service.	To be reported to Council at a future meeting.
Indoor Pool Business Case	Res 296/22 Ordinary Meeting 21/09/2022	That Council investigate financing options and grant opportunities for the construction of an indoor swimming pool.	To be reported to Council at a future meeting.
Ulan and Cope Road Safety – Rumble Strips	Res 241/23 Ordinary Meeting 18/10/2023	That Council receive a report detailing costings and investigate opportunities for funding to install rumble strips along Ulan and Cope Roads to enhance safety measures.	To be reported to Council at a future meeting.

Item 5: Mayoral Minute

Nil

Item 6: Notices of Motion or Rescission

Nil

Item 7: Office of the General Manager

Nil

Item 8: Development

8.1 DA0198/2024 - Six (6) Serviced Apartments, One (1) New Shed with Toilet, Use of Existing Building as Secondary Dwelling and Ancillary Works - 106 School Lane, Budgee Budgee

REPORT BY THE PLANNING COORDINATOR
TO 16 OCTOBER 2024 ORDINARY MEETING
GOV400105, DA0198/2024

RECOMMENDATION

That Council:

- A. receive the report by the Planning Coordinator on the DA0198/2024 - Six (6) Serviced Apartments, One (1) New Shed with Toilet, Use of Existing Building as Secondary Dwelling and Ancillary Works - 106 School Lane, Budgee Budgee; and
- B. approve DA0198/2024 - Six (6) Serviced Apartments, One (1) New Shed with Toilet, Use of Existing Building as Secondary Dwelling and Ancillary Works - 106 School Lane, Budgee Budgee subject to the following conditions and statement of reasons:

PART A - DEFERRED COMMENCEMENT

1. This is a deferred commencement condition in accordance with Section 4.16(3) of the Environmental Planning and Assessment Act 1979 and this consent shall not operate until the following matters have been completed, to the satisfaction of Council.
 - a) A Building Information Certificate for all unauthorised building work carried out on the premises that is the subject of this development consent, issued by Council in accordance with Division 6.7 of the Environmental Planning and Assessment Act 1979, is to be obtained.
 - b) The floor plan for the use of the existing building as a secondary dwelling is to provide for laundry facilities compliant with the National Construction Code, that is, a wash tub and space for a washing machine.

Evidence that will sufficiently enable Council to be satisfied as to the compliance with the above matters must be submitted to Council within twenty-four (24) months of the date of determination.

If sufficient evidence of the satisfaction of the above matters is not received by Council within this timeframe, the consent will lapse pursuant to Section 4.53(6) of the Environmental Planning and Assessment Act 1979.

If sufficient evidence of the satisfaction of the above matters is received by Council within the above nominated timeframe, Council will notify the applicant/developer in writing of the date the development consent becomes operative. This consent will become operative subject to the following conditions of consent.

Note – the development consent will lapse 5 years after it becomes operative, in accordance with Section 4.53 of the Environmental Planning and Assessment Act 1979.

Note – Please contact Council’s Building Surveyors prior to lodging an application for a Building Information Certificate to determine what information will be required to support an application for a Building Information Certificate.

Reason – a portion of the works approved under this development consent were carried out without a prior Construction Certificate in a case where a prior Construction Certificate was required to be obtained.

PART B - APPROVED PLANS

1. Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.

Title/Name:	Drawing No/ Document Ref	Revision /Issue	Date:	Prepared by:
Site Survey	A001	4	21.02.2024	Play Studio Design
Site Analysis	A002	4	21.02.2024	Play Studio Design
Waste Management Plan	A003	4	21.02.2024	Play Studio Design
Earthworks and Sediment Control Plan	A004	4	21.02.2024	Play Studio Design
Landscape Plan	A005	4	21.02.2024	Play Studio Design
Site Plan	A100	4	21.02.2024	Play Studio Design
Roof Plan	A101	4	21.02.2024	Play Studio Design
Granny Flat Plans	A102	4	21.02.2024	Play Studio Design
Shed Plans	A103	4	21.02.2024	Play Studio Design
Typical 1 Bed Apartment	A104	4	21.02.2024	Play Studio Design
Typical 2 Bed Apartment	A105	4	21.02.2024	Play Studio Design
2 Bed Accessible Apartment	A106	4	21.02.2024	Play Studio Design
Typical 1 Bed Apartment Elevations	A300	4	21.02.2024	Play Studio Design

Title/Name:	Drawing No/ Document Ref	Revision /Issue	Date:	Prepared by:
Typical 2 Bed Apartment Elevations	A301	4	21.02.2024	Play Studio Design
Shed Elevations and Sections	A302	4	21.02.2024	Play Studio Design
Ex. Granny Flat Elevations and Sections	A303	4	21.02.2024	Play Studio Design
Typical Apartment Sections	A400	4	21.02.2024	Play Studio Design
Apartment 3DS	A500	4	21.02.2024	Play Studio Design
Apartment 3DS	A501	4	21.02.2024	Play Studio Design
Apartment 3DS	A502	4	21.02.2024	Play Studio Design
Granny Flat 3DS	A503	4	21.02.2024	Play Studio Design
Shed 3DS	A504	4	21.02.2024	Play Studio Design
BASIX Certificate	1741853M	-	28 March 2024	Paul&David Consulting Pty Ltd
Access and Driveway Assessment	-	-	July 2024	NK Traffic Consulting Traffic and Transport Engineers
Management Plan – Short term accommodation	-	V1.0	September 2024	Play Studio Design

In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.

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.

GENERAL

2. This development consent provides approval for six (6) serviced apartments, use of the existing building as a secondary dwelling and use of the modular shed with bathroom, only.
3. This development consent does not include approval for any signage for the approved development. A separate Development Consent or Complying Development Certificate may be required for signage, if the signage is not exempt development.

4. This consent does not permit commencement of any site works. Works to proposed are not to commence until such time as a Construction Certificate has been obtained and the appointment of a Principal Certifier.
5. Fill placed in residential or commercial lots shall be compacted in accordance with AS3798-2007 Guidelines on Earthworks for Commercial and Residential Developments.
6. All building work must be carried out in accordance with the Building Code of Australia.

Note: Prescribed condition pursuant to section 4.17(11) of the Environmental Planning and Assessment Act 1979.

7. A minimum tank storage capacity of 40,000 litres is required on the site, of which a minimum of 20,000 litres is to be retained for firefighting purposes at all times.
8. Metal roof/wall cladding shall be provided in a non-reflective/non-glary colour scheme such as "Colourbond" steel sheeting.
9. The internal access driveway must be constructed and maintained at all times to provide access in all weather conditions. The driveway must also be of a sufficient standard to allow for access by emergency service vehicles.
10. The only waste derived fill material that may be received at the development site must be:
 - a) Virgin excavated natural material, within the meaning of the Protection of the Environment Operations Act 1997; and
 - b) Any other waste-derived material the subject of a resource recovery exemption under cl.91 of the Protection of the Environment Operations (Waste) Regulation 2014 that is permitted to be used as fill material.
11. All earthworks, filling, building, driveways or other works, are to be designed and constructed to ensure that at no time any ponding of stormwater occurs on the subject site or adjoining land as a result of this development. Design must also ensure that no diversion of runoff onto other adjacent properties occurs.
12. All stormwater runoff from roof and developed surfaces is to be controlled in such a manner so as not to flow or discharge over adjacent properties. Methods of disposal of excess stormwater including overflow from tank must also include adequate provision for prevention of erosion and scouring.
13. Prior to the occupation of a new building, or occupation or use of an altered portion of, or an extension to an existing building, an Occupation Certificate is to be obtained from the Principal Certifier appointed for the erection of the building.
14. Costs associated with all development works including any necessary alteration, relocation of services, public utility mains or installations must be met by the developer. The developer is responsible to accurately locate all existing services before any development works commence to satisfy this condition. The developer is responsible to accurately locate all existing services before any development works commence to satisfy this condition.

If any alteration is required to existing utilities or assets due to this proposed development, then relevant authorities are to be contacted prior to carrying out any activities that impacts upon existing assets.

15. Any damage which is caused to Council's infrastructure as a result of the proposed development must be repaired immediately to Council's satisfaction and at no cost to Council.
16. It is a condition of a development consent for development that involves building work that the work must be carried out in accordance with the requirements of the Building Code of Australia.

It is a condition of a development consent for development that involves residential building work for which a contract of insurance is required under the Home Building Act 198, Part 6 that a contract of insurance is in force before building work authorised to be carried out by the consent commences.

It is a condition of a development consent for a temporary structure used as an entertainment venue that the temporary structure must comply with Part B1 and NSW Part H102 in Volume 1 of the Building Code of Australia.

In subsection (1), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for the construction certificate was made.

In subsection (3), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for development consent was made.

This section does not apply—

- a) to the extent to which an exemption from a provision of the Building Code of Australia or a fire safety standard is in force under the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, or
 - b) to the erection of a temporary building, other than a temporary structure to which subsection (3) applies.
17. This section applies to a development consent for development involving building work, subdivision work or demolition work.

It is a condition of the development consent that a sign must be erected in a prominent position on a site on which building work, subdivision work or demolition work is being carried out—

- a) showing the name, address and telephone number of the principal certifier for the work, and
- b) showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and
- c) stating that unauthorised entry to the work site is prohibited.

The sign must be—

- a) maintained while the building work, subdivision work or demolition work is being carried out, and

- b) removed when the work has been completed.

This section does not apply in relation to—

- a) building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or
- b) Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.

18. This section applies to a development consent for development involving residential building work if the principal certifier is not the council.

It is a condition of the development consent that residential building work must not be carried out unless the principal certifier for the development to which the work relates has given the council written notice of the following—

- a) for work that requires a principal contractor to be appointed—
 - i. the name and licence number of the principal contractor, and
 - ii. the name of the insurer of the work under the Home Building Act 1989, Part 6,
- b) for work to be carried out by an owner-builder—
 - i. the name of the owner-builder, and
 - ii. if the owner-builder is required to hold an owner-builder permit under the Home Building Act 1989—the number of the owner-builder permit.

If the information notified under subsection (2) is no longer correct, it is a condition of the development consent that further work must not be carried out unless the principal certifier has given the council written notice of the updated information. This section does not apply in relation to Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.

19. For every 12-month period after the issue of the Final Fire Safety Certificate the owner/agent of the building must provide the Council and the Commissioner of Fire and Rescue NSW with a copy of an Annual Fire Safety Statement certifying that each specified fire safety measure is capable of performing to its specification.

PRIOR TO ISSUE OF ANY CONSTRUCTION CERTIFICATE

20. Application shall be made to Council under Part C, Section 68 of the Local Government Act 1993 to install, construct or alter a waste treatment device or human waste storage facility. The application shall contain details demonstrating compliance with the Environmental Health Protection Guidelines, Australian Standard AS1547, the Plumbing and Drainage Act 2011 and/or the Plumbing Code of Australia.

The Section 68 application shall be considered and approved by Council prior to the release of any Construction Certificate for the development.

21. A detailed engineering design and design report/certificate is to be prepared by a suitably qualified registered professional engineer and approved by the registered

Certifier (i.e. Council or a private Certifier) prior to the issue of a Construction Certificate.

A detailed engineering design is required for but not limited to the following civil works:

- a) Stormwater absorption trench.
 - b) Car park (this is to comply with AS2890.1 -2004).
 - c) Internal driveway access (the plan submitted is to be updated to ensure that two vehicles can pass safely with a minimum of 6m or a suitable passing bay is to be provided at certain intervals as per AS2890.1-2004). Note: accessible paths of travel must be provided.
 - d) Erosion and sedimentation control plan.
 - e) Signage along School Lane – The location of the signage to install warning and advisory signage e.g. drive slow, concealed driveway, speed sign and all other signs required by Council and recommended by a traffic engineer is to be submitted to Council as a part of the S.138 for approval.
 - f) All internal roads and other paved areas shall be designed to provide continuous drainage flow path to the designed point of discharge.
22. The existing access must be upgraded and sealed with bitumen and signage must be installed along the School Lane. To carry out this works consent from Council must be obtained for all works within the road reserve pursuant to Section 138 of the Roads Act 1993, prior to the issue of any Construction Certificate.
23. Prior to the issue of a Construction Certificate, the runoff from the developed surface shall be disposed of by discharging to a suitable quantity management system (rain garden/infiltration trench or similar). The system designed is to be prepared by a geotechnical engineer or suitably qualified registered professional engineer in accordance with Stormwater to Smartwater (S2S Supporting Technical Guidelines) adopted by the Mid-Western Regional Council.
24. A Traffic Guidance Scheme (TGS) completed by a “Certified Person” for implementation during work is to be submitted to the Council prior to the commencement of works. This is to be submitted along with the S138 application.
25. An Erosion and Sediment Control Plan is to be submitted and approved by the registered Certifier (i.e. Council or a private Certifier) prior to the issue of a Construction Certificate. The Erosion and Sediment Control Plan for the development is to be prepared and implemented in accordance with the LANDCOM guidelines and requirements as outlined in the latest edition of “Soils and Construction – Managing Urban Stormwater”. Points to be considered include, but are not limited to:
- a) Saving available topsoil for reuse in the revegetation phase of the development;
 - b) Using erosion control measures to prevent on-site damage;
 - c) Rehabilitating disturbed areas quickly; and
 - d) Maintenance of erosion and sediment control structures.
26. Prior to the issue of a Construction Certificate, the developer shall pay a Long Service Levy at the prescribed rate to either the Long Service Levy Corporation or Council, for any work costing \$250,000 or more.

Note - The amount payable is currently based on 0.25% of the cost of work. This is a State Government Levy and is subject to change.

Note – Council can only accept payment of the Long Service Levy as part of the fees for a Construction Certificate application lodged with Council. If the Construction Certificate is to be issued by a Private Certifier, the Long Service Levy must be paid directly to the Long Service Levy Corporation or paid to the Private Certifier.

27. In accordance with the provisions of Section 7.12 of the Environmental Planning and Assessment Act 1979 and the Mid-Western Regional Contributions Plan 2019, a levy based on the value of works shall be paid to Council in accordance with this condition for the purpose of local infrastructure, prior to issue of a Construction Certificate.

A cost estimate report is to be provided to Council, confirming the total cost of the development prior to issue of the Construction Certificate. Following submission of the full cost estimate report, Council will confirm and provide the required contribution amount, payable prior to issue of the Construction Certificate.

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

Note: Mid-Western Regional Contributions Plan 2019 is available for perusal at Council's Administration Centre at 86 Market Street, Mudgee or on Council's website www.midwestern.nsw.gov.au under Council Documents/Strategies and Plans.

28. If the *Construction Certificate* is not issued, for any reason whatsoever, within twelve (12) months of the date of determination, then the charges and contributions contained in this consent, will be increased to the current rate at the time of payment.

PRIOR TO COMMENCEMENT OF WORKS – BUILDING

29. In accordance with the provisions of the *Environmental Planning and Assessment Act 1979* construction works approved by this consent must not commence until:

- a) A Construction Certificate has been issued by the Certifier (i.e. Council or an accredited certifier); and
- b) A Principal Certifier has been appointed by the person having benefit of the development consent in accordance with the *Environmental Planning and Assessment Act 1979*; and
- c) If Council is not the Principal Certifier, notify Council no later than two (2) days before building work commences as to who is the appointed Principal Certifier; and
- d) At least two (2) days before commencement of building work, the person having benefit of the development consent is to notify Council as to the intention to commence building work.

30. 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

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

- a) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
 - b) involves the enclosure of a public place, then a hoarding or fence must be erected between the work site and the public place. If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place. Any such hoarding, fence or awning is to be removed when the work has been completed.
32. Prior to the commencement of works on site, the applicant shall advise Council's Operations Department in writing, of any existing damage to Council property.
33. The developer shall be responsible for all costs incurred in the necessary relocation of any services affected by the required construction works. Council and other service authorities should be contacted for specific requirements prior to commencement of any works.
34. Sediment erosion controls shall be installed within the development site, to the satisfaction of the Certifier (i.e. Council or the Principal Certifier), prior to the commencement of works.
35. The development site is to be managed for the entirety of work in the following manner:
- a) Erosion and sediment controls are to be implemented to prevent sediment from leaving the site. The controls are to be maintained until the development is complete and the site stabilised with permanent vegetation;
 - b) Appropriate dust control measures;
 - c) Construction equipment and materials shall be contained wholly within the site unless approval to use the road reserve has been obtained;
 - d) Toilet facilities are to be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.
36. Runoff and erosion controls shall be installed prior to clearing and incorporate:-
- a) diversion of uncontaminated up-site 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.

DURING WORKS

37. 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.
38. All plumbing and drainage work must be carried out by a licensed plumber and drainer and must comply with the requirements of the *Plumbing & Drainage Act 2011* and the Plumbing Code of Australia.

- 39. A total of 10 car parking spaces are to be provided within the site of the development and comply with AS 2890.1: 2004 – Parking facilities – Part 1: Off-street car parking and the following requirements:**
- a) Each parking space is to have minimum dimensions as per AS 2890.1: 2004 – Parking facilities.**
 - b) Each disabled car parking space is to be in accordance with the provisions of AS 2890.6: 2022 – Parking facilities – Part 6: Off-street parking for people with disabilities.**
 - c) All car parking spaces are to be provided with a hard-standing, all-weather compacted gravel surface and must be maintained in satisfactory condition at all times.**
 - d) Signage must be provided for the car park which has been designated for visitors and disabled.**
- 40. The aisle widths, internal circulation, ramp widths and grades of the car park are to generally conform to the Roads and Maritime Services (RMS) guidelines and Australian Standard AS 2890.1: 2004 – Parking facilities – Part 1: Off-street car parking. Details of compliance are to be shown on the relevant plans and specifications.**
- 41. The existing access from School Lane is to be upgraded and sealed with bitumen and is to be designed and constructed in accordance with the Council’s Access to Properties Policy and the Council approved section 138.**
- 42. Construction work noise that is audible at other premises is to be restricted to the following times:**
- a) Monday to Saturday - 7.00am to 5.00pm**
- No construction work noise is permitted on Sundays or Public Holidays.
Site work is not to be carried out outside of these times except where there is an emergency, or for urgent work directed by a police officer or a public authority.**
- 43. All mandatory inspections required by the Environmental Planning and Assessment Act 1979 and any other inspections deemed necessary by the Principal Certifier being carried out during the relevant stage of construction.**
- 44. Commitments listed in BASIX Certificate number(s) 1741853M issued on 28 March 2024 must be installed and/or completed in accordance with the requirements contained in that certificate.**
- 45. 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 Section 78 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.**
- 46. In the event of any Aboriginal archaeological material being discovered during earthmoving/construction works, all work in that area shall cease immediately and the Office of Environment and Heritage (OEH) notified of the discovery as soon as practicable. Work shall only recommence upon the authorisation of the OEH.**

47. Should any contaminated, scheduled, hazardous or asbestos material be discovered before or during construction works, the applicant and contractor shall ensure the appropriate regulatory authority (e.g. Heritage NSW, SafeWork NSW, Council, Fire and Rescue NSW etc.) is notified, and that such material is contained, encapsulated, sealed, handled or otherwise disposed of to the requirements of such Authority.

Note - such materials cannot be disposed of to landfill unless the facility is specifically licensed by the EPA to receive that type of waste.

48. All roof stormwater is to discharge to a water storage tank/s and overflow from the tank/s disposed to the approved stormwater management system, clear of any effluent disposal areas and in such a manner as to not create any erosion or scouring and not adversely affect adjoining properties.
49. This approval does not provide any indemnity to the owner or applicant under the *Disability Discrimination Act 1992* with respect to the provision of access and facilities for people with disabilities.

PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE

50. Prior to the occupation of a new building, or occupation or use of an altered portion of, or an extension to an existing building, an Occupation Certificate is to be obtained from the Principal Certifier appointed for the erection of the building.
51. Prior to the issue of an Occupation Certificate a satisfactory final inspection report from the Council must be received by the Certifier, verifying that all works have been completed in accordance with the relevant Section 68 (*Local Government Act 1993*) approval/s.
52. Prior to the commencement of use of the development and/or issue of an Occupation Certificate, all approved car parking, associated driveway and stormwater works are to be completed and a satisfactory completion report from the registered professional engineer is to be provided to the certifier (i.e. Council or a private Certifier) verifying that the construction has been completed as per the approved plan.
53. Prior to the commencement of use of the development and/or issue of an Occupation Certificate, a compliance letter from the Council's Development Engineer is to be provided to the certifier verifying that the construction has been completed as per the approved plan.
54. Prior to occupation or the issue of the Occupation Certificate the owner of the building must cause the Principal Certifier to be given a fire safety certificate (or interim fire safety certificate in the case of a building or part of a building occupied before completion) in accordance with Section 41 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 for each measure listed in the schedule. The certificate must only be in the form specified by Section 86 of the Regulation. A copy of the certificate is to be given to the Commissioner of the New South Wales Fire Brigade and a copy is to be prominently displayed in the building.
55. Prior to use of the development and/or issue of an Occupation Certificate, excavated and/or filled areas of the site are to be stabilised and drained, to prevent scouring onto adjacent private or public property. The finished ground around the perimeter

of the building is to be graded to prevent ponding of water, and to ensure the free flow of water away from the building and adjoining properties.

56. Prior to use of the development and/or issue of an Occupation Certificate, roof water from the building and any rainwater tank overflow shall be piped clear of the building, without creating any nuisance on the property or to adjoining properties.
57. Before the issue of an Occupation Certificate, the principal certifier must be satisfied all landscape and tree-works have been completed in accordance with approved plans and documents and any relevant conditions of this consent.
58. Prior to use of the development and/or issue of an Occupation Certificate, all requirements of BASIX Certificate number(s) 1741853M issued on 28 March 2024 and the associated plans and specifications approved as part of the Construction Certificate, shall be completed in full.
59. Prior to use of the development and/or issue of an Occupation Certificate, the Plan of Management (V1.0 dated September 2024) shall be updated to ensure that the conditions of this consent are complied with to the satisfaction of Council.

ONGOING USE

The following conditions have been applied to ensure that the use of the land and/or building is carried out in a manner that is consistent with the aims and objectives of the environmental planning instrument affecting the land.

60. For every 12-month period after the issue of the Final Fire Safety Certificate the owner/agent of the building must provide the Council and the Commissioner of NSW Fire Brigades with a copy of an Annual Fire Safety Statement Certifying that each specified fire safety measure is capable of performing to its specification.
61. Where any essential services are installed in the building a copy of the final Fire Safety Certificate (together with a copy of the current fire safety schedule) is to be given to the Commissioner of NSW Fire Brigades and Council. A further copy of the Certificate (together with a copy of the current fire safety schedule) is to be prominently displayed in the building/s.
62. The development must operate in accordance with the Council approved Plan of Management prepared by Play Design Studios for the life of operations.
63. All parking associated with the use is to be contained wholly within the site.
64. The development is to be operated in such a manner that will not interfere with the residential amenity of the adjoining and nearby residents, due to emission of noise, lighting or other nuisances.
65. All exterior lighting associated with the development shall be designed and installed so that no obtrusive light will be cast onto any adjoining property, into Airspace or roadways, in accordance with *Australian Standard 4282 "Control of the Obtrusive Effects of Outdoor Lighting"*.
66. There is to be no interference with the amenity of the neighbourhood by reason of the emission of any "offensive noise", vibration, lighting, smell, fumes, smoke, vapour, steam, soot, ash or dust, or otherwise as a result of the proposed development.

67. The approved use of the development is for the purposes of serviced apartments which is defined as:

serviced apartment means a building (or part of a building) providing self-contained accommodation to tourists or visitors on a commercial basis and that is regularly serviced or cleaned by the owner or manager of the building or part of the building or the owner's or manager's agents.

Any use contrary to the above is unlawful and requires the development consent of Council.

68. The development is to be maintained in a clean and tidy manner, at all times.
69. Arrangements are to be made for the regular removal and disposal of all waste to a licenced waste facility.
70. Dogs that are accommodated on the site in conjunction with a guest's stay are to be managed so that they do not wander on to adjoining properties.
71. Guests staying at the accommodation are not to trespass on to adjoining private property.
72. The accommodation shall be regularly cleaned or serviced by the owner or manager of the building, or their agents.
73. The sites operators are to maintain and operate the private water supply in accordance with a quality assurance program (QAP) and which complies with the Public Health Regulations 2012. A Copy of the QAP is to be provided to the NSW Public Health Unit and records relating to managing the safety of the drinking water supply are to be kept onsite and made available on request of Council or the NSW Public Health Unit.
74. In the event of any complaints being lodged relating to the site or the operations of the development, a log book must be kept by the operators of the facility clearly recording any information and reasons for the complaint/s. The log book must be made available to Council at any time on request.

The log book is to record the following information:

- a) Name, address and contact details of the complainant;
- b) Description of complaint (e.g. character and volume);
- c) Frequency and duration of complaint;
- d) Meteorological conditions during complaint; and
- e) Any actions taken to resolve complaint.

REASONS FOR APPROVAL

1. *The proposed development complies with the requirements of the applicable environmental planning instruments and Mid-Western Regional Development Control Plan 2013.*
2. *The proposed development is considered satisfactory in terms of the matters identified in Section 4.15 of the Environmental Planning and Assessment Act 1979.*
3. *The submissions received during the public notification period have been addressed via conditions of consent, including provision of a Plan of Management and*

operational conditions that are enforceable on the developer during the life of the operations.

Executive summary

OWNER/S:	Commercial Solar Pty Ltd
APPLICANT:	Hugh Walker Play Design Studio
PROPERTY DESCRIPTION:	106 School Lane, Budgee Budgee Lot 264 DP755429
PROPOSED DEVELOPMENT:	Six (6) Serviced Apartments, New Shed, Use of existing building as Secondary Dwelling and ancillary works
ESTIMATED COST OF DEVELOPMENT:	\$484,000
REASON FOR REPORTING TO COUNCIL:	Public Interest and Objections >7 received during assessment
PUBLIC SUBMISSIONS:	1 st Notification – 7 Objections 2 nd Notification – 6 Objections

Council is in receipt of Development Application DA0198/2024 that seeks approval for six (6) serviced apartments, a modular shed, use of an existing building as a secondary dwelling and ancillary works, at 106 School Lane Budgee Budgee NSW 2850, Lot 264 DP 755429.

The subject site is located approximately 14 kilometres north of the Mudgee CBD and some 700m from the intersection of School Lane and Ulan Road. The site has an area of 6.20 hectares, contains an existing stock and domestic bore and is currently occupied by a single dwelling, a 'cottage' and two rural sheds, accessed from School Lane.

The proposed development involves the following key components:

- 3 x 2-bedroom serviced apartments (1 is proposed to be accessible);
- 3 x 1-bedroom serviced apartments;
- 1 x 18m² shed with bathroom;
- 3 x visitor parking spaces are also proposed, along with a new internal gravel access track, solar array, water tank, landscaping and septic tank with transpiration area; and
- Use of the existing 'cottage' on the site for the purposes of a secondary dwelling.

It should be noted that no approvals could be located for the 'cottage' noted within the application that is sought to be used for the purposes of a secondary dwelling. As a result, a Building Information Certificate will be required for this structure, prior to any operational consent being granted by Council.

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

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

The application is recommended for Approval.

Disclosure of Interest

Nil

Detailed report

PROPOSED DEVELOPMENT

Council is in receipt of Development Application DA0198/2024 that seeks approval for six (6) serviced apartments, a modular shed, use of an existing building as a secondary dwelling and ancillary works, at 106 School Lane Budgee Budgee NSW 2850, Lot 264 DP 755429, received by Council on 2 January 2024.

A further information request was issued on the 10 and 18 January 2024 in relation to the following matters:

- Biodiversity Development Assessment Report (BDAR) for native vegetation removal for the new driveway and internal track on BVM mapped areas of the site.
- Safe Intersection Sight Distance (SISD) report from an engineer regarding access to the site to support the development.

The application was placed on public exhibition from 11 January 2024 to 29 January 2024. During the notification period, 7 objections were received in relation to the development.

On the 21 February 2024, the applicant amended the application which included a full re-design and relocation of the new driveway to use the existing driveway into the site. This removed the requirement for impacts on high biodiversity mapped native vegetation which was required to be addressed by way a Biodiversity Development Assessment Report.

The amended application was placed on public exhibition from the 27 February 2024 to 12 March 2024. During the second period of notification, 6 objections were received in relation to the amended development application.

The final response to the further information request was provided by the applicant on the 8 July 2024 regarding the site distance compliance and access proposed to the site to support the development. This report requires new roadside signage to be introduced and reducing the speed limit along School Lane, which requires Local Traffic Committee review. The matter was referred to the Local Traffic Committee on the 15 July 2024 and Development Engineering Department provided final recommended conditions of consent on the 13 August 2024, during Council's caretaker period.

Development details

The proposed development involves the following key components, with the Proposed Site Plan depicted in Figure 2:

- 3 x 2-bedroom serviced apartments (1 is proposed to be accessible), each proposing 2 parking spaces per apartment;
- 3 x 1-bedroom serviced apartments, each proposing 1 parking space per apartment;
- 1 x 18m² shed with bathroom;
- 3 x visitor parking spaces are also proposed, along with a new internal gravel access track, 15KW solar array, water tank, landscaping and septic tank with transpiration area; and
- Use of the existing 'cottage' on the site for the purposes of a secondary dwelling.

Development / Land Use history

A list of previous approvals issued over the property include:

BA171/81	Dwelling	Issued 20 May 1981
BA393/82	Rural Outbuilding	Issued 22 November 1982
BA344/85	Garage	Issued 24 October 1985

No approvals have been found for the construction of a 'studio' or 'granny flat' on the land.

Subject Site

The subject site is located approximately 14 kilometres north of the Mudgee CBD and some 700m from the intersection of School Lane and Ulan Road. It is legally identified as Lot 264 DP 755429, 106 School Lane, Budgee Budgee.

The site has an area of 6.20 hectares, contains an existing stock and domestic bore and is currently occupied by a single dwelling, a 'cottage' and two rural sheds. Access to the site is available from an existing access crossing from School Lane.

A drainage depression, identified as "Budgee Creek" bisects a small portion of the site to the east, with existing mature vegetation found at boundaries of the site, along with ornamental plantings located around the existing dwelling and outbuildings as shown in Figure 1 below.



Figure 1: Aerial View

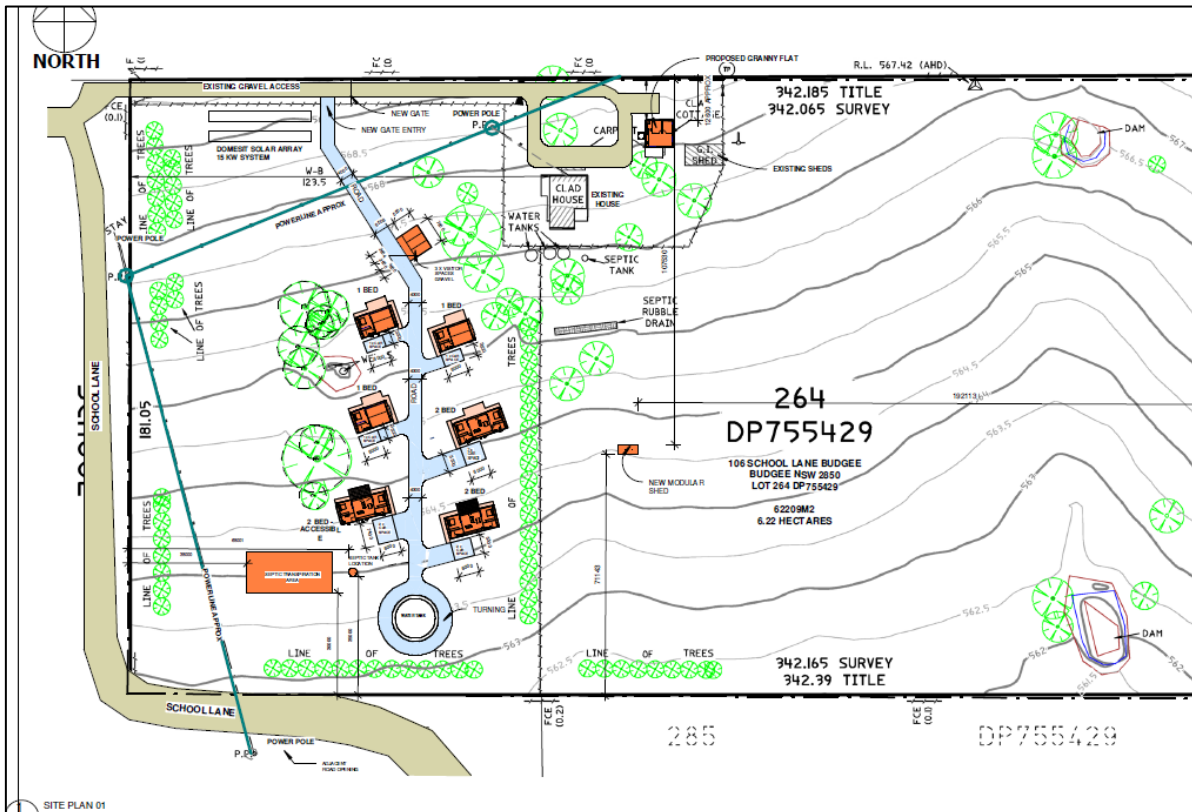


Figure 2: Proposed Site Plan

LEGISLATIVE REQUIREMENTS

Environmental Planning and Assessment Act 1979

Designated Development

The development proposal is not considered to be Designated Development, in accordance with Schedule 3 of the Environmental Planning and Assessment Regulation 2021 (EP&A Regs).

Integrated Development

The development proposal is not considered to be Integrated Development, in accordance with section 4.46 of the Environmental Planning and Assessment Act 1979 (EP&A Act).

ASSESSMENT

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

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

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

STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY AND CONSERVATION) 2021

The Biodiversity and Conservation SEPP applies to the proposal as the area of land associated with the proposal is identified on the Koala Development Application Map, and is greater than 1 hectare in size including adjoining land within the same ownership.

However, the amended proposal does not involve the clearing of any trees and therefore no further consideration is warranted.

STATE ENVIRONMENTAL PLANNING POLICY (BUILDING SUSTAINABILITY INDEX: BASIX) 2004

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

STATE ENVIRONMENTAL PLANNING POLICY (INDUSTRY AND EMPLOYMENT) 2021

The proposed development does not involve Advertising or Signage nor is impacted by any other requirements of this Policy. Therefore, no further consideration of this SEPP is considered necessary.

STATE ENVIRONMENTAL PLANNING POLICY (PRIMARY PRODUCTION) 2021

The proposed development is not impacted by any requirements of this Policy. Therefore, no further consideration of this SEPP is considered necessary.

STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021

Pursuant to section 4.6 of the Policy, a site inspection and a search of council's records did not reveal any potentially contaminating activities upon the site. Accordingly, no further consideration is necessary.

STATE ENVIRONMENTAL PLANNING POLICY (TRANSPORT AND INFRASTRUCTURE) 2021

Pursuant to section 2.48, the development will not have impact on underground electricity power lines, distribution pole or tower. Whilst there are existing power lines that bisect the site, there are no electrical easements that constrain the development or result in works within 5m of a power pole as required under section 2.48 of the SEPP. Future electrical connections via the existing mains power supply, along with installation of any solar power system will require direct consultation with Essential Energy. Therefore, no further consideration of this SEPP is considered necessary.

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 1.4 Definitions

The proposal, as defined in accordance with the MWRLEP 2012, seeks approval as a 'serviced apartment' and use of an existing building as a 'secondary dwelling'.

A serviced apartment and secondary dwelling are defined as:

serviced apartment means a building (or part of a building) providing self-contained accommodation to tourists or visitors on a commercial basis and that is regularly serviced or cleaned by the owner or manager of the building or part of the building or the owner's or manager's agents.

And

secondary dwelling means a self-contained dwelling that—

- (a) is established in conjunction with another dwelling (the principal dwelling), and*
- (b) is on the same lot of land as the principal dwelling, and*
- (c) is located within, or is attached to, or is separate from, the principal dwelling.*

It is noted that the floor plans of the proposed secondary dwelling do not indicate a laundry however, the kitchen shows a 'washing machine space'. A condition is recommended to ensure compliance with a laundry in accordance with the BCA, is provided in the proposed secondary dwelling to ensure it is a 'self-contained' dwelling.

In addition, as noted in the Court decision of *Sherman v Newcastle City Council [2019] NSWLEC 1238* and stemming from the earlier decision of *Botany Bay City Council v Pet Carriers International Pty Ltd (2013) 201 LGERA 116; [2013] NSWLEC 147*:

First, there are decisions which involve a purpose which is a genus and one or more species of purposes falling within that genus. If the genus is a nominate prohibited purpose, development for that purpose will be prohibited even if it could also come within one or more species of purposes that are innominate permissible purposes. Conversely, if the genus is a nominate permissible purpose, development for that purpose will be permissible even if it could also come within one or more species of purposes that are innominate prohibited purposes.

In the R5 zone, a 'Serviced Apartment' which is a type of 'Tourist and Visitor Accommodation' is a nominated permissible purpose. It is therefore irrelevant in the circumstances, if the proposal may also meet the definition of 'Temporary Workers Accommodation' pursuant to clause 6.11 of the LEP 2012, as this is not an innominate or nominate land use definition under the LEP.

Furthermore, in satisfying the definition of a 'Serviced Apartment', the applicant has clearly demonstrated within the application documentation that each proposed building will be self-contained accommodation provided to tourists or visitors on a commercial basis.

The subject site also contains a primary residence and based on all available information, the development can be 'regularly serviced' or 'cleaned' by the owner or manager of the building or the owners or manager's agents. That is, even if the primary residence was not occupied by the landowners, there is no provision in the land use definition of a serviced apartment that would prohibit a cleaning company, or the land manager being appointed to manage the regular servicing or cleaning of each serviced apartment.

As noted, paragraph 38 and 58 (4) of *Sherman v Newcastle City Council [2019] NSWLEC 1238*,

[38] *On the Macquarie dictionary definition of 'regularly' and 'service' he submits that:*

"... the meaning of regular service is that the terms actually together connote both a degree of regularity and a degree of service provided for tourists and visitors, not generally, but for tourist(s) and visitors themselves because the word 'service' connotes that something is provided for somebody, because they demand it or require it.."

And

[58] *(4) I am satisfied that giving the ordinary meaning to the term, 'serviced apartment' denotes the provision of some services to the occupant, beyond the provision of accommodation. I am not persuaded that the application proposes such additional services (such as changing sheets, towels and provision of daily or on request cleaning). This position is reinforced by the Macquarie Dictionary definition of 'serviced apartment' which states:*

serviced apartment

noun an apartment which is rented for short or long stays, in which basic housekeeping services are provided.

In light of the above, the applicant has submitted a Plan of Management (PoM) to Council to clearly demonstrate that the serviced apartments will be regularly serviced or cleaned by the owner or manager of the building or part of the building or the owner's or manager's agents.

The PoM states that:

Properties are serviced on each and every check out, or on a weekly basis in addition to cleaning prior to check in.

A full maintenance team including dedicated gardener, cleaner, electrician, and plumber are part of the team. These team members will be directed by the Apartment manager as required to undertake all works on site.

Maintenance refers to both building maintenance and care of the gardens. Maintenance will be managed by Bliss Stays Property management. Maintenance will preferably be performed at a time between occupancy unless it is urgent and requires attendance at time of occupancy.

Other than in the case of an emergency, any maintenance contractors or staff will be engaged to attend during normal business hours to minimise disruptions to neighbours.

Clause 2.2 Zoning of Land to Which Plan Applies

The land is zoned R5 Large Lot Residential and is therefore subject to the Plan.

Clause 2.3 Zone objectives and Land Use table

The land is zoned R5 Large Lot Residential pursuant to MWRLEP 2012. The proposal, being a serviced apartment and secondary dwelling is permissible with consent in the zone and complies with the relevant objectives.

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

R5 Large Lot Residential

1. *To provide residential housing in a rural setting while preserving and minimising impacts on environmentally sensitive locations and scenic quality.*

Comment The proposed development has been designed and sited to minimise impacts upon the environmental and scenic qualities of the immediate surroundings. The generous setbacks, simple design and clustering of the development within the site amongst existing mature vegetation, ensures that the rural setting of the area is preserved accordingly.

2. *To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.*

Comment The proposal relates to an existing lot within the R5 zone. Accordingly, the development will not further hinder the proper and orderly development.

3. *To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.*

Comment The proposal is not expected to unreasonably increase the demand for public services and facilities subject to compliance with the conditions of consent.

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

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

Clause 4.2A Erection of dwelling houses and dual occupancies and tourist and visitor accommodation on land in certain zones

This clause applies as the land is zoned R5 and the application involves the erection of 'serviced apartments', which is a type of tourist and visitor accommodation. As the site already contains a dwelling house, it should be noted that the land is zoned and is of an appropriate size to achieve a dwelling entitlement in accordance with clause 4.2A(3)(g). As a result, pursuant to clause 4.2A(3A), Council may consent to the serviced apartments (as a type of tourist and visitor accommodation) on the land as the site is able to satisfy the provisions of clause 4.2A(3)(g) of the LEP.

Clause 4.3 Height of buildings

The subject site is not mapped for a maximum height limit.

Clause 5.4 Controls relating to miscellaneous permissible uses

Pursuant to Clause 5.4(9), a secondary dwelling is limited to the following on land, other than land in a rural zone:

....the total floor area of the dwelling, excluding any area used for parking, must not exceed whichever of the following is the greater—

- (a) 60 square metres,*
- (b) 50% of the total floor area of the principal dwelling.*

The existing secondary dwelling has an internal floor area of 60.83m² plus a patio of 15.6m². The total floor area of the secondary dwelling is therefore 76.43m². As the existing 3-bedroom, 2-bathroom dwelling has a total floor area exceeding 152.86m², the secondary dwelling achieves compliance with clause 5.4(9) of the LEP (50% x 152.86 = 76.43).

Clause 5.10 Heritage Conservation

No items of aboriginal significance or a heritage item are recorded on the site or in the vicinity. Notwithstanding this, a condition will be placed upon the consent ensuring that work is ceased should an item be discovered during construction.

Clause 5.21 Flood planning

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

Clause 6.1 Salinity

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

Clause 6.3 Earthworks

The proposal involves only minor earthworks to prepare the site for the development. The works are not expected to generate any significant impacts as listed in Clause 6.3(3). Conditions of

consent have been included to ensure any earthworks related activities are carried out appropriately and minimise impacts upon neighbouring properties.

Clause 6.4 Groundwater vulnerability

The site is not identified as groundwater vulnerable. Land to the north and west of the site is however identified as groundwater vulnerable as shown below in Figure 3 (hatched in blue).



Figure 3 - Groundwater Vulnerable Mapping (shown in blue hatched) – MWRLEP 2012

Clause 6.5 Terrestrial biodiversity

The proposal is not located in any area identified as ‘Moderate or High Biodiversity Sensitivity’ as shown below, Figure 4. A portion of land to the southern boundary is identified as ‘high biodiversity sensitivity’ as shown in red however, this does not impact upon the proposed development of the site.

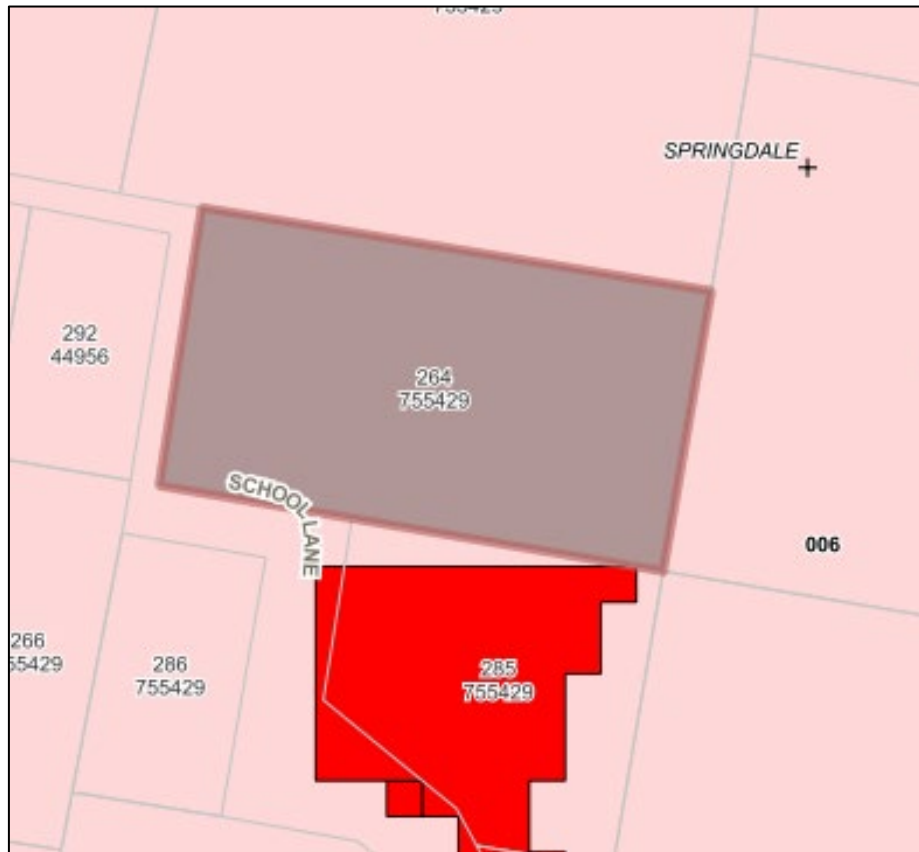


Figure 4 – Terrestrial Biodiversity Mapping (shown in red) – MWRLEP 2012

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 or will be available as a result of the proposed development.

(a) the supply of water – Water is proposed to be supplied via tank water, in the same manner as the existing dwelling. As the proposed land use is for serviced apartments, a form of tourist and visitor accommodation, a Quality Assurance Plan is recommended to ensure that the potable water supply is safe for drinking water supply on the site.

(b) the supply of electricity – The site is already connected to mains electricity, however, the applicant also proposes to install solar panels to supply electricity to the development. A condition is recommended accordingly.

(c) the disposal and management of sewage – The site contains an existing sewerage disposal system (via septic and trenches) for the existing residential use of the site. A new system, suitably designed for the site and development will be required and will be subject to the separate section 68 activity approval of Council.

(d) stormwater drainage or on-site conservation – Onsite detention via rainwater tanks are proposed, with overflow dispersion trenches proposed to manage stormwater on the site. A condition is recommended accordingly.

(e) suitable road access – The site contains an existing access crossing from School Lane. It is proposed to retain this access in the amended proposal to support both the dwelling, secondary dwelling and serviced apartments. The access has been reviewed by an independent traffic engineering, and Council's engineering department to confirm sight distance compliance and

safety. The access has been deemed suitable; however, roadside signage is recommended to be installed. A condition is recommended accordingly.

Clause 6.10 Visually sensitive land near Mudgee

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

Clause 6.11 Temporary Works Accommodation

Pursuant to clause 6.11(2):

(2) Development consent must not be granted to development for the purposes of temporary workers' accommodation unless the consent authority is satisfied of the following—

(a) the development is to be located—

(i) if the development relates to a mine—within 5 kilometres of the relevant mining lease under the Mining Act 1992, or

(ii) in any other case—within 5 kilometres of the large-scale infrastructure in which persons are to be employed,

Note: temporary workers' accommodation means any habitable buildings and associated amenities erected on a temporary basis for the purpose of providing a place of temporary accommodation for persons employed to carry out large-scale infrastructure, including development for the purposes of an extractive industry, mining, renewable energy or an electricity transmission or distribution network.

The application has not been submitted to Council for temporary workers accommodation, in the form of 'habitable buildings' erected on a 'temporary basis' in accordance with this clause.

The buildings proposed are to be permanently constructed on the site for the purposes of serviced apartments, utilised by tourist or visitors, and the use of a building for the purposes of a secondary dwelling.

Further, the subject site is not located within 5km of a mine lease under the Mining Act nor, within 5km of largescale infrastructure.

A condition is recommended to ensure the proposed use is consistent with the application made and assessed by Council for the purposes of a serviced apartment and secondary dwelling. Where future compliance is not maintained by the landowner in accordance with the conditions of consent, on the spot fines and/or stop works compliance action will be required to be pursued accordingly.

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.

(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 4.4 Signs

Not applicable. This application does not seek consent for any signage associated with the development. A condition is recommended to manage the placement of signage, and future consent requirements.

Part 4.7 Tree Preservation Order

No trees to be removed that are cover by this Part.

Part 5.1 Car Parking

The proposed development generates the following parking demand on the site:

Parking requirement:	Proposed Parking Numbers:	Compliance:
Serviced Apartment: 1 Space per Unit	1 space per serviced apartment (note: accessible parking space required to be compliant with sealed / compacted surface) Plus 3 visitor parking spaces	Yes – condition required for accessible parking space.
Secondary Dwelling: No Parking Requirements	2 existing informal parking spaces	N/A
Existing dwelling: 2 spaces (1 undercover)	2 existing undercover parking spaces	Yes

Part 5.2 Flooding

Not applicable.

Part 5.3 Stormwater Management

Council’s Development Engineer has provided comments and conditions concerning adequate disposal of stormwater. The development is capable of achieving compliance with the part.

Part 5.4 Environmental Controls

All the relevant considerations have been discussed elsewhere in this report or dealt with through conditions of consent. The development is capable of achieving compliance with this part.

Part 6 Development in Rural Areas

Part 6.1 Dwellings

The subject site is greater than 5ha in size and zoned R5 Large Lot Residential.

The existing dwelling and proposed use of the existing building for the purposes of a secondary dwelling exceed a setback of 60m to School Lane achieving compliance with this part.

Further, the applicant has also provided a setback of 65m from the primary road frontage of School Lane (being to the western boundary and where the access road to the site is located) to all serviced apartments.

The development is capable of achieving compliance with this part.

Part 6.4 Tourist and Visitor Accommodation

The proposal generally satisfies the tourist accommodation provisions of the DCP 2013 in that the property will contain a residential component and the number of tourist units (serviced apartments) will not exceed 6. All required services are available or can be made available to the site.

A condition of consent has been included ensuring the serviced apartment is used for short stay accommodation only.

Section 7.11 Contributions

MID-WESTERN REGIONAL CONTRIBUTIONS PLAN 2019

Pursuant to Council's Contributions Plan 2019, the development is proposing service apartments which is a form of tourist and visitor accommodation. This requires payment of a Section 7.12 contribution in accordance with the Plan, calculated based on the proposed cost of the development. The contribution payable has been calculated below:

Section 7.12 Contribution Rate - Other forms of development	
Rates as per table below.	
Development Cost:	S7.12 Levy:
\$484,000	\$4,840.00

An appropriate condition has been imposed requiring payment of the contribution.

Section 64 - Water/Sewer Developer Services Charges

In accordance with the Developer Servicing Plans for Water and Sewer (August 2008), the development does not increase the demand or loading upon Councils infrastructure or require additional water, sewer or trade waste services to the land or building. No charges can therefore be applied under the plan.

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

No Planning Agreements are applicable.

Regulations –4.15(1)(a)(iv)

ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2021

No matters prescribed by the Regulations impact determination of the Development Application.

Likely impacts of the development – 4.15(1)(b)¹

¹ Including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

(A) CONTEXT AND SETTING

The proposal is considered to be appropriate with regards to the surrounding context and setting. The development achieves compliance with Council's LEP and DCP controls, is considered to reflect the overarching objectives of the R5 Large Lot Residential Zone and is able to mitigate visual impacts by preserving all mature vegetation that exists within the vicinity of the site. As a result, there are no significant adverse environmental impacts associated with the proposal, subject to compliance with the conditions of consent recommended.

(B) ACCESS, TRANSPORT AND TRAFFIC

The implications of additional traffic and suitable access have been assessed by Council's Development Engineers, with a supporting assessment undertaken of the existing access crossing proposed to be utilised to support the development. Subject to compliance with the conditions of

consent recommended, including installation of roadside signage (subject to a separate Section 138 approval and Local Traffic Committee endorsement) 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 given the rural residential nature of the site.

(D) UTILITIES

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

(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. The proposed development does not require any significant earthworks and the subject site is not identified as groundwater vulnerable under the MWRLEP 2012. As a result, there are no significant adverse impacts to land resources as a result of the proposed development.

(G) WATER

The proposed development seeks to retain all rainwater onsite for detention and reuse. There are no extensions to reticulation / town water supply required by the proposed development and therefore, there are no significant impacts identified to water resources as a result of the development. The proposal also seeks to provide a buffer to the existing dam / drainage catchment and the existing 'well' on the property to ensure natural runoff into waterways are not impacted by the proposed building works.

(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. No vegetation removal is required by the proposed development. New plantings and tree screening is however proposed to be introduced, which will provide additional habitat connectivity through the site.

(K) WASTE

A condition is recommended to manage all building wastes during construction and ongoing operations, with all wastes to be removed by a contractor and/or taken to the Mudgee Waste Facility.

(L) ENERGY

Solar power is proposed to support the existing and proposed development, despite the site being connected to mains supply.

(M) NOISE AND VIBRATION

Conditions are recommended to ensure works are undertaken during standard construction hours in order to manage the construction process.

(N) NATURAL HAZARDS

The development site is not identified as bushfire prone or flood prone and there is no known subsidence, slip or mass movement issues. Despite the site not being mapped as bushfire prone land, the developer seeks to ensure that the buildings are constructed to withstand a bushfire attack level of BAL 12.5. Conditions are recommended accordingly.

(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

The proposed development is sought to support visitor accommodation in the region via introduction of the serviced apartments in a low impact format, whilst allowing for an overall increase in passive surveillance in the rural residential setting. Conditions are recommended to ensure operational matters are appropriately managed including trespassing, management of guests' pets and a complaints register is established by the landowner / operator in perpetuity.

(Q) SOCIAL IMPACT IN THE LOCALITY

Generally positive social impacts are considered to be generated by the proposed development. Guests are required to ensure that they maintain the amenity of the rural residential area, which is required to be managed by the operators who currently have a dwelling on the site.

(R) ECONOMIC IMPACT IN THE LOCALITY

Generally positive economic impacts are considered to be generated by the proposal, with benefits generated during construction and ongoing operation of the development including local expenditure in the Region.

(S) SITE DESIGN AND INTERNAL DESIGN

Adequate as discussed throughout this report. The placement and arrangement of the development has been amended to ensure the development is low impact, retains all vegetation and does not cause significant impact on adjoining lands.

(T) CONSTRUCTION

To comply with the BCA where relevant.

(U) CUMULATIVE IMPACTS

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

Suitability of Site for Development – 4.15(1)(c)

(A) DOES THE PROPOSAL FIT IN THE LOCALITY?

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

(B) ARE THE SITE ATTRIBUTES CONDUCTIVE 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 – 4.15(1)(d)

(A) PUBLIC SUBMISSIONS

The application was notified, in accordance with Mid-Western Regional Community Participation Plan 2019, for a period of 14 days, on two separate occasions. During the first round of notification, 6 submission/s were received. During the second round of notification, 7 submissions were received.

The applicant lodged amended plans/details during the assessment process, resulting in the renotification of the proposal, along with a response to the concerns raised in submissions. A summary of the concerns raised during both periods of notification is provided below. A copy of the applicants’ response to the submissions is also provided in **Attachment 3** to this report.

Concern raised	Comment:
Increased number of buildings on a small lot – changed character of the local area	<p>The proposal is for single storey buildings, designed to be of a low scale nature. There are a variety of building types within this location, including a commercial brewery, single dwellings, dual occupancies and farm buildings.</p> <p>The development is considered to be consistent with the established character of the rural residential area in terms of built form and design.</p>
Increased pressure of septic wastes and waste disposal	<p>The proposed development will require a separate effluent disposal system, capable of managing the effluent loadings of the development and approved separately by Council under Section 68 of the Local Government Act. Given the nature of the use, the loadings can be infrequent based on the temporary nature of the use.</p>
Noise impacts	<p>The proposed development is for a low scale-built form, i.e. is not proposed as double storey buildings, and will be appropriately located with compliant building setbacks to all boundaries in accordance with the DCP controls. There are no proposed land uses that would trigger acoustic impacts to adjoining lands and there are also no proposed ‘communal areas’ proposed within this development.</p> <p>Further, the manager of the site will be responsible for all operational aspects of the development and a condition is recommended to ensure that a complaints register is kept and maintained for the life of the operations, viewable by Council upon request. This is intended to keep the manager of the site</p>

	<p>accountable for the future operations and mitigate and self-manage complaints wherever necessary.</p>
<p>Traffic impacts including road accidents and bus conflicts</p>	<p>The development has been supported by an access assessment prepared by a suitably qualified engineer following the revised plans relocating the proposed access to enable utilisation of the existing driveway into the site from School Lane. The Report confirms that the existing driveway provides a Safe Intersection Site Distance (SISD) in accordance with Austroads SISD Guidelines.</p> <p>Council’s engineering department has also reviewed the proposed access and traffic impacts associated with the development and raises no objections, subject to conditions of consent. This includes provision of roadside safety signage and upgrades to the existing driveway crossing to achieve compliance with Council’s current Access to Properties Policy. A section 138 approval will also be required to be submitted for this required work in Council’s road reserve.</p>
<p>Access to subject site impacting/conflicting with other driveways to the south of the site</p>	<p>The proposal has been amended to ensure that all traffic is accessed via the existing driveway from School Lane. No conflicts with existing nearby driveways with therefore occur as a result of the proposal.</p>
<p>Increased stormwater runoff</p>	<p>The application proposes to manage and discharge stormwater within the site, including onsite tank storage. Councils’ development engineers have recommended that all stormwater overflows be directed to a stormwater management system in the form of a rain garden or similar. A condition is recommended in this regard in order to mitigate any potential impacts to the road network and adjoining land.</p>
<p>Groundwater and creek contamination</p>	<p>The proposed development site is <u>not mapped</u> to contain groundwater vulnerable land under the MWRLEP 2012. It is noted that the site contains existing dams position close to the eastern boundary, along with a natural drainage depression known as Budgee Budgee Creek connected the two existing dams.</p> <p>The development has been located on the site to avoid all surface waters in this regard, being positioned on the western side of the site, and will not cause surface water contamination given the buffers provided.</p> <p>Further, the site currently contains a historic septic tank with trench system that services the</p>

	<p>existing dwelling. There has been no identified contamination to any creek or groundwater as a result of the existing site disposing of effluent to the subsurface of the soil.</p> <p>The proposed development, as part of any future section 68 activity approval for the effluent disposal system will be required to consider buffers to all water sources.</p> <p>Given the development <u>will not</u> be required to undertake any extensive earthwork to enable the development to proceed that may impact on the groundwater table, the development is unlikely to impact upon groundwater in this area.</p>
<p>Use of development for temporary workers accommodation / workers camp</p>	<p>As noted under the Clause 6.11 assessment of the MWRLEP, the development is not for the purposes of temporary workers accommodation and a condition is recommended to ensure the characterisation of the development is maintained for the life of the operations.</p>
<p>Social impacts</p>	<p>The proposed development is on private land and seeks to provide short term guest accommodation on the site with compliant buffers and setbacks to all boundaries in accordance with Council's DCP requirements.</p> <p>The developer and manager of the site will be responsible for all operational management aspects associated with the accommodation.</p> <p>Further, conditions of consent in relation to guest management and the preparation of a complaints register have been recommended to re-enforce Councils requirements.</p> <p>As a result of the above, there are no significant adverse social impacts that are considered to be generated by the proposed development</p>
<p>Incorrect characterisation of the development - it is not "serviced apartments"</p>	<p>As noted in the planning assessment under the LEP 2012 definitions, Council's position is the proposed development has been accurately defined as 'serviced apartments', comprising of 6 buildings, remaining compliance with Council's DCP.</p> <p>The applicant has also provided a Plan of Management, which also aligns with the land use term for serviced apartment, being regularly cleaned and serviced by the owner or manager of the site.</p> <p>A condition of consent has also been recommended however to ensure that the ongoing land use remains consistent with the definition of serviced apartments.</p>
<p>The appearance and placement of the</p>	<p>The development has been redesigned with all</p>

<p>development – lack of windows, appearance of a “donga”, orientation does not capture any vistas.</p>	<p>updated plans placed on renotification. The redesigned development is no longer proposed in a transportable design, with all serviced apartments to be constructed onsite. Council considers the redesigned development has adequately addressed this concern.</p>
<p>Devaluation of property values</p>	<p>In accordance with established planning law and court judgements, the potential devaluation of property values is not a relevant planning consideration.</p>
<p>Safety and security concerns – trespassing</p>	<p>As noted above, management of all the guests visiting the site will be required by the manager of the development.</p> <p>A condition has also been recommended to ensure that the operational management of guests is re-enforced.</p>
<p>Privacy impacts - Fencing should be Colourbond</p>	<p>All new buildings are setback from all boundaries in excess of Council’s DCP requirements addressing direct overlooking and privacy impacts to surrounding properties.</p> <p>Existing mature vegetation, new landscaping and the existing School Lane Road reserve are also considered to provide appropriate buffers to neighbouring lands.</p> <p>Further, the proposed site is located in a rural residential (R5 zone) area whereby Colourbond fencing is not permitted to be constructed in accordance with Councils requirements.</p>
<p>Fire hydrants to be installed around property with a water tank on a trailer with a pressure pump</p>	<p>The proposed development is not located on land mapped as Bushfire Prone. As a result, there is no legal requirement for fire hydrants to be installed to support the development. However, the developer will be required to install a tank on the site, containing a minimum of 20,000L that is reserved and maintained for firefighting purposes – this is a DCP requirement for all lands that do not have reticulated water supply to the site. A condition is recommended in this regard.</p>
<p>Decrease the speed limit on School Lane to 60km/hr</p>	<p>This particular concern cannot be directly addressed by the proposed development and is considered to be an existing concern that may be raised with the Local Traffic Committee as a separate process to the Development Application.</p> <p>The recommended conditions requested by Development Engineering seeks to however install roadside signage in proximity to the existing driveway proposed to be utilised by guests to the site.</p>

<p>Waste management – bins proposed with amenity and visual impacts to adjoining land</p>	<p>The location of waste storage is not considered to have any direct impact to adjoining lands and it is noted that the wastes will be required to be removed via a private contract arrangement, not via Council.</p>
<p>Bushfire risk from visitors or campfires</p>	<p>As noted above, all operational aspects are required to be managed by the onsite manager in accordance with the recommended conditions of consent. Further, there are no proposed 'communal areas' or 'fire pits' sought to be approved by Council or shown on the proposed plans that would render the development to be considered a heightened bushfire risk than any other rural residential site.</p>
<p>Impacts to koalas and habitat corridors</p>	<p>No vegetation is required to be removed to facilitate the proposal, therefore reducing impacts to potential koala habitat and existing vegetation corridors.</p>
<p>Nearby property adjacent to 42 School Lane not permitted to have a dwelling – “double standards” being applied.</p>	<p>The lot to the north of 42 School Lane is <u>less than</u> 5ha and therefore does not benefit from a dwelling entitlement in its own right - refer to clause 4.2A(3)(g) of the MWRLEP2012 which requires a minimum area of 5ha in the R5 zone to benefit from a dwelling entitlement.</p> <p>The property to the east of 42 School Lane that is 12.41ha, had a dwelling approved by Council in 2016 (DA0172/2016).</p>
<p>Revised proposal increases the amount of visitors, increasing the original impacts raised</p>	<p>Whilst the proposed development has increased the number of bedrooms, enabling an increase from 12 persons to 18 persons, the development remains compliant with Councils LEP and DCP controls. Conditions will continue to be imposed to manage the operational matters of the development.</p>
<p>Septic is proposed closer to groundwater / spring and Budgee Creek.</p>	<p>This is not correct, the proposed effluent area is proposed in the opposite direction of the Budgee Budgee Creek which is found running along the eastern boundary, in the area of the existing dam found on the site. Compliant buffers to a non-permanent stream are able to be achieved and will be subject to separate approval in accordance with Section 68 of the Local Government Act.</p>

(B) SUBMISSIONS FROM PUBLIC AUTHORITIES

No submissions were sought or received from public authorities.

The Public Interest – 4.15(1)(e)

(A) FEDERAL, STATE AND LOCAL GOVERNMENT INTERESTS AND COMMUNITY INTERESTS

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

CONSULTATIONS

(A) HEALTH AND BUILDING

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

(B) TECHNICAL SERVICES

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

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

Comprehensive Land Use Strategy
Mudgee Town Structure Plan
Mid-Western Local Strategic Planning Statement

Council Policies

Mid-Western Regional Development Control Plan 2013
Mid-Western Regional Contributions Plan 2019
Mid-Western Regional Community Participation Plan 2019
Mid-Western Regional Developer Servicing Plan 2008

Legislation

Environmental Planning & Assessment Act 1979
Environmental Planning & Assessment Regulation 2021
Mid-Western Regional Local Environmental Plan 2012
Roads Act 1993

Financial implications

Should the applicant seek to appeal the decision of Council to the Land and Environment Court, the costs associated with an appeal will be required to be funded by Council.

Associated Risks

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

KAYLA ROBSON
PLANNING COORDINATOR

LINDSAY DUNSTAN
MANAGER PLANNING

ALINA AZAR
DIRECTOR DEVELOPMENT

24 September 2024

- Attachments:*
1. Attachment 1 - Plans and Supporting Documents. (separately attached)
 2. Attachment 2 - Submission (1st Notification). (separately attached)
 3. Attachment 3 - Submissions (2nd Notification). (separately attached)
 4. Attachment 4 - Applicant Response to Submissions. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

8.2 ME0046/2024 - Modification to DA0109/2016 to Redesign Road, Lot Layout and Staging - Staged Subdivision (1 into 46 Lots) - 66 Edgell Lane, Buckaroo

REPORT BY THE PLANNING COORDINATOR
 TO 16 OCTOBER 2024 ORDINARY MEETING
 GOV400105, DA0109/2016

RECOMMENDATION

That Council:

1. receive the report by the Planning Coordinator on the ME0046/2024 - Modification to DA0109/2016 to Redesign Road, Lot Layout and Staging - Proposed Staged Subdivision (1 into 46 Lots) - 66 Edgell Lane, Buckaroo; and
2. approve ME0046/2024 - Modification to DA0109/2016 to Redesign Road, Lot Layout and Staging - Proposed Staged Subdivision (1 into 46 Lots) - 66 Edgell Lane, Buckaroo be approved subject to the following modified conditions and statement of reasons (in blue):

CONDITIONS

APPROVED PLANS

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

Title/ Name:	Drawing No/ Document Ref	Revision / Issue:	Date:	Prepared by:
Subdivision Plan	BK228 Sheet 3	A	1 March 2016	Jabek Pty Ltd
Statement of Environmental Effects (Including Appendices)	N/A	1	September 2015	Minespex
Proposed Plan of Subdivision	39130 – C02	D	23/07/2024	Barnson
Proposed Lot Plan	39130 – C03	C	23/07/2024	Barnson

Proposed Staging Plan	39130-C15	B	23/07/2024	Barnson
-----------------------	-----------	---	------------	---------

Note: This consent does not authorise any tree removal within the site or road reserves. Separate consent of Council may be required prior to removal of any trees to support the proposed development of the site.

MODIFIED BY ME0046/2024

- 1A. This consent is for the subdivision of land only in accordance with the 'Proposed Staging Plan' and 'Proposed Subdivision Plan'. No physical works are approved under this consent. A Subdivision Works Certificate (formerly known as a Construction Certificate) is required to be obtained for all physical works associated with this consent.

MODIFIED BY ME0046/2024

ENGINEERING CONSTRUCTION

2. 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.
3. 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.
4. The subdivision works are to be inspected by the Council (or an Accredited Certifier on behalf of Council) to monitor compliance with the consent and the relevant standards of construction, encompassing the following stages of construction:
 - Installation of sediment and erosion control measures
 - Water and sewer line installation prior to backfilling
 - Establishment of line and level for kerb and gutter placement
 - Road Pavement construction
 - Road Pavement surfacing
 - Practical Completion

PRIOR TO ISSUE OF THE ~~CONSTRUCTION CERTIFICATE~~ SUBDIVISION WORKS CERTIFICATE

5. A detailed engineering design is to be submitted to and approved by Council prior to the issue of a ~~Construction Certificate~~ Subdivision Works Certificate. The engineering design is to comply with Council's Development Control Plan and the Standards referenced within Appendix Band D.

~~Construction Certificate~~ Subdivision Works Certificate is required for, but not limited to, the following civil works;

- Water and sewer main extensions
- Stormwater drainage such as inter-allotment drainage, detention basins,
- Road construction
- Footpath and kerb & gutter
- Landscaping of public reserves

Note: No works can commence prior to the issue of the ~~Construction Certificate~~ **Subdivision Works Certificate**.

MODIFIED BY ME0046/2024

- 5A. Prior to issue of the Subdivision Works Certificate, the intersection design for the proposed road with Harvey Street is to be in accordance with NatSpec design rules (whilst encouraged to be 90 degrees it is permissible between 70 to 110 degrees). The splayed corners on the intersections are to have a minimum splay of 4 metres.

MODIFIED BY ME0046/2024

- 5B. Consent from Council must be obtained for all works within the road reserve pursuant to Section 138 of the *Roads Act 1993*, prior to the issue of a Subdivision Works Certificate.

MODIFIED BY ME0046/2024

6. Where the development requires access to private land, the developer shall provide documentary evidence that an agreement has been entered into with the landowner prior to the issue of a ~~Construction Certificate~~ **Subdivision Works Certificate**. If stormwater drainage, or utilities are to be located within the private land, an easement is to be created prior to release of the Construction Certificate.

MODIFIED BY ME0046/2024

7. The Developer is to provide evidence of an Engagement Letter that the Subdivision has been registered with Telstra Smart Communities prior to the issue of the ~~Construction Certificate~~ **Subdivision Works Certificate**.

MODIFIED BY ME0046/2024

8. 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~~ **Subdivision Works Certificate**. The report must demonstrate that stormwater runoff from the site is not increased beyond the existing undeveloped state up to and including a 100-year event. All storm water detention details including analysis shall be included with the drainage report.

MODIFIED BY ME0046/2024

9. The trunk drainage system must be designed such that discharge from the subdivision satisfies the following water quality targets:

Note: Results from MUSIC modelling or equivalent shall be supplied with ~~Construction Certificate~~ **Subdivision Works Certificate** Issue plans demonstrating that the design meets the above criteria.

MODIFIED BY ME0046/2024

10. Where the trunk drainage system crosses through private land three-metre-wide easements, including associated Section 88B of the Conveyancing Act 1919 instruments, are to be created in favour of Council over any existing or newly

constructed stormwater drainage located within the subject property, or extended through adjoining private properties as a result of this subdivision.

Note: where an easement is proposed over private land for the purpose of servicing this subdivision, Council will require evidence that the easement has been created prior to the release of the ~~Construction Certificate~~ **Subdivision Works Certificate**.

11. All internal roads shall comprise roll back concrete kerb and gutter. Sub-surface drainage is required where gutter flows exceed 2.5m width during minor events (1 in 5yr ARI). If required, sub-surface drainage shall be located behind the kerb.
12. 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.
13. Inter-allotment drainage is to be provided to remove stormwater from any lots that cannot discharge to the street in accordance with Aus Spec #1. Easements not less than 1m wide shall be created over inter-allotment drainage in favour of upstream allotments.
14. One (1) roof-water outlet per allotment is to be provided in the kerb and gutter 2m from the downhill boundary at the time of installation of the kerb and gutter.
15. Any soil/water retention structures are to be constructed prior to the bulk stripping of topsoil, to ensure sediment from the whole site is captured.
16. All internal roads within the subdivision must be designed and constructed to the following standards:

Road 1

Item	Requirement
Full Road Pavement Width	13 m (2 x 3.5m travel lanes with 2x3m sealed shoulders parallel parking lanes)
Nature Strip	2 x4.5m
Concrete Footpaths	2.5mWide
Seal	Two-coat flush seal -14/7 mm (Double/Double) as required
Kerb & Gutter	Roll back concrete kerb & gutter
Subsoil Drainage	Where gutter flow exceeds 2.5m during minor events or adjacent to intersections. To be installed behind kerb

Road 2

Item	Requirement
Full Road Pavement Width	9 m (2 x 3.5m travel lanes with 2x1m sealed shoulders)
Nature Strip	2 x4.5m
Concrete Footpaths	1.2mWide
Seal	Two-coat flush seal -14/7 mm (Double/Double) as required

Kerb & Gutter	Roll back concrete kerb & gutter
Subsoil Drainage	Where gutter flow exceeds 2.5m during minor events or adjacent to intersections. To be installed behind kerb

Road 3 & 4

Item	Requirement
Full Road Pavement Width	8 m (2 x 4m travel lanes)
Nature Strip	2x4m
Concrete Footpaths	Nil
Seal	Two-coat flush seal -14/7 mm (Double/Double) as required
Kerb & Gutter	Roll back concrete kerb & gutter
Subsoil Drainage	Where gutter flow exceeds 2.5m during minor events or adjacent to intersections. To be installed behind kerb

17. The submission to Council of engineering design plans for any road works shall include pavement and wearing surface investigation and design.
18. All electrical, telecommunication and water service crossings are to be perpendicular to the road centreline and performed prior to the addition of the base course and installation of the kerb and gutter.
19. All stormwater, water and sewer main infrastructure road crossings must be installed prior to the addition of the base course and installation of kerb and gutter.
20. All water mains and associated fittings/valves should not be installed underneath a concrete structure such as the footpath.
21. All required earthworks for roads associated with the subdivision must have compacting testing in compliance with RMS Q4 and AUS-SPEC CQS-A.
22. 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.
23. All internal roads must be designed with design speed of 50km/hr.
24. Street signs necessitated by the subdivision are to be installed in accordance with Aus-Spec #1 and Council standards.
25. A Give Way sign is required to be installed on the internal subdivision road at the junction with Ulan Road.
26. 50km/hr speed restriction signs, duplicated both sides of the road, are to be installed on Road 1 at the entry to the subdivision. These signs must also indicate 80kmhr for traffic leaving the subdivision.

27. The proposed internal road network should have sufficient width to accommodate the turning paths for service vehicles (e.g. Rubbish collection and removalist vehicles). Particular attention should be given to cul de sac finishing points.
28. Street tree landscaping is to be provided within the proposed road reserve on Ulan Road and internal subdivision roads. A plan for the proposed planting is to be submitted for approval by Council. All landscaping is to consist of appropriately advanced trees in accordance with Clause 7.1 Urban Subdivision of the Mid-Western Regional Council Development Control Plan. ~~amended December 2014.~~

MODIFIED BY ME0046/2024.

29. An Erosion and Sediment Control Plan for the development is to be prepared and implemented in accordance with the LANDCOM guidelines and requirements as outlined in the latest edition of "Soils and Construction - Managing Urban Stormwater". Points to be considered include, but are not limited to:
 - Drainage reserves are to be turfed.
 - single strip of turf to be laid behind kerb and gutter.
 - saving available topsoil for reuse in the revegetation phase of the subdivision;
 - using erosion control measures to prevent on-site damage;
 - rehabilitating disturbed areas quickly
 - maintenance of erosion and sediment control structures;
 - a schedule of operations is to be submitted to ensure all appropriate works are undertaken at the correct stage.
30. All finished surface levels shall be shown on the plans submitted for the ~~Construction Certificate~~ **Subdivision Works 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.

MODIFIED BY ME0046/2024

31. The proponent shall obtain a Section 91 Activity Approval under the Water Management Act 2000 should drainage or other works be carried out in within 40m of a prescribed watercourse or creek.

Note: Please contact the NSW Office of Water for more information in relation to this matter.

32. If any aboriginal artefacts are uncovered or identified during construction earthworks, such work is to cease immediately and the local aboriginal community and National Parks and Wildlife Service are to be notified.
(Note: A suitably qualified person is required to be present during earthworks to identify whether any artefacts were uncovered).
33. The developer is to extend and meet the full cost of water and sewerage reticulations to service the new lots prior to the release of the Subdivision Certificate. Each lot must be provided with separate water and sewer 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. 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 any private properties as a result of this subdivision.

Note: where an easement is proposed over private land for the purpose of servicing this subdivision, Council will require evidence that the easement has been created prior to the release of the Construction Certificate.

- ~~35. The proposed sewer pump station is to be located and constructed on proposed lot 34. Details to be provided at Construction Certificate stage.~~

~~DELETED BY ME0046/2024~~

36. All water mains associated fittings/valves shall be clockwise close.

PRIOR TO COMMENCEMENT OF WORKS

37. Prior to the commencement of subdivision works, the following actions are to be carried out;
- A site supervisor is to be nominated by the applicant;
 - Council is to be provided with two (2) days' notice of works commencing.
 - Council is to be notified in writing of any existing damage to Council's infrastructure

Note: Failure to comply with these conditions will result in damage to Council's infrastructure being rectified by the applicant and at the applicant's cost.

38. Contractor's public liability insurance cover for a minimum of \$20,000,000 is to be sighted and shown to Mid-Western Regional Council as an interested party. Public Liability Insurance is to include Mid-Western Regional Council as an interested party and a copy of the insurance policy including the Certificate of Currency is to be provided to Mid-Western Regional Council prior to the commencement of work. All work is to be at no cost to Council.
39. Any necessary alterations to, or relocations of, public utility services to be carried out at no cost to council and in accordance with the requirements of the relevant authority including the provision of easements over existing and proposed public infrastructure.
40. Prior to commencement of works, the submission of three possible street/road names in order of preference, for the proposed new road within the subdivision, are to be submitted to Council for approval
41. The development site is to be managed for the entirety of work in the following manner:
- Appropriate dust control measures;
 - Construction equipment and materials shall be contained wholly within the site unless approval to use the road reserve has been obtained;
 - Toilet facilities are to be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

~~GENERAL TERMS OF APPROVAL (NSW Roads and Maritime Service)~~

42. The intersection of the proposed public road and Ulan Road is to be constructed to include an Auxiliary Left Turn Treatment Short [AUL(S)] and Channelised Right Turn Treatment [CHR] on a major road in accordance with Section 7.2.4 (Table 7.2 and Figure 7.3) and Section 8.2.2 (Table 8.2 and Figure 8.3) of Part 4a – Austroads Guide to Road Design (Ed. 3.2) with Figures 8.3 & 7.7 Part 4A Austroads Guide to Road Design respectively (copies enclosed) and Roads and Maritime supplements. The intersection treatment is to incorporate and make allowances for the existing rural property access from Ulan Road opposite the proposed new intersection. The intersection is to be formed as to provide lay-bys on the departure sides for use as a school bus stop shelter.

The intersection must be constructed and completed to the satisfaction of Council prior to issue of the Subdivision Certificate for the stage 3 release.

MODIFIED BY ME0046/2024

43. All intersection works are to be designed and constructed to accommodate the largest vehicle accessing the intersection and for the current speed zone of 80km/h, match existing road levels and not interfere with existing road drainage.
44. A suitable barrier is to be provided on the subject land to prevent vehicles from entering/exiting Ulan Road from/to the subject land other than via the proposed public road.
- 44A. If unexpected soil contaminants are discovered during works which has the potential to alter previous conclusions regarding site contamination; work must cease and Council or NSW Environmental Protection Authority must be notified immediately.

The contaminated land situation is to be evaluated by the supervising environmental consultant and an appropriate response determined in consultation with the developer, which is agreed to by Council.

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

MODIFIED BY ME0046/2024

PRIOR TO THE ISSUE OF THE SUBDIVISION CERTIFICATE

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

Note: The fee to issue a Subdivision Certificate is set out in Council's Fees and Charges. #The final inspection report shall be submitted to Council with the Subdivision Certificate application.

46. A linen plan and two (2) copies are to be submitted to Council for approval and endorsement by the General Manager.
47. 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.

48. Following completion of the subdivision works, work-as-executed plans (WAE) are to be provided to Council in the following formats;
- a) PDF
 - b) Dwg format or "Autocad compatible"
 - c) Map Information Files

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.

49. Underground electricity and telecommunications are to be supplied to the subdivision.
50. Prior to issue of the Subdivision Certificate, Council is to be supplied with:
- A **certificate notice of arrangements** from the appropriate power authority indicating that satisfactory arrangements have been made for provision of electricity supply to the subdivision.
 - A certificate from the appropriate telecommunications authorities indicating that satisfactory arrangements have been made for provision of telephone services to the subdivision.
 - All contributions must be paid to Council and all works required by the consent be completed in accordance with the consent.

MODIFIED BY ME0046/2024

51. 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 using method (a) of Clause of AS2870 - 2011. Results are to be submitted to Council prior to issue of the Subdivision Certificate.
52. Street trees are required at a rate of two (2) trees per lot and are to be planted prior to the issue of the Subdivision Certificate. The trees are to be semi- mature and barricaded for protection.
- 52A. **Prior to issue of the Subdivision Certificate, the developer shall contact Council's Property and Rating Department to ensure that the Street Addressing for each lot is correctly allocated in accordance with AS4819 and the correct addressing is included with the submitted Subdivision Certificate Application documentation.**

MODIFIED BY ME0046/2024

53. To mitigate the impacts of traffic noise upon Lots 1 – ~~8~~ 9 and 45, an acoustic assessment is required to be prepared by an appropriately qualified and experienced acoustic engineer. This assessment report must be submitted to and approved by Council prior to the release of the subdivision certificate. Any recommendations arising from the report are required to be implemented during construction of a dwelling upon that lot.

MODIFIED BY ME0046/2024

54. A Restriction as to User is to be registered on the title of proposed lots 1 –~~8~~ 9 and 45 stating that no direct access to Ulan Road is permitted.

MODIFIED BY ME0046/2024

55. ~~A Restriction as to User is to be place on Lot 34 restricting the location of any future dwelling to area zoned R2 Low Density Residential.~~ An instrument providing the following restriction on title is to be submitted to Council, prior to the issue of a Subdivision Certificate:

“No dwelling shall be erected on Lot 46 (“residual lot” shown on the approved Plan of Subdivision) unless it is ancillary to the permitted agricultural use of the land pursuant to Section 4.2B of the Mid Western Regional Local Environmental Plan 2012” and must demonstrate the proposed agricultural use of the land will not cause land use conflicts with the adjoining Residential Estates”.

MODIFIED BY ME0046/2024

- 55A. A Restriction as to User is to be registered on the title of proposed lots 1 - 9 stating that no above ground structures are to be erected on the lots within the 15-metre rear setback of each lot. The 15-metre setback restriction to user must be clearly noted on the linen plan submitted to Council with the application for the Subdivision Certificate.

MODIFIED BY ME0046/2024

- 55B. A Restriction as to User is to be registered on the title of all lots stating that no dividing fence, or side and rear boundary fence shall be erected on the lot burdened unless it contains one of the following:
- Timber post and rail to a maximum overall height of 1.2m from ground level; or
 - Metal plain wire with rabbit proof mesh to a maximum overall height of 1.2m from ground level; or
 - A combination of the above to a maximum overall height of 1.2m from ground level.

MODIFIED BY ME0046/2024

56. A shared Pedestrian/bicycle path is to be provided and constructed along the Ulan Road frontage.
57. An application for a Compliance Certificate under the Water Management Act, 2000 is to be submitted to Council as the Water Supply Authority and approved prior to the issue of a Subdivision Certificate for the development.

Note: This will include (but is not limited to) the requirement to alter and extend services, upgrade and install ancillary infrastructure ~~such as the sewer pump station~~ and the payment of section 64 developer contributions. Refer to Advisory Note for the Payment of Section 64 Contributions.

MODIFIED BY ME0046/2024

58. In accordance with the provisions of ~~section 94~~ 7.11 of the Environmental Planning and Assessment Act 1979 and the Mid-Western Regional Council Section 94 Developer Contributions Plan, a contribution shall be paid to Council in accordance with this condition for the purpose of: SUBJECT TO CPI INCREASE

Transport Management
Traffic Management \$53,504
Open Space

Local Open Space	\$84,040
District Open Space	\$114,048
Community Facilities	
Library Buildings	\$11,000
Library Resources	\$13,200
Administration	
Plan Administration	\$25,652
TOTAL	\$301,444

	Per 2 or more bed dwelling / separate house/lot	45 Lots (1 credit applied for existing Lot)
Transport Facilities	\$ 5,057.00	\$ 227,565.00
Recreation and Open Space	\$ 2,541.00	\$ 114,345.00
Community Facilities	\$ 740.00	\$ 33,300.00
Stormwater Management	\$ 534.00	\$ 24,030.00
Plan Administration	\$ 1,160.00	\$ 52,200.00
Total	\$ 10,032.00	\$ 451,440.00

MODIFIED BY ME0046/2024

PRESCRIBED CONDITION

59. A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
- (a) showing the name, address and telephone number of the principal certifying authority for the work, and
 - (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - (c) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

OTHER APPROVALS

N/A

ADVISORY NOTES

- 1 The removal of trees within any road reserve requires the separate approval of Council in accordance with the policy "Tree Removal and Pruning - Public Places".

1A. This development consent requires a Certificate of Compliance under the Water Management Act 2000 to be obtained prior to the issue of a Subdivision Certificate. A person may apply to Mid-Western Regional Council, as the water supply authority, for a Certificate of Compliance pursuant to section 305 of the Water Management Act 2000.

Please be advised that as a precondition to the granting of a Compliance Certificate a monetary contribution in accordance with the following Schedule of Contributions must be paid in full (including indexation, where applicable).

Section 64 Contributions	45 x Large Residential Lots (1 x Credit Large Lot Applied)
Water Headworks	\$ 667,986.00
Sewer Headworks	\$ 213,444.00
Total Headworks	\$ 881,430.00

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.

MODIFIED BY ME0046/2024

- 2 The land upon which the subject building is to be constructed may be affected by restrictive covenants. This approval is issued without enquiry by Council as to whether any restrictive covenant affecting the land would be breached by the construction of the building, the subject of this approval. Persons to whom this approval is issued must rely on their own enquiries as to whether or not the building breaches any such covenant.
- 3 Section 82A of the Environmental Planning and Assessment Act (EP&A Act) gives you the ability to seek a review of the determination. This request is made to Council and must be made within 6 months after the date on which you receive this notice. The request must be made in writing and lodged with the required fee; please contact Council's Planning and Development Department for more information or advice.
- 4 If you are dissatisfied with this decision 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&AAct.
- 6 To ascertain the extent to which the consent is liable to lapse, refer to Section 95 of the EP&AAct.

ESSENTIAL ENERGY ADVISORY NOTES

1. If the proposed development changes, there may be potential safety risks, and it is recommended that Essential Energy is consulted for further comment.
2. Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with.

3. As part of the subdivision, an easement/s are/is created for any existing electrical infrastructure (located within the property or adjoining the property as required). The easement/s is/are to be created using Essential Energy's standard easement terms current at the time of registration of the plan of subdivision. Refer Essential Energy's Contestable Works Team for requirements via email contestableworks@essentialenergy.com.au.
4. Essential Energy's records indicate there is electricity infrastructure located within close proximity to the property. Any activities within this location must be undertaken in accordance with the latest industry guideline currently known as *ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure*. Approval may be required from Essential Energy should activities within the property encroach on the electricity infrastructure.
5. Prior to carrying out any works, a "Dial Before You Dig" enquiry should be undertaken in accordance with the requirements of Part 5E (Protection of Underground Electricity Power Lines) of the *Electricity Supply Act 1995* (NSW).
6. Given there is electricity infrastructure in the area, it is the responsibility of the person/s completing any works around powerlines to understand their safety responsibilities. SafeWork NSW (www.safework.nsw.gov.au) has publications that provide guidance when working close to electricity infrastructure. These include the *Code of Practice – Work near Overhead Power Lines* and *Code of Practice – Work near Underground Assets*.

MODIFIED BY ME0046/2024

STATEMENT OF REASONS

The determination decision was reached for the following reasons:

1. The proposed development complies with the requirements of the applicable environmental planning instruments and Mid-Western Regional Development Control Plan 2013.
2. The proposed development is considered to be satisfactory in terms of the matters identified in Section 4.15 and Section 4.55 of the Environmental Planning & Assessment Act 1979.
3. The application was placed on public exhibition in accordance with the Mid-Western Regional Community Participation Plan 2019 and no submissions were received.

MODIFIED BY ME0046/2024

Executive summary

OWNER/S:	Tinobah Pty Limited
APPLICANT:	Mr Jack Massey Barnson Pty Ltd
PROPERTY DESCRIPTION:	Lot
PROPOSED DEVELOPMENT:	1 into 46 Lot Torrens Title Subdivision of Land
ESTIMATED COST OF DEVELOPMENT:	Not applicable
REASON FOR REPORTING TO COUNCIL:	Original Development Application Determined by Council meeting on 16 March 2016 (>20 lots proposed)
PUBLIC SUBMISSIONS:	No submissions received

Council granted consent to Development Application DA0109/2016 for the staged subdivision of the land into 45 lots and construction of new roads and services on land located at 66 Edgell Lane BUCKAROO NSW 2850, legally identified as Lot 15 DP 1194019.

The application was approved by Councils meeting held on the 16 March 2016.

Council is in receipt of a Section 4.55 (1A) Application ME0046/2024 to modify Development Application DA0109/2016. The modification proposes the following:

- increase the total number of lots approved from 45 to 46,
- alter the internal road layout,
- relocate the approved stormwater basin from the previous lot 34 to the residual new lot 46 and;
- remove the sewer pump station previously proposed over lot 34.

The applicant also intends to develop the site over four (4) new stages as detailed further within this report.

The application was notified, in accordance with Mid-Western Regional Community Participation Plan 2019, for a period of 14 days, ending 3 July 2024. During the notification period, no submissions were received.

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

The application has been referred to Council for consideration as it exceeds staff's *Delegation of Authority*, in that the application is for a subdivision creating more than 20 allotments and the original application was approved by a full meeting of Council.

The application is recommended for Approval, subject to modified conditions of consent and statement of reasons.

Disclosure of Interest

Nil

Detailed report

PRECEDING APPROVED DEVELOPMENT

Council granted consent to Development Application DA0109/2016 for the staged subdivision of the land into 45 lots and construction of new roads and services on land located at 66 Edgell Lane BUCKAROO NSW 2850, legally identified as Lot 15 DP 1194019.

The original application was determined by Council on the 16 March 2016 and was due to lapse on the 21 March 2021. However, in accordance with the Minister's response to the COVID Pandemic, the EP&A Act was amended to enable a 2-year extension to development consents and therefore the applicant was afforded a new lapse date of the 21 March 2023.

The applicant has provided details that demonstrate in accordance with Clause 96 of the EP&A Regulations 2000 (in force at the time consent was granted), physical commencement has occurred on the development with the following works undertaken:

1. Site Survey Works – Completed 11 November 2022;
2. Survey Boundary and Road Setout Plan – Completed 24 November 2022;
3. Site Geotechnical Investigations including drilling and taking away soil – Completed 21 November 2022;
4. Testing of soil samples – Completed 5 January 2023; and
5. Geotechnical Report – Completed 18 January 2023.

As a result, Council's position is that the consent has not lapsed, and the application may be modified accordingly.

A copy of the approved plan is provided in Figure 1 below.



Figure 1 – Approved subdivision plan – March 2016

PROPOSED MODIFICATION

Council is in receipt of a Section 4.55 (1A) Application ME0046/2024 to modify Development Application DA0109/2016. The modification proposes the following:

- increase the total number of lots approved from 45 to 46,
- alter the internal road layout,
- relocate the approved stormwater basin from the previous lot 34 to the residual new lot 46 and;
- remove the sewer pump station previously proposed over lot 34.

The applicant also intends to develop the site in stages as detailed below:

1. Stage 1 – Nine (9) Lots which includes proposed Lots 26 – 34;
2. Stage 2 – Thirteen (13) Lots and the construction of the Onsite Detention Basin. This stage includes proposed Lots 18 – 24 and Lots 35 – 39;

3. Stage 3 – Eleven (11) Lots and the construction of the new Ulan Road intersection. This stage includes proposed Lots 1, 8 – 11 and Lots 40 – 45;
4. Stage 4 – Twelve (12) Lots which includes proposed Lots 2 – 7 and 12 – 17.

Services including water, sewer, stormwater, telecommunications, roads etc. shall be rolled out consecutively which each stage.

Figure 2 below demonstrates the proposed revised layout and staging sought by the modification application.

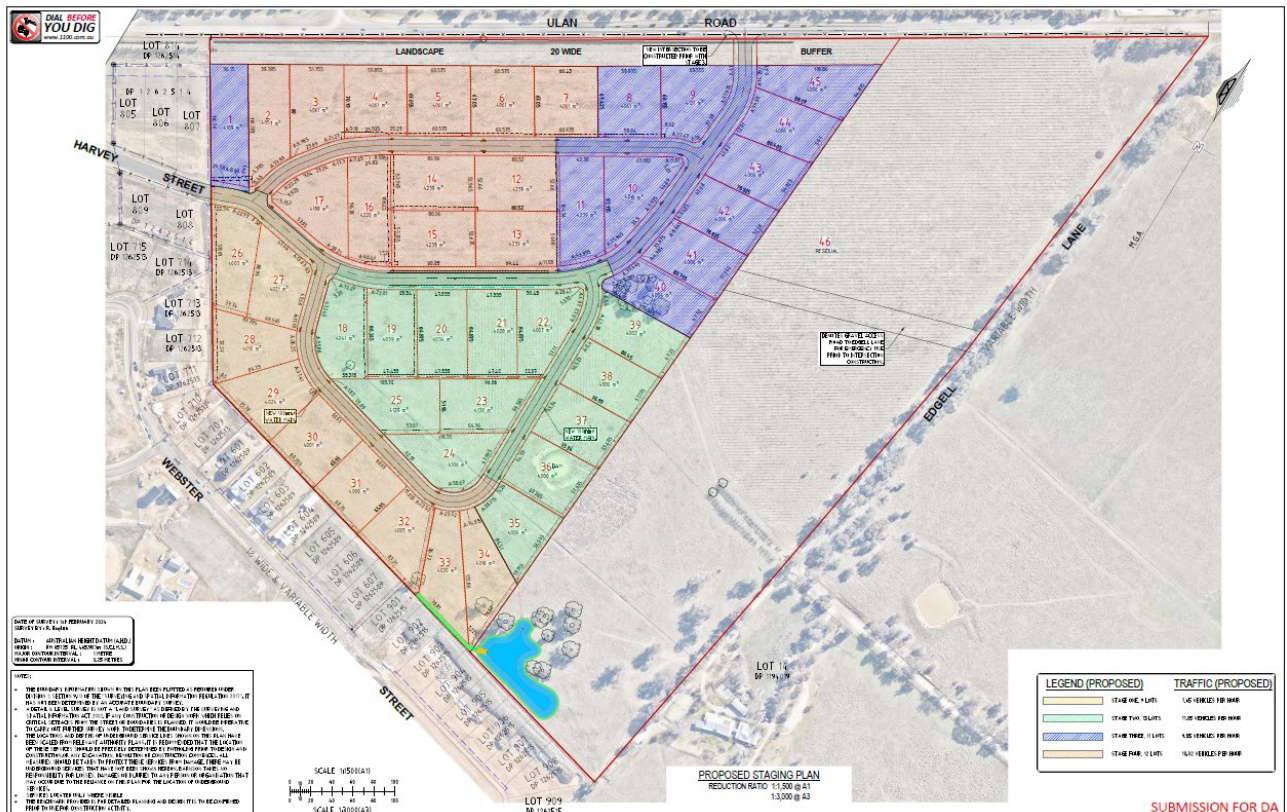


Figure 2 – Proposed subdivision plan

The proposed development has been assessed in accordance with Council’s DCP and the LEP. The proposed modified development remains generally consistent with Council’s planning controls.

The application has been referred to Council for consideration as it exceeds staff’s *Delegation of Authority*, in that the application is for a subdivision creating more than 20 allotments and the original application was approved by a full meeting of Council.

LEGISLATIVE REQUIREMENTS

Environmental Planning and Assessment Act 1979

Designated Development

The development proposal is not considered to be Designated Development, in accordance with Schedule 3 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regs).

Integrated Development

The development proposal is not considered to be Integrated Development, in accordance with section 4.46 of the Environmental Planning and Assessment Act 1979 (EP&A Act).

It is noted that the original development application was submitted as integrated development pursuant to the Roads Act 1993. However, in accordance with section 4.46(3) of the EP&A Act, a development that requires the consent of Council and a section 138 approval of the same Council, is not integrated development.

Note: A future section 138 application for works within the road reserve of Ulan Road will be required, and concurrence from Transport for NSW will be required for this work in accordance with Section 138(2) of the Roads Act.

ASSESSMENT

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

4.55 (1A) Modifications involving minimal environmental impacts

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 The proposal to amend the subdivision and road layout is considered to be of minimal environmental impact and results in the application of consistency with the adjoining Bombira Estate development, via the dedication of the reserve for the lot which fronts Ulan Road, providing a landscaped buffer in the same manner as the adjoining residential lots.

There is no significant change proposed to the size or scale of the development (increase of 1 lot being the creation of the 'residual' lot 46) with the link road to the development also retained via Bombira Estate to Ulan Road. It is therefore considered that the modification is of minimal environmental impact.

Further, the applicant has advised that the relocation of the stormwater basin will not result in the removal or impact upon any existing vegetation within the subject site, and this has been reinforced via a new condition of consent. This includes the updated High Biodiversity mapped areas of the site which is limited to small scattered areas in the south-eastern corner of the land.

In terms of the alteration to staging of the development, both TfNSW and Council's Engineers has raised no objection to the proposed altered staging nor the delay of the intersection road works until the stage 3 release of the development. Suitable access to the stage 1 and 2 lot releases will be made available via the link road extension from Bombira Estate which provides an existing suitable access treatment from Ulan Road to servicing the small number of lots as part of stages 1 and 2 for the development.

(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 as the original consent.

(c) it has notified the application in accordance with:

Comment The S4.55 Application was notified to adjoining neighbours as per Council's

Community Participation Plan. No submissions were received.

(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 Submissions were received from the Transport for NSW and Essential Energy, no objections were received to the application from these stage agencies.

(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.

4.15(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?

The proposed modification does not alter the proposal's compliance with the relevant State Environmental Planning Policies, considered as part of the original Development Application. No new considerations were required to be addressed as a result of the proposed modification.

MID-WESTERN REGIONAL LOCAL ENVIRONMENTAL PLAN 2012 (MWRLEP 2012)

The original development was considered against the Mid-Western Regional Local Environmental Plan 2012. The proposed modification does not give rise to any issues that need to be considered/reconsidered.

It should be noted that the subdivision of the RU4 zoned land is retained by the proposed lot layout of the subdivision with this being identified on the subdivision plan as the 'residual' Lot 46. All proposed residential lots will retain a minimum area of no less than 4,000m² with the residual portion of RU4 land likely to achieve a minimum lot size of 20ha. As a result, it is recommended that a covenant be imposed on the residual lot 46 to ensure that any future dwelling on this land achieves the requirements of 4.1B of the LEP, being land used for intensive plant agriculture use, and land use conflicts are managed by the future use of the site for intensive plant agriculture.

(ii) Draft environmental planning instruments (EPI)

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

(iii) Any development control plans

MID-WESTERN REGIONAL DCP 2013

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

Part 5.3 Stormwater Management

Council's Development Engineer has provided comments and conditions concerning adequate disposal of stormwater with no alterations to the existing conditions imposed required.

Part 5.4 Environmental Controls

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

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 (R2) and partly (Rural RU4).
Lot size	
Minimum lot size as determined by MWRC LEP 2012	Yes
All lots have street frontage	All lots have frontage to the proposed new roads.
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	Lots are designed in excess of 4,000m ² , providing ample size for a dwelling house to be designed and constructed.
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	Not applicable
Battle-axe handles in R2 and R5 residential zones have width of 6m	Not applicable
Lot Design	
For infill subdivision lot orientation maximises solar access and takes account of existing pattern of development	Yes. Achieves adequate solar access.
For new release subdivision lot orientation maximises solar access by maximising north-south lots	The lots have a mixture of orientation with the majority achieving good solar access. The lots are of a size conducive to erecting a dwelling with good orientation
For new release subdivision east-west orientated lots have increased width and midpoint	As discussed above.
Lots generally rectangular in shape	The development includes a majority of rectangular lots. The lots are all of sufficient size to accommodate a substantial building envelope
Lots on southern side of road provide greater frontage width for better solar orientation of future dwelling	Generally achieved.
Corner lots have sufficient area to allow dual occupancy	Not applicable

DEVELOPMENT CONTROL REQUIREMENT	COMPLIES?
and independent utility connection points	
Street Layout and Design	
Traffic Impact Statement submitted for 5+ lots	Assessment provided by applicant and deemed satisfactory by TfNSW and Development Engineering.
Traffic Impact Statement submitted for all subdivisions where new road required	Assessment provided by applicant as above.
Subdivision integrates with existing residential area	Yes, road extension proposed from Bombira Estate.
New roads must provide “through road” connections to surrounding roads and road heads where they exist in the locality	Yes, provided.
Where cul-de-sac treatment unavoidable, pedestrian linkages between streets provided	Not applicable
Multiple cul-de-sacs and “no through roads” discouraged	Not applicable
Maximum number of lots in cul-de-sac is 12 lots	Not applicable
Subdivision >80 lots should not require backtracking	Not applicable
Road Standards for New Development	
Urban Road Standards required	Yes
1 x 1.2m footpath, barrier kerbing	Yes, where appropriate
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	Concrete footpaths will be provided in layout where appropriate
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	Yes, condition included in consent
Open Space	
Greenfield sites >20 lots ensure that lots are <400m from local park, playground or passive open space	The original application was approved with no designated park on the basis that all lots are a minimum of 4,000m ² and therefore

DEVELOPMENT CONTROL REQUIREMENT	COMPLIES?
	there is sufficient open space within each lot to accommodate private passive open space.
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	Landscape plan required as part of CC application
Land dedicated as public reserve top soiled, levelled, turfed prior to release of subdivision certificate and maintained by developer for period of two years	To be conditioned
Street Trees	
Two (2) street trees provided per lot	Yes – existing condition retained.
Developer provides levy to Council to provide these trees after 80% of works carried out	Not applicable
Utility Services	
Servicing plan submitted showing provision of underground electricity, sewer, water, drainage and telecommunications to the development	Lots to be connected to reticulated water, sewer, electricity and telecommunications
Evidence of consultation with relevant authorities submitted with application	Essential Energy advice has been provided in relation to the proposed modification to the development.
Drainage	
As per Section 5.3 Stormwater and Drainage	Detailed stormwater plan to be lodged at SWC stage. Concept plan adequate from Development Engineering perspective.

Part 7.2 Rural Subdivision

DEVELOPMENT CONTROL REQUIREMENT	COMPLIES?
Applies to	
Rural and R5 zones	Part of the land is zoned RU4.
Site Plan	
Site plan identifying existing vegetation, farm improvements including dwellings, sheds, dams, fences and access roads. Application should:	Plan of subdivision supplied and shows all relevant details.
<input type="checkbox"/> Identify existing use of land	
<input type="checkbox"/> Address access points/location public roads	
<input type="checkbox"/> Identify unformed roads/crown land within adjoining site	
<input type="checkbox"/> Show easements and services	

DEVELOPMENT CONTROL REQUIREMENT	COMPLIES?
<input type="checkbox"/> Identify watercourses	
Lot size	
Lots must be of sufficient area for dwelling house, associated buildings, services, access, P.O.S without excessive terracing and allow maximum retention vegetation	Subject to separate assessment under clause 4.2B of the LEP.
Minimum area for subdivision complied with?	The residual lot 46 is likely able to achieve a minimum lot size of 20ha, however, a restriction is recommended to condition any future development for a dwelling on the RU4 lot is able to achieve compliance with clause 4.2B of the LEP.
RU4 – Primary Production Small Lots	
<ul style="list-style-type: none"> – Details of proposed / existing agricultural activity – Business plan prepared by suitably qualified agronomist – Evidence of water licensing satisfactory – Evidence of commencement or intention to commence activity 	The applicant has not provided a business case to enable the residual lot 46 to be considered in accordance with Clause 4.2B of the LEP. As a result, a condition of consent is recommended to ensure that future owners of the site are aware that the lot cannot have a dwelling constructed unless it is able to comply with clause 4.2B of the LEP.
Services	
Lots within 500m of R1-R2 zones must <ul style="list-style-type: none"> <input type="checkbox"/> Have frontage to and be connected to sealed road <input type="checkbox"/> Connect to reticulated water/sewer 	Connection to sealed road network exists – Lot 46 will retain access via Edgell Lane. Extension of sewer/water conditioned for all lots.
Roads	
All roads with traffic volumes greater than 150 vehicles/day will be required to be brought up to a sealed road standard	Will be brought up to a sealed road standard
All roads to be sealed and part of sealed road network if 500m to sealed road network: <ul style="list-style-type: none"> <input type="checkbox"/> All roads to be sealed and part of sealed road network if 500m to sealed road network <input type="checkbox"/> Road upgrades should extend from the new subdivision to a point where the existing road network is satisfactory Alternatively, a Traffic Report submitted detailing: <ul style="list-style-type: none"> – Types and numbers of traffic to be generated by the proposal – Details of the existing condition, widths, depths of 	Yes, conditioned

DEVELOPMENT CONTROL REQUIREMENT	COMPLIES?
pavement and its suitability or otherwise for the carriage of transport associated with land use – Proposed upgrading to be undertaken by the applicant	
Lot Design	
New lots to minimise environmental impacts including: <ul style="list-style-type: none"> <input type="checkbox"/> Soil disturbance / erosion <input type="checkbox"/> Creek / waterway crossings <input type="checkbox"/> Tree removal <input type="checkbox"/> Adequate separation distances for new / existing development 	Residual lot is designed to generally avoid disturbance.
Bushfire Prone Areas	
Bushfire report submitted for subdivision on bushfire prone land	Land is not mapped as being bush-fire prone
Heritage	
Cultural heritage assessment submitted where the subdivision creates dwelling entitlement and overland drainage lines, ridgelines / plateaus present	No known European or Indigenous heritage on the site
Vegetation / Flora	
– Evidence of consultation with CMA (and OEH for threatened species) – Flora report to be submitted if potential for impact on threatened species	No clearing proposed
Fauna	
If any potential impact of threatened species fauna study to be submitted with application Consult with OEH if required	No native fauna is likely to be impacted by the development. The applicant has demonstrated that the existing vegetation on the site will be retained by the proposed relocation of the stormwater basin to be located within residual lot 46.
Watercourses	
Activity approval required under the Water Management Act 2000 if development within 40 metres	Not applicable – condition already imposed on the existing consent from 2016.
Crown Roads	
. If development proposes to use Crown Road, written consent of NSW Crown	Not applicable
Rights of Carriageway	
Subdivision for where access is via right of carriageway generally not supported	Not applicable

DEVELOPMENT CONTROL REQUIREMENT	COMPLIES?
Written consent of all owners required if ROCW proposed	
Battle-axe handle	
Generally, not supported by Council	Not applicable
Maximum 2 battle-axe handles permitted	
Water cycle management report	
Required for each lot capable of on-site effluent disposal. Report must include:	The RU4 portion of the site has sufficient area to allow on-site effluent disposal and will be subject to the separate assessment under the LEP for intensive plant agriculture.
<input type="checkbox"/> Nominal effluent management area	
<input type="checkbox"/> Slope / aspect	
<input type="checkbox"/> Other site constraints	
Plan must indicate nearby watercourses with minimum buffer of 100m between EMA and perennial / intermittent creeks or minimum 40m from drainage depressions	
Telecommunications	
Are telecommunications able to be extended to service the lot?	NBN is able to service the lot.
Electricity	
Electricity to be provided to each lot with dwelling entitlement	Electricity is able to be supplied to the development.
Alternative power supply only considered on RU1, RU4 and R5 lots where development is >1km from grid or cost to provide electricity exceeds \$30,000/lot. Covenant must be imposed on lot in this instance	
Land Use history	
Evidence of land use history supplied (primary source preferred)	Satisfactory evidence previously provided. No further action required.
Community Title Subdivision	
Lot density to be the same as Minimum Lot Size Map	Not applicable

Section 7.11 Contributions

MID-WESTERN REGIONAL CONTRIBUTIONS PLAN 2019

The original application was levied with Section 7.11 contributions (previously known as Section 94 Contributions).

Noting that the original subdivision proposed 1 into 45 residential Lots, the proposed modification results in 1 additional residential lot being created. This lot will contain the 'residual' Lot 46 which will retain the RU4 zoned land.

As a result, the additional lot created will attract contributions and therefore a revised calculation has been provided and included in the amended conditions of consent.

	Per 2 or more bed dwelling / separate house/lot	45 Lots (1 credit applied for existing Lot)
Transport Facilities	\$ 5,057.00	\$ 227,565.00
Recreation and Open Space	\$ 2,541.00	\$ 114,345.00
Community Facilities	\$ 740.00	\$ 33,300.00
Stormwater Management	\$ 534.00	\$ 24,030.00
Plan Administration	\$ 1,160.00	\$ 52,200.00
Total	\$ 10,032.00	\$ 451,440.00

Section 64 - Water/Sewer Developer Services Charges

The original application was levied with Section 64 contributions as a condition of consent. The revised calculations, based on the lots proposed is provided below and included as an amended condition of consent and advisory note:

Section 64 Contributions	
Water Headworks	\$ 667,986.00
Sewer Headworks	\$ 213,444.00
Total Headworks	\$ 881,430.00

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

No Planning Agreements are applicable.

Regulations –4.15(1)(a)(iv)

ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2021

No matters prescribed by the Regulations impact determination of the Application.

Likely impacts of the development – 4.15(1)(b)¹

¹ Including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

The proposed changes will not result in any significant adverse impacts and are more likely to decrease any impacts that were expected by the original development, thus resulting in minimal impact. There are no matters which have been assessed that would warrant refusal of the modification application and updated conditions have been imposed accordingly to manage the proposed amendments to the development.

Suitability of Site for Development – 4.15(1)(c)

(A) DOES THE PROPOSAL FIT IN THE LOCALITY?

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

(B) ARE THE SITE ATTRIBUTES CONDUCTIVE 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 – 4.15(1)(d)

(A) PUBLIC SUBMISSIONS

The application was notified, in accordance with Mid-Western Regional Community Participation Plan 2019, for a period of 14 days, ending 3 July 2024. During the notification period, no submissions were received.

(B) SUBMISSIONS FROM PUBLIC AUTHORITIES

The application was referred to Transport for NSW and Essential Energy – no objections were raised by the proposed modification application.

The Public Interest – 4.15(1)(e)

(A) FEDERAL, STATE AND LOCAL GOVERNMENT INTERESTS AND COMMUNITY INTERESTS

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

CONSULTATIONS

(A) HEALTH AND BUILDING

No consultation necessary.

(B) TECHNICAL SERVICES

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

(C) HERITAGE ADVISOR

No consultation necessary.

(D) ACCESS COMMITTEE

No consultation necessary.

Community Plan implications

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

Strategic implications

Council Strategies

Comprehensive Land Use Strategy
Mudgee Town Structure Plan

Mid-Western Local Strategic Planning Statement

Council Policies

Mid-Western Regional Development Control Plan 2013
Mid-Western Regional Contributions Plan 2019
Mid-Western Regional Community Participation Plan 2019
Mid-Western Regional Developer Servicing Plan 2008

Legislation

Environmental Planning & Assessment Act 1979
Environmental Planning & Assessment Regulation 2021
Mid-Western Regional Local Environmental Plan 2012
Roads Act 1993

Financial implications

Should the applicant seek to appeal the decision of Council to the Land and Environment Court, the costs associated with an appeal will be required to be funded by Council.

Associated Risks

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

KAYLA ROBSON
PLANNING COORDINATOR

LINDSAY DUNSTAN
MANAGER PLANNING

ALINA AZAR
DIRECTOR DEVELOPMENT

25 September 2024

Attachments: 1. Attachment 1 - Plan Set and Supporting Documents. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

8.3 August - Monthly Development Applications Processing and Determined

REPORT BY THE MANAGER PLANNING
TO 16 OCTOBER 2024 ORDINARY MEETING
GOV400103, A0420109

RECOMMENDATION

That Council receive the report by the Manager Planning on the Monthly Development Applications Processing and Determined.

Executive summary

The report presented to Council each month is designed to keep Council informed of the current activity in relation to development assessment and determination of applications.

Disclosure of Interest

Nil

Detailed report

Included in this report is an update for the month of **August 2024** 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; and
- Variations to the Mid-Western DCP.

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

LINDSAY DUNSTAN
MANAGER PLANNING

ALINA AZAR
DIRECTOR DEVELOPMENT

2 September 2024

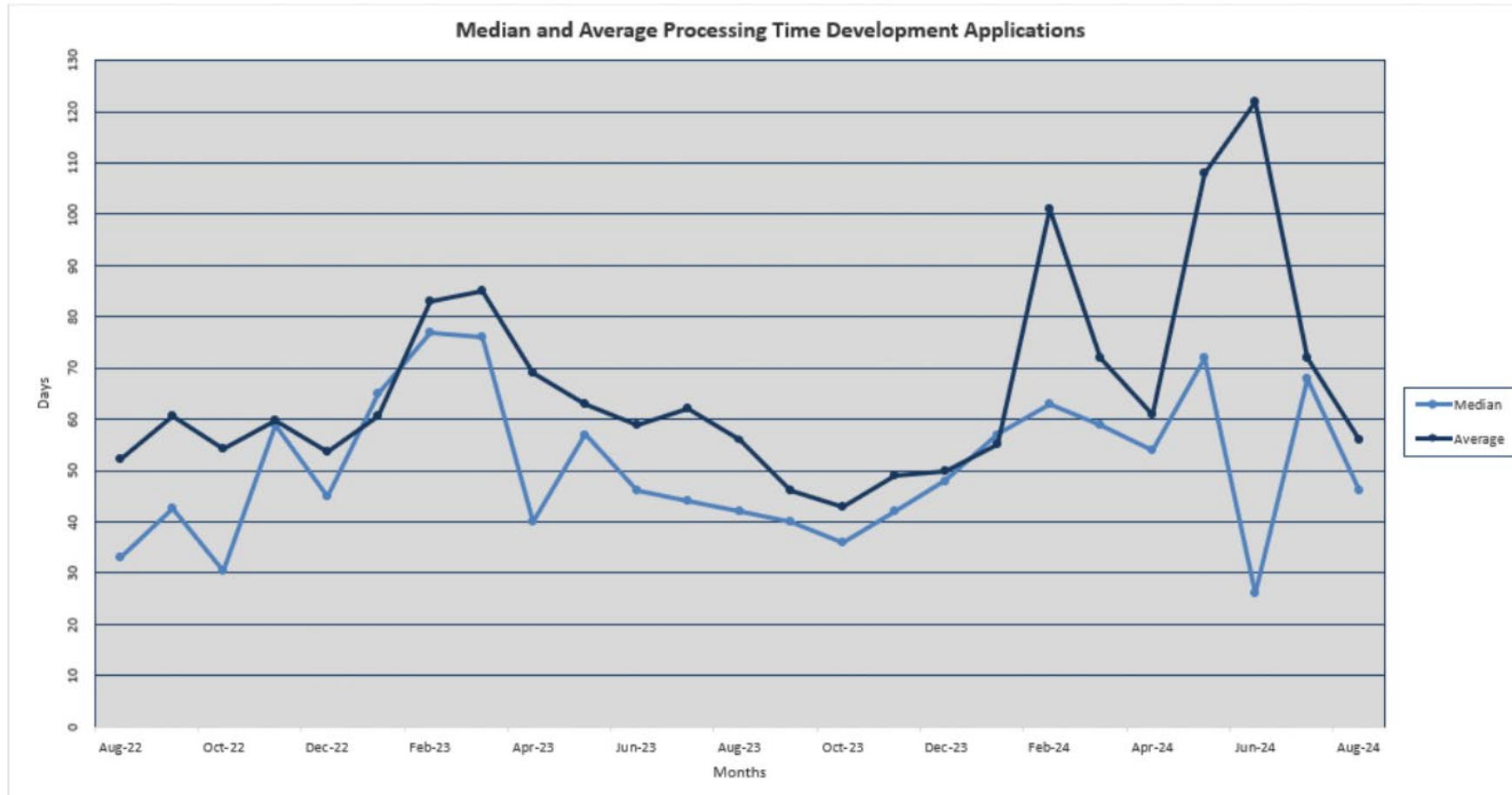
Attachments: 1. DA applications processing and determined ATTACHMENT August 2024.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

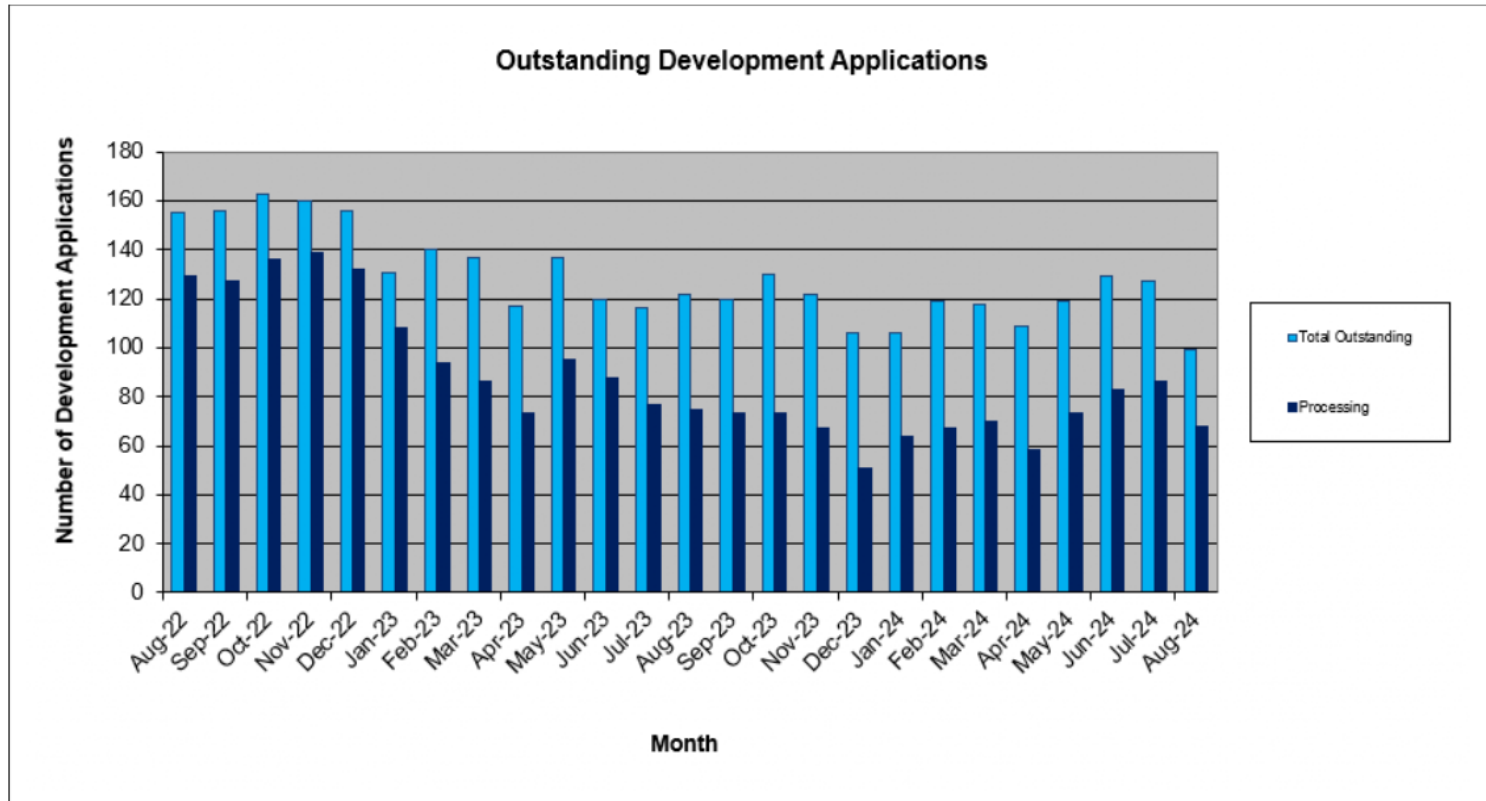
Monthly Development Application Processing Report – August 2024

This report covers the period for the month of August 2024. Graph 1 indicates the processing times up to 31 August 2024 with the month of August having an average of 56 days and a median time of 46 days.



Monthly Development Application Processing Report – August 2024

Graph 2 indicates the total number of outstanding applications; the number currently being processed is 68 and the number on “stop clock” is 31.



Monthly Development Application Processing Report – August 2024

The Planning and Development Department determined 25 Development Applications either by Council or under delegation during August 2024.

Development Applications Determined – August 2024

App/Proc ID	Description	House No	Street Name	Locality
DA0233/2023	Subdivision - Torrens Title	1	Sydney Road	MUDGEE NSW 2850
DA0026/2024	Subdivision - Torrens Title	68	Short Street	MUDGEE NSW 2850
DA0227/2024	Educational Establishment	269	Henry Lawson Drive	EURUNDEREE NSW 2850
DA0246/2024	Dwelling House	64	Lawson Street	MUDGEE NSW 2850
DA0261/2024	Dual Occupancy	26	Rifle Range Road	MUDGEE NSW 2850
DA0262/2024	Fence	14	Perry Street	MUDGEE NSW 2850
DA0265/2024	Alterations & Additions	25	Horse Flat Lane	MULLAMUDDY NSW 2850
DA0268/2024	Secondary dwelling	319	Lue Road	MILROY NSW 2850
DA0290/2024	Dual Occupancy	219	Lowes Peak Road	ST FILLANS NSW 2850
DA0294/2024	Alterations & Additions	987	Black Springs Road	ST FILLANS NSW 2850
DA0307/2024	Residential Shed	3	Grevillea Street	GULGONG NSW 2852
DA0331/2024	Subdivision of Road Reserve	31	Saleyards Lane	MUDGEE NSW 2850
DA0333/2024	Dwelling House	1119	Crudine Road	CRUDINE NSW 2850
DA0334/2024	Secondary dwelling	29	Robert Hoddle Grove	BOMBIRA NSW 2850
DA0338/2024	Residential Shed	22	Webster Street	BOMBIRA NSW 2850
DA0003/2025	Swimming Pool	315	Upper Piambong Road	PIAMBONG NSW 2850
DA0004/2025	Carport	41	Norman Road	MUDGEE NSW 2850
DA0008/2025	Swimming Pool	10	Cook Place	MUDGEE NSW 2850
DA0012/2025	Alterations & Additions	37	Boxs Lane	BUDGEE BUDGEE NSW 2850
DA0018/2025	Residential Shed	8	Fleming Street	KANDOS NSW 2848
DA0019/2025	Residential Shed	160	Ulan Road	BOMBIRA NSW 2850
DA0020/2025	Alterations & Additions	274	Spring Flat South Lane	SPRING FLAT NSW 2850
DA0029/2025	Residential Shed	21	Short Street	RYLSTONE NSW 2849
DA0032/2025	Residential Shed	20	Nicholson Street	MUDGEE NSW 2850
DA0034/2025	Subdivision - Torrens Title	45	Callaghan Street	CLANDULLA NSW 2848

Monthly Development Application Processing Report – August 2024

***NOTE – 2x Development Applications were approved with a variation to the DCP during August 2024.**

- DA0268/2024
- DA0290/2024

Development Applications currently being processed – August 2024.

Appl/Proc ID	Description	House No	Street Name	Locality
DA0327/2011	Shed	23	Horatio Street	MUDGEE NSW 2850
DA0102/2016	Dwelling House	705	Windeyer Road	GRATTAI NSW 2850
DA0343/2016	Commercial Alterations/Additions	137	Ulan Road	PUTTABUCCA NSW 2850
DA0058/2018	Fence	1	Dunphy Crescent	MUDGEE NSW 2850
DA0089/2019	Change of use - shed to habitable dwelling	2037	Coxs Creek Road	RYLSTONE NSW 2849
DA0263/2019	Camping ground	40	Grevillea Street	GULGONG NSW 2852
DA0349/2022	Subdivision - Torrens Title	26	Hone Creek Drive	CAERLEON NSW 2850
DA0040/2023	Subdivision - Torrens Title	194	Hill End Road	CAERLEON NSW 2850
DA0205/2023	Dual Occupancy	11	McLachlan Street	RYLSTONE NSW 2849
DA0248/2023	Ancillary Residential Development	6	Avisford Court	MUDGEE NSW 2850
DA0297/2023	Industrial Building	39	Razorback Road	RUNNING STREAM NSW 2850
DA0347/2023	Subdivision - Torrens Title	14	Wiradjuri Close	PUTTABUCCA NSW 2850
DA0408/2023	Subdivision - Torrens Title	17	Marshfield Lane	MUDGEE NSW 2850
DA0008/2024	Recreation Area	0	Bylong Valley Way	BREAKFAST CREEK 2849
DA0021/2024	Dwelling House	253	Coricudgy Road	OLINDA NSW 2849
DA0050/2024	Signage	18	Bulga Street	GULGONG NSW 2852
DA0070/2024	Change of use	48	Old Ilford Road	ILFORD NSW 2850
DA0124/2024	Dual Occupancy	60	Davies Road	KANDOS NSW 2848
DA0126/2024	Transport Depot	18	Industrial Avenue	MUDGEE NSW 2850
DA0129/2024	Dual Occupancy	79	Ilford Road	KANDOS NSW 2848
DA0139/2024	Alterations & Additions	8	Goolma Road	GULGONG NSW 2852

Monthly Development Application Processing Report – August 2024

DA0143/2024	Subdivision – 1 into 3 lots	2232	Bylong Valley Way	RYLSTONE NSW 2849
DA0170/2024	Secondary dwelling	87	Bellevue Road	MUDGEE NSW 2850
DA0177/2024	Subdivision 1 into 2 lots	1223	Castlereagh Highway	BERYL NSW 2852
DA0198/2024	6x Serviced Apartments	106	School Lane	BUDGEE BUDGEE NSW 2850
DA0204/2024	Dual Occupancy	17	Davis Crescent	CAERLEON NSW 2850
DA0205/2024	Indoor Recreation Facility - Dance Studio	12	Sydney Road	MUDGEE NSW 2850
DA0242/2024	Caravan Park	313	Magpie Lane	GALAMBINE NSW 2850
DA0249/2024	Subdivision - Torrens Title	264	Carramar Road	STUBBO NSW 2852
DA0250/2024	Extractive Industry	2152	Goolma Road	TWO MILE FLAT NSW 2852
DA0256/2024	Multi dwelling housing	10	Burrundulla Avenue	MUDGEE NSW 2850
DA0258/2024	Subdivision - Torrens Title	24	Flirtation Hill Lane	GULGONG NSW 2852
DA0264/2024	Subdivision - Torrens Title	13	Fairydale Lane	MUDGEE NSW 2850
DA0269/2024	Subdivision - Torrens Title	42	Guntawang Street	GULGONG NSW 2852
DA0291/2024	Subdivision - Torrens Title	2	Fitzroy Street	GULGONG NSW 2852
DA0293/2024	Industrial training facility	87	Lions Drive	MUDGEE NSW 2850
DA0302/2024	transport depot	4	Industrial Avenue	GULGONG NSW 2852
DA0306/2024	Subdivision - Torrens Title	179	Tinja Lane	EURUNDEREE NSW 2850
DA0309/2024	Shed	51	Burrundulla Avenue	MUDGEE NSW 2850
DA0311/2024	Dual Occupancy	14	Davis Crescent	CAERLEON NSW 2850
DA0314/2024	Dual Occupancy	66	Pipeclay Lane	BUDGEE BUDGEE NSW 2850
DA0316/2024	Dwelling House	95	Bellevue Road	MUDGEE NSW 2850
DA0322/2024	Subdivision - Torrens Title	1188	Wallawaugh Road	HARGRAVES NSW 2850
DA0323/2024	Subdivision - Torrens Title	1188	Wallawaugh Road	HARGRAVES NSW 2850
DA0332/2024	Dual Occupancy	839	Hill End Road	ERUDGERE NSW 2850
DA0336/2024	Dual Occupancy	150	Gladstone Street	MUDGEE NSW 2850
DA0339/2024	Dual Occupancy	2	Margaret Lane	CAERLEON NSW 2850
DA0342/2024	Farm building	216	Tinja Lane	EURUNDEREE NSW 2850
DA0343/2024	Subdivision - Torrens Title	39	Rifle Range Road	MUDGEE NSW 2850
DA0002/2025	Farm stay accommodation	122	Strikes Lane	EURUNDEREE NSW 2850
DA0006/2025	Dual Occupancy	441	Wilbetree Road	MENAH NSW 2850

Monthly Development Application Processing Report – August 2024

DA0010/2025	Subdivision - Torrens Title	13	Mulgoa Way	MUDGEE NSW 2850
DA0014/2025	Dual Occupancy	1556	Henry Lawson Drive	ST FILLANS NSW 2850
DA0016/2025	Subdivision - Torrens Title	11	Quinn Place	MUDGEE NSW 2850
DA0022/2025	secondary dwelling	55	Henry Lawson Drive	BOMBIRA NSW 2850
DA0024/2025	Storage Premises	5	Lillie Close	CAERLEON NSW 2850
DA0031/2025	Secondary dwelling	118	Hillside Lane	GULGONG NSW 2852
DA0036/2025	Subdivision - Torrens Title	7	Armstrong Street	RYLSTONE NSW 2849
DA0037/2025	Industrial training facility	2	Marsh Avenue	CAERLEON NSW 2850
DA0039/2025	Dwelling House	1127	Bocoble Road	BOCOBLE NSW 2850
DA0274/2024	Dwelling House	189	Montaza Road	TALLAWANG NSW 2852
DA0281/2024	Subdivision - Torrens Title	1	Tallawang Road	GULGONG NSW 2852
DA0304/2024	Residential Shed	412	Corishs Lane	TALLAWANG NSW 2852
DA0318/2024	Alterations & Additions	223	Robertson Road	SPRING FLAT NSW 2850
DA0327/2024	Residential Shed	16	Swords Court	MUDGEE NSW 2850
DA0013/2025	Dwelling	295	Putta Bucca Road	BOMBIRA NSW 2850
DA0328/2024	Residential Shed	11	Henry Bayly Drive	MUDGEE NSW 2850
DA0001/2025	Residential Shed	41	Grevillea Grove	RYLSTONE NSW 2849
DA0007/2025	Residential Shed	18	Stirling Court	MUDGEE NSW 2850
DA0013/2025	Dwelling	295	Putta Bucca Road	BOMBIRA NSW 2850
DA0015/2025	Dwelling House	6	Clare Court	MUDGEE NSW 2850
DA0017/2025	Alterations & Additions	37	Gladstone Street	MUDGEE NSW 2850
DA0025/2025	Residential Shed	40	White Circle	MUDGEE NSW 2850
DA0026/2025	Residential Shed	13	Lahy Court	MUDGEE NSW 2850
DA0028/2025	Dwelling House	43	Leconfield Drive	BOMBIRA NSW 2850
DA0030/2025	Residential Shed	15	Macquarie Drive	MUDGEE NSW 2850
DA0035/2025	Garage and Carport	41	Coorumbene Road	BUCKAROO NSW 2850
DA0040/2025	Shed	36	Tinja Lane	PUTTABUCCA NSW 2850
DA0048/2025	Residential Shed	10	Hosking Street	CAERLEON NSW 2850
DA0038/2025	Residential Shed	13	Robert Jones Street	MUDGEE NSW 2850

Monthly Development Application Processing Report – August 2024

Heritage Development Applications currently being processed – August 2024.

App/Proc ID	Description	House No	Street Name	Locality
DA0271/2011	Alterations & Additions	87	Short Street	MUDGEE NSW 2850
DA0198/2021	Change of use - Residential Flat Building to Serviced Apartments	110	Church Street	MUDGEE NSW 2850
DA0189/2023	Commercial Alterations & Additions	83	Mortimer Street	MUDGEE NSW 2850
DA0159/2024	Dual Occupancy	90	Douro Street	MUDGEE NSW 2850
DA0259/2024	Carport	7	Bulga Street	GULGONG NSW 2852
DA0305/2024	Cafe	36	Church Street	MUDGEE NSW 2850
DA0313/2024	Dual Occupancy	94	Horatio Street	MUDGEE NSW 2850
DA0337/2024	Alterations & Additions	6	Court Street	MUDGEE NSW 2850
DA0341/2024	Dual Occupancy	127	Gladstone Street	MUDGEE NSW 2850
DA0009/2025	Alterations & Additions	62	Court Street	MUDGEE NSW 2850
DA0272/2024	Subdivision - Torrens Title	100	Belmore Street	GULGONG NSW 2852
DA0282/2024	Dwelling House	66	Cox Street	MUDGEE NSW 2850
DA0300/2024	Alterations & Additions	159	Mayne Street	GULGONG NSW 2852
DA0321/2024	Alterations & Additions	22	Cainbil Street	GULGONG NSW 2852
DA0005/2025	Shed	6	Robert Jones Street	MUDGEE NSW 2850
DA0021/2025	Swimming Pool	38	Hughson Avenue	MUDGEE NSW 2850
DA0033/2025	Residential Shed	105	Denison Street	MUDGEE NSW 2850
DA0041/2025	Residential Shed	11	Davis Crescent	CAERLEON NSW 2850
DA0043/2025	Residential Shed	69	Mudgee Street	RYLSTONE NSW 2849
DA0049/2025	Dwelling House	34	Gladstone Street	MUDGEE NSW 2850

8.4 September - Monthly Development Applications Processing and Determined

REPORT BY THE MANAGER PLANNING
TO 16 OCTOBER 2024 ORDINARY MEETING
GOV400103, A0420109

RECOMMENDATION

That Council receive the report by the Manager Planning on the Monthly Development Applications Processing and Determined.

Executive summary

The report presented to Council each month is designed to keep Council informed of the current activity in relation to development assessment and determination of applications.

Disclosure of Interest

Nil

Detailed report

Included in this report is an update for the month of **September 2024** 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; and
- Variations to the Mid-Western DCP.

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

LINDSAY DUNSTAN
MANAGER PLANNING

ALINA AZAR
DIRECTOR DEVELOPMENT

25 September 2024

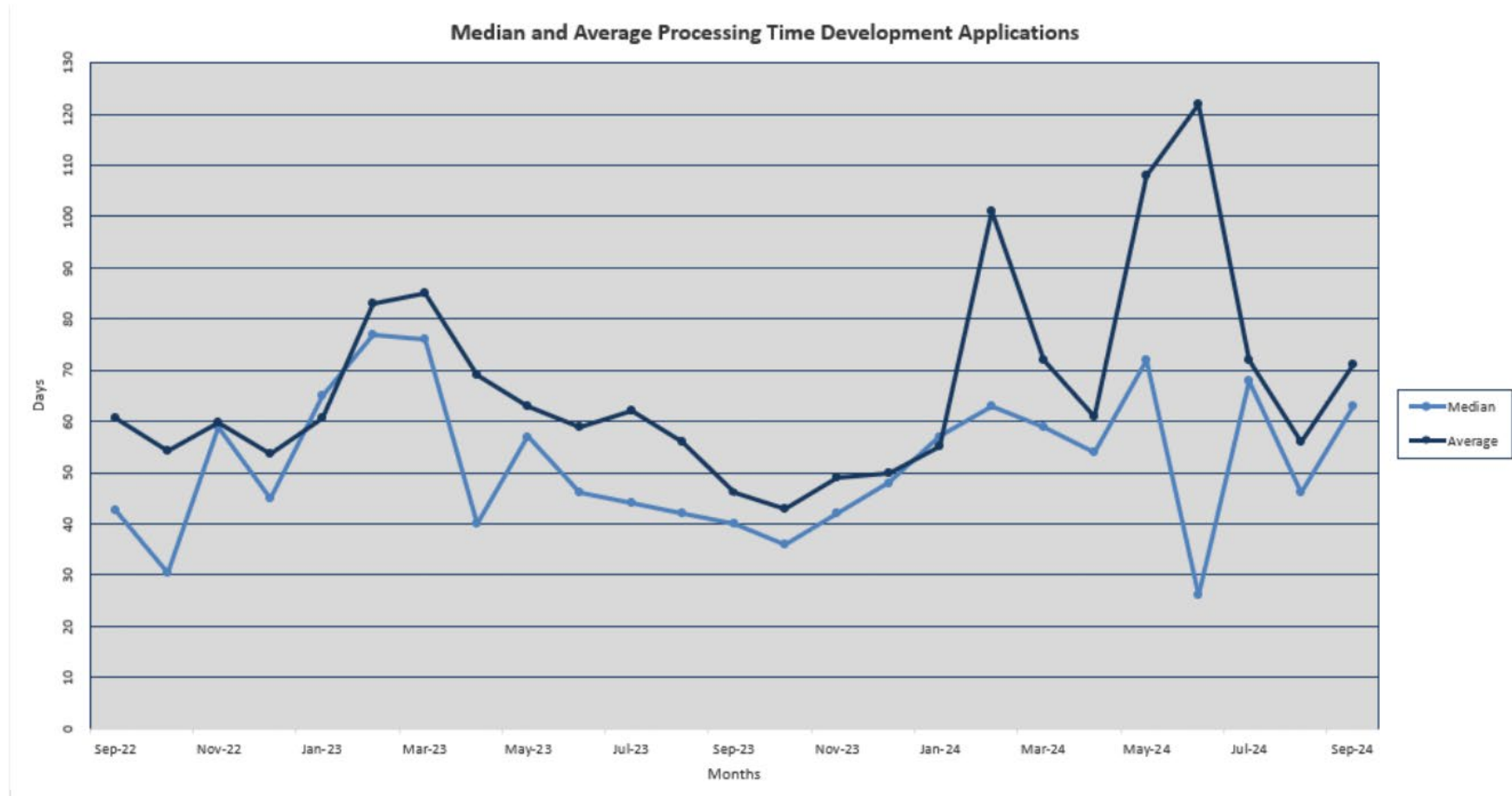
Attachments: 1. Monthly Development Applications Processing and Determined - September 2024.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

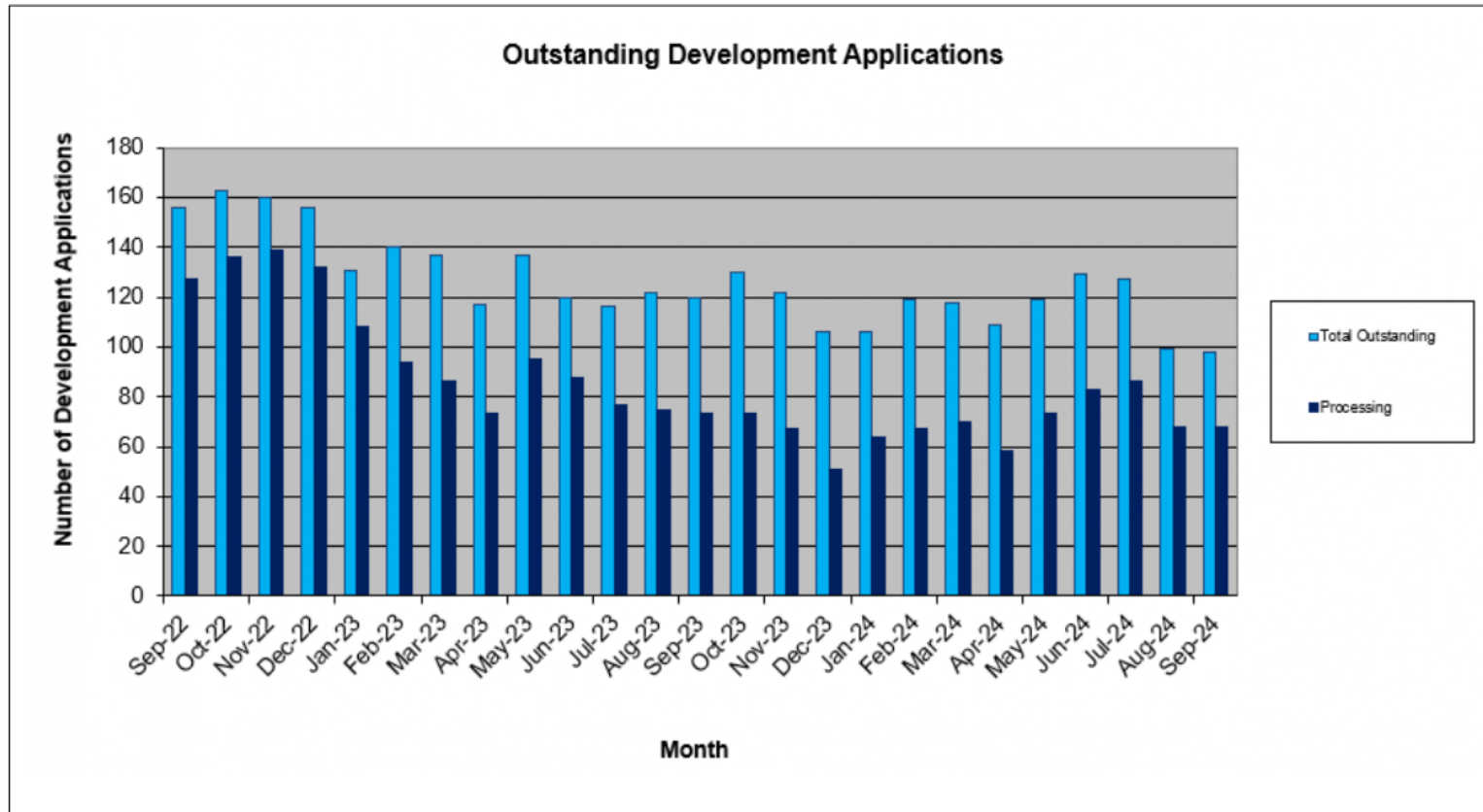
Monthly Development Application Processing Report – September 2024

This report covers the period for the month of September 2024. Graph 1 indicates the processing times up to 30 September 2024 with the month of September having an average of 63.5 days and a median time of 71 days.



Monthly Development Application Processing Report – September 2024

Graph 2 indicates the total number of outstanding applications; the number currently being processed is 68 and the number on “stop clock” is 30.



The Planning and Development Department determined 22 Development Applications either by Council or under delegation during September 2024.

Monthly Development Application Processing Report –September 2024

Development Applications Determined –September 2024

App/Proc ID	Description	House No	Street Name	Locality
DA0040/2023	Subdivision - Torrens Title	194	Hill End Road	CAERLEON NSW 2850
DA0159/2024	Dual Occupancy	90	Douro Street	MUDGEE NSW 2850
DA0177/2024	Subdivision 1 into 2 lots	1223	Castlereagh Highway	BERYL NSW 2852
DA0194/2024	Secondary dwelling	433	Kaludabah Road	PIAMBONG NSW 2850
DA0249/2024	Subdivision - Torrens Title	264	Carramar Road	STUBBO NSW 2852
DA0264/2024	Subdivision - Torrens Title	13	Fairydale Lane	MUDGEE NSW 2850
DA0272/2024	Subdivision - Torrens Title	100	Belmore Street	GULGONG NSW 2852
DA0306/2024	Subdivision - Torrens Title	179	Tinja Lane	EURUNDEREE NSW 2850
DA0311/2024	Dual Occupancy	14	Davis Crescent	CAERLEON NSW 2850
DA0335/2024	Farm building	3	Sydney Road	BURRUNDULLA NSW 2850
DA0337/2024	Alterations & Additions	6	Court Street	MUDGEE NSW 2850
DA0342/2024	Farm building	216	Tinja Lane	EURUNDEREE NSW 2850
DA0005/2025	Shed	6	Robert Jones Street	MUDGEE NSW 2850
DA0006/2025	Dual Occupancy	441	Wilbetree Road	MENAH NSW 2850
DA0014/2025	Dual Occupancy	1556	Henry Lawson Drive	ST FILLANS NSW 2850
DA0015/2025	Dwelling House	6	Clare Court	MUDGEE NSW 2850
DA0025/2025	Residential Shed	40	White Circle	MUDGEE NSW 2850
DA0026/2025	Residential Shed	13	Lahy Court	MUDGEE NSW 2850
DA0030/2025	Residential Shed	15	Macquarie Drive	MUDGEE NSW 2850
DA0035/2025	Garage	41	Coorumbene Road	BUCKAROO NSW 2850
DA0040/2025	Shed	36	Tinja Lane	PUTTA BUCCA NSW 2850
DA0041/2025	Residential Shed	11	Davis Crescent	CAERLEON NSW 2850

***NOTE – 1x Development Applications were approved with a variation to the DCP during September 2024.**

- DA0030/2025

Monthly Development Application Processing Report – September 2024

Development Applications currently being processed – September 2024.

App/Proc ID	Description	House No	Street Name	Locality
DA0327/2011	Shed	23	Horatio Street	MUDGEE NSW 2850
DA0102/2016	Dwelling House	705	Windeyer Road	GRATTAI NSW 2850
DA0343/2016	Commercial Alterations/Additions	137	Ulan Road	PUTTABUCCA NSW 2850
DA0058/2018	Fence	1	Dunphy Crescent	MUDGEE NSW 2850
DA0089/2019	Change of use - shed to habitable dwelling	2037	Coxs Creek Road	RYLSTONE NSW 2849
DA0263/2019	Camping ground	40	Grevillea Street	GULGONG NSW 2852
DA0349/2022	Subdivision - Torrens Title	26	Hone Creek Drive	CAERLEON NSW 2850
DA0205/2023	Dual Occupancy	11	McLachlan Street	RYLSTONE NSW 2849
DA0248/2023	Ancillary Residential Development	6	Avisford Court	MUDGEE NSW 2850
DA0297/2023	Industrial Building	39	Razorback Road	RUNNING STREAM NSW 2850
DA0347/2023	Subdivision - Torrens Title	14	Wiradjuri Close	PUTTABUCCA NSW 2850
DA0408/2023	Subdivision - Torrens Title	17	Marshfield Lane	MUDGEE NSW 2850
DA0008/2024	Recreation Area	0	Bylong Valley Way	BREAKFAST CREEK 2849
DA0021/2024	Dwelling House	253	Coricudgy Road	OLINDA NSW 2849
DA0050/2024	Signage	18	Bulga Street	GULGONG NSW 2852
DA0070/2024	Change of use	48	Old Ilford Road	ILFORD NSW 2850
DA0124/2024	Dual Occupancy	60	Davies Road	KANDOS NSW 2848
DA0126/2024	Transport Depot	18	Industrial Avenue	MUDGEE NSW 2850
DA0129/2024	Dual Occupancy	79	Ilford Road	KANDOS NSW 2848
DA0139/2024	Alterations & Additions	8	Goolma Road	GULGONG NSW 2852
DA0143/2024	Subdivision – 1 into 3 lots	2232	Bylong Valley Way	RYLSTONE NSW 2849
DA0170/2024	Secondary dwelling	87	Bellevue Road	MUDGEE NSW 2850
DA0198/2024	Serviced Apartments	106	School Lane	BUDGEE BUDGEE NSW 2850
DA0204/2024	Dual Occupancy	17	Davis Crescent	CAERLEON NSW 2850
DA0205/2024	Indoor Recreation Facility - Dance Studio	12	Sydney Road	MUDGEE NSW 2850
DA0242/2024	Caravan Park	313	Magpie Lane	GALAMBINE NSW 2850
DA0250/2024	Extractive Industry	2152	Goolma Road	TWO MILE FLAT NSW 2852
DA0256/2024	Multi dwelling housing	10	Burrundulla Avenue	MUDGEE NSW 2850

Monthly Development Application Processing Report – September 2024

DA0258/2024	Subdivision - Torrens Title	24	Flirtation Hill Lane	GULGONG NSW 2852
DA0269/2024	Subdivision - Torrens Title	42	Guntawang Street	GULGONG NSW 2852
DA0291/2024	Subdivision - Torrens Title	2	Fitzroy Street	GULGONG NSW 2852
DA0293/2024	Industrial training facility	87	Lions Drive	MUDGEE NSW 2850
DA0302/2024	Transport depot	4	Industrial Avenue	GULGONG NSW 2852
DA0309/2024	Shed	51	Burrundulla Avenue	MUDGEE NSW 2850
DA0314/2024	Dual Occupancy	66	Pipeclay Lane	BUDGEE BUDGEE NSW 2850
DA0316/2024	Dwelling House	95	Bellevue Road	MUDGEE NSW 2850
DA0323/2024	Subdivision - Torrens Title	1188	Wallawaugh Road	HARGRAVES NSW 2850
DA0332/2024	Secondary dwelling	839	Hill End Road	ERUDGERE NSW 2850
DA0336/2024	Dual Occupancy	150	Gladstone Street	MUDGEE NSW 2850
DA0339/2024	Dual Occupancy	2	Margaret Lane	CAERLEON NSW 2850
DA0343/2024	Subdivision - Torrens Title	39	Rifle Range Road	MUDGEE NSW 2850
DA0002/2025	Farm stay accommodation	122	Strikes Lane	EURUNDEREE NSW 2850
DA0010/2025	Subdivision - Torrens Title	13	Mulgoa Way	MUDGEE NSW 2850
DA0016/2025	Subdivision - Torrens Title	11	Quinn Place	MUDGEE NSW 2850
DA0022/2025	Secondary dwelling	55	Henry Lawson Drive	BOMBIRA NSW 2850
DA0024/2025	Storage Premises	5	Lillie Close	CAERLEON NSW 2850
DA0031/2025	Secondary dwelling	118	Hillside Lane	GULGONG NSW 2852
DA0036/2025	Subdivision - Torrens Title	7	Armstrong Street	RYLSTONE NSW 2849
DA0037/2025	Industrial training facility	2	Marsh Avenue	CAERLEON NSW 2850
DA0039/2025	Dwelling House	1127	Bocoble Road	BOCOBLE NSW 2850
DA0042/2025	Dual Occupancy	6	Davis Crescent	CAERLEON NSW 2850
DA0044/2025	Multi dwelling housing	30	Robertson Street	MUDGEE NSW 2850
DA0045/2025	Subdivision - Torrens Title	18	Banjo Paterson Avenue	MUDGEE NSW 2850
DA0046/2025	Dwelling House	194	Hill End Road	CAERLEON NSW 2850
DA0047/2025	Dual Occupancy	253	Burrundulla Road	BURRUNDULLA NSW 2850
DA0055/2025	Alterations & Additions	131	Nangawooka Road	GREEN GULLY NSW 2850
DA0056/2025	Alterations & Additions	631	Black Soil Road	GRATTAI NSW 2850
DA0057/2025	Subdivision - Torrens Title	6	Bayly Street	GULGONG NSW 2852
DA0058/2025	Subdivision - Torrens Title	76	Zimmler Lane	GULGONG NSW 2852

Monthly Development Application Processing Report – September 2024

DA0063/2025	Subdivision - Torrens Title	3	Mellon Street	RYLSTONE NSW 2849
DA0068/2025	Group home	162	Ulan Road	BOMBIRA NSW 2850
DA0069/2025	Water storage facility	259	Melrose Road	MOUNT FROME NSW 2850
DA0274/2024	Dwelling House	189	Montaza Road	TALLAWANG NSW 2852
DA0281/2024	Subdivision - Torrens Title	1	Tallawang Road	GULGONG NSW 2852
DA0304/2024	Residential Shed	412	Corishs Lane	TALLAWANG NSW 2852
DA0318/2024	Alterations & Additions	223	Robertson Road	SPRING FLAT NSW 2850
DA0328/2024	Residential Shed	11	Henry Bayly Drive	MUDGEE NSW 2850
DA0001/2025	Residential Shed	41	Grevillea Grove	RYLSTONE NSW 2849
DA0007/2025	Residential Shed	18	Stirling Court	MUDGEE NSW 2850
DA0017/2025	Alterations & Additions	37	Gladstone Street	MUDGEE NSW 2850
DA0043/2025	Residential Shed	69	Mudgee Street	RYLSTONE NSW 2849
DA0048/2025	Residential Shed	10	Hosking Street	CAERLEON NSW 2850
DA0051/2025	Carport	32	Mountain View Road	MUDGEE NSW 2850
DA0064/2025	Alterations & Additions	10	Hardwick Avenue	MUDGEE NSW 2850
DA0072/2025	Dwelling House	686	Springfield Lane	GULGONG NSW 2852
DA0327/2024	Residential Shed	16	Swords Court	MUDGEE NSW 2850

Heritage Development Applications currently being processed – September 2024.

App/Proc ID	Description	House No	Street Name	Locality
DA0271/2011	Alterations & Additions	87	Short Street	MUDGEE NSW 2850
DA0198/2021	Change of use - Residential Flat Building to Serviced Apartments	110	Church Street	MUDGEE NSW 2850
DA0189/2023	Commercial Alterations & Additions	83	Mortimer Street	MUDGEE NSW 2850
DA0259/2024	Carport	7	Bulga Street	GULGONG NSW 2852
DA0305/2024	Cafe	36	Church Street	MUDGEE NSW 2850
DA0313/2024	Dual Occupancy	94	Horatio Street	MUDGEE NSW 2850
DA0341/2024	Dual Occupancy	127	Gladstone Street	MUDGEE NSW 2850
DA0009/2025	Alterations & Additions	62	Court Street	MUDGEE NSW 2850
DA0052/2025	Place of Public Worship	4	Church Street	MUDGEE NSW 2850

Monthly Development Application Processing Report – September 2024

DA0053/2025	Demolition of shed and new car parking	67	Perry Street	MUDGEES NSW 2850
DA0062/2025	Commercial Premises	140	Mayne Street	GULGONG NSW 2852
DA0282/2024	Dwelling House	66	Cox Street	MUDGEES NSW 2850
DA0300/2024	Alterations & Additions	159	Mayne Street	GULGONG NSW 2852
DA0321/2024	Alterations & Additions	22	Cainbil Street	GULGONG NSW 2852
DA0013/2025	Transportable dwelling	295	Putta Bucca Road	BOMBIRA NSW 2850
DA0021/2025	Swimming Pool	38	Hughson Avenue	MUDGEES NSW 2850
DA0033/2025	Residential Shed	105	Denison Street	MUDGEES NSW 2850
DA0038/2025	Residential Shed	13	Robert Jones Street	MUDGEES NSW 2850
DA0049/2025	Dwelling House	34	Gladstone Street	MUDGEES NSW 2850
DA0060/2025	Alterations & Additions	23	Bayly Street	GULGONG NSW 2852
DA0061/2025	Alterations & Additions	67	Denison Street	MUDGEES NSW 2850
DA0067/2025	Carport	49	Mudgee Street	RYLSTONE NSW 2849

8.5 Planning Proposal Lot 3 DP 1223039 - 277 Black Springs Road, Eurunderee - Post Exhibition

REPORT BY THE MANAGER STRATEGIC PLANNING
TO 16 OCTOBER 2024 ORDINARY MEETING
GOV400103, LAN900155

RECOMMENDATION

That Council:

1. **receive the post exhibition report by the Manager Strategic Planning on the Planning Proposal Lot 3 DP 1223039, 277 Black Springs Road, Eurunderee; and**
2. **request the NSW Department of Planning, Housing and Infrastructure to draft and finalise the amendment to the *Mid-Western Regional Local Environmental Plan 2012*.**

Executive summary

At Council's 15th November 2023 ordinary meeting, Council resolved unanimously to support the Planning Proposal and to forward it to the NSW Department of Planning, Housing and Infrastructure (DPHI) for a Gateway Determination. The Planning Proposal on Lot 3 DP 1223039, sought to amend the *Mid-Western Regional Local Environmental Plan 2012* (LEP) by rezoning part of Lot 3 DP 1223029 from C3 Environmental Management with a current minimum lot size of 400 hectares, to R5 Large Lot Residential with a minimum lot size of 12ha.

A conditional DPHI Gateway Determination was granted on 5th April 2024. The DPHI supported the changed to the minimum lot size, however recommended the zoning C3 Environmental Management be retained. The Planning Proposal was updated by the proponent, prior to public exhibition. The Planning Proposal was placed on public exhibition from 19th July - 16th Aug 2024, in accordance with condition 4. No submissions were received during the exhibition period.

Prior to the exhibition as per gateway conditions 2 and 3, consultation was sought from the NSW Rural Fire Service and the Department of Climate Change, Energy, Environment and Water. Their comments are attached to this report.

The purpose of this report is to provide Council with a post exhibition report, and with the intention to progress the Planning Proposal to Stage 6: Finalisation of the LEP making process.

Disclosure of Interest

Nil

Detailed report

Planning Proposals

Planning Proposal is a term used to describe the process of rezoning or making an amendment to a Local Environmental Plan (LEP). A Planning Proposal application is a document that explains the intended effect of the LEP amendment and provides a strategic justification for doing so. DPHI has issued the *Local Environmental Plan Making Guideline*, to provide guidance and information on the process for preparing planning proposals and making the amendment to the LEP.

Previous Planning proposal

A Planning Proposal was considered for the site in 2014. The Planning Proposal sought the rezoning and change to minimum lot size to achieve a 5-lot subdivision, Council only supported the rezoning to create of 4 lots. The fifth lot was not supported for the following reasons, as detailed in Business Paper from Ordinary Meeting 5 February 2014 (Item 6.3.4):

Lots 1-4 are supported, however lot 5 does not provide sufficient land within the proposed R5 part of the lot to meet the minimum lot size of 12ha recommended in Part 4.8.3 of the CLUS and prescribed in Council's LEP 2012. Any future dwelling on proposed lot 5 would need to factor-in bush fire asset protection zones, effluent disposal areas and chemical spray drift buffers to protect the residential use from adjacent agricultural activities. This would lead to a highly contained lot which is considered an undesirable outcome.

The current Planning Proposal before Council for consideration addresses bushfire asset protection zones and effluent disposal areas. It is noted, bushfire asset protection zones are addressed in the Planning Proposal, however, a comprehensive bushfire hazard report was recommended. The Planning Proposal generally discusses potential future land use conflict, however, to ensure this is appropriately considered a land use conflict risk assessment is recommended to be part of any future Gateway Determination.

The Gateway Process

DPHI is responsible for assessing Planning Proposals through the Gateway Process. Details of the Gateway Process are outlined in the *Local Environmental Plan Making Guideline* (September 2022).

Gateway Timeline

The following table summarises the key components of making an amendment to the Mid-Western Regional Local Environmental Plan (LEP) and the progress of the current Planning Proposal through the various stages. The below table demonstrates the Planning Proposal is within the initial stage of the process.

Stage	Completed	Comment
Preparation of a Planning Proposal		
Planning Proposal lodged with Council	✓	September 2023
Staff undertake assessment	✓	July, August, September 2023
Council Decision to Support Proposal	✓	November 2023
Issue of Gateway Determination		
Council Requests Gateway Determination	✓	March 2024
DPHI Issues Gateway Determination	✓	April 2024
Gateway Conditions Satisfied	✓	September 2024
Consultation		
Consultation with Relevant Agencies	✓	April-August 2024
Public Exhibition	✓	July-August 2024
Post-Exhibition Report to Council	✓	October 2024
Finalisation of the Planning Proposal		
Council Exercises Delegation to Prepare LEP		
Draft LEP by Parliamentary Council		
Opinion Issued and LEP Made		

GATEWAY DETERMINATION

A conditional Gateway Determination was received on 16 May 2024 and included two standard conditions. The Planning Proposal was placed on Public Exhibition according to gateway condition 1. With no actions required from condition 2.

FINALISATION OF PLANNING PROPOSAL

The recommendation of staff is to proceed to Stage 6: Finalisation. Stage 6 is the last stage in the LEP making process.

Community Plan implications

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

Strategic implications

Council Strategies

Mid-Western Regional Local Strategic Planning Statement, Our Place 2040
Mid-Western Regional Comprehensive Land Use Strategy, August 2010

Council Policies

The steps involved towards the notification of the Planning Proposal will not require any change to relevant policies.

Legislation

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

Financial implications

Nil

Associated Risks

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

SARAH ARMSTRONG
MANAGER STRATEGIC PLANNING

ALINA AZAR
DIRECTOR DEVELOPMENT

26 September 2024

Attachments:

1. Gateway Determination. (separately attached)
2. RFS referral. (separately attached)
3. DCCEEW referral. (separately attached)
4. Planning Proposal-Post Gateway. (separately attached)
5. Previous Council Report. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

8.6 Draft Employment Lands Strategy (Industrial) 2024 - Post Second Exhibition

REPORT BY THE MANAGER STRATEGIC PLANNING
TO 16 OCTOBER 2024 ORDINARY MEETING
GOV400105, LAN900156

RECOMMENDATION

That Council:

1. receive the report by the Manager Strategic Planning on the amended *Draft Employment Lands Strategy (Industrial) 2024 - Post Second Exhibition*; and
2. adopt the amended *Draft Employment Lands Strategy (Industrial) 2024*.

Executive summary

The *Draft Employment Lands Strategy (Industrial) 2024 (Draft ELSI 2024)* was first placed on public exhibition for 28 days during May/June 2024. During the exhibition period 4 submissions were received. Council report presented at the 17 July 2024 meeting is provided as Attachment 1. At the 17 July 2024 meeting, Council considered submissions received and resolved to make three amendments to the Draft ELSI 2024 in accordance with submissions received.

In accordance with submissions received and resolution 161/24, the *Draft ELSI 2024* was amended as follows:

- include 18 Castlereagh Highway, Mudgee (Lot 40 DP1124695) as an opportunity in the Draft Employment Lands Strategy (Industrial) 2024;
- include part (as detailed in the received submission) of 3B Castlereagh Highway, Burrundulla (Lot 6 DP1269918) in Opportunity 2 in the Draft Employment Lands Strategy (Industrial) 2024;
- remove 38 Hill End Road (Lot 18 DP 1113002) from Opportunity 1 in the Draft Employment Lands Strategy (Industrial) 2024;

The *Draft ELSI 2024* was updated and again placed on public exhibition for 28 days, the amended *Draft ELSI 2024* is provided as Attachment 2. During the second exhibition period 2 submissions were received, one submission provided commentary on the Hill End Road speed limit and the second objected to the inclusion of 18 Castlereagh Highway, Mudgee (Lot 40 DP 1124695) as an opportunity. The adjoining site, 16 Spring Flat Road (Lot 1 DP 1096525) is currently in the process of seeking a rezoning of the site to residential, as detailed in the submission. The two submissions are provided as Attachment 3. 18 Castlereagh Highway, Mudgee (Lot 40 DP 1124695) and 16 Spring Flat (Lot 1 DP 1096525) are identified for residential zoning in Council's Comprehensive Land Use Strategy (the document Identifies opportunities to meet long-term urban and rural growth needs).

18 Castlereagh Highway, Mudgee (Lot 40 DP 1124695) was originally considered in the preparation of the *Draft ELSI 2024*, however was excluded from being identified as an opportunity due to reducing and compromising identified residential land supply and creating future land use conflict between industrial and residential land.

In accordance with the 17 July 2024 resolution, the report detailing submissions is being presented to Council for consideration and for the adoption of the *Draft ELSI 2024*.

Background

The *Draft ELSI 2024* has been prepared to guide the planning and identification of the suitable supply of employment lands (industrial), meeting projected demands for sustainable employment growth in the Mid-Western Region (Region). The *Draft ELSI 2024* will shape the future employment land in the Region. The *Draft ELSI 2024* focuses on the E3 – Productivity Support, E4 – General Industrial and E5 - Heavy Industrial zonings across the towns of the Region.

The *Draft ELSI 2024* is based on a comprehensive economic analysis of the Region prepared by Bull + Bear Economics which is provided as an appendix to the Strategy. The economic analysis recommended that additional land be identified in the Region.

The *Draft ELSI 2024* will provide direction in terms of considering any planning proposals relating to employment land (industrial).


The *Draft ELSI 2024* has been structured as follows:

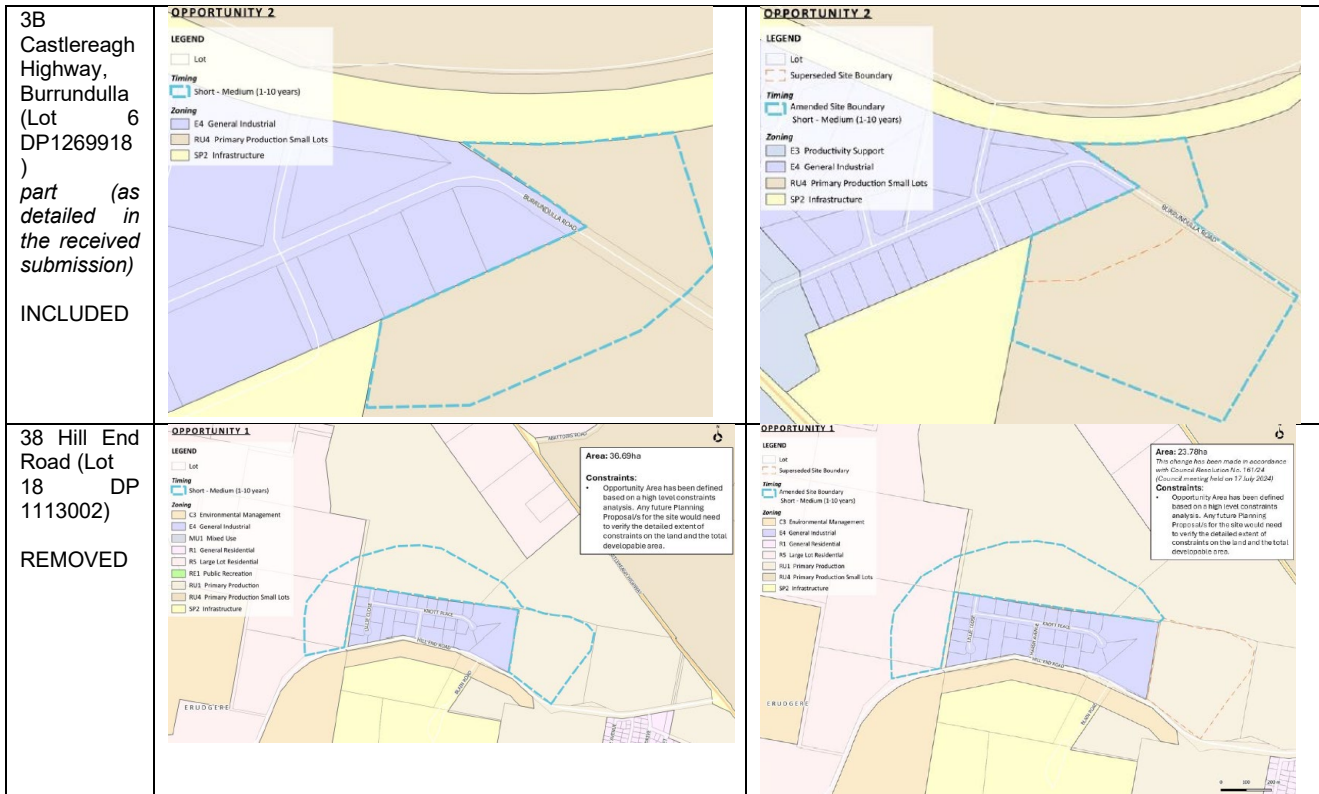
1. Introduction
2. Employment lands within the Region
3. Demographics and key employment issues
4. Industrial demand and supply analysis
5. Stakeholder consultation
6. Industrial employment opportunities
7. Summary of recommendations

The Draft ELSI 2024 details opportunity areas in the towns of Gulgong, Kandos, Mudgee and Rylstone.

Detailed Report

The *Draft ELSI 2024* was amended in accordance with Council resolution 161/24 at the 17 July 2024 Council meeting. The following table provides street address and legal description, the site during the first exhibition period and the site as recommended by Council at the 17 July 2024 meeting, during the second exhibition.

Site of amendment & Council resolution	May/June, 1 st Exhibition (recommended by staff)	August/September, 2 nd Exhibition (as amended in accordance with Council resolution 161/24)
18 Castlereagh Highway, Mudgee (Lot 40 DP1124695) INCLUDED	This site was not included in <i>Draft ELSI 2024</i> exhibited in May/June 2024	

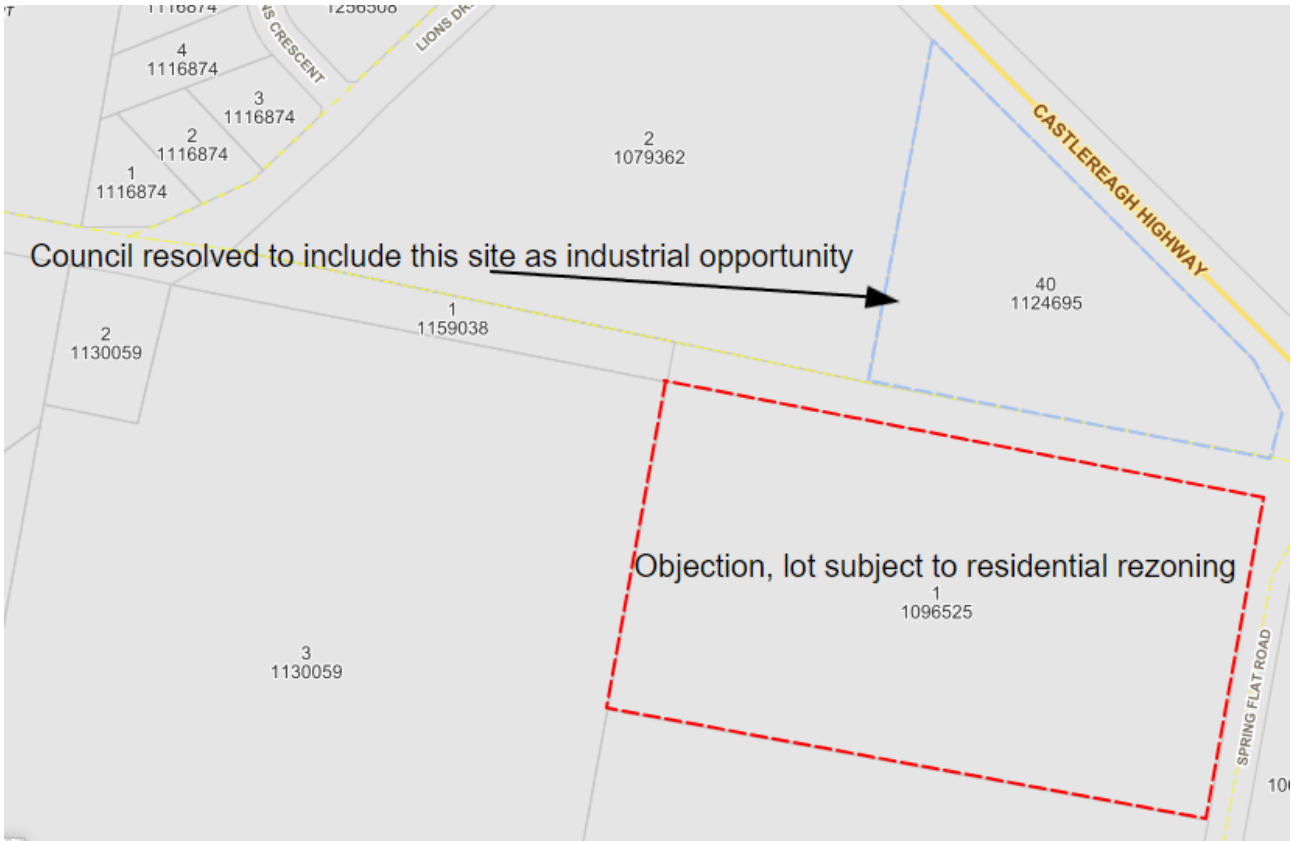


During the second exhibition period two submissions were received, the submissions are attached to this report.

One submission provided commentary on the Hill End Road speed limit and the second objected to the inclusion of 18 Castlereagh Highway, Mudgee (Lot 40 DP 1124695) as an opportunity. The adjoining site, 16 Spring Flat Road (Lot 1 DP 1096525) is currently in the process of seeking a rezoning of the site to residential, as detailed in the submission. 18 Castlereagh Highway, Mudgee (Lot 40 DP 1124695) and 16 Spring Flat (Lot 1 DP 1096525) are identified for residential zoning in Council’s Comprehensive Land Use Strategy (the document identifies opportunities to meet long-term urban and rural growth needs).

18 Castlereagh Highway, Mudgee (Lot 40 DP 1124695) was originally considered in the preparation of the *Draft ELSI 2024*, however was excluded from being identified as an opportunity due to reducing and compromising identified residential land supply and creating future land use conflict between industrial and residential land.

The map below details the site included by Council, 18 Castlereagh Highway, Mudgee (Lot 40 DP 1124695) and the location of the objection, 16 Spring Flat Road (Lot 1 DP 1096525).



Staff have outlined the concerns with including 18 Castlereagh Highway (Lot 40 DP 1124695) as an industrial opportunity, however in accordance with Council resolution 161/24, the Draft ELSI 2024 as exhibited in August/September 2024 is attached for adoption.

Should Council resolve to again amend the *Draft ELSI 2024*, the document will need to be again placed on public exhibition.

Disclosure of Interest

Nil

Community Plan implications

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

Strategic implications

Council Strategies

Mid-Western Regional Local Strategic Planning Statement, Our Place 2040.
 Mid-Western Regional Council Comprehensive Land Use Strategy 2010 Part A, B and C.

Council Policies

The adoption of the Draft ELSI 2024 will not require any change to relevant policies.

Legislation

Environmental Planning and Assessment Act 1979

Mid-Western Regional Local Environmental Plan 2012.

Financial implications

Nil

Associated Risks

Underestimating demand for additional land supply could have a negative impact on the community through price increases or dislocation. However, overestimating demand can also negatively impact the community through Council funding additional infrastructure works that may not be required.

SARAH ARMSTRONG
MANAGER STRATEGIC PLANNING

ALINA AZAR
DIRECTOR DEVELOPMENT

5 September 2024

Attachments: 1. 17 July 2024 Council Report. (separately attached)
2. Draft ELSI 2024 (second exhibition). (separately attached)
3. Submissions. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

8.7 2024-25 Local Heritage Grant Allocation

REPORT BY THE MANAGER STRATEGIC PLANNING

TO 16 OCTOBER 2024 ORDINARY MEETING
GOV400103, GOV400087, GRA600055

RECOMMENDATION

That Council:

1. **receive the report by the Manager Strategic Planning on the 2024-25 Local Heritage Grant Allocation; and**
2. **support the decision to provide a Local Heritage Grant to the following projects:**
 - a) **\$4,000 towards the repair and repainting of the façade of the former Loneragan's Store at 19-41 Church Street, Mudgee**
 - b) **\$2,000 to replace the doors of the rare early garage at 1 Grant Street, Mudgee**
 - c) **\$3,000 towards repainting the exterior and replacing the veranda floorboards at 81 Mayne Street, Gulgong;**
 - d) **\$3,000 towards replacing the aluminium windows at 45 Louee Street, Rylstone, with timber windows of the original type.**

Executive summary

Council submitted an application for the NSW Heritage Grants program, funded by the NSW Department of Planning, Housing, and Infrastructure in partnership with Heritage NSW. This year's total budget for local heritage grants is \$12,000. Out of the six applications received, four are recommended for funding.

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

The applications have been reviewed and the sites inspected by Council's Heritage Advisor to ensure that sound conservation practice will be followed.

This report details the recommended allocation of the 2024-25 Local Heritage Grants.

Disclosure of Interest

Nil

Detailed report

Applications for funding under the Local Heritage Grants Program closed in September 2024. Six applications were received. One application was not considered eligible, as it was for soil remediation on an unlisted site outside the Gulgong Heritage Conservation Area. Another

application, to replace windows in a house in the Mudgee HCA, was not supported as it was found that the windows could be readily repaired.

The applications have been summarised in the table provided as Attachment 1.

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

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

The four projects recommended for funding meet these criteria. Details are as follows:

- The former Loneragan's store at 19-41 Church Street, Mudgee, dates from 1870. It is individually listed and is a prominent item in the Conservation Area. There is some cracking in the copings and stuccoed parapets which will be rectified before repainting. The repairs are specialised, and the specification and colour scheme will be reviewed by Council's Heritage Adviser.
- The house at 1 Grant Street, Mudgee, is an unlisted 19th century cottage. It has a rare surviving early garage close to the street, with a timber log frame and ledged and braced (barn style) boarded doors, which are sagging and weathered. The doors and posts will be replaced with matching components.
- 81 Mayne Street, Gulgong, is an unlisted inter-war weatherboard cottage with a decorative joinery balustrade to the front veranda, which is readily seen from street. The paint has powdered and flaked, exposing the cladding and external joinery to rot. The verandah floorboards have been patched but are now beginning to split and rot. The boards will be replaced as original and the cladding and joinery will be repainted.
- 45 Louee, Street, Rylstone, is a two-storey stone building in the main street. The first-floor windows have been replaced with aluminium windows which detract from its contribution to the Conservation Area. They will be replaced with appropriate timber windows of the original type.

Attachment 1 sets out the amounts recommended to be allocated to each project considering the \$12,000 budget available, Council's Local Heritage Grants Policy, and the project costs.

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

The provision of Local Heritage Grants is consistent with the Mid-Western Regional Local Strategic Planning Statement, Our Place 2040 and Planning Priority 1 to respect and enhance the historic character of our Region and heritage value of our towns.

Council Policies

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

Legislation

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

Financial implications

The 2024/25 Operational Plan has an approved budget of \$12,000 for Local Heritage Grants. If Council adopts the recommendations for funding as outlined in this report, the total budget of \$10,975 for this financial year will be allocated.

Associated Risks

No known risk.

SARAH ARMSTRONG
MANAGER STRATEGIC PLANNING


ALINA AZAR
DIRECTOR DEVELOPMENT


25 September 2024

Attachments: 1. 2024-25 Local Heritage Grant Allocation.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Amount recommended	Total project cost	Project address	Legal description	Proposed works	Heritage item?	Within HCA?	Visible to the public?	Funding received in last 5 years?	Photograph
\$4,000	\$110,000	19-41 Church St Mudgee	Lot 11 DP719577	Repair and repaint stuccoed facade	Yes	Yes	Yes	No	
\$2,000	\$4,912	1 Grant St Mudgee	Lot 21 DP581392	Replace boarded timber barn style garage doors	No	Yes	Yes	No	
\$3000	\$9,870	81 Mayne St Gulgong	Lot 11 Sec 29 DP758482	Replace rotting veranda floorboards, repaint weatherboards, windows and joinery.	No	Yes	Yes	No	

\$3000	\$16,456	45 Louee St Rylstone	Lot 1 DP349986	Replace aluminium windows with timber	No	Yes	Yes	No	
--------	----------	-------------------------	-------------------	--	----	-----	-----	----	---

8.8 Acceptance of NSW Community and Employment Benefit Program Grants

REPORT BY THE MANAGER ECONOMIC DEVELOPMENT
TO 16 OCTOBER 2024 ORDINARY MEETING
GOV400105, ECO800006

RECOMMENDATION

That Council:

1. receive the report by the Manager Economic Development on the Acceptance of NSW Community and Employment Benefit Program Grants;
2. if successful, accept the grant funding from the following grant programs; and

Grant Fund	Project	Grant Amount
Community and Employment Benefit Program - Legacy Infrastructure Fund	Mudgee Key Worker Housing Construction (Stage 1)	\$11,250,000
Community and Employment Benefit Program - Local Community Fund	Gulgong Youth Centre Refurbishment	\$350,000
Community and Employment Benefit Program - Local Community Fund	Billy Dunn Gulgong Sporting Complex Improvements	\$995,000
Community and Employment Benefit Program - Local Community Fund	Putta Bucca Wetlands Redevelopment Project: A Rewilding Initiative	\$500,000

3. if successful, amend the 2024/25, 2025/26, 2026/27 and 2027/28 budgets in accordance with the adjustments listed on the Financial Implication section of this report and authorise the General Manager to finalise and sign the funding agreements.

Executive summary

Council have applied to multiple funding bodies for projects that will support the overall goals of the Community Plan.

The NSW Community and Employment Benefit Programs identified in this report include:

- Legacy Infrastructure Fund
- Local Community Fund

It is recommended that if Mid-Western Regional Council is successful in any of the above applications, that Council accepts the grant funding, and authorises the General Manager to sign the funding agreements and amend Council's Budgets for 2024/25, 2025/26, 2026/27, and 2027/28.

Disclosure of Interest

Nil

Detailed report

The Community and Employment Benefit Program has been established to share the benefits of the renewable energy transition with the local communities that will host the infrastructure and generation projects. The Program sets out how the Energy Corporation of New South Wales (EnergyCo) will administer funding for community and employment purposes in accordance with the EII Act and EII Regulation and other statutory obligations, such as the *NSW Grants Administration Guide 2024*.

The objectives of the Program are to:

1. Improve liveability in regional communities by supporting better access to health services, housing and accommodation, telecommunication connectivity and other public services and infrastructure;
2. Support regional economic development through tourism programs and infrastructure and legacy projects that provide enduring benefits for host communities;
3. Improve outcomes for First Nations people by increasing capacity of First Nations organisations and providing additional services and infrastructure to support First Nations people;
4. Improve community connection by making it easier for people to access quality sport, recreation and other community facilities, as well as arts and cultural programs that bring people together;
5. Improve and create local employment opportunities through training and skills programs or infrastructure that increases the capacity of the local community to benefit from local employment opportunities; and
6. Boost resilience and innovation through community energy programs and environmental improvement programs.

There are four grant funding streams available under the Program to enable eligible activities that deliver community and employment purposes:

- Local Community Fund: open to not-for-profit community organisations, Local Aboriginal Land Council, Aboriginal community organisations and local councils (where they are in partnership with or in support of a community project). It will fund projects that improve community amenity, increase community connection and boost resilience and innovation;
- Local Community Small Grants: open to not-for-profit community organisations, Local Aboriginal Land Councils, Aboriginal community organisations and local councils (where they are in partnership with or in support of a community project). It will fund small-scale activities, events, initiatives or projects that deliver benefits to the local community in the geographic area that forms the Central-West Orana REZ;
- First Nations Fund: open to Local Aboriginal Land Councils and not-for-profit incorporated Aboriginal community organisations. It will fund projects that increase capacity of local Aboriginal organisations, improve Aboriginal employment opportunities and improve outcomes for Aboriginal people by supporting better access to health services, housing and accommodation and other cultural programs or services; and

- Legacy Infrastructure Fund: open to Dubbo Regional Council, Mid-Western Regional Council, Upper Hunter Shire Council and Warrumbungle Shire Council. It will fund infrastructure projects that support regional economic development, improve liveability and community amenity.

Council has applied for 5 projects to be funded by the Community and Employment Benefit Program through the following funding streams:

Legacy Infrastructure Fund

The Legacy Infrastructure Fund provides funding for infrastructure projects that will deliver long-term and legacy benefits for local communities within the Central-West Orana Renewable Energy Zone.

The following project was identified as relevant and meeting the criteria of the grant fund:

- **Mudgee Key Worker Housing Construction – Stage 1 - \$11,250,000** - Council will construct Stage 1 of the Mudgee Key Worker Housing project on Council-owned land (10-12 Burrundulla Avenue, Mudgee) to help attract and accommodate urgently needed frontline essential/key workers and their partners/families in the region to help mitigate the impacts of the influx of workers associated with the CWO REZ and its State Significant Development projects. Under Stage 1 of the project, Council will complete all preliminary works, including civil construction, electrical upgrades, roadway development, water infrastructure improvements, and the preparation of the site for the complex, along with the construction of 5 affordable rental properties.

Local Community Fund

The Local Community Fund supports community organisations to provide programs, services or infrastructure that are designed to reflect local needs and deliver enduring benefits for local communities within the Central-West Orana Renewable Energy Zone.

The following projects were identified from the Community and Operational plan as relevant and meeting the criteria of the grant fund with the amounts requested from the fund:

- **Gulgong Youth Centre Refurbishment - \$350,000** – The project will include the refurbishment of an existing building into a Youth Centre through the creation of flexible-use space, ensuring the provision of an accessible toilet, storage, basketball half court, art wall, and appropriate flooring. The project will increase accessibility, connection, safety and engagement of local youth
- **Billy Dunn Gulgong Sporting Complex Improvements - \$995,000** – the project includes an upgrade Gulgong’s Billy Dunn Sporting Complex by refurbishing and lighting Sports Field 2, constructing storage, and upgrading the existing netball courts, changeroom facilities, and adventure playground. The project will benefit Gulgong residents and sporting groups by increasing participation, accessibility and safety of the Complex.
- **Putta Bucca Wetlands Redevelopment Project: A Rewilding Initiative - \$500,000** – the project will transform a decommissioned landfill site at Putta Bucca Wetlands into an interactive, accessible environmental education space for recreation. The project involves revegetation with endangered species, constructing parking, trails, and a viewing platform, and engaging the community in restoring the site’s ecological heritage.
- **Lady Gowrie Early Education Centre Expansion - \$1,000,000** - The project will expand the Lady Gowrie NSW Mudgee Early Education & Care Centre to support, attract and retain families and essential workers in the Mid-Western Region. The project includes new infant rooms, preschool spaces, and amenities, enhancing childcare capacity and providing

essential services to families, attracting key workers. This project, budget and acceptance of grant funding if available has previously been approved by Council (August 2024).

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

The identified projects support a number of Council strategies as identified in the Community Plan including:

- Maintain the provision of high quality, accessible community services that meet the needs of our community;
- Support networks, programs and facilities which promote health and wellbeing and encourage healthy lifestyles;
- Work with key stakeholders to minimise the impacts of state significant development in the region;
- Maintain and promote the aesthetic appeal of the towns and villages within the region;
- Provide infrastructure and services to cater for the current and future needs of our community;
- Support arts and cultural development across the region;
- Provide equitable access to a range of places and spaces for all in the community;
- Ensure land use planning and management enhances and protects biodiversity and natural heritage;
- Support the attraction and retention of a diverse range of businesses and industries;
- Promote the region as a great place to live, work, invest and visit;
- Support the expansion of essential infrastructure and services to match business and industry developments in the region;
- Provide leadership on economic development initiatives and identify resources and infrastructure required to drive investment and economic growth in the region;
- Support projects that create new jobs in the region and help to build a diverse and multi-skilled workforce;
- Build strong linkages with institutions providing education, training and employment pathways in the region; and
- Improve communications between Council and the community and create awareness of Council's roles and responsibilities.

Council Policies

Affordable Housing Policy

Legislation

Not Applicable

Financial implications

Legacy Infrastructure Fund - Mudgee Key Worker Housing Construction

- In 2024/25 set an expenditure budget of \$1,536,406 to be funded by grants.
- In 2025/26 set an expenditure budget of \$7,326,634 to be funded by grants.
- In 2026/27 set an expenditure budget of \$2,386,960 to be funded by grants.

Local Community Fund - Gulgong Youth Centre Refurbishment

- In 2024/25 increase the expenditure budget by \$25,000 to be funded by grants.
- In 2025/26 set an expenditure budget of \$175,000 to be funded by grants.

Local Community Fund - Billy Dunn Gulgong Sporting Complex Improvements

- Project code 50600 rename to Billy Dunn Sporting Complex Improvements.
- In 2024/25 reallocate funding income \$154,000 from VPA funding to grant funding
- In 2025/26 set an expenditure budget of \$489,000 to be funded by grants.
- In 2026/27 set an expenditure budget of \$50,000 to be funded by grants.

Local Community Fund - Putta Bucca Wetlands Redevelopment Project: A Rewilding Initiative

- In 2024/25 set an expenditure budget of \$67,500 to be funded by grants.
- In 2025/26 set an expenditure budget of \$113,000 to be funded by grants.
- In 2026/27 set an expenditure budget of \$283,500 to be funded by grants.
- In 2027/28 set an expenditure budget of \$36,000 to be funded by grants.

Budget Year	Operating Performance Ratio	Own Source Revenue	Building & Infrastructure Renewal
2024/25	-	X	X
Future Years	-	X	X

Associated Risks

If the grant funding for the above-named projects is successful and not accepted by Council, the projects may not be able to proceed or may be delayed due to funding restraints. There is a project delivery risk for each project. These risks are managed through Council's policies and procedures.

MICHELE MINI
MANAGER ECONOMIC DEVELOPMENT

ALINA AZAR
DIRECTOR DEVELOPMENT

27 September 2024

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

8.9 Community Engagement Plan 2024-2025

REPORT BY THE MANAGER ECONOMIC DEVELOPMENT
TO 16 OCTOBER 2024 ORDINARY MEETING
GOV400105, COR400811

RECOMMENDATION

That Council receive the report by the Manager Economic Development on the Community Engagement Plan 2024-2025.

Executive summary

The purpose of this report is to provide Council with an update of proposed community engagement activities and timelines that will be used to prepare the new Community Strategic Plan (CSP) and associated Integrated Planning & Reporting (IP&R) reports by 30 June 2025.

Disclosure of Interest

Nil

Detailed report

The IP&R Framework requires all councils in NSW to develop, document and report on plans for the future of their communities. The main components of the IP&R framework are:

- Community Strategic Plan
- Resourcing Strategy (including the Long-Term Financial Plan, Workforce Management Plan and Asset Management Plan)
- Delivery Program
- Operational Plan
- Community Engagement Strategy
- Annual Report

Under the Local Government Act 1993, Council is required to undertake a review of its IP&R documentation by 30 June in the year following an ordinary election and ensure community input is part of the decision-making process.

The CSP is the highest level of strategic planning for Council, with a 4, 10 and 15 year timeframe. The purpose of the Plan is to identify the community's main priorities and aspirations for the future and to plan strategies for achieving these goals. The CSP addresses four key questions for the community:

- Where are we now?
- Where do we want to be in 2040?
- How will we get there?
- How will we know when we have arrived?

The current CSP *Towards 2040: Mid-Western Region Community Plan* is framed by five key themes, each of which has a number of goals:

THEME 1: LOOKING AFTER OUR COMMUNITY

- A safe and healthy community
- Vibrant towns and villages
- Effective and efficient delivery of infrastructure
- Meet the diverse needs of the community and create a sense of belonging

THEME 2: PROTECTING OUR NATURAL ENVIRONMENT

- Protect and enhance our natural environment
- Provide total water cycle management
- Live in a clean and environmentally sustainable way

THEME 3: BUILDING A STRONG LOCAL ECONOMY

- A prosperous and diversified economy
- An attractive business and economic environment
- A range of rewarding and fulfilling career opportunities to attract and retain residents

THEME 4: CONNECTING OUR REGION

- High quality road network that is safe and efficient
- Efficient connection of the region to major towns and cities
- An attractive travel network within the region

THEME 5: GOOD GOVERNMENT

- Strong civic leadership
- Good communications and engagement
- An effective and efficient organisation

The process of community engagement plays a critical role in the ongoing review and development of the CSP and Council's associated Integrated Planning and Reporting documents. The information obtained during community engagement will help inform the newly elected Council in setting their key strategies and actions for the future.

The proposed community engagement tools and timing are as follows:

Phase	Tools	Proposed Timing
Preliminary Engagement	Community Wide Survey	May 24 COMPLETED
Community Engagement for Newly Elected Council	Stakeholder Workshops <ul style="list-style-type: none"> • Cultural, sporting & community • Schools • Businesses • Government Agencies Councillor Workshop Permanent Displays Direct Mail Out Community Roadshows – details in appendix B Online Engagement <ul style="list-style-type: none"> • Online Surveys & follow up questions 	Nov 24 Nov 24 Dec - Feb 25 Nov 24 Nov - Dec 24 Jan – Feb 25
Analysis of Community Engagement	Post Engagement Report to Council Council Briefing on progress	Mar 25 Mar 25
Public Feedback on Draft IP&R Documents	Public Exhibition for 28 Days Post Exhibition Report to Council	9 Apr – 7 May 25
Adopt Revised IP&R Documents	Report to Council	11 Jun 2025

A full description of community engagement activities and tools are detailed in the attached report, these include:

- Community wide survey;
- Stakeholder & Councillor workshops;
- Community roadshow;
- Permanent displays;
- Direct mail out;
- Postcard exercise;
- Online engagement;
- Online surveys;
- Open feedback forms; and
- Public exhibition.

The opportunities for community to participate will be widely promoted and a post engagement report will be provided to Council to assist in the preparation of the CSP and associated IP&R documents.

Community Plan implications

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

Strategic implications

Council Strategies

Towards 2040: Mid-Western Region Community Plan
Community Engagement Strategy

Council Policies

Community Engagement Policy

Legislation

Local Government Act 1993

Financial implications

Nil

Associated Risks

If Council does not engage the community appropriately and in accordance with the current Community Engagement Strategy to assist in the preparation of the Community Strategic Plan and associated plans, Council will not comply with the Local Government Act 1993.

MICHELE MINI
MANAGER ECONOMIC DEVELOPMENT

ALINA AZAR
DIRECTOR DEVELOPMENT

30 September 2024

Attachments: 1. IPR Community Strategic Plan - Community Engagement Proposal Councillors.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



*Good
Government*

COMMUNITY STRATEGIC
PLAN -
COMMUNITY
ENGAGEMENT PLAN
2024-2025

MID-WESTERN REGIONAL COUNCIL
MID-WESTERN REGIONAL COUNCIL

INTEGRATED PLANNING AND REPORTING

■ ■ ■ ■ ■ TOWARDS 2040



THIS DOCUMENT HAS BEEN PREPARED BY MICHELE MINI, MANAGER ECONOMIC DEVELOPMENT FOR MID-WESTERN REGIONAL COUNCIL.

ANY QUESTIONS IN RELATION TO THE CONTENT OF THIS DOCUMENT SHOULD BE DIRECTED TO:
MICHELE.MINI@MIDWESTERN.NSW.GOV.AU OR (02) 6378 2802

DATE OF PUBLICATION: OCTOBER 2024

Table of Contents

1.	Background.....	4
1.1	Local Government Act 1993	4
1.2	Towards 2040: Mid-Western Region Community Plan	5
2.	Purpose.....	6
3.	Key Messages	7
4.	Community Engagement Process	8
4.1	Summary of Engagement Tools and Timing.....	8
4.2	Description of Community Engagement Activities and Tools	9
4.3	Promotion of Engagement Activities	11
5.	Stakeholders	12
	Appendix A – Potential Questions to ask the Community	13
A.1	Targeted question ideas	13

1. Background

1.1 Local Government Act 1993

Council has a legislative requirement under the *Local Government Act 1993* to ensure that community input is part of the decision making process.

The Act requires Council to establish and implement a strategy (Community Engagement Strategy), based on social justice principles, for engagement with the local community when developing the Community Strategic Plan (CSP).

The Integrated Planning and Reporting Manual, produced by the Division of Local Government, identifies two essential elements for the Community Engagement Strategy:

1. As a minimum, the Community Engagement Strategy must identify relevant stakeholder groups within the community and outline methods of engaging each group.
2. Due consideration must also be given to the expected levels of service expressed by the community when preparing the CSP.

Through this Strategy, the Council will involve the community to ensure that the CSP reflects the community's ideas, concerns and priorities.

In December 2022, a new Community Engagement Strategy was developed and adopted by Council. In 2023 a Community Engagement Policy and Procedure was implemented utilising various tools. These documents have been used to develop the community engagement plan for the review and revision of the CSP: *Towards 2040: Mid-Western Region Community Plan*.

In order to update *Towards 2040: Mid-Western Region Community Plan*, Council is working towards the following timetable:

Table 1: Timetable for Review of IP&R Documents

Action Required	Completed By
Preliminary Engagement Activities	May-24
State of the Region Report Incoming Council	Oct-24
Community Engagement for Newly Elected Council	Nov-24 to Feb-25
Revised IP&R Documents	Jun-25

1.2 Towards 2040: Mid-Western Region Community Plan

The *Towards 2040: Mid-Western Region Community Plan* was adopted by Council 15 June 2022. It sets out where, as a community, the Mid-Western Region wants to be in the year 2040.

The plan was developed following an extensive consultation exercise in which over 1,500 residents participated in varying forms.

It is a future vision developed collaboratively between the community and Council and represents the aspirations of the people who live and work within the Mid-Western Region and strategies for achieving these goals.

Towards 2040: Mid-Western Region Community Plan is Council's highest level strategic plan and addresses four key questions for the community:

1. Where are we now?
2. Where do we want to be in 2040?
3. How will we get there?
4. How will we know when we have arrived?

A Resourcing Strategy including Long Term Financial Plan, Workforce Strategy and Asset Management Planning together with a Delivery Program, Operational Plan and Annual Report completes the Integrated Planning and Reporting framework.

The current CSP is framed by five key themes, each of which has a number of goals:

- **THEME 1: LOOKING AFTER OUR COMMUNITY**
 - A safe and healthy community
 - Vibrant towns and villages
 - Effective and efficient delivery of infrastructure
 - Meet the diverse needs of the community and create a sense of belonging
- **THEME 2: PROTECTING OUR NATURAL ENVIRONMENT**
 - Protect and enhance our natural environment
 - Provide total water cycle management
 - Live in a clean and environmentally sustainable way
- **THEME 3: BUILDING A STRONG LOCAL ECONOMY**
 - A prosperous and diversified economy
 - An attractive business and economic environment
 - A range of rewarding and fulfilling career opportunities to attract and retain residents
- **THEME 4: CONNECTING OUR REGION**
 - High quality road network that is safe and efficient
 - Efficient connection of the region to major towns and cities
 - An attractive travel network within the region
- **THEME 5: GOOD GOVERNMENT**
 - Strong civic leadership
 - Good communications and engagement
 - An effective and efficient organisation

2. Purpose

The CSP is the highest level of strategic planning for Council, with a 4, 10 and 15 year timeframe. The purpose of the Plan is to identify the community's main priorities and aspirations for the future and to plan strategies for achieving these goals. All other plans must support the CSP objectives.

Section 402 of the Local Government Act requires:

- Each local government area is to have a CSP that has been developed and endorsed by the council on behalf of its community;
- The CSP is to identify the main priorities and aspirations for the future of the local government area;
- The CSP must cover a minimum timeframe of 10 years;
- The CSP must establish strategic objectives together with strategies to achieve those objectives; and
- The council must review the CSP before 30 June in the year following an ordinary election of council. The council may endorse the existing plan, or develop and endorse a new CSP, as appropriate, to ensure that the area has a CSP covering at least the next 10 years.



3. Key Messages

The community engagement plan for the CSP includes activities which will educate the community about the review process, and request feedback from the community which reflects its main priorities.

This dual-objective approach will ensure that the information collected is both valuable and relevant in informing the review of the CSP.

Objective: EDUCATION

Key Messages:

- This is *Towards 2040: Mid-Western Region Community Plan*
- These are the current themes, objectives and strategies that Council is working to achieve

Objective: ENGAGEMENT

Key Messages:

- What are the community's priorities, both longer and shorter term?
- What is missing from *Towards 2040: Mid-Western Region Community Plan*?
- What special projects would the community like to see?

4. Community Engagement Process

The process of community engagement plays a critical role in the ongoing review and development of the CSP and Council’s associated Integrated Planning and Reporting documents. The information obtained during community engagement will help inform the newly elected Council in setting their key strategies and actions for the future.

The current Mid-Western Regional Council Community Engagement Strategy, Community Engagement Policy and Community Engagement Procedure documents have been followed to produce the CSP community engagement plan.

4.1 Summary of Engagement Tools and Timing

The following table provides a summary of the community engagement process and identifies the tools that will be used to inform the review of the CSP and associated Integrated Planning and Reporting documents by 30 June 2025.

Table 2: Community Engagement Tools and Timing

Phase	Tools	Proposed Timing
Preliminary Engagement	Community Wide Survey	May 24 COMPLETED
Community Engagement for Newly Elected Council	Stakeholder Workshops <ul style="list-style-type: none"> Cultural, sporting & community Schools Businesses Government Agencies 	Nov 24
	Councillor Workshop	Nov 24
	Permanent Displays	Dec - Feb 25
	Direct Mail Out	Nov 24
	Community Roadshows – details in appendix B	Nov - Dec 24
	Online Engagement <ul style="list-style-type: none"> Online Surveys & follow up questions 	Jan – Feb 25
Analysis of Community Engagement	Post Engagement Report to Council	Mar 25
	Council Briefing on progress	Mar 25
Public Feedback on Draft IP&R Documents	Public Exhibition for 28 Days Post Exhibition Report to Council	9 Apr – 7 May 25
Adopt Revised IP&R Documents	Report to Council	11 Jun 2025

4.2 Description of Community Engagement Activities and Tools

Provided below is a brief description of the engagement tools that will be used to conduct community engagement between May 2024 and February 2025.

COMMUNITY WIDE SURVEY – MAY 2024

As part of the preliminary engagement phase, a community wide telephone survey was conducted by Taverner Research Group on behalf of Council in May 2024.

The survey sought to examine community attitudes and perceptions towards current and future services and facilities provided by Council. The survey was designed to engage all sectors of the community and capture data which provides a statistically significant representation of the community's attitudes and perceptions.

STAKEHOLDER & COUNCILLOR WORKSHOPS – NOVEMBER 2024

Feedback will be sought from key stakeholders with a series of workshops to establish if the 5 key themes in the CSP are still relevant or require change. These workshops will seek to identify the objectives of the key themes and stakeholders will be asked to provide feedback in relation to the levels of importance and satisfaction with the underlying strategies for each of the key themes.

COMMUNITY ROADSHOW – NOVEMBER – DECEMBER 2024

An integral part of the community engagement process for the newly elected Council will be a Community Roadshow which will be held across the region during the month of November.

The Community Roadshow will involve a portable display being assembled in each of the main towns of Mudgee, Gulgong, Kandos and Rylstone as well as the villages of Hargraves, Goolma and Ilford in a prominent position to capture pedestrian traffic. The portable display will act to inform and engage the community increasing general awareness of the CSP whilst providing information and feedback to Council. There will be a range of participatory activities which the community will be able to use to reveal their key priorities and engage with Council staff. These will include:

BEAD EXERCISE

The Bead Exercise was utilised during the community engagement process for the 2016 Community Plan. This exercise involves the community utilising a handful of coloured beads and allocating them between different themes or projects reflected in the Community Plan (as represented by 5 glass jars).

MY TOP 5 EXERCISE

The My Top 5 Exercise will provide an opportunity for the community to indicate their "wish list" for Council to invest in new major projects. These major projects may be either infrastructure or services and are typically of a large dollar value. They may be made possible either through large grants, developer contributions and/or borrowings.

The exercise will feature visual display boards with a number of examples of major projects for the community to choose from. The community are asked to pick their Top 5. These choices will then be recorded so that Council can derive a list of the community's top priorities if funding opportunities arise in the future.

PERMANENT DISPLAYS – DECEMBER 2024 – FEBRUARY 2025

Each of Council's Administration Centres/Libraries/Pools will host a permanent display over a 3 month period of community engagement. These displays will include signage and activities for the community to complete whilst they are visiting Council's offices and buildings.

DIRECT MAILOUT – NOVEMBER 2024

A direct mailout to residents (through Community News) will provide another outlet by which residents can participate in the community engagement process and have their say. Direct mail out will include:

POSTCARD EXERCISE - SCHOOLS

The school specific postcard exercise will include targeted questions to prompt school-aged children across the region in their responses about what they like most about living in the region and what they would like to improve about living in the region.

POSTCARD EXERCISE – RESIDENTS INCLUDING AGED AND DISABILITIES

The postcard exercise will form part of permanent displays across Council facilities and will be another method for residents to participate. The postcard will ask what residents like about the region, and what our priorities should be over the next 4 years, 10 years and 15 years. Council Library van regularly visits aged care facilities throughout the region and will deliver postcards to those in aged care unable to attend Council facilities and roadshows to participate in community engagement.

ONLINE ENGAGEMENT

Several activities will be available through Council's website. These activities will be closely aligned to the Community Roadshow activities and will help ensure that the community engagement process reaches a broad cross-section of the community.

ONLINE SURVEYS

Online surveys will be used to ask the community tailored questions to gain clarity and further information following roadshows and mailout feedback. Providing access to online activities will allow members of the community who do not come into Council offices or buildings or miss the Community Roadshow at one of the various locations to participate.

OPEN FEEDBACK FORM

Open feedback forms which are specifically designed to capture information in relation to the Community Plan will be available throughout the community engagement process. This will allow the community to document any other feedback or issues that they feel has not been addressed or is relevant for consideration by Council.

PUBLIC EXHIBITION

All of the draft IP&R documents will be placed on public exhibition for a period of 28 days prior to being formally adopted by Council by 30 June 2025. The public exhibition period will allow residents to review the draft documents and make public submissions.

4.3 Promotion of Engagement Activities

The opportunity for the community to actively participate in the review of the CSP will be widely promoted. The main avenues for promotion will include:

- **Local Media** – promotion through local media to encourage participation and educate the community about the process of reviewing and developing the CSP.
- **Website** – Council’s website will provide an important information outlet with links to online activities and details about the timing and locations of the Community Roadshow. The website will also help educate the community about the key themes and relevant documents comprising the IP&R framework.
- **Community News** – Community News will feature regular updates about the engagement activities being undertaken and reminding residents about the importance of capturing the views of a broad cross-section of the community. Community News can also be used as a direct mail tool to encourage participation in and completion of activities.
- **Social Media** – Council’s Facebook page will help reinforce educational messages and encouraging participation in the review of the CSP. It will highlight key dates for the Community Roadshow and provide links to online engagement activities.
- **Displays** – Physical displays in Council offices, libraries and pools will include visible posters and ballot boxes to collect postcards.

5. Stakeholders

The Office of Local Government’s Integrated Planning and Reporting Manual requires Council to identify relevant stakeholder groups and the method that will be used to engage each group. The following table lists the range of stakeholder groups and identifies the activities that will be used to engage each group.

Stakeholder	Telephone Survey	Facilitated Workshops	Community Roadshow	Direct Mail Out	Permanent Displays	Online Engagement
Ratepayers / Residents	X	X	X	X	X	X
Youth	X	X	X	X	X	X
Cultural, sporting and community groups		X			X	X
Government agencies		X			X	X
Remote geographical communities		X	X	X	X	X
Businesses and industry groups		X			X	X
Elderly	X	X	X	X	X	X
Schools		X		X	X	X
People with disabilities	X	X	X	X	X	X
Councillors	X	X	X	X	X	X

Appendix A – Potential Questions to ask the Community

A.1 Targeted questions to consider

General community needs & priorities

- What are the top three challenges you believe the council should prioritise over the next 4, 10 and 15 years?
- What facilities or services do you think are lacking in our community?
- What new amenities or infrastructure would you like to see developed in our area?

Specific areas of interest

- What improvements would you like to see in public transportation and road safety in your area?
- How can Council better support local businesses and economic development?
- What recreational activities or facilities would you like more access to in our community? (give list)

Community identity & vision

- What do you value most about living in this community?
- How would you describe the vision you have for the future of our community?
- What cultural or heritage aspects of our community do you think should be preserved or promoted?

Public safety & wellbeing

- Do you feel safe in your neighbourhood? If not, what could be done to improve safety?
- What services or support do you think are needed for vulnerable groups in our community?

Communication & engagement

- How can the council improve its engagement and communication with the community?

Environmental & sustainability issues

- What are your thoughts on Council's current environmental initiatives?
- How should the council address climate change and sustainability in our community plan?

Open-ended questions

- Is there anything else you would like to share with the council regarding the future of our community?
- What other suggestions or feedback do you have for improving our community?

8.10 State of our Region Report

REPORT BY THE MANAGER ECONOMIC DEVELOPMENT
TO 16 OCTOBER 2024 ORDINARY MEETING
GOV400105, COR400811

RECOMMENDATION

That Council:

1. **receive the report by the Manager Economic Development on the State of our Region Report; and**
2. **note the State of our Region Report to be published on Council's website alongside or appended to the Annual Report.**

Executive summary

The State of our Region Report is presented at the second meeting of the newly elected Council. It reviews the previous three-year Council term and provides an objective evaluation of progress in relation to the Community Strategic Plan (CSP).

As per Section 428(2) of the Local Government Act 1993, the State of our Region Report must be, noted by Council, and published on Council's website alongside or appended to the Annual Report.

Disclosure of Interest

Nil

Detailed report

Council adopted the Towards 2040 Community Plan in June 2022 following extensive consultation in which over 1,500 residents participated in varying forms. This consultation informed the direction of the plan and the future goals and strategies for the Mid-Western Region.

The Towards 2040 Community Plan contains 5 key themes:

- Looking after our community;
- Protecting our natural environment;
- Building a strong local economy;
- Connecting our region; and
- Good government.

The State of our Region Report replaces the End of Term Report, which was traditionally submitted to the outgoing Council. The State of our Region Report is to be presented at the second meeting of the newly elected Council for formal noting. It covers the previous three-year Council term and provides an objective assessment of progress against the Community Strategic Plan (CSP).

As is required under Section 428(2) of the Local Government Act 1993, the State of our Region Report will publish on Council's website alongside or appended to Annual Report.

Community Plan implications

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

Strategic implications

Council Strategies

Community Plan: Towards 2040

Council Policies

NA

Legislation

Local Government Act 1993

Local Government (General) Regulation 2021.

Financial implications

Nil

Associated Risks

If this report is not noted at the second meeting of the incoming Council, Mid-Western Regional Council will not meet the mandatory planning and reporting obligations under the Local Government Act 1993 and the Local Government (General) Regulation 2021.

MICHELE MINI
MANAGER ECONOMIC DEVELOPMENT

ALINA AZAR
DIRECTOR DEVELOPMENT

30 September 2024

Attachments: 1. State of our Region Report 2024. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

8.11 Street Banner Policy - Post Exhibition

REPORT BY THE EVENTS COORDINATOR
TO 16 OCTOBER 2024 ORDINARY MEETING
GOV400103, 123

RECOMMENDATION

That Council:

1. **receive the report by the Events Coordinator on the Banner Policy – Post Exhibition; and**
2. **adopt the Street Banner Policy with the minor amendment as noted.**

Executive summary

At Council's 15 May 2024 ordinary meeting, Council resolved to support the Street Banner Policy. The Policy went to Council again for approval 17 July 2024 due to an upgrade of streetlights on Church and Market Streets by Essential Energy removing the infrastructure for the banners. The policy was endorsed for adoption following a 28-day public exhibition. During the exhibition period one submission was received. The submission has been provided as an Attachment. The matters raised in the submissions have been summarised and a staff comment has been provided.

The purpose of this report is to provide Council with a post exhibition report, consider the submission received and accept the minor amendment to policy.

Disclosure of Interest

Nil

Detailed report

Mid-Western Regional Council Street Banner Usage Policy is designed to:

- promote significant events in the Mid-Western Region;
- visually enhance the Mudgee and Gulgong streetscape;
- promote major events identified in Council's major events calendar; and
- stimulate local economic activity and promote the region as a great place to live, work, invest and visit.

On 15 May 2024 the Policy Review – Street Banner Usage Policy was presented to Council and adopted following 28-day public exhibition. In July 2024, Essential Energy replaced the streetlights that previously held banners on Market and Church Streets. The new infrastructure does not support street banners, necessitating an amendment to the adopted Street Banner Usage Policy.

Changes to the policy in July included:

- Street banner poles/locations within the Mid-Western LGA:
 - Mudgee: Church Street x 16 – removed

- Mudgee: Market Street x 13 – removed
- Dimensions:
 - Church Street: 1500mm x 350mm – removed
 - Market Street: 1500mm x 350mm - removed

During the public exhibition one submission was received. The matters raised in the submission are summarised with staff comment below.

Issues raised	Staff comment
Street Banners are a vital part of the promotion of Markets in Mudgee, they allow market organisers the opportunity to inexpensively reach both locals and the tourists and have proved very successful over the years. Thus, we support council having a Street Banner Usage Policy.	Agree. Council Events are limited to the same opportunities to promote events.
We see no problems with the dimensions listed, however would suggest that the tennis court signs size be listed as a fixed size and not preferred, as this can be misinterpreted.	Agree, this would remove confusion. The policy has been updated to reflect this minor change.
The metal poles that council has erected at the tennis courts, and based its Policy on, could easily be copied and erected on the Cnr Church and Short St and Cnr Market and Perry St. Council could then adopt its Street Banner Usage Policy to cover these areas.	The Tennis Courts are on Crown Land managed by Mid-Western Regional Council. For the install of additional poles in new (privately owned locations) throughout town, permission would need to be sought from the landowner. Council would need to support a budget for this.
We would like Council to consider, the next generation of street signs. This being large digital display signs. These signs could be erected on the Corner of Short & Church St, Market and Perry St and at the tennis courts. There are a few options Council could consider. The cost of these signs has dramatically reduced over the past few years and now a viable option to banners.	This is in a Heritage Conservation Zone. Subdivision 11 Temporary event signs section 2.103(g) state that signs must not be illuminated.

It is recommended that the Street Banner Policy be adopted as per the attached document.

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 Policies

Street Banner Policy

Legislation

Environmental Planning and Assessment Act 1979

Local Government Act 1993

Financial implications

Nil

Associated Risks

If the Street Banner Usage Policy is not in place there is a risk of banners being placed in an untidy and ad hoc way that can detract from the aesthetics and events in the towns and region

JOANNA LINDSAY
EVENTS COORDINATOR

ALINA AZAR
DIRECTOR DEVELOPMENT

14 August 2024

Attachments: 1. Submission- Street Banner Policy.
2. Street Banner Policy_Amended.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

From: garry@kookaburraestate.com.au
To: [Council](#)
Subject: Feedback on the Street Banner Usage Policy
Date: Friday, 2 August 2024 4:19:43 PM
Attachments: [image001.jpg](#)

Dear Sir,

Re Street Banner Usage Policy.

I am writing this submission on behalf of the Mudgee Markets Stall Holders Association inc. The Association formed in February of this year has over 60 members, runs the Mudgee – 2850 – Markets and works on promoting all markets in Mudgee.

Street Banners are a vital part of the promotion of Markets in Mudgee, they allow market organizers the opportunity to inexpensively reach both locals and the tourists and have proved very successful over the years.

Thus, we support council having a Street Banner Usage Policy.

However, the policy presented to residents, far from meets the needs of a Street Banner Usage Policy and could be called Horatio St Street Banner usage policy.

Whilst the location of banners in Gulgong do have exposure to those arriving in Gulgong from both Mudgee and the main northern entrance. The Mudgee signs only address the traffic from the Sydney approach.

Mudgee tourists' approach Mudgee via Ulan Rd (visitors from Central Coast and Newcastle), Castlereagh Highway (Visitors from Dubbo, Dunedoo etc.) and Sydney Rd (visitors from Sydney, Bathurst Lithgow etc.) If the council is serious about having a street banner Policy these approaches must be included.

The Policy as presented does adequately set a policy for Banners on Horatio St and the only comments we would make are

- A. We see no problems with the Dimensions listed, however would suggest that the tennis court signs size be listed as a fixed size and not preferred, as this can be misinterpreted.
- B. As most of the markets in Mudgee are run by volunteers, it would be of great assistance if Market organizers could book their space 6 or 12 months in advance. As the markets and Council activities are planned 12 months in advance, this should be no problem.

A Street Banner policy also needs to address the problem of outside organizations and their street banner approach. We have seen in the last week Hudson's Circus absolutely flood Mudgee with their banners. These I believe detract from official banners and the appearance of Mudgee.

What We would like Council to consider!

At present, Banners are used by markets on the tennis courts as well as the fence outside Big W and the fence on St Johns Church grounds on the corner of Church and Short St, Market organizers also use a banner at the site of their Markets.

Option 1) The metal poles that council has erected at the tennis courts, and based its

Policy on, could easily be copied and erected on the Cnr. Church and Short St and Cnr. Market and Perry St. Council could then adopt its Street Banner Usage Policy to cover these areas.

This would give Council and Mudgee organizations a great opportunity for all visitors to Mudgee to be reached with banners.

Option 2) We would like council to consider, the next generation of street signs. This being large digital display signs. These signs could be erected on the Corner of Short & Church St, Market and Perry St and at the tennis courts.

The signs could then be used for what's on in Mudgee They are easily programmed and can display a wide variety of information. Today's Weather, What's on this weekend, even emergency information. They can be programmed for the message to change continually.

There are a few options Council could consider. The variable message sign, as seen outside Mudgee High. Or the full video tv screen style. The cost of these signs has dramatically reduced over the past few years and now a viable option to banners.

There is obviously a set up cost, but this would then benefit council and Mudgee organizations, in the ongoing cost and no need for printing Banners etc.

The use of Banners or some other means of Advertising Mudgee Markets to the tourist and Mudgee residence is vital for the ongoing success of Mudgee Markets.

We are available at any time to discuss signage further with council.

Regards

Garry Richards



Suite 569, 80 Market St Mudgee NSW 2850

Ph [REDACTED]

Please Note

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you are not the intended recipient you are hereby notified that any dissemination, distribution or copying of this email is strictly prohibited. If you have received this email in error please disregard the contents of the email, delete the email and notify the author immediately. Thank you.



Street Banner Usage Policy

*a prosperous
and progressive
community*

ADOPTED		VERSION NO	VERSION 3.1
COUNCIL MEETING MIN	94/24	REVIEW DATE	JUNE 2028
DATE:	15 MAY 2024	FILE NUMBER	ECO800001

Objective

Mid-Western Regional Council's banner program is designed to:

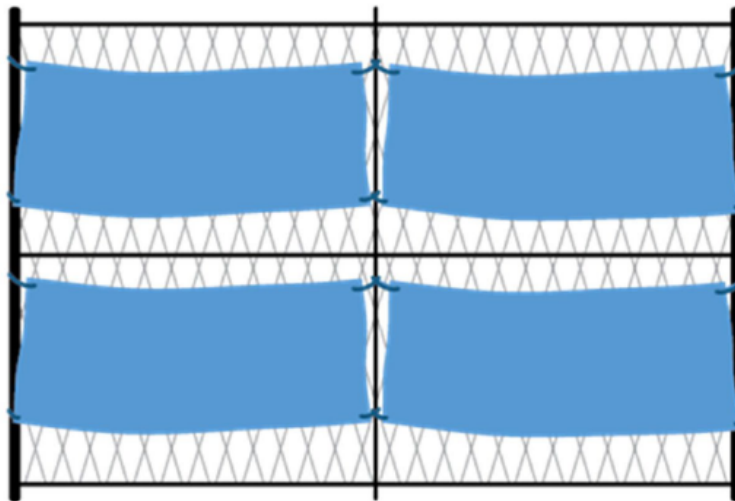
- Promote significant events in the Mid-Western Region
- Visually enhance the Mudgee and Gulgong Streetscape, whilst being consistent and on brand with the Mid-Western Region
- Promote major events identified on the MWRC major events calendar
- Stimulate local economic activity and promote the region as a great place to live, work, invest and visit

Policy

- Street banner poles/locations within the Mid-Western LGA:
 - Mudgee: Horatio Street x 10
 - Mudgee: Tennis Courts (Cnr Horatio and Church Streets) x 1 booking
 - Gulgong: Castlereagh Hwy (near the intersection of Caledonia Street) x 5
 - Gulgong: Castlereagh Hwy (near the intersection of Guntawang Street) x 5
- Dimensions:
 - Horatio Street: 1400mm x 1000mm
 - Gulgong (Caledonia Street): 1800mm x 1000mm
 - Gulgong: (Guntawang Street): 1800mm x 1000mm
- Tennis Court Banner:
 - Size to be 2700 (w) x 900 (h)mm with eyelets in each corner and must be secured to the banner poles on site
 - Not project more than 100mm from the fence, and
 - Not be higher than 5m above ground level (existing), and
 - Not be permanently fixed to the fence, and
 - Not be illuminated, and

POLICY: STREET BANNER POLICY | ERROR! REFERENCE SOURCE NOT FOUND., 15 MAY 2024

- Not be displayed earlier than 14 days before the event, and
- Be removed within 2 days after the event
- No more than 4 x banners to be booked/installed at any one time and not intrude into other positions. Please refer to image for positions.



- Use of the banner locations is restricted to Council, Federal and State Government Departments, recognised “not for profit” or community organisations and organisers of community and major events (recognised on the MWRC major events calendar) within the Mid-Western LGA. Commercial promotions are not permitted.
- Council usage of street banner poles shall take priority over all other bookings.
- External organisations may make applications to book street banner locations when not in use for Council events and activities.
- Street banners can be booked using the following process:
 - Contact MWRC Customer Service on 6378 2850
 - Complete the street banner booking form, available online or through Customer Service
 - The booking period is to be negotiated with Council and will be dependent on other bookings and use of banner poles for council promotions. The maximum booking period is six weeks.
 - Council reserves the right to decline any booking request that is not consistent with the purposes of this policy.
- All banner costs, design and production is the responsibility of the hirer and must be of professional standards.
- All artwork requires approval by Council prior to printing.
- Installation of banners is the sole responsibility of the hirer. Hirers are required to remove any existing Council banners at the time of installing banners and replace them at the conclusion of the hire period. Council accepts no responsibility for the installation of banners.

POLICY: STREET BANNER USAGE POLICY | ERROR! REFERENCE SOURCE NOT FOUND., ERROR! REFERENCE SOURCE NOT FOUND.

- Banners must be removed no later than 48 hours following the event which is being promoted. Failure to do so will result in Council removing the banners with all costs passed on to the hirer. Banners installed without an approved booking will also be removed and associated cost passed onto the owning organisation.
- Logo recognition on banners must be limited to a maximum of 10 per cent of the size of the banner. The preferred logo placement is along the bottom of the banner. No more than three sponsor logos are allowed per banner.
- It is recommended that banner design remains generic in order for hirers to re-use banners in future years and reduce costs of banner production.
- Should any damage occur to a banner for circumstances such as extreme weather conditions, vandalism, or any other circumstances which makes a banner unsafe or unsightly the hirer is to remove banner at the earliest opportunity.
- Council is not liable for any damage to, or loss of, any banner during the period that the banners are on display or being erected or removed.

Item 9: Corporate Services

9.1 Draft Financial Statements 2023/24

REPORT BY THE CHIEF FINANCIAL OFFICER
TO 16 OCTOBER 2024 ORDINARY MEETING
GOV400098, FIN300446

RECOMMENDATION

That Council:

1. receive the report by the Chief Financial Officer on the Draft Financial Statements 2023/24;
 2. resolve that in its opinion the General Purpose Financial Statements and Special Purpose Financial Statements for the year ended 30 June 2024:
 - 2.1 have been prepared in accordance with the Local Government Act 1993, the Local Government (General) Regulation 2021, the Australian Accounting Standards, and the Local Government Code of Accounting Practice and Financial Reporting;
 - 2.2 present fairly the Council's financial position and operating result for the year;
 - 2.3 accord with the Council's accounting and other records; and
 - 2.4 do not contain any known matter that would make the financial statements false or misleading in any way
 3. authorise the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer to sign the Statement by Councillors and Management on its opinion of the General Purpose Financial Report 2023/24 and Special Purpose Financial Report 2023/24;
 4. authorise the General Manager to issue the 2023/24 Financial Reports immediately upon receipt of the Auditors Report; and
 5. authorise the General Manager to finalise the date at which the Auditors Report and Financial Statements for 2023/24 are to be presented to the public.
-

Executive summary

Council is required to prepare financial reports for each year and refer them to audit as soon as practicable. Council is required to endorse the draft financial reports for referral to audit. The audit of the 2023/24 financial reports commenced on 23 September 2024.

Disclosure of Interest

Nil

Detailed report

The attached draft financial reports have been prepared in accordance with the legislated requirements included in this report. Also attached is a drafted copy of the management representation letter. Providing a copy of this draft letter shows the Council the statements the General Manager and Responsible Accounting Officer plan on making to the external auditors about the preparation of the financial statements for 30 June 2024.

The attached draft financial statements are not available to the public until after Council's auditor has provided an independent audit report. It is recommended that Council authorise the General Manager to issue the financial reports immediately upon receipt of the auditors' report, subject to there being no material audit changes or audit issues.

It is recommended that Council authorise the General Manager to finalise the date at which the auditors' report and financial statements are to be presented to the public. It is anticipated that this presentation will occur at the Council meeting of 20 November 2024.

Community Plan implications

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

Strategic implications

Council Strategies

Not Applicable

Council Policies

Not Applicable

Legislation

Section 413 of the Local Government Act 1993 requires that:

1. A council must prepare financial reports for each year, and must refer them for audit as soon as practicable (having regard to the requirements of section 416 (1)) after the end of that year.

Council's financial reports must include the following:

- a) a general purpose financial report;
- b) any other matters prescribed by the regulation; and
- c) a statement in the approved form by the council as to its opinion on the general purpose financial report.

The general purpose financial report must be prepared in accordance with this Act and the regulations and the requirements of:

- a) the publications issued by the Australian Accounting Standards Board, as in force for the time being, subject to the regulations; and
- b) such other standards as may be prescribed by the regulations.

Section 416 of the Local Government Act 1993 requires that:

1. A council's financial reports for a year must be prepared and audited within the period of 4 months after the end of that year.

Council's financial reports must be prepared in accordance with the requirements of:

- a) the Australian Accounting Standards and professional pronouncements;
- b) the Local Government Code of Accounting Practice and Financial Reporting; and
- c) the Local Government Act 1993 and the Regulations.

Section 215(1) of the Local Government (General) Regulation 2021 requires that the statement by Council as to its opinion on the financial reports must be made by resolution of the Council and be signed by the Mayor, at least one other member of Council, the General Manager and the Responsible Accounting Officer. The statement must indicate:

- a) whether or not Council's annual financial reports have been drawn up in accordance with the required Standards and Regulations;
- b) whether or not those reports present fairly Council's financial position and operating result for the year;
- c) whether or not those reports accord with the Council's accounting and other records;
- d) whether or not the signatories know of anything that would make those reports false or misleading in any way; and
- e) include such information and explanations as will prevent those reports from being misleading because of any qualification that is included in the statement.

Financial implications

The cost of preparing and auditing the Financial Statements is already included in the Operational Plan; no budgetary changes are anticipated at this stage.

Associated Risks

There is a risk of material misstatement in the Financial Reports, which is mitigated by the following:

- Completion by qualified professionals;
- Fraud controls;
- Financial compliance procedures; and
- External audit.

Should a material change be required before the audit report is issued, the Financial Statements will be required to come back to Council for confirmation.

NEIL BUNGATE
CHIEF FINANCIAL OFFICER

LEONIE VAN OOSTERUM
DIRECTOR CORPORATE SERVICES

5 August 2024

Attachments:

1. Draft General Purpose Financial Statements 2024. (Confidential - separately attached)
2. Draft Special Purpose Financial Statements 2024. (Confidential - separately attached)
3. Draft Management Representation Letter 2024. (Confidential - separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

9.2 Grants Commission Financial Assistance Grant 2024-25

REPORT BY THE FINANCIAL PLANNING COORDINATOR
 TO 16 OCTOBER 2024 ORDINARY MEETING
 GOV400103, GRA600041

RECOMMENDATION

That Council:

1. receive the report by the Financial Planning Coordinator on the Grants Commission Financial Assistance Grant 2024-25;
2. note the correspondence received from the Local Government Grants Commission attached to this report;
3. amend the 2024/25 Budget to recognise a transfer from other internal restrictions due to the advance payment of part of the 2024/25 financial assistance grant being a general-purpose component of \$4,776,604 and local roads component of \$2,749,685 and offset with an equal amount of reduction in grant income; and
4. amend the 2024/25 Budget to decrease grant income for the general-purpose component by \$4,831,258 and the roads component by \$2,805,951.

Executive summary

Council has received the attached letter from the Local Government Grants Commission regarding financial assistance grants (FAGs). The letter advises that Mid-Western Regional Council's 2024/25 financial assistance grant estimated entitlement is an increase of 5.4% compared to the 2023/24 final entitlement. Based on this advice it is recommended to amend Council's 2024/25 budget to recognise the carry forward of the advance payment made in 2023/24 financial year to 2024/25 and to recognise the less than budgeted grant income for the 2024/25 allocation. This is a net decrease of grant funding by \$ 110,920.

Disclosure of Interest

Nil

Detailed report

The Council's 2024/25 financial assistance grant estimated entitlement compared to 2023/24 final entitlement is as follows:

Council's Financial Assistance Grants Entitlement:

Year	General Purpose	Local Roads	Total
2023/24 Payments	\$5,319,549	\$3,077,415	\$8,396,964
2023/24 CPI/Population Adjustment	\$27,293	\$9,825	\$37,118
2023/24 final	\$5,346,842	\$3,087,240	\$8,434,082
2024/25 estimate	\$5,648,191	\$3,241,088	\$8,889,279

Council’s 2023/24 Financial Assistance Grants Payments Due:

Year	General Purpose	Local Roads	Total
2024/25 estimate	\$5,648,191	\$3,241,088	\$8,889,279
2023/24 CPI/Population Adjustment	\$27,293	\$9,825	\$37,118
2024/25 entitlement	\$5,675,484	\$3,250,913	\$8,926,397
2024/25 Advance Payment (Paid in June 2024)	\$4,776,604	\$2,749,685	\$7,526,289
2024/25 Anticipated Payments	\$898,880	\$501,228	\$1,400,108
Total Payments	\$5,675,484	\$3,250,913	\$8,926,397

Council’s current FAGs entitlement includes \$5,648,191 for the General Purpose component and \$3,241,088 for the Local Roads component. The 2024/25 payments are a total of \$8,926,397 after CPI/Population adjustment for the prior year.

Councils received approximately 85% percent of their estimated 2024/25 FAGs on 28 June 2024. Mid-Western Regional Council received a total of \$7,526,289 in advance and have accounted for this as internally restricted funds as at 30 June 2024.

Proposed Budget Variation:

Budget	General Purpose	Local Roads	Total
2024/25 entitlement	\$5,675,484	\$3,250,913	\$8,926,397
2024/25 Current Budget	\$5,730,138	\$3,307,180	\$9,037,318
2024/25 Proposed Budget Variation	-\$54,654	-\$56,267	-\$110,921

Council’s current budget includes \$5,730,138 for the General Purpose component and \$3,307,180 for the Local Roads component, a total of \$9,037,318. Therefore, the budget adjustments required are to decrease the General Purpose component by \$54,654 and Local Roads component by \$56,267 a total of \$110,921.

The letter also importantly highlights that:

SPECIAL SUBMISSIONS RELATING TO 2024-25 GRANTS

As usual, special submissions from councils will be considered by the Commission.

The purpose of a submission is to give council the opportunity to present information on the financial impact of inherent expenditure disadvantages beyond its control that are not generally recognised in the current methodology.

This allows the Commission to adequately consider all legitimate factors that affect council's capacity to deliver services.

It is not anticipated that a Special Submission is required at this time.

Community Plan implications

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

Strategic implications

Council Strategies

Not Applicable

Council Policies

Not Applicable

Legislation

Not Applicable

Financial implications

Budget Year	Operating Performance Ratio	Own Source Revenue	Building & Infrastructure Renewal
2024/25	x	✓	-
Future Years	-	-	-

Associated Risks

Not Applicable

AMANDA AVNELL
FINANCIAL PLANNING COORDINATOR

LEONIE VAN OOSTERUM
DIRECTOR CORPORATE SERVICES

23 August 2024

Attachments: 1. Financial Assistance Grants Council Letter.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



NSW Local Government Grants Commission
5 O'Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541

OUR REFERENCE: A908329
CONTACT: Helen Pearce
(02) 4428 4131
helen.pearce@olg.nsw.gov.au

Mr Brad Cam
General Manager
Mid-Western Regional Council

By email: Brad.Cam@midwestern.nsw.gov.au
cc: council@midwestern.nsw.gov.au

23 August 2024

Dear Mr Cam

In accordance with the NSW Local Government Grants Commission's (Commission) policy of providing information to councils about the way the financial assistance grants (FA Grants) are calculated, please find attached a summary of Council's 2024-25 estimated FA Grants entitlement (**Appendix A**).

2024-25 ESTIMATED ENTITLEMENTS

The national FA Grants total estimated entitlement for 2024-25 is \$3.27 billion and is made up of \$2.27 billion for the general purpose component (GPC) and \$1 billion for the local roads component (LRC). The national estimated entitlement for 2024-25 increased by \$161 million to account for final adjustments to the Consumer Price Index (CPI) and population shares for the year.

The Commonwealth Treasury's estimate of the CPI for 2024-25 was adjusted up in July 2024. When compared to the 2023-24 final adjusted amount, the total national estimated FA Grants for 2024-25 increased by almost 5%. Accordingly, the State's FA Grants allocation for 2024-25 is slightly higher than last year, however the ongoing economic impact of the pandemic and other external factors are difficult to predict.

The national GPC was distributed across the states and territories on a population basis. NSW received 31.29% or \$710,159,793 in the GPC, which represents a 4.6% increase on last year's final figure. The LRC is based on a historical formula. NSW's share of the total national road funding is a fixed 29% share, or \$292.2 million, which represents a 4.96% increase. The total estimated entitlement for 2024-25 FA Grants NSW is just over \$1 billion.



EXTERNAL FACTORS IMPACTING THE GPC POOL OF FUNDS IN NSW

The Commonwealth decided to pause indexation for three years from 2014-15 to 2016-17 due to budget constraints. In 2021, the impact of the global economic downturn was closely followed by the Covid-19 pandemic. NSW also experienced devastating natural disasters, including bushfires and floods. During recent years, the Commission has been faced with these challenges, including a substantially reduced CPI in 2021. The CPI is trending upwards to 4.6% in 2024-25. But further fluctuations cannot be ruled out.

Change of Annual Grant Entitlements	CPI % Change GPC	# of LGAs on 0% or <0%
2012-13 Final and 2013-14 Estimated	3.4	22
2013-14 Final and 2014-15 Estimated no CPI	-0.2	72
2014-15 Final and 2015-16 Estimated no CPI	-0.2	75
2015-16 Final and 2016-17 Estimated no CPI	0.1	56
2016-17 Final and 2017-18 Estimated	3.6	10
2017-18 Final and 2018-19 Estimated	3.6	12
2018-19 Final and 2019-20 Estimated	4.0	10
2019-20 Final and 2020-21 Estimated GED	0.9	33
2020-21 Final and 2021-22 Estimated Covid	1.7	29
2021-22 Final and 2022-23 Estimated Covid	3.3	9
2022-23 Final and 2023-24 Estimated Covid	4.0	*18
2023-24 Final and 2024-25 Estimated	4.6	9

KEY
<i>Three years of paused CPI (only change applied was national movements in jurisdictional population shares)</i>
<i>Transition entered: # of LGAs on 0% or less had the -5% floor been retained</i>
<i>*8 metropolitan councils moved to the negative floor following unprecedented population decline as applying the per capita minimum produced a lower result than the negative floor. In 2024-25 metropolitan growth resumed</i>

Following the pandemic, population data flowed through particularly the 2023-24 grant calculations showing unprecedented population decline in some metropolitan areas. This resulted in eight metropolitan councils moving off the per capita minimum grant and instead, benefiting from the 0% floor, as councils cannot breach below 0% floor until the negative floor is resumed. This further demonstrates the need to expedite the pathway out of transition. This year, the same metropolitan councils resumed population growth and returned to the per capita minimum grant.

Council’s 2024-25 FA Grants estimated entitlement, compared to the 2023-24 final entitlement is as follows:

Mid-Western Regional Council				
Year	General Purpose	Local Roads	Total	Change
2023-24 final	\$5,346,842	\$3,087,241	\$8,434,083	
2024-25 est.	\$5,648,191	\$3,241,088	\$8,889,279	5.4%

To assist councils with budgets and bank reconciliations, a breakdown of the 2024-25 quarterly instalments is attached (**Appendix A**). The NSW Schedule of Payments is also attached (**Appendix B**).

IMPACT OF THE ADVANCE PAYMENTS

The Commonwealth Government decided to make an early payment of approximately 100% of the 2023-24 estimated FA Grant entitlement to help manage the cumulative impacts of the floods and the pandemic. The remainder of the funding (final adjustments for CPI and population shares from 2022-23) was paid to councils in 2023-24. As the funding was paid early, it was based on the prior year's FA Grant recommendations. Two metropolitan councils received LRC overpayments (refer to 2023-24 letter of advice). Adjustments were made to balance the payments, slightly underpaying other councils' LRCs in 2023-24.

That adjustment has been reversed in 2024-25 to ensure the over and under payments reconcile with actual recommended entitlements over the two-year period.

However, the Commission is concerned about the unpredictability the practice of advance payments creates. Councils' long-term and annual budgeting forecasts are subject to changes, and annual financial statement results can often be skewed. The latest development of overpayments is also beginning to impede the Commission's ability to make annual recommendations.

CHALLENGES IN FAIRLY DISTRIBUTING THE GPC FUNDS

As councils will be aware, the Commission is required to adhere to the National Principles which mandate a per capita grant based on population growth/decline. This inhibits the full application of the Horizontal Fiscal Equalisation Principle, to distribute the grants on the basis of greatest relative need. It is also the policy of the NSW Government to explore opportunities to direct grants to communities with the greatest relative need. The Commission has had regard to these policies in allocating the grants. The map contained in the 2024-25 Factsheet (**Appendix F**) identifies the rate of population change in NSW from 2001 to 2023.

Appendix E lists the revised expenditure categories, disadvantage factors and data sources used in calculating the expenditure allowance and the relative disadvantage allowance.

RESUMING THE ANNUAL NEGATIVE FLOOR ON THE GPC IN 2025-26

The Commission has been investigating ways to direct funds to councils with greatest relative need. Information about the methodology review and subsequent transition has been provided to councils, including about the recommendations for model refinements. The Commission will commence the pathway out of transition, resuming the negative floor in 2025-26. Further information about the transition and general information about the FA Grants can be found on the Commission's webpage:

<https://www.olg.nsw.gov.au/commissions-and-tribunals/#ggc>.

SPECIAL SUBMISSIONS 2024-25

Special submissions from councils are invited for consideration by the Commission. The purpose of a submission is to give councils the opportunity to present information on the financial impact of inherent expenditure disadvantages beyond councils' control that are not generally recognised in the current methodology. Please refer to the expenditure functions and Council's disadvantage factors listed in **Appendix A** and the proposed Isolation Allowance disadvantage factors in **Appendix D**. This process allows the Commission to adequately consider all legitimate factors that affect councils' capacity to deliver services.

Appendix C, titled **Guidelines for Special Submissions**, contains guidance for preparing submissions – please read the guidelines carefully.

Submissions should be e-mailed to the Commission at olg@olg.nsw.gov.au by **30 November 2024**.

ISOLATION ALLOWANCE REVIEW

The Commission is in the final stages of the Isolation Allowance review. The allowance needs modernising to keep pace with the current and future needs of the sector. To achieve this, the Commission has reviewed a broader range of cost drivers to funding needs for remote communities and those with greater distances between major regional centres and capital cities. The Commission has attached a list of proposed measures and is consulting with councils on its proposal prior to implementing any changes.

A MESSAGE OF CAUTION

There is no guarantee that a council will receive an increased FA Grant each year. There are many of changing and sometimes unpredictable variables, including a council's changing measure of relative disadvantage compared to the state average measure and the size of the total FA Grant pool.

The Commission has been advising councils of the need to return the GPC to a negative floor. This will result in some councils receiving less in the 2025-26 than they did in 2024-25. Given the impacts of unpredicted events since commencing the transition, including natural disasters and the pandemic, the Commission delayed resuming the negative floor to help temporarily stabilise the FA Grants. Councils have been consulted and have now been given seven years to prepare. It is no longer sustainable to protect those councils with greatest relative advantage. The pathway out of transition is essential to distribute the GPC more fairly, allowing greater application of the HFE, consistent with the National Principles and NSW policy.

I would ask that this letter please be tabled at the next Council meeting.

If you have any questions concerning these matters, please contact me on (02) 4428 4131.

Yours sincerely



Helen Pearce
Executive Officer

9.3 Monthly Statement of Investments as at 31 August 2024

REPORT BY THE FINANCIAL PLANNING COORDINATOR
TO 16 OCTOBER 2024 ORDINARY MEETING
GOV400105, FIN300053

RECOMMENDATION

That Council:

1. receive the report by the Financial Planning Coordinator on the Monthly Statement of Investments as at 31 August 2024; and
2. note the certification of the Responsible Accounting Officer.

Executive summary

The purpose of this report is to certify that Council's investments have been made in accordance with legal and policy requirements, provide information on the detail of investments and raise other matters relevant to Council's investment portfolio as required.

Disclosure of Interest

Nil

Detailed report

The attachment to this report provides information on the performance of the portfolio and provides a register of all investments held as at 31 August 2024.

It is noted that the July 2024 report presented at the 14 August Council meeting was a draft report as the TCorp managed fund balance were not finalised at the time of publishing the report. The balance has since been finalised. At the time the report was published, draft balances for the TCorp managed funds were \$11,627,528. The finalised balances for the TCorp balances at 31 July are now \$11,721,193.

Community Plan implications

Theme	Good Government
Goal	An effective and efficient organisation
Strategy	Prudently manage risks associated 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 2021 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 and the regulations.

Financial implications

Not Applicable

Associated Risks

Not Applicable

AMANDA AVNELL
FINANCIAL PLANNING COORDINATOR

LEONIE VAN OOSTERUM
DIRECTOR CORPORATE SERVICES

6 September 2024

Attachments: 1. Investment Report - August 2024.

APPROVED FOR SUBMISSION:

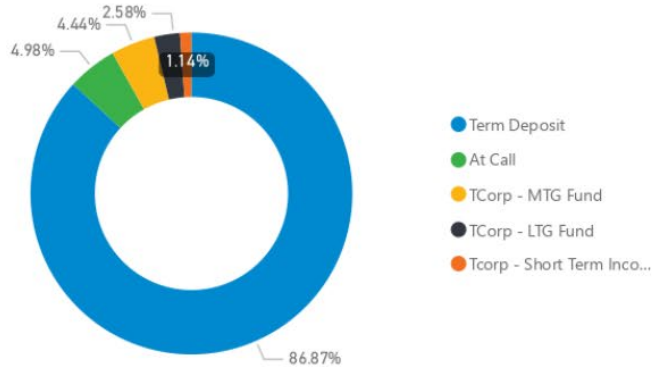
BRAD CAM
GENERAL MANAGER

Mid-Western Regional Council Cash and Investments as at 31 August 2024

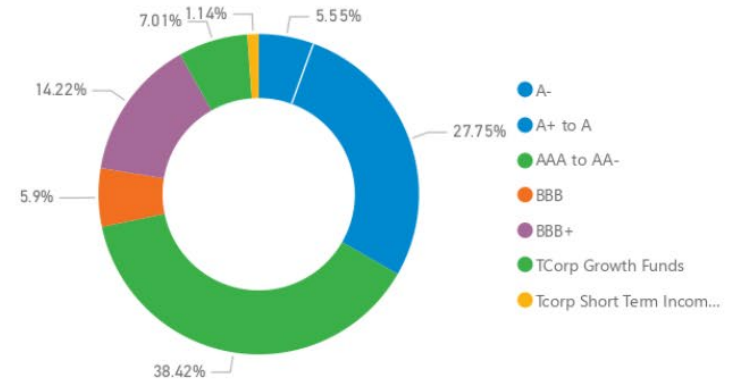
Total Investment Portfolio (\$)

144.13M

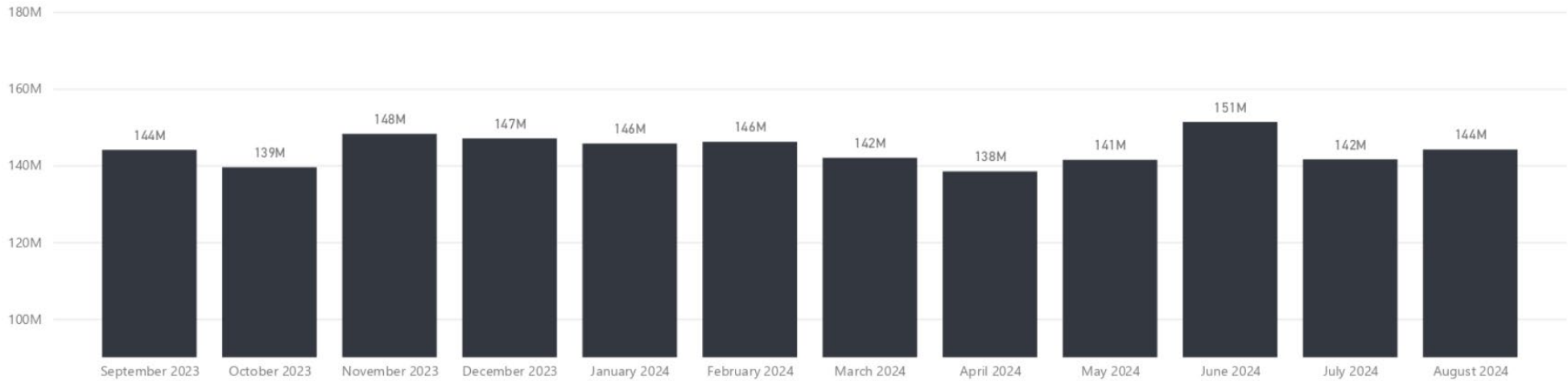
Investments by Type

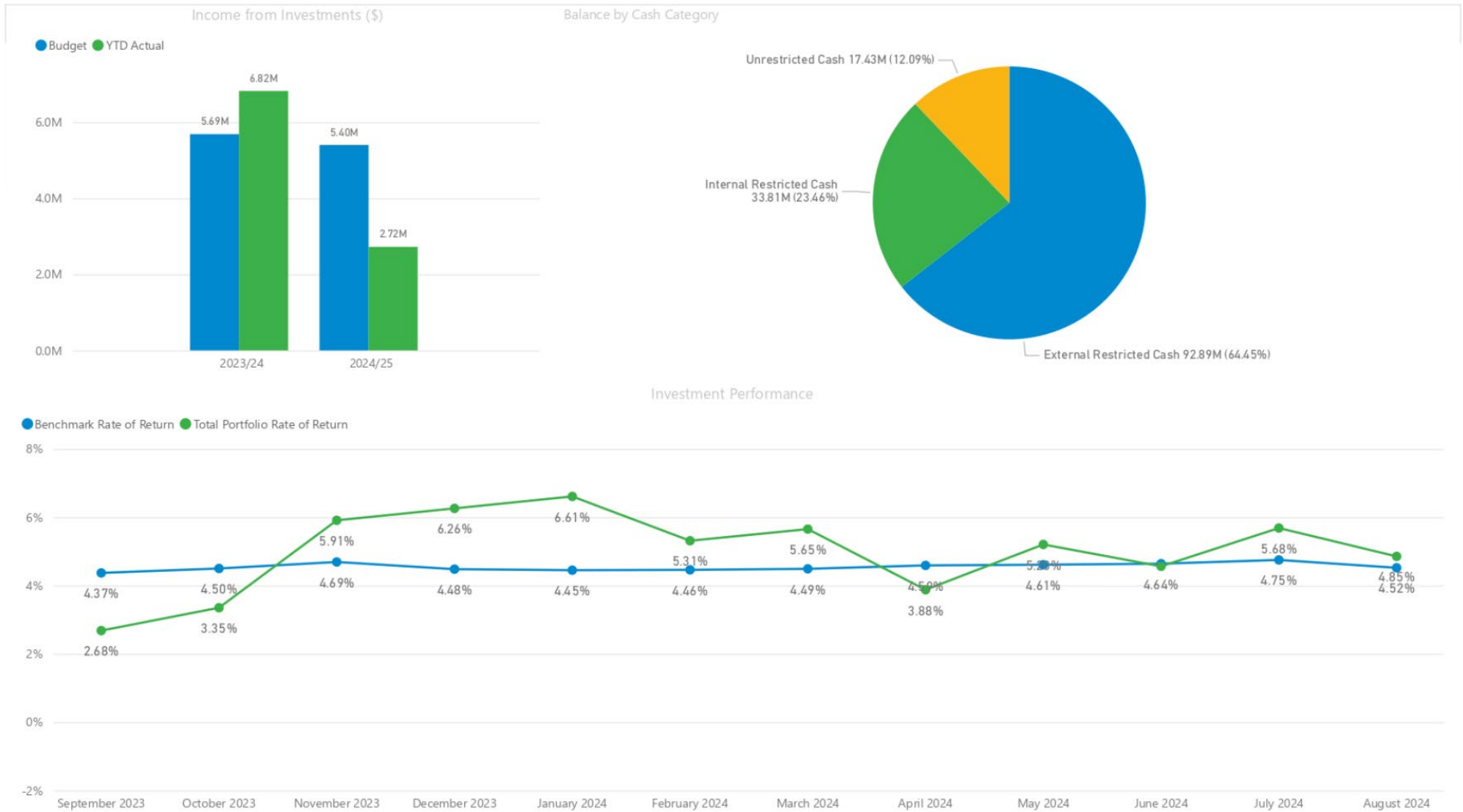


Investments by Long Term Rating



Portfolio Balance at End of Month (\$)





At Call Fund and Managed Funds

Institution	Yield	Principal Amount	Term to Maturity
NAB	4.50%	\$ 7,175,960	0
TCorp - Long Term Gr	3.00%	\$ 3,711,950	5
TCorp - Medium Term	3.00%	\$ 6,393,058	5
Tcorp - Short Term Inc	3.00%	\$ 1,644,190	5
Total		\$ 18,925,158	

Current Term Deposits

Institution	Yield	Principal Amount	Term to Maturity
AMP	5.02%	\$ 4,000,000	298
Australian Unity	5.50%	\$ 2,000,000	95
Australian Unity	5.10%	\$ 3,500,000	221
Bank Of Queensland	5.62%	\$ 1,500,000	4
Bank Of Queensland	5.28%	\$ 2,500,000	67
Bank Of Queensland	5.40%	\$ 2,000,000	88
Bank Of Queensland	5.62%	\$ 2,000,000	18
Bank Vic	5.28%	\$ 1,500,000	270
Bank Vic	5.33%	\$ 2,000,000	452
Bank Vic	5.33%	\$ 2,000,000	473
CBA	0.85%	\$ 2,500,000	53
CBA	0.77%	\$ 1,000,000	11
CBA	5.36%	\$ 2,400,000	46
Defence Bank	5.25%	\$ 2,500,000	172
G&C Mutual	5.35%	\$ 1,500,000	249
G&C Mutual	5.36%	\$ 1,000,000	319
G&C Mutual	5.13%	\$ 3,000,000	361
Great Southern Bank	5.16%	\$ 2,000,000	165
ING	5.10%	\$ 3,500,000	193
ING	4.57%	\$ 2,500,000	39
ING	5.40%	\$ 3,000,000	669
ING	5.18%	\$ 3,000,000	837
ING	5.28%	\$ 3,000,000	466
ING	5.22%	\$ 2,000,000	137
ING	5.40%	\$ 4,000,000	501
MyState Bank	5.37%	\$ 2,000,000	263
MyState Bank	5.36%	\$ 2,000,000	109
NAB	4.49%	\$ 2,500,000	109
NAB	5.11%	\$ 3,000,000	11
NAB	5.22%	\$ 1,800,000	32
NAB	5.22%	\$ 2,500,000	60
NAB	5.15%	\$ 2,000,000	74
NAB	5.20%	\$ 3,000,000	102
NAB	5.20%	\$ 1,000,000	158
NAB	4.45%	\$ 2,000,000	25
NAB	5.30%	\$ 2,000,000	242
Rabo Bank	5.37%	\$ 2,500,000	277
Rabo Bank	5.35%	\$ 2,000,000	291
Rabo Bank	5.37%	\$ 2,000,000	305
Rabo Bank	5.36%	\$ 2,000,000	473
Rabo Bank	5.48%	\$ 4,000,000	333
Rabo Bank	5.39%	\$ 4,000,000	347
Rabo Bank	5.02%	\$ 2,500,000	270

Institution	Yield	Principal Amount	Term to Maturity
Westpac	4.89%	\$ 2,500,000	151
Westpac	4.88%	\$ 4,000,000	725
Westpac	5.28%	\$ 1,000,000	53
Westpac	5.44%	\$ 1,500,000	81
Westpac	5.34%	\$ 2,000,000	312
Westpac	5.10%	\$ 2,500,000	130
Westpac	4.98%	\$ 2,000,000	298
Westpac	5.19%	\$ 2,000,000	179
Westpac	5.16%	\$ 2,500,000	207
Westpac	5.17%	\$ 2,500,000	235
Total		\$ 125,200,000	

Investment Portfolio Summary

Term to Maturity	Amount	Actual	Cumulative Actual	Cumulative Minimum	Policy Compliance
Less than 3 months	\$ 49,125,158	34%	34%	20%	OK
Between 3 months and 1 year	\$ 72,000,000	50%	84%	40%	OK
Between 1 year and 2 years	\$ 20,000,000	14%	98%	50%	OK
Between 2 years and 4 years	\$ 3,000,000	2%	100%	85%	OK
More than 5 years	\$ -	0%	100%	0%	OK
Total	\$ 144,125,158				

Long Term Rating	Institution	Policy Limit	Policy Compliance (Institution)	% of Portfolio	Amount
AA-	CBA	40%	OK	4%	\$ 5,900,000
	NAB	40%	OK	19%	\$ 26,975,960
	Westpac	40%	OK	16%	\$ 22,500,000
A	ING	20%	OK	15%	\$ 21,000,000
	Rabo Bank	20%	OK	13%	\$ 19,000,000
BBB+	Australian Unity	10%	OK	4%	\$ 5,500,000
	Bank Vic	10%	OK	4%	\$ 5,500,000
	G&C Mutual	10%	OK	4%	\$ 5,500,000
	MyState Bank	10%	OK	3%	\$ 4,000,000
BBB	AMP	5%	OK	3%	\$ 4,000,000
	Defence Bank	5%	OK	2%	\$ 2,500,000
	Great Southern Bank	5%	OK	1%	\$ 2,000,000
	TCorp - Long Term Growth Fund	15%	OK	3%	\$ 3,711,950
TCorp Growth Funds	TCorp - Medium Term Growth Fund	15%	OK	4%	\$ 6,393,058
	Tcorp - Short Term				
Tcorp Short Term Income	Income Fund	15%	OK	1%	\$ 1,644,190
	Bank Of Queensland	20%	OK	6%	\$ 8,000,000
Grand Total				100%	\$ 144,125,158

Long Term Rating Group	Credit Policy Limit	Policy Compliance (SP Group)	% of Portfolio	Amount
AAA to AA- BBB+	100% OK		38%	\$ 55,375,960
BBB	20% OK		14%	\$ 20,500,000
TCorp Growth Funds Tcorp Short Term Income Fund	5% Over Limit		6%	\$ 8,500,000
A+ to A	15% OK		7%	\$ 10,105,008
A-	15% OK		1%	\$ 1,644,190
	50% OK		28%	\$ 40,000,000
	40% OK		6%	\$ 8,000,000
Grand Total			100%	\$ 144,125,158

Monthly Investment Portfolio Activity

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

Bank Accounts	Opening Balance	Movement	Closing Balance
NAB (At call account)	5,127,988	2,047,972	7,175,960
TCorp - Cash Fund	-	-	-
TCorp - Long Term Growth Fund	3,697,865	14,085	3,711,950
TCorp - Medium Term Growth Fund	6,385,953	7,104	6,393,058
TCorp - Short Term Income Fund	1,637,375	6,815	1,644,190
Total	16,849,181	2,075,977	18,925,158

The below table shows matured term deposits

Institution	Yield	Maturity Date	Principal Amount	Total Interest Amount
Australian Unity	5.60%	7/08/2024	1,000,000	63,364
Westpac	5.05%	14/08/2024	1,000,000	74,574
Bendigo & Adelaide Bank	5.30%	14/08/2024	2,000,000	126,038
Bank Of Queensland	5.52%	21/08/2024	1,500,000	93,689
NAB	0.80%	28/08/2024	1,500,000	36,132
NAB	5.13%	28/08/2024	2,000,000	53,127
Total			9,000,000	446,924

The below table shows new term deposits

Institution	Yield	Maturity Date	Principal Amount	Total Interest Amount
G&C Mutual	5.13%	27/08/2025	3,000,000	162,333
Rabo Bank	5.02%	28/05/2025	2,500,000	96,274
AMP	5.02%	25/06/2025	4,000,000	165,591
Total			9,500,000	424,198

9.4 Monthly Statement of Investments as at 30 September 2024

REPORT BY THE FINANCIAL PLANNING COORDINATOR
TO 16 OCTOBER 2024 ORDINARY MEETING
GOV400105, FIN300053

RECOMMENDATION

That Council:

1. receive the report by the Financial Planning Coordinator on the Monthly Statement of Investments as at 30 September 2024; and
2. note the certification of the Responsible Accounting Officer.

Executive summary

The purpose of this report is to certify that Council's investments have been made in accordance with legal and policy requirements, provide information on the detail of investments and raise other matters relevant to Council's investment portfolio as required.

Disclosure of Interest

Nil

Detailed report

The attachment to this report provides information on the performance of the portfolio and provides a register of all investments held as at 30 September 2024.

Community Plan implications

Theme	Good Government
Goal	An effective and efficient organisation
Strategy	Prudently manage risks associated 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 2021 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 and the regulations.

Financial implications

Not Applicable

Associated Risks

Not Applicable

AMANDA AVNELL
FINANCIAL PLANNING COORDINATOR

LEONIE VAN OOSTERUM
DIRECTOR CORPORATE SERVICES

6 September 2024

Attachments: 1. Investment Report - September 2024.

APPROVED FOR SUBMISSION:

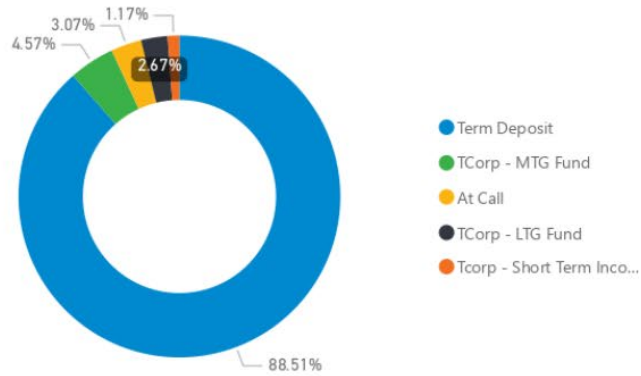
BRAD CAM
GENERAL MANAGER

Mid-Western Regional Council Cash and Investments as at 30 September 2024

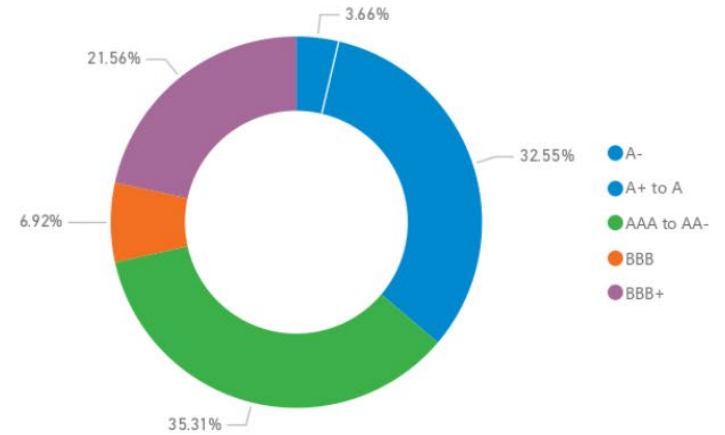
Total Investment Portfolio (\$)

140.88M

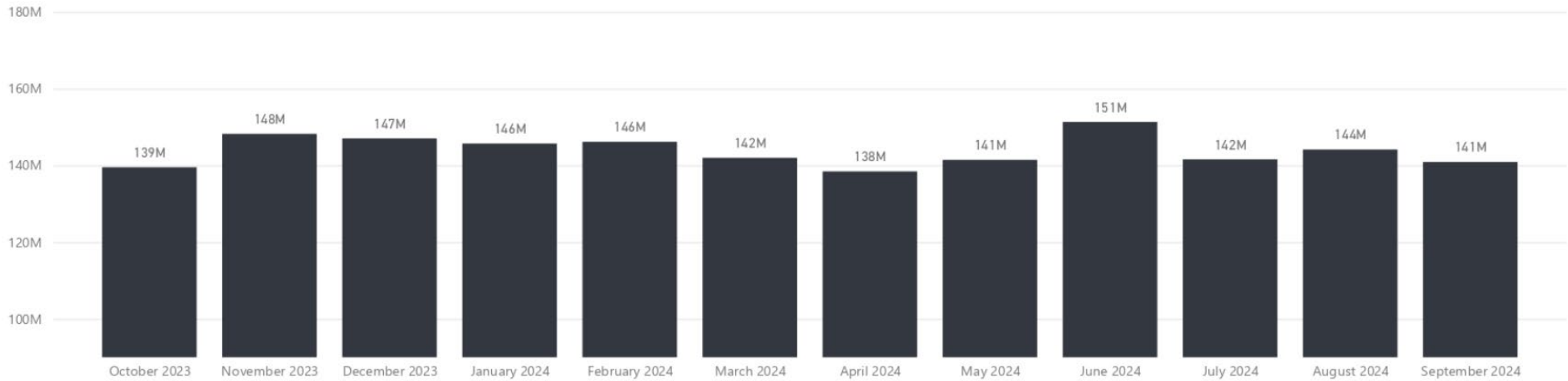
Investments by Type

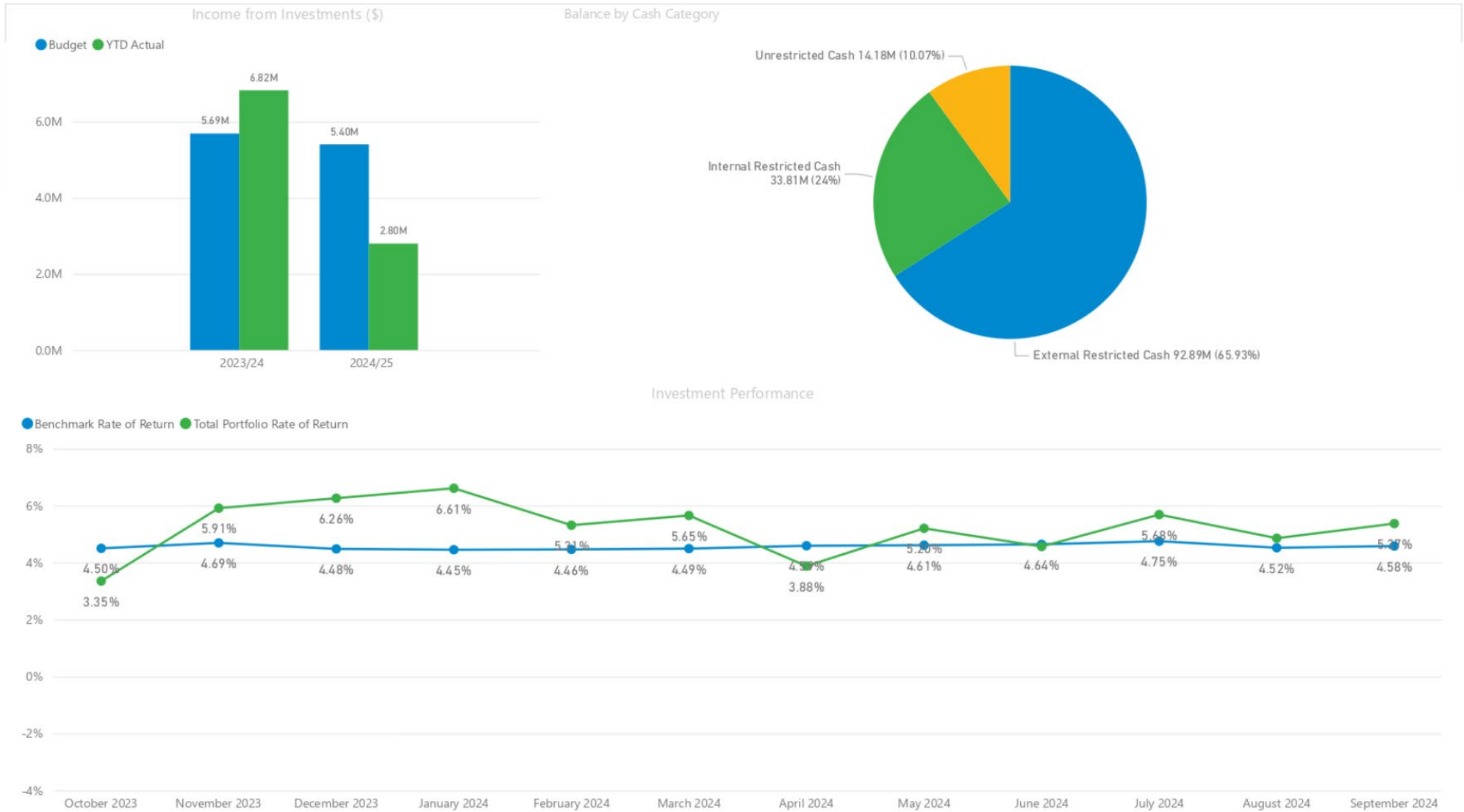


Investments by Long Term Rating



Portfolio Balance at End of Month (\$)





Investment Portfolio Summary

Term to Maturity	Amount	Actual	Cumulative Actual	Cumulative Minimum	Policy Compliance
Less than 3 months	\$ 28,400,000	23%	23%	20%	OK
Between 3 months and 1 year	\$ 71,500,000	58%	81%	40%	OK
Between 1 year and 2 years	\$ 20,000,000	16%	98%	50%	OK
Between 2 years and 4 years	\$ 3,000,000	2%	100%	85%	OK
More than 5 years	\$ -	0%	100%	0%	OK
Total	\$ 122,900,000				

Long Term Rating	Institution	Policy Limit	Policy Compliance (Institution)	% of Portfolio	Amount
AA-	CBA	40%	OK	4%	\$ 4,900,000
	NAB	40%	OK	13%	\$ 16,000,000
	Westpac	40%	OK	18%	\$ 22,500,000
A	ING	20%	OK	17%	\$ 21,000,000
	Rabo Bank	20%	OK	15%	\$ 19,000,000
BBB+	Australian Unity	10%	OK	4%	\$ 5,500,000
	Bank Vic	10%	OK	9%	\$ 11,500,000
	G&C Mutual	10%	OK	4%	\$ 5,500,000
	MyState Bank	10%	OK	3%	\$ 4,000,000
BBB	AMP	5%	OK	3%	\$ 4,000,000
	Defence Bank	5%	OK	2%	\$ 2,500,000
	Great Southern	5%	OK	2%	\$ 2,000,000
A-	Bank Of	20%	OK	4%	\$ 4,500,000
Grand Total				100%	\$ 122,900,000

Long Term Rating Group	Credit Policy Limit	Policy Compliance (SP Group)	% of Portfolio	Amount
AAA to AA-	100%	OK	35%	\$ 43,400,000
BBB+	20%	Over Limit	22%	\$ 26,500,000
BBB	5%	Over Limit	7%	\$ 8,500,000
A+ to A	50%	OK	33%	\$ 40,000,000
A-	40%	OK	4%	\$ 4,500,000
Grand Total			100%	\$ 122,900,000

Monthly Investment Portfolio Activity

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

Bank Accounts	Opening Balance	Movement	Closing Balance
NAB (At call account)	7,175,960	- 2,844,729	4,331,231
TCorp - Cash Fund	-	-	-
TCorp - Long Term Growth Fund	3,711,950	46,351	3,758,302
TCorp - Medium Term Growth Fund	6,393,058	46,616	6,439,674
TCorp - Short Term Income Fund	1,644,190	7,787	1,651,976
Total	18,925,158	- 2,743,974	16,181,184

The below table shows matured term deposits

Institution	Yield	Maturity Date	Principal Amount	Total Interest Amount
Bank Of Queensland	5.62%	4/09/2024	1,500,000	97,003
CBA	0.77%	11/09/2024	1,000,000	23,627
NAB	5.11%	11/09/2024	3,000,000	79,380
Bank Of Queensland	5.62%	18/09/2024	2,000,000	133,648
NAB	4.45%	25/09/2024	2,000,000	201,408
Total			9,500,000	535,067

The below table shows new term deposits

Institution	Yield	Maturity Date	Principal Amount	Total Interest Amount
Bank Vic	5.08%	5/03/2025	6,000,000	151,982
NAB	5.00%	14/05/2025	3,000,000	100,685
Total			9,000,000	252,667

At Call Fund and Managed Funds

Institution	Yield	Principal Amount	Term to Maturity
NAB	4.50%	\$ 4,331,231	0
TCorp - Long Term Gr	3.00%	\$ 3,758,302	5
TCorp - Medium Term	3.00%	\$ 6,439,674	5
Tcorp - Short Term Inc	3.00%	\$ 1,651,976	5
Total		\$ 16,181,184	

Current Term Deposits

Institution	Yield	Principal Amount	Term to Maturity
AMP	5.02%	\$ 4,000,000	268
Australian Unity	5.50%	\$ 2,000,000	65
Australian Unity	5.10%	\$ 3,500,000	191
Bank Of Queensland	5.28%	\$ 2,500,000	37
Bank Of Queensland	5.40%	\$ 2,000,000	58
Bank Vic	5.28%	\$ 1,500,000	240
Bank Vic	5.33%	\$ 2,000,000	422
Bank Vic	5.33%	\$ 2,000,000	443
Bank Vic	5.08%	\$ 6,000,000	156
CBA	5.36%	\$ 2,400,000	16
CBA	0.85%	\$ 2,500,000	23
Defence Bank	5.25%	\$ 2,500,000	142
G&C Mutual	5.35%	\$ 1,500,000	219
G&C Mutual	5.36%	\$ 1,000,000	289
G&C Mutual	5.13%	\$ 3,000,000	331
Great Southern Bank	5.16%	\$ 2,000,000	135
ING	5.10%	\$ 3,500,000	163
ING	5.40%	\$ 3,000,000	639
ING	4.57%	\$ 2,500,000	9
ING	5.18%	\$ 3,000,000	807
ING	5.28%	\$ 3,000,000	436
ING	5.22%	\$ 2,000,000	107
ING	5.40%	\$ 4,000,000	471
MyState Bank	5.37%	\$ 2,000,000	233
MyState Bank	5.36%	\$ 2,000,000	79
NAB	4.49%	\$ 2,500,000	79
NAB	5.22%	\$ 1,800,000	2
NAB	5.15%	\$ 2,000,000	44
NAB	5.20%	\$ 3,000,000	72
NAB	5.20%	\$ 1,000,000	128
NAB	5.22%	\$ 2,500,000	30
NAB	5.30%	\$ 2,000,000	212
NAB	5.00%	\$ 3,000,000	226
Rabo Bank	5.37%	\$ 2,500,000	247
Rabo Bank	5.35%	\$ 2,000,000	261
Rabo Bank	5.37%	\$ 2,000,000	275
Rabo Bank	5.36%	\$ 2,000,000	443
Rabo Bank	5.48%	\$ 4,000,000	303
Rabo Bank	5.39%	\$ 4,000,000	317
Rabo Bank	5.02%	\$ 2,500,000	240
Westpac	4.89%	\$ 2,500,000	121
Westpac	4.88%	\$ 4,000,000	695
Westpac	5.44%	\$ 1,500,000	51

Institution	Yield	Principal Amount	Term to Maturity
Westpac	5.34%	\$ 2,000,000	282
Westpac	5.10%	\$ 2,500,000	100
Westpac	4.98%	\$ 2,000,000	268
Westpac	5.19%	\$ 2,000,000	149
Westpac	5.28%	\$ 1,000,000	23
Westpac	5.16%	\$ 2,500,000	177
Westpac	5.17%	\$ 2,500,000	205
Total		\$ 124,700,000	

9.5 Community Grants Program - October 2024

REPORT BY THE ACCOUNTANT REPORTING & ANALYSIS
TO 16 OCTOBER 2024 ORDINARY MEETING
GOV400105, GRA600009

RECOMMENDATION

That Council:

1. **receive the report by the Financial Planning Co-ordinator on the Community Grants Program - October 2024; and**
2. **provide financial assistance to the following applications in accordance with the criteria and guidelines of the Community Grants Policy:**

Applicant	Recommended Amount \$
• Kandos Rylstone Men's Shed	963
• Rotary Club of Mudgee Inc and Rotary Club of Mudgee Sunrise Inc	5,000
• Kandos Rylstone Community Radio Inc.	10,000
• Gulgong Memorial Hall Committee	3,750
• Mudgee Arts Council Inc	3,245
• Mudgee Readers Festival	1,250
• Riding for the Disabled Association NSW Mudgee Centre	5,000
• Western Region Academy of Sport Inc (WRAS)	1,662
• Kandos Museum Inc	7,000

3. **not provide financial assistance to the following applicants for the reasons provided in the report**
 - **Northern NSW Helicopter Rescue Service Limited**
 - **Kandos Rylstone Film Society**

Executive summary

This report considers requests for financial assistance under Council's Community Grants Program Policy.

Provision is made in Council's Community Grants Program Policy to provide financial assistance to not-for-profit community-based organisations, groups and individuals that offer a significant contribution to community outcomes and goals as provided in the Towards 2040 Community Plan.

All applications except for those under the Youth Representative Grants and the Mudgee Sports Advisory categories were first reviewed for eligibility and then assessed by a panel of three staff against the following criteria relative to the amount of funding requested:

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

Even though an application meets the criteria it may be judged that there is not a significant enough benefit to the community in order to fund or fully fund the request. A summary of each application is shown below, together with panel recommendations.

Applicant	Project/Activity	Funding Request \$	Total Score out of 9	Recommended Amount \$
Kandos Rylstone Men's Shed	MWRC Rate relief	1,284	7	963
Kandos Rylstone Film Society	Indoor Screen Purchase and Installation	12,482	8	6,241
Rotary Club of Mudgee Inc and Rotary Club of Mudgee Sunrise Inc	Mudgee Showground Carol December 2024	8,500	9	5,000
Northern NSW Helicopter Rescue Service Limited	Contribution to fund an emergency aeromedical mission	1,000	7	0
Kandos Rylstone Community Radio Inc.	Monthly District Community Capers Newsletter	12,000	9	10,000
Gulgong Memorial Hall Committee	Gulgong Christmas celebration	5,000	7	3,750
Mudgee Arts Council Inc	Kidallon Ground keeping - Ride-on mower purchase	6,490	9	3,245
Mudgee Readers Festival	Annual readers festival events	1,250	8	1,250
Riding for the Disabled Association NSW Mudgee Centre	Providing the boys with a home	5,797	8	5,000
Western Region Academy of Sport Inc (WRAS)	Annual operation of the Western Region Academy of Sport	1,662	8	1,662
Kandos Museum Inc	Kandos Railway Station rates and garden activity support	12,525	7	7,000
Total				38,620

Disclosure of Interest

Nil

Detailed report

The information provided below gives more detail on each application and the scoring against the policy criteria.

Copies of all applications are provided as attachments to the report.

Kandos Rylstone Men's Shed

Kandos Rylstone Men's Shed requests \$1,284 for MWRC Rate relief. Rate relief to be used for day-to-day expenses incurred in the running of the shed. This will assist community work undertaken by the Men's Shed.

Link to Community Plan:1.1.3 Support networks, program and facilities which promote health and wellbeing and encourage healthy lifestyles 1.4.1 Support programs which strengthen the relationships between the range of community groups, 1.4.3 Provide equitable access to a range of places and spaces for all in the community

COMMUNITY GRANT CATEGORY

Community Grants Category - Inkind Grant: Cap \$ 5,000

RECOMMENDATION:

\$ 963

75% of the requested amount is recommended.

Kandos Rylstone Film Society

Kandos Rylstone Film Society requests \$12,482 for Indoor Screen Purchase and Installation. Install fixed audio-visual equipment, which can be used by all the community, and alleviate the heavy lifting of the existing set up in the Rylstone Memorial Hall.

Link to Community Plan:1.4.2 Support arts and cultural development across the Region 1.4.1 Support programs which strengthen the relationships between the range of community groups, 1.1.1 Maintain the provision of high quality, accessible community services that meet the needs of our community

COMMUNITY GRANT CATEGORY

Capital Grants Category: Cap \$25,001 or 50% of the project cost.

RECOMMENDATION:

\$ 0

This project is supported by Council. As the Rylstone Memorial Hall is Council owned it does not fall under Community Grants Program and will be completed under existing Rylstone Memorial Hall upgrade budget.

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

Rotary Club of Mudgee Inc and Rotary Club of Mudgee Sunrise Inc requests \$8,500 for Mudgee Showground Carol December 2024. Project/activity is annual celebration of Christmas for Mudgee community. The event gives Mudgee families and others the opportunity to come together to celebrate Christmas in an alcohol-free family environment. Santa lands on Showground in a Commercial Helicopter sponsored helicopter. The event concludes with a fantastic fireworks spectacular.

Link to Community Plan:1.4.1 Support programs which strengthen the relationships between the range of community groups 3.2.1 Promote the Region as a great place to live, work, invest and visit, 1.4.2 Support arts and cultural development across the Region

COMMUNITY GRANT CATEGORY

Community Grants Category - Community Events: Cap \$ 5,000

RECOMMENDATION:

\$ 5,000

Maximum cap amount is recommended.

Northern NSW Helicopter Rescue Service Limited

Northern NSW Helicopter Rescue Service Limited requests \$1,000 for Contribution to fund an emergency aeromedical mission. We seek your generous support to contribute to the costs of an aeromedical mission we undertake in the Mid-Western Council Region within the next year. The Westpac Rescue Helicopter is tasked for pre-hospital emergencies, inter hospital transfers when their condition is time critical or if they cannot be accessed by ground-based emergency services.

Link to Community Plan:1.1.1 Maintain the provision of high quality, accessible community services that meet the needs of our community 1.3.1 Provide infrastructure and services to cater for the current and future needs of our community, 1.1.3 Support networks, program and facilities which promote health and wellbeing and encourage healthy lifestyles

COMMUNITY GRANT CATEGORY

Community Grants Category - Specific Program/ Project: Cap \$10,000

RECOMMENDATION:

\$ 0

This program is not eligible for Community Grants under the policy as the program typically falls under the responsibility of another level of government being the NSW Health Department and NSW Ambulance.

Kandos Rylstone Community Radio Inc.

Kandos Rylstone Community Radio Inc. requests \$12,000 for Monthly District Community Capers Newsletter. Publish and distribute monthly community newsletter Community Capers across the region.

Link to Community Plan:1.4.1 Support programs which strengthen the relationships between the range of community groups 1.1.1 Maintain the provision of high quality, accessible community services that meet the needs of our community, 3.2.1 Promote the Region as a great place to live, work, invest and visit

COMMUNITY GRANT CATEGORY

Community Grants Category - Specific Program/ Project: Cap \$10,000

RECOMMENDATION:

\$10,000

Maximum cap amount is recommended.

Gulgong Memorial Hall Committee

Gulgong Memorial Hall Committee requests \$5,000 for Gulgong Christmas celebration. This is a community family event to celebrate Christmas for the residents of Gulgong and surrounding areas.

Link to Community Plan:1.1.1 Maintain the provision of high quality, accessible community services that meet the needs of our community 1.4.1 Support programs which strengthen the relationships between the range of community groups, 1.1.3 Support networks, program and facilities which promote health and wellbeing and encourage healthy lifestyles

COMMUNITY GRANT CATEGORY

Community Grants Category - Community Events: Cap \$ 5,000

RECOMMENDATION:

\$ 3,750

75% of the requested amount is recommended.

Mudgee Arts Council Inc

Mudgee Arts Council Inc requests \$6,490 for Kidallon Groundkeeping - Ride-on mower purchase. This grant would allow the Mudgee Arts Council to purchase a John Deere S120 ride-on mower for the maintenance of the community arts facility Kildallon Education Centre. The Arts Council, which rents Kildallon from MWRC, is a consortium of five community groups that use and manage this facility. The mower would assist us in better looking after this community asset.

Link to Community Plan:1.4.2 Support arts and cultural development across the Region 1.4.1 Support programs which strengthen the relationships between the range of community groups, 1.3.1 Provide infrastructure and services to cater for the current and future needs of our community

COMMUNITY GRANT CATEGORY

Capital Grants Category: Cap \$25,001 or 50% of the project cost

RECOMMENDATION:

\$ 3,245

50 % of the project cost is recommended.

Mudgee Readers Festival

Mudgee Readers Festival requests \$1,250 for Annual readers festival events. The volunteer led Mudgee Readers' Festival organises author talks and sessions over two days. Plus Book Lovers' Trivia Fundraising Night on 16/7/ 24

Link to Community Plan:1.4.2 Support arts and cultural development across the Region 3.2.1 Promote the Region as a great place to live, work, invest and visit, 1.4.1 Support programs which strengthen the relationships between the range of community groups

COMMUNITY GRANT CATEGORY

Community Grants Category - Community Events: Cap \$ 5,000

RECOMMENDATION:

\$ 1,250

Riding for the Disabled Association NSW Mudgee Centre

Riding for the Disabled Association NSW Mudgee Centre requests \$5,797 for Providing the boys with a home. Covering the agistment of 2 of the horses for RDA. It will enable our participants with disabilities from Mudgee and Gulgong the opportunity to have 5 horses available for equine therapy close at hand

Link to Community Plan:1.4.1 Support programs which strengthen the relationships between the range of community groups 1.3.1 Provide infrastructure and services to cater for the current and future needs of our community, 1.1.1 Maintain the provision of high quality, accessible community services that meet the needs of our community

COMMUNITY GRANT CATEGORY

Community Grants Category - Inkind Grant: Cap \$ 5,000

RECOMMENDATION:

\$ 5,000

Maximum cap amount is recommended.

Western Region Academy of Sport Inc (WRAS)

Western Region Academy of Sport Inc (WRAS) requests \$1,662 for Annual operation of the Western Region Academy of Sport. WRAS provides regional athletes and coaches with pathways to progress to higher levels of sports representation. Athletes receive intensive training sessions, education, sports performance support and elite level competition. WRAS member receive opportunities not necessarily available to other regional sportspeople.

Link to Community Plan:1.1.3 Support networks, program and facilities which promote health and wellbeing and encourage healthy lifestyles 1.3.1 Provide infrastructure and services to cater for the current and future needs of our community, 1.4.1 Support programs which strengthen the relationships between the range of community groups

COMMUNITY GRANT CATEGORY

Business Association Category: Cap \$10,000

RECOMMENDATION:

\$ 1,662

Kandos Museum Inc

Kandos Museum Inc requests \$12,525 for Kandos Railway Station rates and garden activity support. To enable the museum to continue to support the Kandos community through its use of and tending of the Kandos Railway Station. The station is at the entry point to the centre of Kandos and its appearance is a key determinant to how the township is regarded by visitors and locals alike. The station also plans a key role in community activities, such as Cementa, and it would be a poor reflection upon the town and LGA (and the owners) for the station to fall into disrepair as has happened so often elsewhere.

Link to Community Plan: 1.4.2 Support arts and cultural development across the Region 1.2.1 Respect and enhance the historic character of our Region and heritage value of our towns and villages, 3.2.1 Promote the Region as a great place to live, work, invest and visit

COMMUNITY GRANT CATEGORY

Community Grants Category - Specific Program/ Project: Cap \$10,000

RECOMMENDATION:

\$ 7,000

75% of the requested amount is recommended.

Community Plan implications

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

Strategic implications

Council Strategies

Not Applicable

Council Policies

Recommendations are made under the Community Grants Program Policy.

Legislation

In accordance with the Local Government Act 1993 Section 356 granting of financial assistance must be approved by a Council resolution.

Financial implications

Funding of \$110,000 is provided in the Operational Plan for financial assistance. Current balance remaining after the previous grant approved is \$81,310. Based on the scoring system above, and the recommendation of Council officers, an amount of \$38,620 in financial assistance is proposed. Should Council approve the recommendations in the report, an amount of \$42,690 remains in the budget.

Associated Risks

Not Applicable

SUMEDHA UPRETI
ACCOUNTANT REPORTING & ANALYSIS

LEONIE VAN OOSTERUM
DIRECTOR CORPORATE SERVICES

2 October 2024

Attachments: 1. Community Grants - October 2024 Attachment. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

9.6 Monthly Budget Review - September 2024 Budget Variations

REPORT BY THE FINANCIAL PLANNING COORDINATOR
TO 16 OCTOBER 2024 ORDINARY MEETING
GOV400098, FIN300315

RECOMMENDATION

That Council:

1. receive the report by the Financial Planning Coordinator on the Monthly Budget Review - September 2024 Budget Variations; and
2. amend the 2024/25 budget in accordance with the variations as listed in the Monthly Budget Review attachment to this report.

Executive summary

This report provides Council with initial budget variations to the 2024/25 Operational Plan. Proposed budget variations to the Budget with relevant financial implications are included in the attachment.

Disclosure of Interest

Nil

Detailed report

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

Community Plan implications

Theme	Good Government
-------	-----------------

Goal	An effective and efficient organisation
------	---

Strategy	Prudently manage risks associated with all Council activities
----------	---

Strategic implications

Council Strategies

Not applicable

Council Policies

Not applicable

Legislation

Clause 202 of the Local Government (General) Regulation 2021, 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

The budget variations proposed will impact the below financial ratios.

Budget Year	Operating Performance Ratio	Own Source Revenue	Building & Infrastructure Renewal
2024/25	x	-	-
Future Years	-	-	✓

Associated Risks

Not Applicable

AMANDA AVNELL
FINANCIAL PLANNING COORDINATOR

LEONIE VAN OOSTERUM
DIRECTOR CORPORATE SERVICES

2 October 2024

Attachments: 1. Monthly Budget Review- September 2024 Attachment. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

9.7 Quarterly Budget Review - June 2024

REPORT BY THE CHIEF FINANCIAL OFFICER
TO 16 OCTOBER 2024 ORDINARY MEETING
GOV400098, FIN300240

RECOMMENDATION

That Council:

1. **receive the report by the Chief Financial Officer on the Quarterly Budget Review - June 2024; and**
2. **note the opinion of the Responsible Accounting Officer regarding the satisfactory financial position of Council.**

Executive summary

This is the final budget review for the 2023/24 Operational Plan. The attachment to this report provides commentary on the unaudited financial position and performance against budget, as at 30 June 2024.

Disclosure of Interest

Nil

Detailed report

Whilst the Local Government Regulation 2005 does not require a budget review statement for the June quarter it is managements' determination that a review of the 2023/24 actual performance to approved budget is provided to Council. As the 2023/24 financial statements are currently in draft format the review has been performed against the unaudited balances. Some sections of the midyear Quarterly Budget Review Statement such as Income Statement, Balance Sheet and Key Financial Indicators have been removed as final reporting will be provided in the audited financial statements.

Once audited financial statements are presented to Council, the actual variances to the original budgets can be found on the Income Statement and the Statement of Cash Flows. The Material budget variations note also provides commentary on material variations.

Community Plan implications

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

Strategic implications

Council Strategies

Not Applicable

Council Policies

Not Applicable

Legislation

The Local Government (General) Regulation 2005 section 203(2) requires a budget review statement must include or be accompanied by:

- a) a report as to whether or not the responsible accounting officer believes that the statement indicates that the financial position of the council is satisfactory, having regards to the original estimate of income and expenditure; and
- b) if that position is unsatisfactory, recommendations for remedial action.

Financial implications

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

It is my opinion as the Responsible Accounting Officer that the financial position of Mid-Western Regional Council as at 30 June 2024 is satisfactory, having regard to the original estimates of income and expenditure, and actuals, for the 2023/24 financial year.

Associated Risks

Not Applicable

NEIL BUNGATE
CHIEF FINANCIAL OFFICER

LEONIE VAN OOSTERUM
DIRECTOR CORPORATE SERVICES

2 October 2024

Attachments: 1. Quarterly Budget Review attachments June 2024. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Item 10: Operations

10.1 Sealing of Crossings Road, Menah

REPORT BY THE WORKS TECHNICAL OFFICER
TO 16 OCTOBER 2024 ORDINARY MEETING
GOV400105, ROA100614

RECOMMENDATION

That Council:

1. receive the report by the Works Technical Officer on the Sealing of Crossings Road, Menah;
2. approve the sealing of the 730m length at 4 metres wide of Crossings Road with a contribution from the applicants for the cost of the seal and a condition that payment is received prior to any works commencing; and
3. amend the 2024/25 Operational Plan to include the sealing of Crossings Road for \$87,350 to be funded via \$35,350 from the applicants and an additional \$52,000 from unrestricted cash.

Executive summary

Crossings Road is classified as a local non-urban unsealed road that is maintained by Council and is situated off Tuckerman's Road, Menah. The residents along the road have requested sealing of the entire length under Council's *Bitumen Sealing of Gravel Roads Policy* where the applicants pay for the seal cost and Council completes re-sheeting and general preparation works required.

Disclosure of Interest

Nil

Detailed report

Council's *Bitumen Sealing of Gravel Roads Policy* makes provision for residents to apply to Council for consideration to seal sections of gravel road. The cost of the sealing is borne by the applicant while Council prepares the base ready for seal.

Crossings Road runs north off Tuckerman's Road, Menah. The seven applicants live along this length of the road. Sealing Crossings Road results in the full-length including cul-de-sac at the end being sealed.

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

It is acknowledged that sealing Crossings Road is not currently included in the 2024/25 *Operational Plan*. However, this report recommends approval for sealing because the residents are prepared to financially contribute.

Council Policies

The *Bitumen Sealing of Gravel Roads Policy* makes provision for the sealing of unsealed roads when the applicant pays for the cost of the seal.

Legislation

Not Applicable

Financial implications

The cost to undertake the capital upgrade is \$87,350. This involves a cost of \$52,000 to Council for the preparation of base, and a cost to the applicants of \$35,350 for the bitumen seal. It is recommended that Council's required \$52,000 be funded out of unrestricted cash.

The cost to Council is generally greater for a sealed road than for an unsealed road. The capital costs will increase overall, however as grading will no longer be necessary, the operating costs will decrease and improve the operating ratios in future years.

Budget Year	Operating Performance Ratio	Own Source Revenue	Building & Infrastructure Renewal
2023/24	✘	✔	-
Future Years	✔	-	✘

Associated Risks

This report sets a positive precedent in terms of residents contributing towards sealing of roads for their benefit, reducing the risk of future resident claims to seal roads without a contribution.

NICOLE CASSIDY
WORKS TECHNICAL OFFICER

JULIAN GEDDES
DIRECTOR OPERATIONS

30 September 2024

Attachments: 1. Map - Crossings Road.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Created on 30/09/2024 1:17 PM



Mid-Western Regional Council
 PO Box 126
 29 Maclean Street
 WARRONGEE NSW 2820
 Telephone 02 9278 2830
 Fax 02 9278 2813
 Email 60.2864@midwestern.nsw.gov.au

Important Notice!

This map is not a precise survey document. Accurate locations can only be determined by a survey on the ground. This information has been prepared for Council's internal purposes and for no other purpose. No statement is made about the accuracy or suitability of the information for use for any purpose (whether the purpose has been notified to Council or not). While every care is taken to ensure the accuracy of this data, neither the Mid-Western Regional Council nor the SS makes any representation or warranty, about its accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and all liability (including without limitation liability in negligence) for all expenses, losses, damages (including interest or consequential damages) and costs, which may occur as a result of the data being inaccurate or incomplete in any way and for any reason.
 © The State of New South Wales (Spatial Services). © Mid-Western Regional Council



Date: 30/09/2024 1:17 PM

Map Scale: 1:5664 at A4

10.2 Acceptance of Grant Funding - Towards Zero Safer Roads Program

REPORT BY THE WORKS TECHNICAL OFFICER
TO 16 OCTOBER 2024 ORDINARY MEETING
GOV400105, R0790090

RECOMMENDATION

That Council:

1. **receive the report by the Works Technical Officer on the Acceptance of Grant Funding - Towards Zero Safer Roads Program;**
2. **accept \$712,000 in funding from Towards Zero Safer Roads Program, Transport for NSW (TfNSW) for Audio Tactile Line Marking (ATLM) along Cope Road between Gulgong and Cope for a length of 19.42km;**
3. **amend the 2024-25 budget to include the funding for this project; and**
4. **authorise the General Manager to finalise and execute the funding agreement.**

Executive summary

The Towards Zero Safer Roads Program – Round 2 is a NSW Government-funded initiative aimed at improving road safety through the implementation of road safety infrastructure and speed management measures across the state.

Council submitted applications to Transport for NSW (TfNSW) for funding to support three separate road safety infrastructure projects and/or speed management initiatives under Round 2 of the program. One successful application was for \$712,000 in grant funding for Cope Road, which includes the installation of profile audio-tactile edge and centre line marking, as well as retro-reflective pavement markers (RRPMs) to enhance road delineation.

The Towards Zero Safer Roads Program does not require a co-contribution from Council, meaning the \$712,000 will cover the full cost of these safety improvements. It is recommended that Council accept this funding.

Disclosure of Interest

Nil

Detailed report

Cope Road has had a history of fatigue-related accidents on Cope Road, including a historic fatality in 2018. Council moved a motion to investigate funding opportunities for Audio Tactile Line Marking (ATLM) to enhance safety and help manage driver fatigue at its ordinary meeting 18/10/2023.

Council subsequently applied to the TfNSW Towards Zero Safer Roads Program (Round 2) for safety improvements on Cope Road and Ulan Road. The proposed enhancements included profile

audio-tactile edge and centre line marking, as well as retro-reflective pavement markers (RRPMs) to improve road delineation.

Audio Tactile Line Marking (ATLM), commonly known as rumble strips, create a vibration effect when a vehicle veers out of its travel lane, alerting the driver and allowing time to correct course and avoid a potential accident. Rumble strips have been proven to reduce crashes by 15 to 25 per cent, making them a highly effective safety measure. Additionally, Retroreflective Raised Pavement Markers (RRPMs) provide visual reflective aids to indicate lane boundaries, offer guidance for turning, and warn of potential hazards.

Council has received notification that we have been successful for Cope Road funding however we have not been advised of the outcome of the Ulan Road submission. It is recommended that Council accept this funding.

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

Roads Asset Management Plan

Council Policies

Not Applicable

Legislation

Roads Act 1993

Financial implications

The funding agreement will provide for 100% grant funding for the project. No contribution will be required to be made by Council. However, Audio Tactile Line Marking (ATLM) and Retroreflective Raised Pavement Markers (RRPMs) will have ongoing maintenance costs and both devices have a documented life of 10 years before requiring replacement, however, it is anticipated that they will last longer with maintenance required in areas they are hit frequently.

Budget Year	Operating Performance Ratio	Own Source Revenue	Building & Infrastructure Renewal
2024/25	-	X	-
Future Years	X	-	X

Associated Risks

Council staff will manage the installation risks associated with the project.

NICOLE CASSIDY
WORKS TECHNICAL OFFICER

JULIAN GEDDES
DIRECTOR OPERATIONS

10 October 2024

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Item 11: Community

11.1 MRT Quarterly Report - April to June 2024

REPORT BY THE ACTING DIRECTOR COMMUNITY
TO 16 OCTOBER 2024 ORDINARY MEETING
GOV400105, F0770077

RECOMMENDATION

That Council receive the report by the Acting Director Community on the MRT Quarterly Report - April to June 2024.

Executive summary

As per the funding and performance agreement entered into in July 2022 between Mudgee Regional Tourism (MRT) and Council, MRT is required to report quarterly to Council on their performance.

Disclosure of Interest

Nil

Detailed report

The MRT report for the final quarter of the 23/24 Financial Year has been delivered to Council in accordance with the funding and performance agreement. The report is attached for Council's consideration.

Community Plan implications

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

Strategic implications

Council Strategies

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

Council has a contract with MRT for the supply of tourism services within the Mid-Western Local Government Area. The term of this contract is for three years ending on 30 June 2025. Under this contract, MRT must provide quarterly reports to Council.

Council Policies

Not Applicable

Legislation

Not Applicable

Financial implications

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

Associated Risks

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

RACHEL GILL
ACTING DIRECTOR COMMUNITY

28 August 2024

Attachments: 1. MRT Quarterly MWRC Operational Report_Q4_FY24. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

11.2 Council Advisory Committees, External Committees, and other Committees

REPORT BY THE ACTING DIRECTOR COMMUNITY
TO 16 OCTOBER 2024 ORDINARY MEETING
GOV400087, A0110015

RECOMMENDATION

That Council:

1. **receive the report by the Acting Director Community on the Council Advisory Committees, External Committees, and other Committees; and**
2. **decide on the re-establishment of the Council Advisory Committees listed in the report; and**
3. **confirm the Councillor representatives or Council staff to Council Advisory Committees and External Bodies; and**
4. **endorse the request for appointment, if re-elected, of Councillor Dicker to the Central West Orana Renewable Energy Zone Community Reference Group.**

Executive summary

Council can if it so determines set up advisory committees which will be established pursuant to Section 355 of the *Local Government Act 1993* and then appoint/elect Councillors to these Committees.

The purpose of this report is to recommend re-establishing the Council Advisory Committees and confirm the required Councillor representatives for Advisory (Section 355) Committees or Council staff representatives and delegates to external Committees and bodies.

Disclosure of Interest

Nil

Detailed report

Section 355 of the *Local Government Act 1993* provides that Council's functions may be exercised by a Council Committee. Also, a Council may seek advice from others (be they individuals or groups/committees) to assist it in carrying out its functions.

Council has previously established several "355 Committees" to assist in carrying out its functions. Council needs to determine whether to continue with these Committees and their representation. This report recommends which Council Advisory Committees to re-establish and disband and confirm the required Councillor representatives or Council staff representatives for these committees. Council needs to determine who its delegates to these external committee's and other organisations are for the period September 2024 to August 2028, but before doing so needs to ensure that having a representative on these organisations and external committees has current relevance and value for the region.

The Central West Orana Renewable Energy Zone Community Reference Group currently does not have a Councillor representative. Councillor Dicker has requested, if re-elected to Council for the new Council term, be endorsed for appointment to represent Council on this Committee.

The motion to dissolve the Red Hill Advisory Committee at the 18 October 2023 Council meeting was carried (Min 258/23), and it is recommended not to reinstate this Committee.

It is further recommended not to reinstate the following committees:

- Australia Day Selection Committee – not a committee, this is more of a panel that meets once a year to decide winners.
- Botobolar Community Committee – does not form focus for Council, when originally established the Committee believed they would require Council’s insurance, however this is already covered since the building is Council owned. Any building issues can be submitted via a Works Request. If this Committee does get reinstated it is recommended to meet only twice per year.
- Gulgong Memorial Hall Committee – meetings focus on Christmas party planning and similarly, any building issues can be submitted via a Works Request.
- Rail Committee – due to Council having no responsibility and there being no path forward for a passenger train without freight.

Council Advisory Committees	Current Delegate(s)
Australia Day Selection Committee (Mayor, Deputy Mayor and 1 Councillor from the town where the celebration will be held) (not recommending for reinstatement)	Mayor, Deputy Mayor, Councillor to be determined
Botobolar Community Committee (1 Councillor) (not recommending for reinstatement)	Mayor – Councillor Kennedy, Council staff representatives – Ben Edmunds – Building Services Coordinator, Katelyn Kirby – Building Services Officer
Gulgong Memorial Hall Committee (1 Councillor) (not recommending for reinstatement)	Councillor Thompson, and Council staff representatives – Ben Edmunds – Building Service Coordinator, Katelyn Kirby – Building Services Officer
Rail Committee (1 Councillor) (not recommending for reinstatement)	Councillor Shelley Council staff representative – Director Community
Gulgong Sports Council Sub Committee (1 Councillor)	Councillor Thompson, & Council Staff representatives – Peter Raines – Manager Recreation Services, Charlie Buchanan – Sports & Recreation Liaison Officer
Internal Audit, Risk and Improvement Committee (required) (1 Councillor, 1 Alternate Councillor)	Councillor Dicker, Alternate: Councillor Shelley, and Council staff representatives – General Manager, Internal Audit Coordinator/Director Community & Secretariat – Executive Assistant Community
Mid-Western Regional Access Committee (required) (1 Councillor)	Councillor Paine Council staff representatives – Manager Community & Cultural Services
Mid-Western Regional Youth Council (1 Councillor, and 2 Council staff representatives)	Deputy Mayor – Sam Paine, and Council staff representatives – Manager Community & Cultural Services, Youth Services Officer
Mudgee Showground Management Committee	Council Staff representatives – Peter Raines – Manager Recreation Services, Charlie Buchanan – Sports & Recreation Liaison Officer
Mudgee Sports Council Sub Committee	Council Staff representatives – Peter Raines –

	Manager Recreation Services, Charlie Buchanan – Sports & Recreation Liaison Officer
Red Hill Advisory Committee – dissolved 18 October 2023 (1-2 Councillors) (not recommending for reinstatement)	Councillor Cavalier, Councillor Thompson, Council staff representatives – Director Community, Richard Cushway – Manager Governance and Customer Service
Rylstone Kandos Sports Council Sub Committee	Council Staff representatives – Peter Raines – Manager Recreation Services, Charlie Buchanan – Sports & Recreation Liaison Officer
Seniors Week Planning Committee (1 Councillor)	Councillor Dicker, Councillor Thompson, Council staff representatives – Cathy Meyers – Manager Community & Cultural Services, Emily Loneragan – Community Development Officer

It is also asked for Council to give their view on whether other external committees such as the Murray Darling Association and others listed below should have representation.

External Committees and Other Committees	Current Delegate(s)
Arts Out West (1 Councillor)	Councillor Paine
Bowdens Silver Mine Community Consultative Committee (1 Councillor)	Councillor Palmer
Charbon/Ingelnook Community Consultative Committee (1 Councillor)	Formerly Councillor Martens (no longer a Councillor)
Crudine Ridge Wind Farm Consultative Committee (1 Councillor)	Mayor - Councillor Kennedy
Cudgegong Bushfire Management Committee (2 Councillors)	Councillor Cavalier and Councillor Thompson
Health Council	General Manager and Mayor are on the board
Joint Regional Planning Panel (2 Councillor delegates)	Councillor Shelley, Councillor Dicker
Local Traffic Committee (required) (Not a 355 committee, a Roads Committee with 1 Council staff representative)	Councillor Karavas Council staff representative – Operations staff member
Moolarben Community Consultative Committee (2 Councillors)	Mayor - Councillor Kennedy, Councillor Dicker
Mudgee Region Tourism Incorporated (Mayor, and General Manager alternative)	Mayor and General Manager alternate
Murray Darling Association (2 Representatives) (not recommending representation)	Previously Councillor Holden and Councillor Kennedy (no Mid-Western Regional Council representative attended AGM on 28.9.2023 or 10.7.2024. No minutes from the 2024 AGM received to date)
Public Libraries NSW (1 Councillor)	Councillor Paine
Ulan Coal Mine Community Consultative Committee (1 Councillor)	Councillor Palmer
Wilpinjong Community Consultative Committee (1 Councillor)	Mayor - Councillor Kennedy, Councillor Dicker

Details of the existing Committee structure and current representation are set out in the attachment.

Community Plan implications

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

Strategic implications

Council Strategies

Community Plan

Council Policies

Not Applicable

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.

Associated Risks

Not applicable

RACHEL GILL

ACTING DIRECTOR COMMUNITY

2 August 2024

Attachments: 1. Advisory Committee Structure 2024.
2. Delegates to Other External Committees and Other Organisations 2024.

APPROVED FOR SUBMISSION:

BRAD CAM

GENERAL MANAGER

2024 ADVISORY COMMITTEE STRUCTURE

1. Australia Day Selection Committee (not recommending for reinstatement)

Membership	Quorum	Responsibilities	Meetings
(Mayor, Deputy Mayor and 1 Councillor from the town where the celebration will be held)	N/A	To select recipients of Council's Australia Day Awards	As required

2. Botobolar Community Committee (not recommending for reinstatement)

Membership	Quorum	Responsibilities	Meetings
1 elected Councillor (currently Mayor Kennedy), Rural Fire Service Representatives (up to 2), Community Representatives (up to 10), and Council staff representatives – Ben Edmunds – Building Service Coordinator, Katelyn Kirby – Building Services Officer.	Half the current membership plus one.	Manage operations of the Botobolar Community Room. Provide advice to Council on any proposed Memorandum of Understanding and between Council, the Rural Fire Service and the community regarding the use of the Community Hall and Fire Shed. Provide advice to Council on any required capital works for the Botobolar Community Room.	Four times per year

3. Gulgong Memorial Hall Committee (not recommending for reinstatement)

Membership	Quorum	Responsibilities	Meetings
1 Elected Councillor – currently Councillor Thompson, Council staff representatives – Ben Edmunds – Building Service Coordinator, Katelyn Kirby – Building Services Officer, and interested representatives of the Gulgong Community and regular hall hirers (up to 10).	Half the current membership plus one.	Provide advice and recommendations to Council on strategic and long term issues related to the Gulgong Memorial Hall. Promote the use of the Gulgong Memorial Hall and liaise with groups and hirers who use the hall as required. Organise Gulgong Christmas Celebrations.	Twice per year

4. Gulgong Sports Council Sub Committee

Membership	Quorum	Responsibilities	Meetings
1 Councillor delegate – currently Councillor Thompson, Council Staff representatives - Peter Raines – Manager Recreation Services, Charlie Buchanan – Sports & Recreation Liaison Officer, and 1 delegate from each affiliated incorporated sporting group association in Gulgong.	N/A however attendees should be financial members.	Provide advice to Council on priorities for capital works on sporting grounds and facilities, promote participation in sport to the widest possible cross section of the community, submit proposals for minor ground improvements for consideration, facilitate liaison between different sporting groups.	Minimum twice per calendar year

5. Internal Audit Risk and Improvement Committee

Membership	Quorum	Responsibilities	Meetings
(1 Councillor, 1 Alternate Councillor - Councillor Dicker, Alternate: Councillor Shelley), 3 independent committee members - and Council staff representatives – General Manager, Internal Audit Coordinator/Director Community, & Secretariat – Executive Assistant Community.	Consists of a majority of independent voting members. Where the vote is tied the Chair has the casting vote.	Provide independent assurance to Council by monitoring, reviewing, and providing advice about Council's governance processes, compliance, risk management, and control frameworks, external accountability obligations and overall performance.	Four times per year

6. Mid-Western Regional Access Committee

Membership	Quorum	Responsibilities	Meetings
(required) (2 delegates of Council – 1 elected Councillor and 1 Council staff – currently Deputy Mayor – Councillor Paine & Manager Community & Cultural Services, Community representatives (up to 10), GM or his delegate (non-voting)	3	Make recommendations on strategic issues affecting physical access for residents and visitors including those with disabilities, parents with prams, and frail aged and make recommendations to assist with quality outcomes and solutions within the framework of Council policy and with reference to its Disability Inclusion Action Plan.	Bi-annually

7. Mid-Western Regional Youth Council

Membership	Quorum	Responsibilities	Meetings
(1 Councillor, currently Deputy Mayor Councillor Paine, and 2 Council staff representatives – currently Manager Community & Cultural Services & Youth Services Officer), and 2 representatives from each of the 4 high schools is encouraged.	Half membership plus one, however 3 youth councillors is also considered a quorum.	Consultation and advocacy for youth	Twice each school term (8 per year)

8. Mudjee Showground Management Committee

Membership	Quorum	Responsibilities	Meetings
Council Staff representatives – Peter Raines – Manager Recreation Services, Charlie Buchanan – Sports & Recreation Liaison Officer Mudjee Show Society (1 delegate) Poultry Groups (1 delegate) Livestock and other animal groups (1 delegate) Mid-Western Working Horse Association (1 delegate) Mudjee Pony Club (1 delegate) Mudjee Dressage Group (1 delegate) Building & ground users (1 delegate)	4	Exercise powers to manage the facility as delegated by Council under S.377.	Two times per calendar year

9. Mudgee Sports Council Sub Committee

Membership	Quorum	Responsibilities	Meetings
1 Councillor delegate, Council Staff representatives – Peter Raines – Manager Recreation Services, Charlie Buchanan – Sports & Recreation Liaison Officer. 1 delegate from each affiliated incorporated sporting group association in Mudgee.	N/A however attendees should be financial members.	Provide advice to Council on priorities for capital works on sporting grounds and facilities, promote participation in sport to the widest possible cross section of the community, submit proposals for minor ground improvements to the Council for its consideration, facilitate liaison between different sporting groups.	Minimum twice per calendar year

10. Rail Committee (not recommending for reinstatement)

Membership	Quorum	Responsibilities	Meetings
1 elected Councillor (currently Councillor Shelley), Council staff representative – Director Community, Community Representatives (up to 10)	Half the current membership plus one.	Provide advice and recommendations to Council on strategic and long-term issues related to passenger rail services. Keep Council informed of relevant matters related to rail services in the region.	Two times per year

11. Red Hill Advisory Committee - dissolved 18.10.2023, (not recommending for reinstatement)

Membership	Quorum	Responsibilities	Meetings
1 or 2 Councillors - Councillor Cavalier and Councillor Thompson, 1 Council staff member – Director Community and Manager Governance and Customer Service, 1 RHEEC Staff member, 8 Community members	N/A	Provide input to Council on maintenance issues or where improvements are required, on the Red Hill Masterplan and suggestions of future expansion; promote the use of the Red Hill Reserve to locals and visitors to the region; and share any feedback received on the Red Hill Reserve from members of the community.	Two times per calendar year

12. Rylstone Kandos Sports Council Sub Committee

Membership	Quorum	Responsibilities	Meetings
1 Councillor delegate, Council Staff representatives – Peter Raines – Manager Recreation Services, Charlie Buchanan – Sports & Recreation Liaison Officer, and 1 delegate from each affiliated incorporated sporting group association in Rylstone.	N/A however attendees should be financial members.	Provide advice to Council on priorities for capital works on sporting grounds and facilities, promote participation in sport to the widest possible cross section of the community, submit proposals for minor ground improvements for consideration, facilitate liaison between different sporting groups.	Minimum twice per calendar year

13. Seniors Week Planning Committee

Membership	Quorum	Responsibilities	Meetings
1 elected Councillor (currently Councillor Dicker and Councillor Thompson), Community Representatives (up to 10), and Council staff representatives – Manager Cultural & Community Services and/or Community Development Officer.	N/A	Seniors Festival Planning including Grant applications, Event/Activity planning, promotions planning.	As required in the lead up to Senior's week – usually every 1 – 2 months

**DELEGATES TO OTHER EXTERNAL COMMITTEES AND OTHER ORGANISATIONS
 2024**

Name of Organisation	Current Council Delegate
Arts Out West	Councillor Paine
Bowdens Silver Mine Community Consultative Committee	Councillor Palmer
Central-West Orana Renewable Energy Zone Reference Group (REZ)	Councillor Dicker to nominate
Charbon/Inglenook Community Consultative Committee	Formerly Councillor Martens (no longer a Councillor)
Crudine Ridge Wind Farm Consultative Committee	Mayor - Councillor Kennedy
Cudgegong Bushfire Management Committee	Councillor Cavalier and Councillor Thompson
Health Council	General Manager and Mayor are on the board.
Joint Regional Planning Panel	Councillor Dicker Councillor Shelley
Local Traffic Committee (Not a 355 committee, a Roads Committee with 1 Council staff representative)	Councillor Karavas
Moolarben Community Consultative Committee	Mayor - Councillor Kennedy, Councillor Dicker
Mudgee Region Tourism Incorporated	Mayor and General Manager Alternate
Murray Darling Association (not recommending remaining a part of)	Previously Councillor Holden and Councillor Kennedy (no Mid-Western Regional Council representative attended AGM 28.9.2023, 10.7.2024 2024 AGM was held no minutes received to date)
Public Libraries NSW	Councillor Paine
Ulan Coal Mine Community Consultative Committee	Councillor Palmer
Wilpingong Community Consultative Committee	Mayor - Councillor Kennedy, Councillor Dicker

11.3 Gulgong Gold Experience and Miner's Cottage 6 monthly report

REPORT BY THE ACTING DIRECTOR COMMUNITY
TO 16 OCTOBER 2024 ORDINARY MEETING
GOV400105, FIN300096, P1114611

RECOMMENDATION

That Council receive the report by the Acting Director Community on the Gulgong Gold Experience and Miner's Cottage 6 monthly report.

Executive summary

This report seeks to inform Council on the Gulgong Gold Experience and Red Hill Miner's Cottage Tea Room.

Disclosure of Interest

Nil

Detailed report

The Gulgong Gold Experience opened to the public in 2016 and since this time a Memorandum of Understanding (MOU) has been in place between Council and operators of the facility to ensure a consistent and professional tourist attraction is made available to the public. This commenced with the Gulgong Holtermann Museum Inc. as the operator in 2016 and Manor Enterprises Pty Ltd took over the operations in 2019. The MOU between MWRC and Manor Enterprises Pty Ltd is subject to a period of 12 months and financial assistance of \$15,000 per annum will be provided for operation of the site.

As shown in the attached reports provided by Manor Enterprises Pty Ltd, visitation numbers are slightly down on last year's numbers, and this is attributed to the influx of renewable energy workers taking up available accommodation with Gulgong's tourism numbers also reported as down, as well as the Clay Gulgong experience coinciding with the April school holidays which attracted approximately 500 people, taking away from the Gold Experience and Tea Rooms.

Community Plan implications

Theme	Looking After Our Community
-------	-----------------------------

Goal	Vibrant towns and villages
------	----------------------------

Strategy	Respect and enhance the historic character of our region and heritage value of our towns
----------	--

Strategic implications

Council Strategies

Community Strategic Plan

Council Policies

Not Applicable

Legislation

Not Applicable

Financial implications

There is no change proposed to Council's contribution and no additional funds are sought.

Associated Risks

Nil

RACHEL GILL
ACTING DIRECTOR COMMUNITY

29 August 2024

- Attachments:*
1. GGE 1ST HALF YEAR FINANCIAL REPORT 2024.
 2. GGE FIRST HALF REPORT 2024.
 3. MINERS COTTAGE TEA ROOMS FINANCIALS 1ST QTR 2024.
 4. MINERS COTTAGE TEA ROOMS FIRST REPORT 2024.
 5. VISITATION FIGURES 2024.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

GULGONG GOLD EXPERIENCE

FINANCIAL REPORT

JANUARY TO JUNE 2024

	Debit	Credit
	\$	\$
Opening Balance		23,379.31
Half year revenue		20,892.60
EXPENSES		
Bank charges	60.00	
Printing	758.51	
Maintenance/Cleaning	3,000.00	
Name Renewal (3 years)	189.00	
Insurance	390.00	
Calico bags	471.77	
Cleaning supplies/Hardware	325.27	
Stationery	290.00	
Advertising (Half MRT 24/25)	250.00	
Coordinator	10,000.00	
Gems for bags	185.57	
Tubes for bags	220.86	
Volunteer birthdays, etc.	268.71	
Total Credit		44,271.91
Total expenditure	17,270.65	
Bank closing balance		27,001.26

GULGONG GOLD EXPERIENCE

FIRST HALF YEAR 2024 REPORT

This year started out well but unfortunately our numbers are down on last years. Gulgong's tourism is down because of the influx of the renewable energy workers who are taking up all the available accommodation. Most of our visitors are day-trippers from Mudgee, Newcastle, Dubbo, and surrounding areas.

April school holidays, which traditionally was one of our busiest times, were down this year because the first week of the holidays coincided with Clay Gulgong. This event attracted around 500 people and unfortunately for the Gold Experience and the Miner's Cottage Tea Rooms the cars took over all our parking even as far as parking right out the front of the Gold Experience and using all the car parking for the cottage. They parked anywhere they could fit a car. I had quite a few calls from visitors asking where they could park. The numbers last year for April were 1,120 and this year 889 which is very disappointing.

We have lost a few volunteers who disagreed with the building of the Natural History Museum (what that had to do with the Gold Experience baffles me). The seven volunteers we have left have all been with us for the past six years and are very loyal and I am grateful for them. Because our limited volunteer base Tony and I work the Gold Experience from the cottage each weekend. We have a sign on the front door of the GGE to say that access to the mine is through the cottage and this seems to be working well.

In May TVSN were celebrating gold week and asked if they could film from the Gold Experience. They asked if we could arrange accommodation for them because when they called everything was booked out. We eventually were able to book them three cabins in the Gulgong Tourist Park as that was all that was available. They were happy with that. They filmed live from inside the shaft and up on the hill at the gold panning troughs. During the few days they filmed all around Gulgong and showcased it as an intro. Great advertising for the town.

I am hoping my next report is a lot more positive.

Joy Harrison.

MINER’S COTTAGE TEA ROOMS
FIRST EIGHT MONTHS FINANCIAL REPORT 2024

	Debit	Credit
	\$	\$
Opening Balance		0
Revenue		24,543.35
EXPENSES		
Food purchases	12,881.03	
Liquor licence	769.37	
Merchant fee	459.99	
Caterers Warehouse (additional plates, etc.)	148.10	
Merilyn Burch Carney (Artist painting)	360.00	
Retail goods (sold through cottage)	281.27	
Packaging	500.91	
Cleaning/Maintenance	500.00	
Mudgee Guardian	107.88	
Liquor	211.60	
Bank fee	5.00	
Optus	670.54	
Advertising (1/2 MRT Tourist Guide 24/25)	250.00	
Total expenses	17,145.69	
Balance in the bank 30 th June 2024		7,397.66

MINER'S COTTAGE TEA ROOMS
FIRST REPORT 2024

This report covers the first 8 months (it is supposed to be for 6 months). Our accountant suggested we make it 8 months to bring it in line with the end of the financial year. I am sure you will agree as it will be easier for me to report the BAS every three months and for the accountant for the financial year tax.

We started off slow as I had decided not to advertise because having a restaurant in the past, I have found that 'word of mouth' is a far better way of advertising. This is now proving to be very successful. Although sales were slow the first few months it was helpful for me to modify our menu. We now have a menu that is seeing a great deal of return guests. Although my scones are proving to be the best seller.

We have had our first food handling inspection which proved very successful with an "Excellent" review sent to us.

As you know we had a very bad week during Clay Gulgong with no lunches sold that week. Although we had more coffee (\$5 coffees compared with \$25 lunches) was not a good week for us financially.

We have sent emails requesting signage as quite a few people have had trouble finding us. Hopefully this will be rectified very soon.

All in all, I am very happy with the way the business is progressing, especially as Tony and I are managing it at the moment without help.

I must thank the Council for the way they are looking after us. The grounds always looking beautiful and the maintenance we have requested has been completed very swiftly.

Joy Harrison.

GULGONG GOLD EXPERIENCE

VISITATION FIGURES

	2023	2024
JANUARY	815	762
FEBRUARY	468	471
MARCH	522	493
APRIL	1,120	889
MAY	688	670
JUNE	526	581

11.4 Community and Cultural Services Quarterly Report

REPORT BY THE ACTING DIRECTOR COMMUNITY
TO 16 OCTOBER 2024 ORDINARY MEETING
GOV400105, COS300010

RECOMMENDATION

That Council:

1. **receive the report by the Acting Director Community on the Community and Cultural Services Quarterly Report; and**
2. **note the recent services provided and activities coordinated by Council's Community & Cultural Services Team.**

Executive summary

This report aims to familiarise Council with services and activities provided by its Community & Cultural Services Department, and to inform it of issues and events of note that arose during the period July to September 2024 (inclusive).

Disclosure of Interest

Nil

Detailed report

Details of Community & Cultural Services quarterly activities, events, milestones, and points of note are contained in the attachment to this report. Of particular interest:

- Community Development has coordinated a broad range of activities and provided assistance and supports to various community members across the region, including through a Housing Support Day, Mens' Growth Room and Young Parents Group.
- Community Transport has identified local journeys and trips to Dubbo as its most sought after trip destinations.
- The waitlist for families requesting care in Family Day Care environments has increased to 104 children.
- Volunteers were celebrated on National Meals on Wheels Day with a morning tea and presentations for volunteers who have been contributing to the service for over 20 years.
- Mudgee Arts Precinct has also been nominated for an IMAGinE Award in the category of Exhibition Projects – Galleries for *Guwayu: for all time*.
- The new Youth Services van now provides a highly visible promotion of Youth Services activities and events.

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

Cultural Plan

Council Policies

Not Applicable

Legislation

Not Applicable

Financial implications

Not Applicable

Associated Risks

Not Applicable

RACHEL GILL
ACTING DIRECTOR COMMUNITY

9 September 2024

Attachments: 1. Community Services Quarterly Report to Council Q3 2024.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

COMMUNITY SERVICES QUARTERLY REPORT JANUARY - SEPTEMBER 2024

Community Development

Mudgee and Gulgong Interagency

Monthly meetings for Mudgee and Gulgong Interagency members have continued to be consistently attended over the past quarter. Meetings have been held mostly via MS-Teams with a hybrid meeting held in September giving the attendees the opportunity to meet face-to-face and network after the meeting. Homelessness and the housing shortage in the region continues to be an issue discussed at the meetings. As a result of these discussions, we have held a Life Admin Day (July) and Housing Support Day (September) with a Bring Your Bills Day to be organised in the near future with the Energy & Water Ombudsman and Financial Counselling NSW.

Attendance	
July	17
August	21
September	18

Some types of services attending meetings
NSW Health, Transport NSW, Services NSW (Centrelink), Housing and Homelessness (Housing Plus), Mental Health (Marathon Health, TAFE NSW, Disability, Family Support) etc. Plus lobbying members to complete the Registration of their organisations to Interagency and complete relevant surveys.

Kandos and Rylstone Interagency

Attendance	
July	8
September	8

Topics of discussion
Housing, National Redress Scheme, Learning Local Aboriginal Culture, Rylstone Family Fun Day, Road Safety Jury, new community bus service.

Groups and activities

NAIDOC Week events: Over 100 community members attended the NAIDOC Week events which included a movie screening in Gulgong, Mudgee and Kandos and the Flag Raising Ceremony in Kandos.

Life Admin Day: Attended by representatives from Birth, Deaths & Marriages, Services Australia and Service NSW. There were 8 members of the community who attended the day, with 10 birth certificates completed as well as other online services provided by Service NSW and Services Australia.

Mid-Western People Against Violence: Council provided secretarial duties provided for this group. A planning afternoon was conducted in July with a new initiative planned for May 2025 - 'Safe Nest For All'. This will include DV Alert training for local businesses, identification of business that have completed the training and can provide a safe place to go along with other events to raise awareness of DV and how we can create a safe place for all.

Housing Support Day: Attended by representatives from Housing Plus, Homes NSW, VERTO, Uniting and Barnardos, four community members attended to access housing services and support.

Wollemi Singers (Kandos Singing Group): This group meets weekly during the school term at St Dominic’s School hall in Kandos. Apart from weekly gatherings, the group rehearses towards community events such as the Rydal Daffodil Festival (14 September) and an end of the year Christmas event.

Wirambili-yanhi Wirambili walan Indigenous Plants Community Garden: Meetings discuss regular monthly afternoon gatherings, grant applications and holiday programs.

Men’s Growth Room: Community Development have partnered with Lifeline Central West to run ‘Men’s Growth Room’ meetings in Mudgee and Kandos once a month with a Lifeline-trained counsellor. Men are invited to attend and talk with other men about issues important to them.

Young Parents Group: Run from August/September with guest presenters on such topics as speech, developmental milestones, baby nutrition, safety.

Community Transport

Transport figures	
Commonwealth Home Support Program trips	1074
Community Transport Program trips	115
National Disability Insurance Scheme trips	77
Department of Veterans Affairs trips	11
Full cost recovery trips	228
Health related trips	54
Non reportable trips	4
TOTAL	1563

Unmet requests for transport	
Requests made when service was already fully booked	8
Cancellations by medical service	18
Client cancellations due to be being unwell	23
Client cancellations due to alternate arrangements	30
Other – Personal reasons unable to attend trips	11
TOTAL	90

Volunteers – 18 registered
Two potential drivers have approached Community Transport.

Fleet – 6 vehicles
Increased uptake on the wheelchair access vehicle.
3 older cars are starting to show wear and tear and will be replaced within the next reporting period.

Thirty-two My Aged Care Referrals were received for Community Transport. The service is identifying an increased number of clients transferring to Home Care Packages.

Local trips and trips to Dubbo are the most popular trips undertaken and 43 trips to Sydney were conducted.

Medical shopping and day program attendances remain the most common reasons for using Community Transport.

Social outings are underway, including the following:

- Bathurst shopping, lunch and Mt Panorama sightseeing
- Orange shopping and lunch
- Rylstone lunch and tour around Rylstone and Kandos
- Mudgee Tour- sightseeing of new developments & estates, Glen Willow, Putta Bucca Wetlands and the new fire shed on Ulan Road.

Family Day Care

Family Day Care Educators	
Mudgee	2
Gulgong	3
Kandos	1
Wellington	1
TOTAL	7

The waiting list has increased to 104 children requiring care and we continue to take calls and emails from families seeking care within the region. Family Day Care will continue to try different ways to recruit educators for this valuable service.

As mentioned in our last two reports, the Department of Education approached Family Day Care to investigate the possibility of offering Before and After School care at Gulgong Public School under the Family Day Care banner of in-venue care. We are still currently waiting to hear back from the Department as it navigates through the required legislative changes associated with the contract sitting with an Educator and not the Coordination Unit or Council.

Meals on Wheels

Month	Main Meals (including frozen meals, chilled desserts, sandwiches & soups)
July	779
August	817
September	800
TOTAL	2396

Current number of clients for Meals on Wheels	
Active	49
New	6
Exited	5

Volunteers –
103 volunteers registered: 14 different organisations and 15 individual volunteers.

Five new referrals have commenced meal services through My Aged Care and 19 referrals remain pending for various reasons; however, the main reason is clients want to be referred for future, not immediate, services.

A new supplier will be onboarded during the next reporting period.

Volunteers were celebrated on National Meals on Wheels Day in August with a morning tea and presentations to volunteers who have been contributing to the service for over 20 years.

Mudgee Arts Precinct

EXHIBITION PROGRAM

Guwayu: for all time – ended 28 July

Guwayu: for all time contains works by some of Australia's most renowned First Nations artists including Tony Albert, Nicole Chaffey, Jo Clancy, Lorraine Connelly-Northey, Karla Dickens, Blak Douglas, Fiona Foley, Amala Groom, Aleshia Lonsdale, Juanita MacLaughlan, Danie Mellor, Vincent Namatjira, Joel Sherwood Spring, Jason Wing, Maddison Wing and Judy Watson.

Aleshia Lonsdale has been nominated for The ACHAA (Aboriginal Culture, Heritage & Arts Association) Award for Excellence by an Aboriginal Curator at the forthcoming IMAGinE Awards to be held on 21 November 2024.

Mudgee Arts Precinct has also been nominated for an IMAGinE Award in the category of Exhibition Projects – Galleries for *Guwayu: for all time*.

Total instances of visitation: 8507

Average daily visitation: 98

Exhibition opening: 265

Cementa Friendship 2 August – 27 October

Cementa Friendship is currently on display in the gallery. It celebrates ten years of Cementa, accompanying the 2024 Festival. The exhibition invited artists from across all five festivals to date to restage their work in a collective expression of this journey. The exhibition features a selection of the original festival works to create a survey that outlines the course of the festival's development and expresses the adventurous and experimental spirit in which a community of artists embraced a small working-class town and its community.

Total instances of visitation: 6185 (until 27 September)

Average daily visitation: 70

Exhibition opening 155

Waste 2 Art 2024: Year of Recycled Packaging

The Regional Showcase was held at Parkes Shire Library. From the Mid-Western Region, Mudgee Community Preschool achieved the Primary 2D Class Winner, Art by You Term 2 received Primary Functional Highly Commended and Kylie Whale the Community Functional Highly Commended.

WORKSHOPS

A range of peripheral programs were delivered during the quarter, including printmaking, children's art activities, accessible art activities, and portrait painting. A Shared Studio event was also coordinated which

provided an opportunity for artists to come together and work in a common space, to share ideas and energy. Events are often at full capacity and always receive positive feedback.

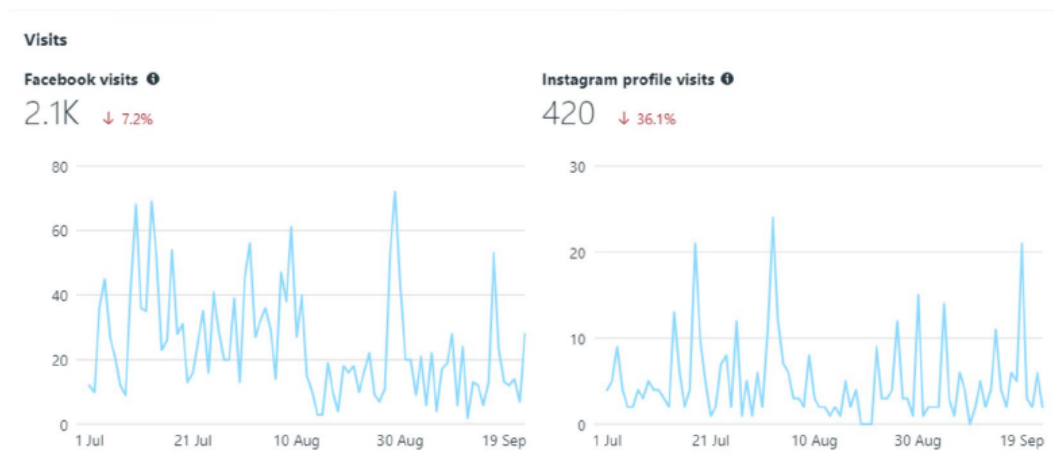
GALLERY TOURS

Mudgee Arts Precinct hosted ten different types of guided tours and talks during this quarter catering for local education facilities and disability support providers, as well as the general public. Overall, 558 participants took part in these activities.

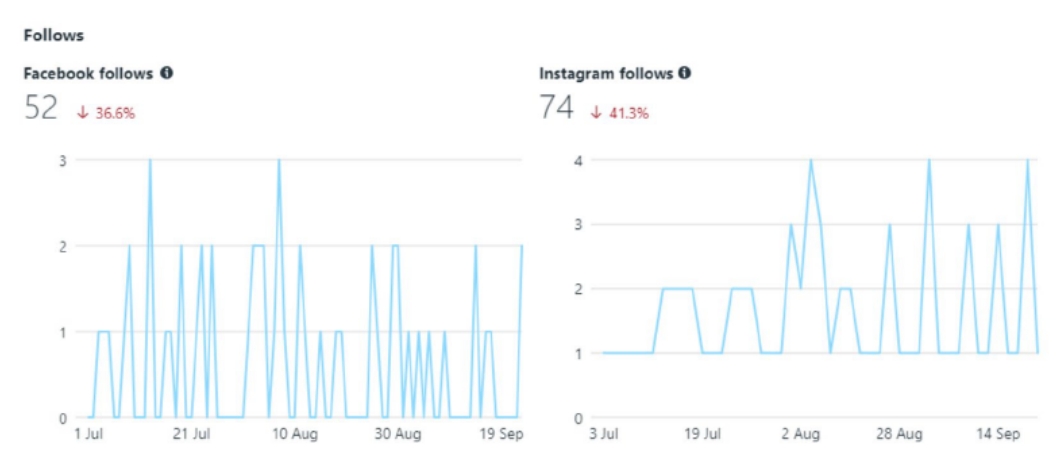
SOCIAL MEDIA DATA

1 July – 27 September 2024

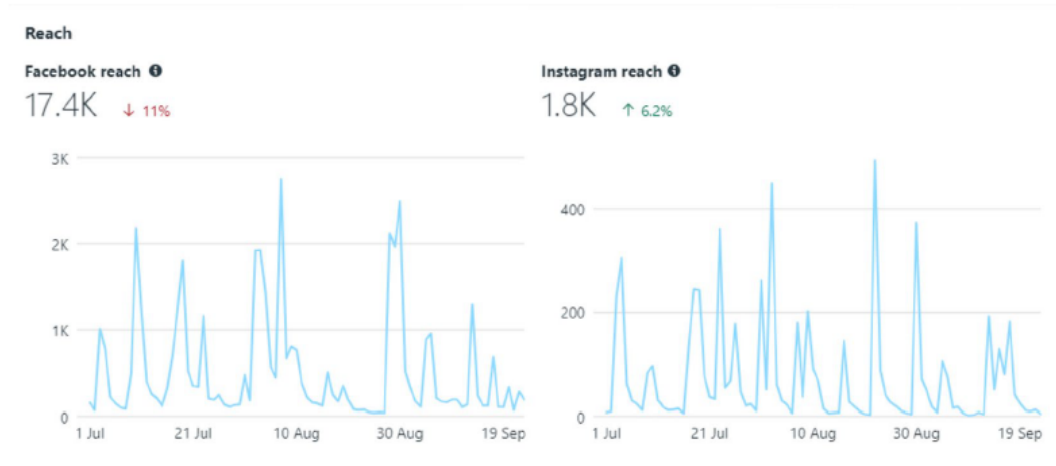
Social Media visits



Social Media follows



Social Media Reach



Youth Services

Programs	29 activities	637 participants
----------	---------------	------------------

The Winter school holiday program included workshops for 3D printing, electronic music, Cricut craft, social Minecraft, Tabletop games, pickleball and a photography competition. 22 youth participated in the excursion to Laser Tag in Bathurst.

The July Youth Services sponsored screening of *IF* attracted 128 participants, August screening of *Inside Out 2* saw 220 participants and September screening of *The Sloth Lane* saw 64 participants.

Youth Services have commenced advertising a new term-based program, Social Minecraft to be held in Gulgong one afternoon per month. The Level Up, tabletop-based games monthly session in Mudgee is still well attended. Crafternoon in Kandos has not been well attended, 1-3 bookings per session, Youth Services will introduce an alternative activity 1-2 times per term in Kandos for the remainder of the year.

The Youth Opportunities ‘Tell your story’ grant has facilitated the commencement of a new program for youth in our region. Youth are invited to take part in our Creative Fridays after school Program where they will engage with Youth Services and MAP Cultural Officers over the next 12 months to learn new creative technology based artistic skills. Participants will choose their own long-term project to work toward. Guest Artists will facilitate additional workshops during the term and in the school holiday periods. These workshops aim to empower young people to share their unique stories and connect with their wider community. The culmination of this project is in a youth-curated exhibition at Mudgee Arts Precinct mid-2025.

The Youth Services Van, funded through ClubGrants and Council, is being utilised by Youth Services. The van was wrapped in the selected design, this is now a vibrant colourful way to promote youth services within the region, image below.



Youth Services have arranged an 'Abilities Unleashed' one day program run by Disability Sports Australia for youth and adults living with disability. The event will be held at the PCYC 14 November.

11.5 Solar Array Progress Report

REPORT BY THE ACTING DIRECTOR COMMUNITY
TO 16 OCTOBER 2024 ORDINARY MEETING
GOV400103, ENE100032

RECOMMENDATION

That Council receive and note the report by the Acting Director Community on the Solar Array Progress Report.

Executive summary

At the 19 April 2023 Ordinary Council Meeting, Council provided endorsement of Stage 3 of a 5MW (battery ready) Solar Array. Stage 3 includes onsite, the construction, commissioning, and energisation of the Solar Array. The attached report sets out the progress of the Solar Array Project.

Disclosure of Interest

Nil

Detailed report

At the 17 July 2024 Council meeting Council approved the increase to the 2024/25 Budget for the Solar Array Stage 3 by \$600,000 funded from unrestricted cash due to contract variations and augmentation costs higher than expected to avoid project progress delays.

At time of writing this report, the Solar Array project continues to progress well with mechanical, civil and electrical installation now completed. The Supervisory Control and Data Acquisition (SCADA) meter from Diamond Energy has been received. Mechanical commissioning has been completed with Nextracker, and electrical commissioning has also been completed. Earthing testing was completed on 25 September 2024. The project handover stage will commence soon.

The proposed commissioning date was March 2025, however there are now some delays with the approval process with Essential Energy infrastructure upgrades.

Community Plan implications

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

Strategic implications

Council Strategies

Community Plan

Operational Plan and Development Plan

Council Policies

Not Applicable

Legislation

Not Applicable

Financial implications

Council has provided a budget of \$9,064,000 for the Stage 3 works.

Construction	\$7,464,000
Network Upgrades	\$750,000
Consulting Stage 3, including project management & network connections	\$600,000
Project contingency	\$50,000
Business oncosts and insurance	\$200,000
Total Stage 3	\$9,064,000

Budget Year	Operating Performance Ratio	Own Source Revenue	Building & Infrastructure Renewal
2024/25	✘	-	-
Future Years	-	-	✘

Associated Risks

There are numerous contracts to manage with this project which is exposing Council to potential issues and cost overruns. These contracts are being carefully managed to ensure minimal impact on the budget and on the project timeline. Ultimately, each delay in the project has potential cost impacts contractually as well as the ongoing requirement of Council to continue its existing electricity arrangements.

Potential time delays and additional costs associated with the approval process with Essential Energy network augmentation design and infrastructure upgrades.

Regular reporting to Council provides an opportunity to communicate and manage any ongoing or unexpected risks that emerge with this project.

RACHEL GILL
ACTING DIRECTOR COMMUNITY

26 September 2024

Attachments: 1. Solar Array Progress Report - Sept 2024.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



SOLAR ARRAY PROGRESS REPORT

26 SEPTEMBER 2024

MID-WESTERN REGIONAL COUNCIL
COMMUNITY



PROJECT UPDATE |
SOLAR ARRAY PROGRESS REPORT

THIS DOCUMENT HAS BEEN PREPARED BY RACHEL GILL, ACTING DIRECTOR COMMUNITY FOR MID-WESTERN REGIONAL COUNCIL.

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

DATE OF PUBLICATION: 26 SEPTEMBER 2024

PROJECT UPDATE |
SOLAR ARRAY PROGRESS REPORT

Table of Contents

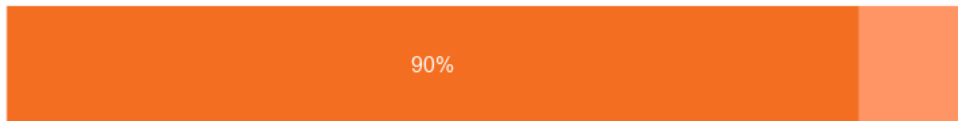
Project update.....	4
Achievements and highlights.....	5
Works still to be completed.....	5
Photos.....	6

PROJECT UPDATE |
SOLAR ARRAY PROGRESS REPORT

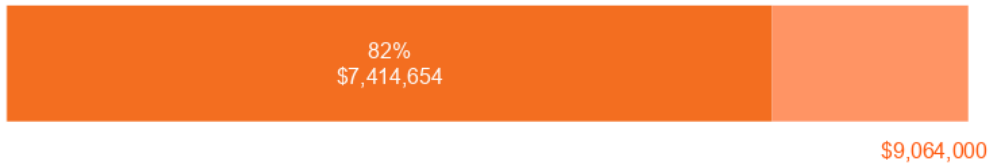
Project Update

As of 26 September 2024, the overall project progress of the Solar Array Project was approximately 90%.

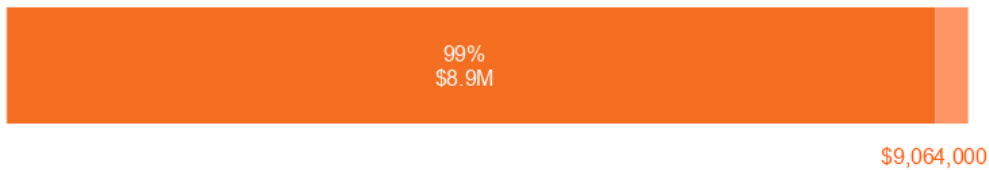
OVERALL PROJECT PROGRESS



PROJECT EXPENDITURE



PROJECT EXPENDITURE COMMITTED



PROJECT UPDATE |
SOLAR ARRAY PROGRESS REPORT

Achievements and Highlights

- Construction of the Solar Array has been completed
- Fencing is completed
- The site has good ground cover due to topsoil retention
- Supervisory Control and Data Acquisition (SCADA) meter from Diamond Energy has been received
- Mechanical, civil and electrical installation all completed
- Mechanical commissioning completed with Nextracker
- Electrical commissioning has been completed
- Earthing testing completed on 25 September 2024

Works still to be completed

- Network augmentation design is under assessment with Essential Energy
- Network upgrades

PROJECT UPDATE |
SOLAR ARRAY PROGRESS REPORT

Photos



PROJECT UPDATE |
SOLAR ARRAY PROGRESS REPORT



PROJECT UPDATE |
SOLAR ARRAY PROGRESS REPORT



PROJECT UPDATE |
SOLAR ARRAY PROGRESS REPORT



PROJECT UPDATE |
SOLAR ARRAY PROGRESS REPORT



11.6 Mudgee Cemetery Clean-Up Report

REPORT BY THE ACTING DIRECTOR COMMUNITY

TO 16 OCTOBER 2024 ORDINARY MEETING

GOV400105, F0620020

RECOMMENDATION

That Council receive and note the Mudgee Cemetery Clean-Up Report by the Acting Director Community.

Executive summary

From 16-18 July 2024, Council cemetery staff conducted an extensive clean-up of the monumental section at Mudgee Cemetery. Subsequently, Council received over 50 written complaints, along with multiple phone calls and in-person visits from concerned members of the public. The clean-up caused considerable reputational and financial damage to Council, as well as substantial distress and anguish within the community. This report outlines the steps taken to address and mitigate the impact of this incident.

Disclosure of Interest

Nil

Detailed report

Council approached each complaint received with seriousness and commenced providing written responses and return phone calls to the complainants from 22 July 2024. On 5 August 2024, the General Manager also participated in three (3) radio interviews with 2MG, ABC and Andrew Andrews from Magic 87.6 following the issue being discussed publicly and detrimentally on social media.

Following this, Council initiated and conducted a thorough investigation into the causes of this incident, which involved: interviewing staff; examining all complaints and photographic evidence received, including a sample of complaints from Facebook posts; reviewing position descriptions, works programs, the cemeteries policy, regulations and Council's website content; and assessing Cemeteries & Crematoria NSW documentation.

In order to make improvements and ensure that a similar incident doesn't occur within cemeteries or within a different area of Council services, it is important to understand the causes of this incident and the full ramifications including:

- Emotional distress to plot owners and their families;
- Impact to the community relationship with Council;
- Reputational damage to Council; and
- Financial losses through rectification and investigation.

As a result of this investigation, the following list of corrective actions were identified and are planned to be completed by January 2025:

- Undertaking internal practices that foster accountability for decisions made that caused the incident;
- Updating Cemeteries Policy, regulations and signage, and website content;
- Creating a Cemeteries Procedure;
- Delivering staff training to ensure more informed decisions are made; and
- Reviewing and improving communication practices within the department.

To further alleviate the grief felt by the community, a free flower stall will be held at the Mudgee Cemetery on 12 October 2024 from 10am-2pm. A selection of real and artificial flowers will be made available for members of the public to collect to replace those that were discarded. A selection of small Australian flags will also be freely available.

Council will continue to address complaints as they arise and acknowledges the potential for additional concerns to emerge in the coming months, particularly as we approach the festive season and other dates of significance.

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

Delivery Program 2022/23–2025/26
Operational Plan 2023/24

Council Policies

Cemeteries Policy

Legislation

Cemeteries and Crematoria Act 2013
Cemeteries and Crematoria Regulation NSW 2022

Financial implications

Financial costs incurred for the replacement of real and artificial flowers, and the cost of investigating and rectifying the incident. All costs have been absorbed within existing operating budgets at this time. Should a budget variation be required, it will be processed through a future quarterly budget report.

Associated Risks

The risk associated with this incident has been assessed according to our Risk Management Procedure and Risk Matrix and the assessment of these risks are outlined below. Council acknowledges the potential risk associated with this incident as it relates to **health and safety, environmental impact, financial impact and public image (reputational impact)**.

Council is continuing to work through the associated risk of this incident in line with our available procedures.

Health and Safety: assessed as *Severe*.

Environmental: assessed as *Severe*.

Financial: assessed as *Significant*.

Public Image (reputational): assessed as *Serious to Severe* due to the high volume of complaints received.

RACHEL GILL
ACTING DIRECTOR COMMUNITY

24 September 2024

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

11.7 Sports Advisory Groups Update - Meeting August 2024

REPORT BY THE SPORT AND RECREATION LIAISON OFFICER
TO 16 OCTOBER 2024 ORDINARY MEETING
GOV400105, A0360013, A036003, A0360030

RECOMMENDATION

That Council:

1. receive the report by the Sport and Recreation Liaison Officer on the Sports Advisory Groups Update - Meeting August 2024; and
 2. note the Meeting Notes from the Gulgong and Mudgee Sports Advisory Groups.
-

Executive summary

The purpose of this report is to advise of the considerations of the Gulgong and Mudgee Sports Advisory Groups held in August 2024.

Disclosure of Interest

Nil

Detailed report

The Gulgong, Kandos/Rylstone and Mudgee Sports Councils transitioned to Sports Advisory Groups in 2024. Moving forward, these groups meet twice yearly (February and August) to discuss the strategic direction of Council's sporting facilities and infrastructure. There was no meeting for Kandos/Rylstone in August due to no clubs able to attend. Updates were e-mailed to clubs.

Some of the key items discussed at recent Sports Advisory Group Meetings are addressed below:

Mudgee

- Congratulations to the Wombats on their 150-year anniversary and Grand Final winners in both 1st grade and reserve grade.
- Round up from other clubs regarding the results on their winter season.
- Field renovation plans to include sand slitting of most major grounds because of the major renovation of the stadium.
- Season bookings for upcoming summer season.
- Upcoming Capital project – Pump track to commence September 2024 and will have toilets. Lighting along River Drive and some car parks at Glen Willow
- Extended hours and season for Mudgee pool.

Gulgong

- Long term plans for Billy Dunn – application for Grant for lighting on Billy Dunn 2 was not successful yet Billy Dunn upgrades will be considered and prioritised for future grant opportunities.

- Victoria Park new amenities building compete and tour of the new facilities were conducted with the Sports Advisory Clubs. \$6K left in the Gulgong Sports Council to be put towards the fit out of the canteen.

Kandos / Rylstone

- Rotary Park playground update, amenities building knock down and rebuild
- Cricket Nets at Rylstone Showground
- Lights at Rylstone showground
- Simpkins Park – Changeroom and amenities (Major Project)

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

This report does not seek any additional funding towards identified projects. Funding sources to support projects are proposed to derive from previous Sports Council finances and current sporting fees.

Associated Risks

Nil

CHARLIE BUCHANAN

SPORT AND RECREATION LIAISON OFFICER

RACHEL GILL

ACTING DIRECTOR COMMUNITY

2 October 2024

Attachments: 1. Gulgong Sports Advisory Meeting 19.08.24.
2. Mudgee Sports Advisory Meeting - 26.08.24.

APPROVED FOR SUBMISSION:

BRAD CAM

GENERAL MANAGER



MID-WESTERN REGIONAL COUNCIL

PO Box 156, MUDGEES NSW 2850

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

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

E council@midwestern.nsw.gov.au

GULGONG SPORTS ADVISORY GROUP MEETING MINUTES 28 FEBRUARY, 6PM - GULGONG BOWLING CLUB

Attendees: Charlie Buchanan (MWRC), Sarah Palmer (MWRC), Craig Holden, Clr Percy Thompson (MWRC), Brian Gudgeon (Gulgong Cricket), Melissa Ballard (Gulgong Terriers & Gulgong Touch), Carmel Forrester (Dog Club), Lisa Gudgeon (Gulgong Junior Rugby League), Kelly Hackney (Gulgong Junior Rugby League)

Apologies: Peter Raines (MWRC), Bec Hallam & Mark Freestone (Gulgong Touch), Tim Papworth (Gulgong Little A's)

Meeting opened at 6.02pm

Field Bookings – schools were using fields without bookings, but now they have been advised to book fields so there are no clashes with staff doing maintenance. Reminder to only book days and times that you will actually using the fields.

Grants – Charlie will resend email advising clubs that \$1k from Charles Sturt Uni is available and would encourage clubs to apply everyone is eligible. Charlie advised that clubs need to be ready to go when grants become available and jump on them.

Capital Works update – Victoria Park amenities is coming along well. Fit out needs to be done. And Charlie advised of the location of the road and gate – gate should be BBB key. Craig mentioned that the grandstand is a safety issue and that only a couple of posts need to be replaced to make it safe – Sarah to lodge a works request to building services. Craig also mentioned that there was \$6K left in the Gulgong Sports Council account prior to change to advisory committee and that money was to go towards appliances for amenities block. Charlie to email Craig list of appliances that will be purchased. Camera are also being installed.

Power point for cricket bowling machine installed at Victoria Park – Brian & Craig and very grateful. Investigation into lighting issue at Victoria Park – lux is OK – the direction of the lights seems to be the issue – Peter is chasing contractor.

Billy Dunn – quote received for external painting of grandstand and toilet cisterns have been replaced and handwashing facilities upgraded to stainless steel.

Charlie explained the purpose of the Master Plan and there was general discussion about plan – making Field 1 for playing and Field 2 for training – Craig mentioned that the emergency services helicopter use Billy Dunn Field 1 to land and should this be added to master plan.

Solar Farm/ Wind Farm investment – Charlie and Sarah explained the CCP process – where money that has been given to council for local projects can be applied for from the Solar/Wind Farm projects. Discussion that Gulgong community would expect that the money from these companies should go to the Gulgong community and not Mudgee or other areas. – Charlie to email link to clubs. CPP can be used for things like seating around Vic Park & Billy Dunn.

General discussion

Tennis Courts – Charlie to follow up with Peter and get back to Clr Thompson with information – noting that a contractor had pulled out.

Charlie to email clubs links to grants and other general information re: CPP program and dates for swimming carnival – Country Champs.

Cricket - Storage under Victoria Park Grandstand – there is room there that can be used, however Brian and Craig advised that the cricket equipment would not fit there.

Cricket – Field 3 Billy Dunn – the synthetic is up for replacement and also mowers have been catching on it.

Billy Dunn – the doors at the old amenities block near field 2 cannot be opened – needs adjustments, - Sarah to log a works request to building services.

Line marking required at Vic Park – Melissa to email dates into Charlie.

Craig congratulated Andrew Dunstone and staff on how well Gulgong is looking, Craig said it is the best it has looked in a long time and that he will send in letter to GM.

Gulgong Adventure Playground – Sarah advised the clubs that contractors will be starting work in the coming weeks to rectify drainage issues there.

Boxing Club – change of use for the building so the club can continue to operate out the building.

Meeting closed 6.55pm



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

**MUDGEE SPORTS ADVISORY GROUP
MEETING MINUTES
26 AUGUST 2024, 6PM
THE STABLES – MARKET STREET MUDGEE**

Attendees: Phil Stoddart (Councillor), Charlie Buchanan (MWRC), Sarah Palmer (MWRC), Josh Martin (MWRC), Ben Edmunds (MWRC), Kylie Marshall (Netball), Ross Smith (Rugby Union), Brett McGuire (Wolves), Jackson Lambing (Senior Cricket), Brett Murray (Little A's)

Apologies: Peter Raines (MWRC), Ros Lee (Union) Geoff Robinson (Radio/Basketball)

Ben opened the meeting at 6.03pm – Welcome everyone and introduced himself

Congratulations to the Wombats – great to see the other sports at the ground supporting other clubs

5 teams are in semis from wolves update from Brett Macguire

Josh gave update on filed transition from Winter to summer. Stadium will be resurfaced, what we take from stadium will be used to upgrade other fields in the regions. Top dressing on Jubilee, Vic Park in town for cricket, Vic Park Gulgong, Billy Dunn and perhaps Walkers – sand slits to help with drainage. Closing field down over the next couple of weeks – 1st Junior league ready for cricket – this will be main field for cricket then move on to 3, 4, 5 and 6. Rugby 2 shaving the top off. Then Rugby 1 Fields 7 & 8 we may be getting contractors to come back to do some extra drainage Field 2 will do over Christmas as to not disrupt touch

Vic Park aim to not interrupt cricket at all – before or during Christmas.
Whole track of Walkers Oval will get done

Capital Works – updates from Ben, Josh and Charlie

Netball - we have received submission on design slab and awning, hopefully get contract signed tomorrow. Hoping to start before Christmas and works will happen in the off season. (Ben) Council to pay for concrete and paths – may not need any money from netball for this, depends on quotes that come back – Netball may use their money for something else maybe benches

Full repaint of internal of stadium

Lighting on 5 & 6 quote more than expecting gone back to get more in funding contractors are lined up waiting on \$. Some money in relamping for fixing lights on field 3 & 4 and maybe 2. Also, should have some \$ to fix lighting at netball as well.

All lights should be working 100% by Christmas. Some lights are too small, some blown, wrong cabling for heat labelling was done in the past

Pump track & toilet block

Original toilets are now going over by the pump track – due by Christmas – Major Projects are looking after this project

River Drive – stage 3 Glen Willow (roads department) from new bridge out to Putta Bucca lighting going in, car parking lighting will be installed but limited so we are going for the areas that are used the most and the front edge of each car park.

Lighting over at the pedestrian crossing at dog park and netball will be installed.

Gates at Glen Willow and traffic control, met with Karl Fletcher (First Aid NSW) was concerned about emergency access. We are going to make emergency access straight down Pitts Lane. Off set gates with carabiner, no keys are required. Brett suggested increased carpark signage very important for out-of-town players/visitors.

Suggestion by Kylie to have names of the sports on signage – no signage to say Netball courts ahead / turn night.

Some signage required to identify the sports on which grounds. E.g. P4 - Junior Rugby league

Bollards just before junior league will be moved just before the corner.

Karls concern about ambo going around the loop road – delayed time to get to person, however the system we have has worked well all season and the ground marshals have all been diligent at directing ambulances.

Suggestion by Jackson to use “what 3 words” app for clubs to have on their club house or locations to accurate location. What three words gives location to within 3 metres.

Clubs encouraged to use and promote this.

It is the simplest way to talk about location for emergency services - Street addresses aren't accurate enough to specify precise locations, such as building entrances, and don't exist for parks and many rural areas, This makes it hard to find places and prevents people from describing exactly where help is needed in an emergency. [What3words](#) is a free app that can be downloaded.

Good news on signage - pedestrian / cyclist way finding signage is coming – Economic Development looking after this project. They are a fixed pole with street blade with location and distances to key landmarks in town and around Glen Willow.

Reporting Maintenance Issue – explained department processes of our bi-annual inspections and we don't see things as much as the clubs using facilities every week.

Send an email to helpdesk hand out given to attendees by Ben– put photos if you can. You get a ticket number back and then get an updated once issue has been resolved. So, if users see anything please send through to building services helpdesk, please put contact number and as much information as possible. Still use on call number from anything urgent out of hours – call regular council number and you will get transferred. (separate document attached)

Illuminators – some have been left on accidentally, but it hasn't been too bad.

Small increase in fees next year – there hasn't been in increase in 10 years.

5 & 6 will be going to illuminators when lights get upgraded

Events locked in for next year – Charlie went through the list. Mudgee Classic using 5 & 6 so netball and rugby can go ahead. Panthers no date yet possible another NRL date as well

Mudgee Team Training Village (MTTV)

On track to be open in March – next sports advisory will be on site to have a walkthrough and see the site – Feb 2025. There are bookings in from April onwards and there are a few bookings already. All this looked after by economic development

Swimming Pool

Mudgee Pool opening earlier by 1 month only 6-10am

Soccer/Touch amenities – 2 extra change rooms required by Soccer. Touch would like their own club room and canteen – initial consultation with clubs has taken place and floor plans done. Waiting on concept plans so we can be ready to apply for grants when they come up.

Questions

Brett – regional touch/Mudgee Classic impacts Wolves season – question is around if goals can be setup before touch. There is an option of putting up portables, Wolves could put in regular posts in and out on Field 6 put up and down after training - just a couple of weeks. Soccer looking at doing a summer comp with an 8-week com field 5 & 6 on Mondays.

Some great individual achievements from within the Clubs

Alfie Dunstan came 17th in nationals – well done

Alesha Bennetts is in Peru for World Athletics

Athlete from Mudgee in Paralympics for tennis

Closed 6.52pm

Item 12: Reports from Committees

12.1 Audit Risk and Improvement Committee Minutes - 23 August 2024

REPORT BY THE ACTING DIRECTOR COMMUNITY
TO 16 OCTOBER 2024 ORDINARY MEETING
GOV400105, COR400236

RECOMMENDATION

That Council:

1. receive the report by the Acting Director Community on the Audit Risk and Improvement Committee Minutes - 23 August 2024; and
 2. endorse the minutes and recommendations of the Audit Risk and Improvement Committee meeting held on 23 August 2024.
-

Executive summary

This report is to advise Council of the matters given consideration at the meeting of the Audit Risk and Improvement Committee held on 23 August 2024.

Disclosure of Interest

Nil

Detailed report

The Audit Risk and Improvement Committee Terms of Reference requires the Committee to report to Council at the first opportunity (dependent on meeting schedules) after each meeting held. Attached to this report are the minutes of the 23 August 2024 meeting.

Community Plan implications

Theme	Good Government
-------	-----------------

Goal	An effective and efficient organisation
------	---

Strategy	Prudently manage risks associated with all Council activities
----------	---

Strategic implications

Council Strategies

Not Applicable

Council Policies

Audit Risk and Improvement Committee Terms of Reference
Internal Audit Policy
Internal Audit Charter

Legislation

Local Government Act 1993

Financial implications

Not Applicable

Associated Risks

Nil

RACHEL GILL
ACTING DIRECTOR COMMUNITY

29 August 2024

Attachments: 1. Minutes - ARIC 23 August 2024 Meeting.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Minutes of the Audit, Risk and Improvement Committee

Held at the Council Chambers, 86 Market Street, Mudgee
on 23 August 2024, commencing at 9:31am and concluding at 11:51am.

COMMITTEE MEMBERS PRESENT ARIC Chair J Stuart, Committee Member K Dicker, Deputy Chair/Independent Member J Bentley (via TEAMS), Independent Member E Thomas.

COUNCIL OFFICIALS PRESENT Acting General Manager/Director Operations (Julian Geddes), Acting Director Community (Rachel Gill), Director Development (Alina Azar), Director Corporate Services (Leonie Van Oosterum), Chief Financial Officer (Neil Bungate), Manager Information Technology (Ian Blake), Cyber Security Engineer (Christopher Carter), Manager People and Performance (Sharna Ross), WHS and Risk Coordinator (Veronika Barry), Governance Coordinator (Ashleigh Marshall), Business Improvement Officer (Erin Reid), and Executive Assistant Community (Christie Holt).

EXTERNAL PARTIES PRESENT Audit Leader – External Audit, NSW Audit Office (Cassie Malone), External Audit, NSW Audit Office (Desmond Quach), Internal Auditor – Crowe (Jason Gilbert), Internal Auditor – Crowe (Brenton Maddock).

Item 1: Apologies

Council Officials – General Manager (Brad Cam)

External Attendees – Internal Auditor – Crowe (Amir Mousa)

Item 2: Disclosure of Interest

There were no disclosures of interest.

Item 3: Confirmation of Minutes

39/24 MOTION: Bentley / Dicker

That the Minutes of the previous ARIC Meeting held on 24 May 2024 be taken as read and confirmed.

The motion was carried with the Committee Members voting unanimously.

Item 4: Matters in Progress

SUBJECT	MEETING DATE	RESOLUTION & NO.	ACTION
Legislative Compliance Breaches	23/02/2024	<p>08/24 MOTION: Bentley / Dicker</p> <p>That the Audit, Risk, and Improvement Committee note:</p> <ol style="list-style-type: none"> 1. two legislative breaches have been added to the register; and 2. six legislative breaches previously reported remain open. <p>The Director of Community noted since the report was written two of the breaches have since closed – the Public Interest Disclosure policy is now available on the intranet; and the privacy breach – the action to write to the members of the public affected has been completed. Discussion also took place regarding the requirement for Council to have a performance review panel for the General Manager in place, and the requirement for Council to have a register for development consents and certificates resulting in the following action.</p> <p><u>Action:</u> Staff will bring more information regarding the register for development consents and certificates from the</p>	<p>28 Feb 2024 After discussion on the legislative compliance breaches in item 6.3 and the requirement for Council to have a register for development consents and certificates it was requested that Council staff bring more information regarding this from the Development Department back to the committee. Ashleigh Marshall has been emailed 28.2.24 to follow up with the relevant Development staff and bring back the information requested to the committee at the next ARIC meeting in May.</p> <p>22 Apr 2024 Email sent to Ashleigh Marshall to get an update on her follow up with Development staff for information requested by the Committee.</p> <p>22 Apr 2024 Ashleigh has requested an update from Director of Development, waiting on response. Lindsay Dunston has met with IT to reopen the DA register but the last meeting was cancelled. She will attempt to follow up again with staff.</p>

		Development department back to the committee.	<p>03 May 2024 Council's Planning team are currently in discussion with the IT Team and are looking to establish a DA register utilising TechnologyOne and the existing online DA tracker. TechnologyOne will need to be engaged to enable the upload of documents as part of the DA process rather than as a separate process. Staff will also need to ensure that they are redacting any personal or copyrighted information.</p> <p>27 May 2024 At the ARIC Meeting 24 May 2024 the Chief Financial Officer provided an update that each Council is unique and TechOne needs to be customised, technical consultants have come to help, and updates have been made after staff testing was done and is now back with planning staff for more testing but there is conflict issues for time for staff at the moment.</p>
Update on External Audit Action Items	23/02/2024	<p>10/24 MOTION: Bentley / Dicker</p> <p>That the Audit, Risk, and Improvement Committee note the progress on the external action items.</p> <p>The Chair commented that he would like to see the 2018/19 items ticked off. The Director of Corporate</p>	<p>28 Feb 2024 After the Chair discussed the Public Accounts Committee's enquiry that has commenced and submissions close on 10 May 2024, he and the Deputy Chair requested that Council do a submission particularly referencing</p>

		<p>Services commented that these should be completed before the next External Audit. The Audit Lead discussed Council prioritising aged items, risk, and considerations of IT and Cyber Security, and the 2024 Audit Plan. Discussion took place regarding the Public Accounts Committee's inquiry that has commenced and submissions which close on 10 May 2024. The Chair moved and Deputy Chair seconded an action as a result of these discussions.</p> <p><u>Action:</u> Council to make a submission to the Public Accounts Committee inquiry particularly referencing the BDO report and the Parker report – Complete.</p>	<p>the BDA report and the Parker report. Leonie Van Oosterum and Neil Bungate have been emailed as this is in relation to the RFS assets and will be able to confirm who will do the submission.</p> <p>01 Mar 2024 The chair confirmed the acronym BDA should be BDO and is an accounting firm. , Leonie has noted for action and Neil and his team will be drafting a submission and will circulate to Council and ARIC before submitting. And she confirmed BDO is a consultant that wrote one report.</p> <p>22 Apr 2024 email sent to Leonie and Neil to see if there is any further update on submission draft</p> <p>22 Apr 2024 Neil is drafting submission this week and will go to Executive meeting 30.4.2024 for review.</p> <p>01 May 2024 Draft submission reviewed by Executive and sent to Committee to review and provide any further comment before allowing Councillors the opportunity to review before submitting by due date 10 May.</p> <p>27 May 2024 Neil submitted the submission on 9 May. The Public Accounts Committee will decide</p>
--	--	--	---

			<p>whether the submission is accepted and published in full or in part. The Public Accounts Committee' webpage (https://www.parliament.nsw.gov.au/committees/listofcommittees/Pages/committee-details.aspx?pk=183) will be updated with information as the inquiry progresses including publication of submissions, details of any public hearings, and the release of the Committee's report.</p> <p>RECOMMENDED FOR COMPLETION</p>
<p>Amendments to the regulation supporting the new Guidelines for Risk Management and Internal Audit in Local Governments in NSW</p>	<p>23/02/2024</p>	<p>16/24 MOTION: Dicker / Bentley</p> <p>That the Audit, Risk, and Improvement Committee note the <i>Local Government (General) Amendment (Audit, Risk and Improvement Committees) Regulation 2023 supporting the new Guidelines for risk management and internal audit for local governments in NSW;</i></p> <p>The Director of Community mentioned the need for a second independent member by July and this member will be at the August ARIC meeting, and noted the restrictions regarding the length of term – no more than eight years. A report on how the committee has performed is also required and we will be in touch</p>	<p>28 Feb 2024 A committee performance report is required, Simon Jones and Christie Holt will be in touch with committee prior to the next ARIC meeting in May for self-evaluation and the report will be presented at the next ARIC meeting in May after going to the Executive team for review.</p> <p>22 Apr 2024 A self-evaluation performance review questionnaire has been created and Simon Jones will talk with Chair John Stuart about how the review will be done.</p> <p>29 Apr 2024 Chairperson has reviewed the self-assessment template, and this will be presented at 24 May</p>

		<p>with the committee before the next ARIC meeting in May. The Chair noted that his and the Deputy Chair's six year membership will end November 2026 and they are both available for the next two years and are happy to assist in anyway they can looking towards a transition for changeover in the future, noting that in September after the election a new Council may want a new committee. The Deputy Chair seconded these comments.</p>	<p>meeting for members to complete and then a report on the review will be presented at the 23 August meeting</p> <p>27 May 2024 The self-assessment questionnaire was presented at the 24 May 2024 ARIC meeting and then sent to Committee members and council staff today to be completed and return so results can be collated.</p> <p>22 Jul 2024 The responses to the self-evaluation questionnaires received back have been collated and a brief report on the findings has been presented to the internal auditors Crowe to conduct on independent evaluation of the findings and report back.</p> <p>23 August 2024 The Internal Auditor advised that the report on the self-assessment is currently going through management and they will have for Council in the next week or two.</p>
<p>Audit, Risk and Improvement Committee Charter Update</p>	<p>23/02/2024</p>	<p>18/24 MOTION: Bentley / Dicker</p> <p>That the Audit, Risk, and Improvement Committee note that the Audit, Risk and Improvement Committee Charter requires updating due to</p>	<p>28 Feb 2024 Draft Charter to be presented at the next ARIC meeting in May for any comment by the committee and endorsement after going to the Executive team for review.</p>

		<p>the updated Guidelines which include new regulation amendments which commence 1 July 2024.</p> <p>The Director of Community commented that a draft will be presented at the next ARIC meeting in May for the committee to make any comments.</p> <p>Councillor Dicker asked whether there will still be a Councillor and the Director of Community confirmed a Councillor member can continue as a non-voting member.</p>	<p>22 Apr 2024 Draft Internal Audit Charter and ARIC Terms of Reference going to Executive meeting 23 April for review before going to the ARIC meeting 24 May for endorsement.</p> <p>29 Apr 2024 Executive have reviewed and accepted drafts and they are being presented at the 24 May meeting for endorsement by the committee.</p> <p>27 May 2024 The ARIC Terms of Reference and Internal Audit Charter were presented at the 24 May ARIC Meeting and were endorsed by the Committee and will now be presented to Council at the 19 June Council meeting for endorsement.</p> <p>22 Jul 2024 The ARIC TOR and Internal Audit Charter were endorsed by Council.</p> <p>RECOMMENDED FOR COMPLETION</p>
<p>Internal Audit and Risk Management Attestation Statement</p>	<p>23/02/2024</p>	<p>19/24 MOTION: Bentley / Dicker</p> <p>That the Audit, Risk, and Improvement Committee note that the ARIC Committee requires an Internal Audit and Risk Management Attestation Statement in line with the updated Guidelines for Risk Management and Internal Audit for</p>	<p>28 Feb 2024 The Attestation Statement will be kept as close as possible to the guide. It be presented at the next ARIC meeting in May for the committee to endorse.</p> <p>27 May 2024 The Attestation Statement was endorsed by ARIC at 24 May 2024 meeting</p>

		<p>Local Government in NSW.</p> <p>The Director of Community commented that the Attestation Statement will be kept as close to the guide as possible.</p>	<p>and will now be included in the Annual report as part of the OLG's requirements under the Guidelines for Risk Management and Internal Audit for Local Government in NSW.</p> <p>22 Jul 2024 The annual attestation is included in the Chair's Annual Report 2023/24 and will continue to be included in this annual report as required.</p> <p>RECOMMENDED FOR COMPLETION</p>
<p>Enterprise Risk Management Update</p>	<p>24/05/2024</p>	<p>27/24 MOTION: Bentley / Dicker</p> <p>That the Audit, Risk, and Improvement Committee note the Enterprise Risk Management update.</p> <p>The WHS and Risk Coordinator noted the good progress with risk management reviews and at the time of reporting 89% of critical functions were complete. The Deputy Chair noted this has been a three year project, he also asked if a visual of the plan can be presented at the next meeting in August.</p> <p>Action: Enterprise Risk Visual presentation for the August ARIC meeting.</p>	<p>27 May 2024 The deputy chair requested a visual of the Enterprise Risk Management plan be presented at the next ARIC meeting on 23 August 2024.</p> <p>17 Jun 2024 The deputy chair requested a visual of the Enterprise Risk Management plan be presented at the next ARIC meeting on 23 August 2024.</p> <p>20 Jun 2024 WHS & Risk Coordinator confirmed will present a slideshow at 23 August ARIC meeting.</p> <p>20 Jun 2024 Target date changed by Christie Holt from 07 June 2024 to 23 August 2024 - To be presented at the next ARIC meeting on 23 August 2024</p>

			<p>23 August 2024 The WHS & Risk Coordinator conducted an Enterprise Risk visual presentation at today's meeting.</p>
Legislative Compliance	24/05/2024	<p>30/24 MOTION: Bentley / Dicker</p> <p>That the Audit, Risk, and Improvement Committee note:</p> <ol style="list-style-type: none"> 1. Council's legislative reporting for for period 1 July 2023 – 31 December 2023; and 2. Four legislative breaches previously reported remain open. <p>An update was provided on the previously reported legislative breaches and the progress being made on those items.</p> <p>The Chair noted that Council financial returns on Crown Land are required to be reported on if Council are the Trustee.</p> <p>Action: Ensure that Crown Land Registers reporting is being completed – Manager Property and Revenue.</p>	<p>27 May 2024 Ensure that Crown Land registers reporting is being completed - Manager Property and Revenue.</p> <p>17 Jun 2024 Ensure that Crown Land registers reporting is being completed - Manager Property and Revenue.</p> <p>19 Jun 2024 The Property Coordinator has advised that they have not had the resourcing to undertake this. They have a work placement student starting in July who will be assigned the register to finalise. They anticipate that it may take 1-2 months to review the data.</p> <p>20 Jun 2024 Target date changed by Christie Holt from 07 June 2024 to 22 November 2024 - Staff member being assigned starting in July and anticipated will take 1-2 months to review data. Target date set for ARIC meeting 22 November 2024.</p> <p>23 August 2024 The Chair noted that Crown Lands financial returns are no longer required so this item can be removed.</p>

<p>Work Health and Safety Reports</p>	<p>24/05/2024</p>	<p>31/24 MOTION: Bentley / Dicker</p> <p>That the Audit, Risk, and Improvement Committee note the WHS Reports for February 2024, March 2024, and April 2024.</p> <p>Councillor Dicker asked for some clarification regarding one of the incidents in the March report and the WHS and Risk Coordinator explained the Community Services staff member had reported this incident. The observer Emma Thomas asked if there was capacity to compare trends over a year. The WHS and Risk Coordinator commented that this is planned for the future and is part of Work Cover Insurance.</p> <p>Action: WHS incidents to be reported year on end.</p>	<p>27 May 2024 WHS incidents to be reported year on end - WHS and Risk Coordinator.</p> <p>17 Jun 2024 WHS incidents to be reported year on end - WHS and Risk Coordinator.</p> <p>20 Jun 2024 Target date changed by Christie Holt from 07 June 2024 to 23 August 2024 - next ARIC meeting date</p> <p>20 Jun 2024 Director Community suggested to WHS & Risk Coordinator that she start collecting the data from July 1st to give some time over the next 12 months to tally up the data from 2023/24 ready to be able to compare at the end of the 2024/25 year as the Committee requested this information to be able to compare year on year.</p> <p>20 Jun 2024 Target date changed by Christie Holt from 23 August 2024 to 30 June 2025 - Start collecting data from 1 July 2024 over the next 12 months to tally up data from 2023/24 to be able to compare at the end of the 2024/25 year.</p>
<p>Business Improvement Update</p>	<p>24/05/2024</p>	<p>33/24 MOTION: Bentley / Dicker</p> <p>That the Audit, Risk, and Improvement Committee</p>	<p>27 May 2024 Visual and explanation of Service Statements to be presented at the November ARIC meeting.</p>

		<p>note the progress of the Business Improvement program.</p> <p>The Business Improvement Officer noted that a review will be presented to Council in June and will be brought to ARIC at the August meeting, just waiting on one Manager’s service statement. It was noted that a new Delivery Program and Operational Plan template is going to Executive to review, reporting by service instead of accounting code, and thanked Finance for their help. The Deputy Chair asked if at the November meeting a presentation could be made with visual and explanation on Service Statements.</p> <p>Action: A Visual and explanation of Service Statements to be presented at August meeting.</p>	<p>17 Jun 2024 Visual and explanation of Service Statements to be presented at the November ARIC meeting.</p> <p>20 Jun 2024 Target date changed by Christie Holt from 07 June 2024 to 22 November 2024 - To be presented by Business Improvement Officer at 22 November 2024 ARIC meeting.</p> <p>23 August 2024 The Business Improvement Officer gave a visual and explanation of Service Statements presentation at today’s meeting.</p>
--	--	--	---

Matters In Progress

Mover - Bentley / Seconder - Dicker

COR400236

RECOMMENDATION

That Minute no. [10/24](#) , [18/24](#) , and [19/24](#) be noted as completed.

The Committee Members voting unanimously.

Items brought forward:

Item 5.4 Update on External Audit Action Items, and item 5.5 Interim Management Letter for Mid-Western Regional Council for Year Ending 30 June 2024 were brought forward.

Item 5: Audit

5.4 UPDATE ON EXTERNAL AUDIT ACTION ITEMS

COR400236, COR400236

40/24

MOTION: Bentley / Dicker

That the Audit, Risk and Improvement Committee note the progress on the external action items.

The Audit Leader noted that anything that can be closed will be closed in the end of year letter in November.

The motion was carried with the Committee Members voting unanimously.

5.5 INTERIM MANAGEMENT LETTER FOR MID-WESTERN REGIONAL COUNCIL FOR YEAR ENDING 30 JUNE 2024

COR400236, COR300347

41/24

MOTION: Thomas / Dicker

That ARIC:

- 1. receive the 2023/24 Financial Statements Interim Management Letter; and**
- 2. note the auditor recommendations and management responses.**

The Audit Leader noted that they will be issuing the Final Management letter in November.

The Director Corporate Services noted that with asset capitalisation we are already doing an early close off and then do materialisation. And the Chief Financial Officer noted that the revaluation is being aimed for next year.

The motion was carried with the Committee Members voting unanimously.

5.1 AUDIT PLAN 2024/25

COR400236, COR400236

42/24

MOTION: Bentley / Thomas

That the Audit, Risk and Improvement Committee endorse the future Internal Audit review items.

The Internal Auditor noted that the 'follow up of previous findings' will be done in September, and 'Emerging Issues review' date is to be confirmed, and they are happy to focus on employee performance as per management suggestion.

The Director of Corporate Services noted that there is already Cybersecurity testing programmed; the Acting General Manager and Director Corporate Services both agreed they are happy to leave this review until 2025/26.

The Director Corporate Services also noted that previous reviews conducted, Risk Management, advice from the Internal Auditors, and higher risk recommendations are used in selecting review items.

The motion was carried with the Committee Members voting unanimously.

5.2 INTERNAL AUDIT PROGRAM STATUS REPORT

COR400236, COR400236

43/24

MOTION: Bentley / Thomas

That the Audit, Risk, and Improvement Committee receive the Crowe Internal Audit Program Status Report.

The Deputy Chair commended the Internal Auditors for the Publications of Interest.

The motion was carried with the Committee Members voting unanimously.

5.3 UPDATE ON INTERNAL AUDIT ACTION ITEMS

COR400236, COR400236

44/24

MOTION: Bentley / Dicker

That the Audit, Risk and Improvement Committee note the progress on the internal action items.

The Business Improvement Officer noted that the draft DPOP will be brought back to ARIC once it has gone to Council.

The Director of Corporate Services noted that the new Community Strategic Plan is being closed out by the Economic Development team and will bring to ARIC next quarter.

The motion was carried with the Committee Members voting unanimously.

Item - Update on External Audit Action Items - has been moved to another part of the document.

Item - Interim Management Letter for Mid-Western Regional Council for year ending 30 June 2024
- has been moved to another part of the document.

(The External and Internal Auditors left the meeting.)

Item 6: Risk

6.1 ENTERPRISE RISK MANAGEMENT UPDATE
COR400236, COR400236

45/24 **MOTION: Thomas / Dicker**

That the Audit, Risk, and Improvement Committee note the Enterprise Risk Management update.

The WHS & Risk Coordinator confirmed the complete BCP will be brought to the next meeting in November.

The motion was carried with the Committee Members voting unanimously.

6.2 WORK HEALTH AND SAFETY REPORTS
COR400236, COR400236

46/24 **MOTION: Dicker / Bentley**

That the Audit, Risk, and Improvement Committee note the WHS Reports for May 2024, June 2024, and July 2024.

It was noted that year end reporting has been added to Matters In Progress and is being done from 1 July 2024.

Action - The Acting General Manager asked that corrective actions be split for future reporting into proactive and reactive actions as a result of internal inspections.

The motion was carried with the Committee Members voting unanimously.

6.3 LEGISLATIVE COMPLIANCE
COR400236, GOV400047

47/24 **MOTION: Dicker / Bentley**

That the Audit, Risk, and Improvement Committee note:

- 1. Council's legislative reporting for period 1 January 2024 – 30 June 2024;**

2. **Two new legislative breaches have been identified and;**
3. **Four legislative breaches previously reported remain open.**

The Deputy Chair commended the Governance Coordinator on doing a great job. The Chair noted that the Crown lands financial returns are no longer required. Discussion was had regarding the land register and recruitment.

The motion was carried with the Committee Members voting unanimously.

6.4 FRAUD INCIDENT & PROCUREMENT BREACH REGISTERS COR400236, COR400236

48/24

MOTION: Bentley / Dicker

That the Audit, Risk and Improvement Committee note that:

1. **there was one suspected fraud incidents since the last ARIC meeting; and**
2. **there was one identified Procurement Breach incident since the last ARIC meeting.**

The Director Corporate Services noted that we did not have to report to ICAC regarding the fraud incident but we will go back and see if they would like to take over the investigation; and also noted that we now offer detailed monthly training and if staff get flagged they will be funnelled back into training.

The motion was carried with the Committee Members voting unanimously.

6.5 CYBER SECURITY REPORT COR400236, COR400236

49/24

MOTION: Bentley / Dicker

That the Audit, Risk, and Improvement Committee receive the report from the IT Cyber Security Engineer on the cyber improvement program.

The Deputy Chair commended the Manager Information Technology and Cyber Security Engineer for the quality work. Discussion was had around the recent Crowd strike incident, resources, staffing, and future report timing and formatting.

The motion was carried with the Committee Members voting unanimously.

Item 7: Improvement

7.1 BUSINESS IMPROVEMENT UPDATE

COR400236, COR400236

50/24 **MOTION: Dicker / Thomas**

That the Audit, Risk, and Improvement Committee note the progress of the Business Improvement program.

The Business Improvement Officer noted that the work on the service statements is about a third of the way through, an intranet page is available to all staff, and that the snapshots have been valuable for the team.

The motion was carried with the Committee Members voting unanimously.

7.2 UPDATE ON BUSINESS IMPROVEMENT ACTION ITEMS

COR400236, COR400236

51/24 **MOTION: Thomas / Dicker**

That the Audit, Risk and Improvement Committee note the progress on the Business Improvement action items.

The Manager Information Technology noted that the ICT Strategic plan is currently out on exhibition and will be brought to the next ARIC Meeting in November.

The motion was carried with the Committee Members voting unanimously.

7.3 ICAC INVESTIGATION REPORT – INVESTIGATION INTO THE
AWARDING OF TRANSPORT FOR NSW AND INNER WEST
COUNCIL CONTRACTS

COR400236, GOV40066

52/24 **MOTION: Bentley / Thomas**

That the Audit, Risk and Improvement Committee note council's review of the ICAC Report *Investigation into the awarding of Transport for NSW and Inner West Council contracts*.

The Committee noted that it is great to see these investigation reports and the recommendations, and the active reactions to these reports.

The motion was carried with the Committee Members voting unanimously.

Item 8: General Business

8.1 ANNUAL REPORT BY THE COMMITTEE CHAIR

COR400236, COR400236

53/24

MOTION: Bentley / Dicker

That the Audit Risk and Improvement Committee receive the Annual Report by the Chair and recommend that the report be presented to the October Council meeting.

The Chair thanked Council for the support received, and the Deputy Chair noted the impressive work of Council staff, and wished Councillor Dicker good luck for the upcoming Local Government elections.

The Acting General Manager thanked the Committee for the collaborative nature, and thanked the Director of Corporate Services and her team and the amount of work that goes into the Committee. The Chair endorsed these comments.

The motion was carried with the Committee Members voting unanimously.

8.2 COUNCIL SERVICE DELIVERY BENCHMARKING REPORT -
2021/22 DATA COMPARATIVES

COR400236, COR400236

54/24

MOTION: Bentley / Dicker

That the Audit, Risk and Improvement Committee receive the report by the Chief Financial Officer on the Council Service Delivery Benchmarking Report - 2021/22 Data Comparatives; and note the comparative analysis provided in the OLG Mid-Western Regional Council Report and the LG Solutions Form Guide.

The Committee commented on some good notable items included in the report and the good effort by Council.

The motion was carried with the Committee Members voting unanimously.

8.3 GOVERNANCE HEALTH CHECK

COR400236, COR400236

55/24

MOTION: Stuart / Bentley

That the Audit, Risk and Improvement Committee note the report from the Governance Coordinator on the Governance Health Check.

Discussion was had regarding the next 10 focus areas noting that once the top 10 were complete it would be time for the next annual review; archive storage; and digitisation of documentation.

The motion was carried with the Committee Members voting unanimously.

8.4 LONG TERM FINANCIAL PLAN 2024/25-2033/34

COR400236, FIN300201

56/24

MOTION: Stuart / Bentley

That the Audit, Risk and Improvement Committee receive the report by the Chief Financial Officer on the Long Term Financial Plan 2024/25-2033/34.

The Chair commended the Chief Financial Officer and his team involved. The independent Committee member and Deputy Chair endorsed these comments.

The motion was carried with the Committee Members voting unanimously.

8.5 SMART COMMUNITY STRATEGY

COR400236, ECO800001

57/24

MOTION: Stuart / Bentley

That the Audit Risk and Improvement Committee receive the report by the Manager Economic Development on the Smart Community Strategy.

The Deputy Chair noted that it is a great initiative, and the areas covered were valuable and commended the team for the report and strategy. The independent Committee member endorsed the comments.

The motion was carried with the Committee Members voting unanimously.

Item 5: Closure

There being no further business the meeting concluded at 11:51am.

There were 3 presentations following the meeting:

1. The Business Improvement Officer gave a visual and explanation of Service Statements;
2. Cybersecurity Insights presentation from the Cyber Security Engineer - discussion was had around chosen indicators and noted reporting can move to annual.
3. Business Continuity Plan presentation from the WHS & Risk Coordinator - noting the complete BCP will be brought to the Committee at the next meeting in November.

The next Audit, Risk and Improvement Committee will be held on the Friday, 22 November 2024 at Council Chambers, 86 Market Street, Mudgee.

12.2 Local Traffic Committee Meeting Minutes - August 2024

REPORT BY THE ADMINISTRATION ASSISTANT - INFRASTRUCTURE PLANNING
TO 16 OCTOBER 2024 ORDINARY MEETING
GOV400105, A0100009

RECOMMENDATION

That Council receive the report by the Administration Assistant - Infrastructure Planning on the Local Traffic Committee Meeting Minutes - August 2024.

Executive summary

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

Disclosure of Interest

Nil

Detailed report

The Local Traffic Committee meeting was held on Friday, 16 August 2024. Two event reports were considered:

- *Mudgee High School Rainbow Day 2024 to be held 26 September 2024*
- *Mudgee Triathlon Club 2024-2025 season*

No traffic reports were considered. General Business items included:

- Several actions were discussed however there were no Local Traffic Committee action required.

Full discussion notes are included in the attached report.

Community Plan implications

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

Strategic implications

Council Strategies

Not Applicable

Council Policies

Not Applicable

Legislation

Not Applicable

Financial implications

Not Applicable

Associated Risks

Not Applicable

JACQUALYN PERRING
ADMINISTRATION ASSISTANT -
INFRASTRUCTURE PLANNING

JULIAN GEDDES
DIRECTOR OPERATIONS

2 October 2024

Attachments: 1. MINUTES - Local Traffic Committee meeting 16.8.2024.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Mid-Western Regional Council

Date: 16 August 2024

Minutes of the Local Traffic Committee

Held at the Operations Meeting Room, 54 Depot Road Mudgee
on 16 August 2024.

Present	Don Cottee (MWRC), Peter Wormald, Simon Fogerty (NSW Police), Thomas Worley (TfNSW), Samantha Cecchini (MWRC)
Apologies	Julian Geddes (MWRC), Cr Alex Karavas, Mark Fehon (NSW Police), Garry McGovern (NSW Police), Nathan Murphy (TfNSW)
Secretary	Jackie Perring (MWRC)

The LTC meeting commenced at 9:32am.

ACKNOWLEDGEMENT OF COUNTRY

I would like to acknowledge the traditional owners of the lands on which we meet, the Wiradjuri people and pay our respects to elders, past, present and emerging.

MINUTES OF PREVIOUS MEETING

RECOMMENDATION

That the Minutes of the previous Local Traffic Committee held on 21 June 2024 be taken as read and confirmed.



MATTERS IN PROGRESS – JUNE 2024			
SUBJECT	RES NO. & DATE	CLOSE	ACTION
CAERLON BUS PICK UP	FEB2021-1		<p>15/3 STILL IN PROGRESS, EXPECTATIONS ARE THAT THIS IS A 2 YEAR PROCESS. ADDITIONAL ROAD TO BE ADDED BY COUNCIL.</p> <p>19/4 THE HONE CREEK DRIVE EXTENSION TO FAIRYDALE LANE WILL NOT BE COMPLETED UNTIL 2026. IN THE MEANTIME A TEMPORARY BUS TURN AROUND WITHIN CAERLEON ESTATE WILL BE PROVIDED BY THE DEVELOPER WITH THE CONSTRUCTION OF FUTURE STAGES OF THE SUBDIVISION.</p> <p>13/6/2024 – Don has visited site and has met with Ogdens. To be discussed in General Business 21/6/2024 – Don & Sammy to speak to Ogdens & Dept of Transport as to what can be done. Tentative barrier may be erected. Stage 14 of Caerleon will include a roundabout at entrance to estate</p> <p>10/7/2024 – TfNSW recommendation to change speed zone to 60/50km past Hone Creek entrance to Caerleon Estate.</p> <p>What other actions do LTC need to take to ensure childrens safety?</p>
RAINBOW DAY FOR 2025			<p>A POST EVENT DEBRIEF WITH MUDGEES HSC REMAINS OUTSTANDING</p> <p>21/6/2024 - Email sent to MHS requesting meeting. Garry & Sammy to attend.</p> <p>8/7/2024 – Letter requesting support for Rainbow Day for 26/9/2024 received at Council. 2nd email requesting meeting emailed 9/7/2024.</p> <p>9/8/2024 – Report going to LTC 16/8/2024, meeting arranged 28/8/2024.</p>



MATTERS IN PROGRESS – JUNE 2024

SUBJECT	RES NO. & DATE	CLOSE	ACTION
MEARES ST SPEEDING			<p>Various complaints re speeding on Meares St and entrance exit to Hospital car park. Samantha Cecchini would like to propose that we do a road study at multiple locations (including Robertson Rd due to other complaints) to identify any speeding trends</p> <p>21/6/2024 – Road study being undertaken Meares & Robertson Rds. Results will be brought to next meeting.</p> <p>9/8/2024 – Road study results in General Business for LTC meeting 16/8/2024.</p>

PAST EVENT DEBRIEF

EVENT	
Mudgee small farm field days – 12-13/7/2024	<p>Three items arising from the field Days, Garry patrolled the area extensively on both days and spoke with security & the traffic controllers.</p> <p>Signage re parking needs to re-worded/upgraded on Ulan Rd.</p> <p>Traffic controllers stated they needed more 40KPH signs between AREC entrance and Gate 3 main carpark entrance as vehicles were speeding up after the AREC entrance. - they will address.</p> <p>Traffic stacking on Henry Lawson Drive X Ulan Road intersection after 3pm. Traffic lined up past Putta Bucca Road about half way to the HLD parking gateway.</p> <p>Otherwise, no major issues.</p> <p>JP to email items to AREC. Items emailed to AREC 16/8/2024</p>
Mudgee Bike Ride (Mary's Mahem) – 10-11/8/2024	<p>JP received several email updates from Mr Israel. Traffic controllers hired, Aboriginal Land Council invited, Mayor invited but no response, having trouble reaching the newspaper and</p>



	<p>radio, some signs on key points erected on the course, posters and flyers distributed to local businesses, 2MG contacted, Police and Hospitals alerted to event, no response from Ambulance command, close to 300 cap.</p> <p>No issues advised from NSW Police 16/8/2024</p>

CALENDAR OF EVENTS

2024		
MONTH	DATE	COMMENTS
FEBRUARY		
MARCH		
APRIL		
ANZAC DAY	25 TH APRIL	Approved by Police April 2024
MAY		
MUDGEES CLASSIC	4-5 TH MAY	Complete
JUNE		
Henry Lawson Heritage Festival 2024	8/6/2024	Acceptance by LTC emailed 19/4/2024.– MWRC Min118/24 giving approval emailed 21/5/2024
JULY		
Mudgee Small Farm Field Days” Friday and Saturday,	12 th & 13 th July 2023	Acceptance by LTC emailed 19/4/2024.– MWRC Min118/24 giving approval emailed 21/5/2024
AUGUST		
MUDGEES BIKE RIDE “MARY’S MAYHEM”	10-11/8/2024	TENTATIVE Acceptance by LTC emailed 27/6/2024. Acceptance be LTC emailed 10/7/2024 Min 176/24 giving Councils approval emailed 24/7/2024
Mudgee running festival event	18/8/2024	Acceptance by LTC emailed 19/4/2024.– MWRC Min118/24 giving approval



		emailed 21/5/2024
SEPT		
2024 Flavours of Mudgee street festival	28/9/2024	Acceptance by LTC emailed 27/6/2024. Going to July Council meeting. Min 176/24 giving Councils approval emailed 24/7/2024
2024 Mudgee High School Year 12 Rainbow Day	26/9/2024	Report to LTC 16/8/2024 Acceptance granted, approval letter to be sent. JP to action.
OCTOBER		
Mudgee Tri Club club race day 2024/2025 season	27/10/2024	Report to LTC 16/8/2024 Request for further information to be sent. Race, not ride. JP to action.
NOVEMBER		
DECEMBER		
Mudgee Tri Club club race day 2024/2025 season	1/12/2024	Report to LTC 16/8/2024 Request for further information to be sent. Race, not ride. JP to action.
Mudgee Cup	6/12/2024	
Mudgee Tri Club club race day 2024/2025 season	15/12/2024	Report to LTC 16/8/2024 Request for further information to be sent. Race, not ride. JP to action.
Mudgee Show Carols	16/12/2024	

2025		
MONTH	DATE	COMMENTS
JANUARY		
Mudgee Tri Club club race day 2024/2025 season	19/1/2025	Report to LTC 16/8/2024 Request for further information to be sent. Race, not ride. JP to action.
FEBRUARY		
Mudgee Tri Club club race day 2024/2025 season	16/2/2025	Report to LTC 16/8/2024 Request for further information to be sent. Race, not ride. JP to action.
MARCH		
Mudgee Tri Club club race day 2024/2025 season	16/3/2025	Report to LTC 16/8/2024 Request for further information to be sent. Race, not ride. JP to action.
APRIL		
Mudgee Tri Club club race day 2024/2025 season	6/4/2025	Report to LTC 16/8/2024 Request for further information to be sent. Race, not ride. JP to action.

Red = Unapproved
 Green = Approved



24/014 TRAFFIC COUNT MEARES AND ROBERTSON STREETS

RECOMMENDATION

That the Local Traffic Committee Review the attached traffic count data and discuss.

Recommendation that edgelines and centre line be implemented. Concept design to be provided at next meeting – **Action – Sammy Cecchini**

24/015 GENERAL BUSINESS

CHURCH STREET BUS ZONE

Original item – *Request for the creation of a bus stop. Location Church Street. Outside properties number, 180, Church Street. Ogden Coaches has made enquiry if the length of kerb side space can be established as a bus zone. At the present time there is a timed drop off and pick up zone associated with the preschool. This zone is quarter of an hour parallel parking 8AM -9.30 AM Monday to Friday and 2.30 PM to 4 PM Monday to Friday. This zone is 28 Meters long and has four parking spaces. Listed for the consideration of the committee. See diagram attached ratio 1:500*

Don Cottee - Ogdens Coaches have requested the creation of a bus zone in front of the preschool.

The need is to be able to load students in front of the school.

Whilst the demand is low there is a special needs student who travels by bus.

The proposed bus zone would be located in the current quarter hour parallel parking zone which operates 8.00 to 9.30 AM and 2.30 to 4 PM .

The drop off pick up parking would be retained with the bus zone operating at other times.

The time limited zone is four car lengths and would be suitable length for a bus zone.

The bus stop would not be used by regularly scheduled town services.

Whilst the demand for parking is high in this precinct day parking demand is low because of the time limitation.

Attachments: Proposed Church St Bus zone.

Don Cottee to go back to Ogdens and get further information. Why do they need the whole day when the children would be dropped off between the drop off pick up time zone. If there is a child with special needs on the bus, what other requirements are there in place or needed for their safe transition from the bus to the school? – **Action Don Cottee.**

SPEED ZONE REVIEW FOR GLEN DAVIS ROAD AND GLEN ALICE ROAD

Don Cottee – TfNSW have been requested comments from Council Staff before it progresses to approval.

Transport for NSW speed zone review discussed and noted.



CENTRAL WEST AND ORANA / STRATEGIC REGIONAL INTEGRATED TRANSPORT PLANS / HAVE YOUR SAY

Reminder - All members are encouraged to contribute to the Strategic Regional Integrated Transport Plan for Central West and Orana. This is now available until December 2024

The plan is encouraging input from all types of stakeholders – residents, industry leaders, local authorities etc. Examples provided in other regions have included, improved mobile phone coverage at crash hot spots, snow warning signage, public transport challenges, rest area gaps etc.

[Central West and Orana | Strategic Regional Integrated Transport Plans | Have Your Say \(nsw.gov.au\)](https://www.nsw.gov.au/central-west-and-orana/strategic-regional-integrated-transport-plans-have-your-say)

LATE ITEM – TEMPORARY ROAD CLOSURE HERBERT & MAYNE STS 5/10/2024

Request for road closure for Gulgong Folk Festival for photograph to be taken of residents the same as was taken twenty years ago. This would occur Saturday 5th October 2024 at 11am – 12 noon.

After discussion, it was advised that a TGS needs to be provided and traffic control to be undertaken by authorised controllers. Email to be sent to resident advising of this requirement - Action Jackie Perring

LATE ITEM – WORKS REQUEST – BUSINESS USING STREET FOR PARKING

Advise that a business is using the road for parking for their business. This reduces the road to single lane and with delivery trucks, stops traffic altogether.

Further investigation to be undertaken and brought back to LTC – Action Don Cottee.



24/016 MHS RAINBOW DAY 2024

RECOMMENDATION

That the Local Traffic Committee endorse the event “MHS Rainbow Day 2024 to be held Thursday 26 September 2024 8am – 9.15am and and classify as a Class 2 event under the “Guide to Traffic and Transport Management for Special Events Version 3.4” and proceed with the following conditions:

- A. A Special Events Transport Management Plan (TMP), is to be prepared in accordance with the Guide to Traffic and Transport Management for Special Events Version 3.4 and submitted to and approved by Council prior to the event.
- B. Events are to be undertaken in accordance with the requirements of the NSW Police Force with their approval documentation forwarded to Council for notation.
- C. Controlling noise as required by the Protection of the Environment Operations (Noise Control) Regulation 2000.
- D. Reimbursing Council for the cost of damage repairs.
- E. Complying with any of Council’s Law Enforcement Officers’ reasonable directives.
- F. Maintain areas in a clean and tidy condition. No obstructions are to be left on the roadways or footpaths.
- G. The qualification of the person creating the Traffic Guidance Scheme must be a holder of the Prepare a Work Zone Traffic Management Plan or superseded Select and Modify Certificate or the Design and Audit Certificate which has not expired.
- H. Any person directing traffic on a public road is required to possess an appropriate traffic controller’s certificate.
- I. Council must be provided with a current copy of a public liability insurance policy in the amount of at least \$20 million. Such a policy is to list Council, TRANSPORT FOR NSW and NSW Police as Interested Parties.
- J. The event convener is to consult with all affected businesses and residents adjacent to the proposed closure, in writing, indicating the period during which their accesses will be affected.
- K. Maintain a four-metre wide emergency vehicle lane.
- L. Advertise the proposed event in local newspapers with relevant information at least two weeks prior to the date.
- M. The organiser is to debrief with Council and Police with all traffic control documentation and controls tabled for review.
- N. Traffic Guidance Schemes are prepared in accordance with TRANSPORT FOR NSW Traffic Control at Worksites Manual.

MOTION:

That the above recommendation be accepted and approved.

MOTION CARRIED: Mr Thomas Worley / Simon Fogarty

The motion was carried with members voting unanimously.



24/017 MUDGEE TRIATHLON CLUB 2024-2025 SEASON

RECOMMENDATION

That the Local Traffic Committee accept the events Mudgee Triathlon Club's 2024-2025 season race days and that each individual day be classified as a "Class 2" event under the "Guide to Traffic and Transport Management for Special Events Version 3.5" and proceeds with the following conditions.

- a) Events are to be undertaken in accordance with the "Guidelines for Bicycle Road Races";
- b) A Special Events Transport Management Plan (TMP), is to be prepared in accordance with the "Guide to Traffic and Transport Management for Special Events Version 3.5 and submitted to and approved by Council prior to the event;
- c) Events are to be undertaken in accordance with the requirements of the NSW Police Force with their approval documentation forwarded to Council for notation;
- d) Controlling noise as required by the Protection of the Environment Operations (Noise Control) Regulation 2000;
- e) Reimbursing Council for the cost of damage repairs;
- f) Complying with any of Council's Law Enforcement Officers reasonable directives;
- g) Maintain areas in a clean and tidy condition. No obstructions are to be left on the roadways or footpaths;
- h) A Traffic Guidance Scheme (TGS) certified by a person with a 'Select & Modify' or a 'Design and Audit' Certificate be included in the TMP;
- i) Any person directing traffic on a public road is required to possess an appropriate traffic controller's certificate;
- j) Council must be provided with a current copy of a public liability insurance policy in the amount of at least \$20 million. Such a policy is to note that Council, RMS and NSW Police Force is indemnified against any possible action as the result of the event;
- k) The event convener is to notify all affected businesses and residents adjacent to the proposed closure indicating the period during which their accesses will be affected. Such notification is to be in writing;
- l) Provide alternative access for motorists or pedestrians with legitimate business within the closed section of roadway;
- m) Maintain a four-metre wide emergency vehicle lane;
- n) Advertise the proposed event in local newspapers with relevant information at least 2 weeks prior to the date;
- o) The organiser is to debrief with Council and Police with all traffic control documentation and controls tabled for review; and Transport for NSW consent required for use of the State and Regional road network.

MOTION:

That the above recommendation be accepted and approved. **Not passed at this time.**

As this meeting is a race, road closures are required. Applicant to be advised and request for solution. Anticipated numbers for short and long course would be helpful. Defer to NSW Guidelines for Bicycle Road Races – Specifically but not only Section 4.3 – Email to be sent to applicant – Jackie Perring to action.



CLOSURE

There being no further business the meeting concluded at 11.03am.

12.3 Local Traffic Committee Meeting Minutes - September 2024

REPORT BY THE ADMINISTRATION ASSISTANT - INFRASTRUCTURE PLANNING
TO 16 OCTOBER 2024 ORDINARY MEETING
GOV400105, A0100009

RECOMMENDATION

That Council receive the report by the Administration Assistant - Infrastructure Planning on the Local Traffic Committee Meeting Minutes - September 2024.

Executive summary

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

Disclosure of Interest

Nil

Detailed report

The Local Traffic Committee meeting was held on Friday, 20 September 2024. Two event reports were considered:

- *Mudgee Triathlon Club 2024-2025 season*
- *Rylstone StreetFeast to be held 2 November 2024*

Traffic reports were considered.

- *Bylong Valley Way Rylstone – Review of speed limits*
- *Stop sign on Narrango Road at intersection of Glen Alice Road*

General Business items included:

- Several actions were discussed however there were no Local Traffic Committee action required.

Full discussion notes are included in the attached report.

Community Plan implications

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

Strategic implications

Council Strategies

Not Applicable

Council Policies

Not Applicable

Legislation

Not Applicable

Financial implications

Not Applicable

Associated Risks

Not Applicable

JACQUALYN PERRING
ADMINISTRATION ASSISTANT -
INFRASTRUCTURE PLANNING

JULIAN GEDDES
DIRECTOR OPERATIONS

2 October 2024

Attachments: 1. MINUTE - Local traffic committee - 20 September 2024.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Mid-Western Regional Council

Date: 20 September 2024

Minutes of the Local Traffic Committee

Held at the Operations Meeting Room, 54 Depot Road Mudgee
on 20 September 2024.

Present	Don Cottee (MWRC), Garry McGovern (NSW Police), Nathan Murphy (TfNSW), Samantha Cecchini (MWRC)
Apologies	Julian Geddes (MWRC), Mark Fehon (NSW Police), Simon Fogerty (NSW Police), Peter Wormald, Thomas Worley (TfNSW)
Secretary	Jackie Perring (MWRC)

The LTC meeting commenced at 9:30am.

ACKNOWLEDGEMENT OF COUNTRY

I would like to acknowledge the traditional owners of the lands on which we meet, the Wiradjuri people and pay our respects to elders, past, present and emerging.

MINUTES OF PREVIOUS MEETING

RECOMMENDATION

That the Minutes of the previous Local Traffic Committee held on 16 August 2024 be taken as read and confirmed.



MATTERS IN PROGRESS – JUNE 2024			
SUBJECT	RES NO. & DATE	CLOSE	ACTION
CAERLON BUS PICK UP	FEB2021-1		<p>15/3 STILL IN PROGRESS, EXPECTATIONS ARE THAT THIS IS A 2 YEAR PROCESS. ADDITIONAL ROAD TO BE ADDED BY COUNCIL.</p> <p>19/4 THE HONE CREEK DRIVE EXTENSION TO FAIRYDALE LANE WILL NOT BE COMPLETED UNTIL 2026. IN THE MEANTIME A TEMPORARY BUS TURN AROUND WITHIN CAERLEON ESTATE WILL BE PROVIDED BY THE DEVELOPER WITH THE CONSTRUCTION OF FUTURE STAGES OF THE SUBDIVISION.</p> <p>13/6/2024 – Don has visited site and has met with Ogdens. To be discussed in General Business 21/6/2024 – Don & Sammy to speak to Ogdens & Dept of Transport as to what can be done. Tentative barrier may be erected. Stage 14 of Caerleon will include a roundabout at entrance to estate</p> <p>10/7/2024 – TfNSW email changing speed zone to 50km past Hone Creek entrance to Caerleon Estate.</p>
RAINBOW DAY FOR 2025			<p>A POST EVENT DEBRIEF WITH MUDGEES HSC REMAINS OUTSTANDING</p> <p>21/6/2024 - Email sent to MHS requesting meeting. Garry & Sammy to attend.</p> <p>8/7/2024 – Letter requesting support for Rainbow Day for 26/9/2024 received at Council. 2nd email requesting meeting emailed 9/7/2024.</p> <p>9/8/2024 – Report going to LTC 16/8/2024, meeting arranged 28/8/2024.</p> <p>19/8/2024 – Consent approved at LTC meeting. Consent emailed to MHS 19/8/2024 jp</p> <p>20/9/2024 - NSW Police will be holding a tool box talk with students and staff from MWRC on Wednesday 25/9/2024.</p>



MATTERS IN PROGRESS – JUNE 2024

SUBJECT	RES NO. & DATE	CLOSE	ACTION
MEARES ST SPEEDING			<p>Various complaints re speeding on Meares St and entrance exit to Hospital car park. Samantha Cecchini would like to propose that we do a road study at multiple locations (including Robertson Rd due to other complaints) to identify any speeding trends</p> <p>21/6/2024 – Road study being undertaken Meares & Robertson Rds. Results will be brought to next meeting.</p> <p>9/8/2024 – Road study results in General Business for LTC meeting 16/8/2024.</p> <p>19/8/2024 – Concept design to be drawn and supplied to next meeting</p>

PAST EVENT DEBRIEF

EVENT	
Mudgee Bike Ride (Mary's Mahem) – 10-11/8/2024	<p>JP received several email updates from Mr Israel. Traffic controllers hired, Aboriginal Land Council invited, Mayor invited but no response, having trouble reaching the newspaper and radio, some signs on key points erected on the course, posters and flyers distributed to local businesses, 2MG contacted, Police and Hospitals alerted to event, no response from Ambulance command, close to 300 cap.</p> <p>16/8/2024 No comments/issues from NSW Police</p>
2024 Mudgee Small Farm Field Days	<p>20/8/2024 - Email received from Cassandra Stanford - Thanks for the feedback. I've copied Alayna in as we've discussed some traffic related things as well.</p> <p>I had ordered new signage for Ulan Rd but in the rush of putting things out, the incorrect signs were used. I'll try to pre-prepare those for next year so there are no mistakes!!</p> <p>The Henry Lawson Drive X Ulan Road intersection after 3pm is an ongoing issue. When I started, they used to block HLD at Putta Bucca and send</p>



	<p>everyone that way. Then we were told to unblock the road and have User Pays Police on the intersection but they didn't turn up on the Friday so they said we didn't have to employ them again...</p> <p>Unfortunately, there will always be a bit of traffic queueing, we can only try to reduce it. We could try to put signage at HLD/Putta Bucca saying "Alternate Route" or something but most people just follow the car in front of them regardless of what signs there are!!! In about 2019, Council told us not to let vehicles out the Mens Shed gate anymore, as it causes more queuing on the roads, hence why we only have 1 exit onto Ulan Rd now, so it keeps most of the queuing in our grounds!</p> <p>Nothing will ever be perfect but I think things ran as well as they could this year and provided minimal disruption to other road users!</p> <p>20/9/2024 – Garry mentioned that there were issues with traffic control in place with traffic being 80km's/hr. There should be signage for 40km/hr earlier. Also clearer signage on the gates. Signs say Entrance at Gate 3 but no clear indicator which gate is gate 3 leading to confusion with attendees.</p> <p>JP to advise AREC.</p>
<p>Mudgee Running Festival</p>	<p>Inquiry from Jo Lindsay saying that the Running Festival did not advertise in the newspaper re road closures (she checked two newspapers prior to event). How do we police this? Should we update the consent conditions to include other forms of advertising/media? I asked her if there was a specific road of concern and she said no, she didn't think so. James Alderton was the Works Officer who worked that day.</p> <p>20/9/2024 – Mudgee Running Festival organiser to be advised that advertising conditions may not have been met and to ensure they happen next year or they may be in breach of their insurance. If all conditions are not met, it may be deemed as not approved. JP to action</p>

CALENDAR OF EVENTS

2024		
MONTH	DATE	COMMENTS
FEBRUARY		



MARCH		
APRIL		
ANZAC DAY	25TH APRIL2024	Approved by Police April 2024
MAY		
MUDGEES CLASSIC	4-5TH MAY2024	Complete
Windeyer Endurance Ride	11-12/5/2024	Approved via email. Consent issued
JUNE		
Henry Lawson Heritage Festival 2024	8/6/2024	Acceptance by LTC emailed 19/4/2024.– MWRC Min118/24 giving approval emailed 21/5/2024
Windeyer Endurance Ride	21-23/6/2024	Approved via email. Consent issued 12/6/2024
JULY		
Mudgee Small Farm Field Days” Friday and Saturday,	12-13/7/2024	Acceptance by LTC emailed 19/4/2024.– MWRC Min118/24 giving approval emailed 21/5/2024
AUGUST		
MUDGEES BIKE RIDE “MARY’S MAYHEM”	10-11/8/2024	TENTATIVE Acceptance by LTC emailed 27/6/2024. Acceptance be LTC emailed 10/7/2024 Min 176/24 giving Councils approval emailed 24/7/2024
Mudgee running festival event	18/8/2024	Acceptance by LTC emailed 19/4/2024.– MWRC Min118/24 giving approval emailed 21/5/2024
SEPT		
Windeyer Endurance Ride	21-22/9/2024	Approved via email 10/9/2024 Consent issued 11/9/2024
2024 Flavours of Mudgee street festival	28/9/2024	Acceptance by LTC emailed 27/6/2024. Going to July Council meeting. Min 176/24 giving Councils approval emailed 24/7/2024
2024 Mudgee High School Year 12 Rainbow Day	26/9/2024	Acceptance by LTC emailed 19/8/2024 – Going to October Council meeting
OCTOBER		
Mudgee Tri Club club race day	27/10/2024	Acceptance by LTC emailed



2024/2025 season		30/8/2024 – Going to October Council meeting
Alpine Classic	26-27/10/2024	Approval not required
NOVEMBER		
Rylstone Street Feast	2/11/2024	Acceptance by LTC emailed 24/9/2024. Going to October Council meeting
DECEMBER		
Mudgee Tri Club club race day 2024/2025 season	1/12/2024	Acceptance by LTC emailed 30/8/2024 – Going to October Council meeting
Mudgee Cup	6/12/2024	
Mudgee Tri Club club race day 2024/2025 season	15/12/2024	Acceptance by LTC emailed 30/8/2024 – Going to October Council meeting
Mudgee Show Carols	16/12/2024	
2025		
MONTH	DATE	COMMENTS
JANUARY		
Mudgee Tri Club club race day 2024/2025 season	19/1/2025	Acceptance by LTC emailed 30/8/2024 – Going to October Council meeting
FEBRUARY		
Mudgee Tri Club club race day 2024/2025 season	16/2/2025	Acceptance by LTC emailed 30/8/2024 – Going to October Council meeting
MARCH		
Mudgee Tri Club club race day 2024/2025 season	16/3/2025	Acceptance by LTC emailed 30/8/2024 – Going to October Council meeting
APRIL		
Mudgee Tri Club club race day 2024/2025 season	6/4/2025	Acceptance by LTC emailed 30/8/2024 – Going to October Council meeting

Red = Unapproved
 Green = Approved

Nil

24/018 GENERAL BUSINESS

PEDESTRIAN CROSSING / PARKING DOURO STREET BETWEEN SHOWGROUND AND



NEW CAR PARK.

A MWRC staff member mentioned that during the Lego event at the Mudgee Showground several weekends ago there was a child running out onto the road (in harness but scared the driver) from between cars near the showground gate to go across the road to the new car park.. Vehicles are parking too close to the gate obstructing the view of pedestrians and drivers. Is there going to be a pedestrian crossing put in at this location and can the area nearest the gates be marked as no parking so as to allow pedestrians to be sited on approach using Douro Street?

20/9/2024 – This does not meet the warrant of have a pedestrian crossing in this location however hard edge blisters could improve the situation. Don Cottee to take to Managers Meeting for discussion. Lighting could also improve the situation.

LOAD LIMITS FOR SELECTED ROADS

Andrew Kearins sent an email to the previous LTC secretary re 10 tonne load limits but it wasn't forwarded on to current secretary.

He advises:

I know we discussed this (10 tonne load limits) before and I wasn't supportive, I now have a better understanding of what is going on.

In short Councils non potable water supply is on the outskirts of Gulgong on Barneys Reef Rd. The trucks delivering to solar farms and the like fill up and then head back out to Cope Rd via either Blacklead Lane or Tallawang St. instead of using Rouse Street as they are supposed to. These roads are not designed for the large loads so I request load limits be approved on both these roads. My understanding is that this will stop through trucks while trucks with a destination on the road are OK.

We are also seeing a similar problem with Magpie Lane. Council just finished fixing this minor local road up and we are now seeing multiple trucks movements on it going between the Castlereagh Hwy and Guntawang Rd. This road is not suitable for that type of truck movements so we request a load limit of 10t be approved on that road too.

I assume this still needs LTC approval?

The request is for 10 tonne load limits to be put on Tallawang Street (between Barneys Reef Road and Cope Road) and Magpie Lane (between Castlereagh Highway & Guntawang Road). Black Lead Lane has already had load limits put on it.

20/9/2024 – All members in agreement. Works instruction to be raise for erection of No Trucks signage on Tallawang Street, Magpie Lane and replace the load limit signs on Barnesy Reef Rd. – Don Cottee to provide work instruction.

MUDGEE RUNNING FESTIVAL

A member of MWRC staff has advised that the Mudgee Running Festival did not advertise in the Newspaper as required as part of their consent. What action is to be taken? Should we mention



other forms of advertising in our consent also? (Radio, social media?)

- TRANSPORT FOR NSW and NSW Police as Interested Parties;**
- j) **The event convener is to consult with all affected businesses and residents adjacent to the proposed closure, in writing, indicating the period during which their accesses will be affected;**
 - k) **Maintain a four-metre wide emergency vehicle lane;**
 - l) **Advertise the proposed event in local newspapers with relevant information at least two weeks prior to the date;**
 - m) **The organiser is to debrief with Council and Police with all traffic control**

NFA - Dealt with in Matters in progress.

WORKS REQUEST RD0256/2025

RD0256/2025 – Mention - Request from teacher at Lue School for line marking in carpark, No parking zone in front of main gate and 203 more lined parking spaces to the left of the main gate and a bus zone clearly marked. MWRC and TfNSW are investigating this.

20/9/2024 - Transport for NSW have agreed to include this scope of works in an existing line-marking project approved for Lue. Currently seeking a quote to re-seal the pavement before a line marking design and signage replacement is finalised. Liaison between the school, TfNSW and Council is ongoing.

WORKS REQUEST SI0025/2025

Request for 'No Standing' signs installed in the lane way between housing plus and St Vinnies, as residents of short street cannot access their rear entrances due to delivery vans parking across the roller doors of the three garages in the lane. Police advised there needs to be a sign up before they can do anything. Don is working on this.

20/9/2024 - This was dealt with administratively by Don Cottee Manager Infrastructure Planning. Note: 'No Standing' signs are no longer in use. They are now 'No Parking'.

WINDEYER ENDURANCE RIDE 21ST & 22ND SEPTEMBER

Request received for Windeyer Endurance Ride 21st & 22nd September. Approved by TfNSW, NSW Police & MWRC via Email.

WORKS REQUEST SI0031/2025

SI0031/2025 – Request for no parking on Southern side of Lisbon Street near bend due to lack of visibility when cars park on both sides of the street.

20/9/2024 – No Parking signs to be erected on both sides of the street to the end of the curve and double lines installed. Don Cottee to provide work instruction.



24/019 MUDGEE TRIATHLON CLUB 2024-2025 SEASON

RECOMMENDATION

That the Local Traffic Committee accept the events Mudgee Triathlon Club's 2024-2025 season race days and that each individual day be classified as a "Class 2" event under the "Guide to Traffic and Transport Management for Special Events Version 3.5" and proceeds with the following conditions.

- a) Events are to be undertaken in accordance with the "Guidelines for Bicycle Road Races" – Time Trials
- b) A Special Events Transport Management Plan (TMP), is to be prepared in accordance with the "Guide to Traffic and Transport Management for Special Events Version 3.5" and submitted to and approved by Council prior to the event;
- c) Events are to be undertaken in accordance with the requirements of the NSW Police Force with their approval documentation forwarded to Council for notation;
- d) Controlling noise as required by the Protection of the Environment Operations (Noise Control) Regulation 2000;
- e) Reimbursing Council for the cost of damage repairs;
- f) Complying with any of Council's Law Enforcement Officers reasonable directives;
- g) Maintain areas in a clean and tidy condition. No obstructions are to be left on the roadways or footpaths;
- h) A Traffic Guidance Scheme (TGS) certified by a person with a 'Select & Modify' or a 'Design and Audit' Certificate be included in the TMP;
- i) Any person directing traffic on a public road is required to possess an appropriate traffic controller's certificate;
- j) Council must be provided with a current copy of a public liability insurance policy in the amount of at least \$20 million. Such a policy is to note that Council, RMS and NSW Police Force is indemnified against any possible action as the result of the event;
- k) The event convener is to notify all affected businesses and residents adjacent to the proposed closure indicating the period during which their accesses will be affected. Such notification is to be in writing;
- l) Provide alternative access for motorists or pedestrians with legitimate business within the closed section of roadway;
- m) Maintain a four-metre wide emergency vehicle lane;
- n) Advertise the proposed event in local newspapers with relevant information at least 2 weeks prior to the date;
- o) The organiser is to debrief with Council and Police with all traffic control documentation and controls tabled for review; and Transport for NSW consent required for use of the State and Regional road network.

MOTION:

That the above recommendation be accepted and approved.

Approved via email by Council, TfNSW & NSW Police via email.



0.0 2024 RYLSTONE STREET FEAST

RECOMMENDATION

That the Local Traffic Committee accept the event 2024 Rylstone Street Feast to be held 2 November 2024 be classified as a Class 2 Event under the “Guide to Traffic and Transport Management” for Special Events Version 3.5 with the following conditions:

- A. A Special Events Transport Management Plan (TMP), is to be prepared in accordance with the Guide to Traffic and Transport Management for Special Events Version 3.4 and submitted to and approved by Council prior to the event.
- B. Events are to be undertaken in accordance with the requirements of the NSW Police Force with their approval documentation forwarded to Council for notation.
- C. Controlling noise as required by the Protection of the Environment Operations (Noise Control) Regulation 2000.
- D. Reimbursing Council for the cost of damage repairs.
- E. Complying with any of Council’s Law Enforcement Officers’ reasonable directives.
- F. Maintain areas in a clean and tidy condition. No obstructions are to be left on the roadways or footpaths.
- G. The qualification of the person creating the Traffic Guidance Scheme must be a holder of the Prepare a Work Zone Traffic Management Plan or superseded Select and Modify Certificate or the Design and Audit Certificate which has not expired.
- H. Any person directing traffic on a public road is required to possess an appropriate traffic controller’s certificate.
- I. Council must be provided with a current copy of a public liability insurance policy in the amount of at least \$20 million. Such a policy is to list Council, Transport for NSW and NSW Police as Interested Parties.
- J. The event convener is to consult with all affected businesses and residents adjacent to the proposed closure, in writing, indicating the period during which their accesses will be affected.
- K. Maintain a four-metre wide emergency vehicle lane.
- L. Advertise the proposed event in local newspapers with relevant information at least two weeks prior to the date.
- M. The organiser is to debrief with Council and Police with all traffic control documentation and controls tabled for review.
- N. Traffic Guidance Schemes are prepared in accordance with Transport for NSW Traffic Control at Worksites Manual.
- O. Subject to concurrence with TfNSW Trainlink

MOTION:

That the above recommendation be accepted and approved.

1st Approver – Don Cottee, 2nd Approver – Garry McGovern



24/020 BYLONG VALLEY WAY RYLSTONE - REVIEW OF SPEED LIMITS

RECOMMENDATION

That the Local Traffic Committee Review the speed limits near township of Rylstone and address concerns re the increase in heavy vehicle traffic

MOTION:

That the above recommendation be accepted and approved.

This is currently being reviewed by TfNSW. No action LTC.

24/021 STOP SIGN ON NARRANGO ROAD AT INTERSECTION OF GLEN ALICE ROAD

RECOMMENDATION

That the Local Traffic Committee review the intersection of Narrango Road and Glen Alice Road and address concerns re a Stop sign be required rather than the current Give Way sign on Narrango Road.

MOTION:

That the above recommendation be accepted and approved.

Works instruction to be raised for Stop sign and road markings on Narrango Road at intersection of Glen Alice Road. TfNSW currently reviewing Glen Alice Road. Work instruction to be provided by Don Cottee.

Nil

CLOSURE

There being no further business the meeting concluded at 10.51.

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.

664

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 Opportunity to Purchase Land

The reason for dealing with this report confidentially is that it relates to commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it in accordance with Section 10A(2)(d)(i) of the Local Government Act, 1993.

Discussion of this matter in an open meeting would be, on balance, contrary to the public interest as it involves discussion of (d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it in accordance with Section 10A(2)(d)(i) of the Local Government Act, 1993.

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.